

Attorney SSA Case Opening and Pleadings Quick Reference Guide

Docketing a New SSA Case: **Civil > Open a Case > Civil Case-Unassigned**

Office: Determined by the County in which the Defendant resides, or where the action occurred. Refer to the county list contained in **Addendum A**.

Case Type: CV (Civil).

Date Filed: Auto-entered.

Lead Case Number: For Court use only-*Leave Blank*.

Association Type: Do not make changes-*Leave as "Consolidated."*

Related cases: Leave blank.

Statistical Info:

Jurisdiction: Defaults to "3 (Federal Question)." For social security cases, select 2 "(U.S. Government Defendant)."

Cause of Action and Nature of Suit: Select appropriate codes from the drop-down list.

For SSA Complaints you will select from the following:

861: Social Security: HIA

862: Social Security: Black Lung

863: Social Security: DIWC/DIWW

864: Social Security: SSID Tit. XVI

865: Social Security: RSI Tax Suits

Origin: Attorney filers should only select the first ["1 (Original Proceeding)"].

Citizenship of Plaintiff/Defendant: Leave blank.

Jury Demand: Leave blank.

Class Action: Leave the default "n (No Class Action alleged)."

Demand: Leave blank.

Arbitration Code: Leave blank.

County: Enter the name of the county where the **plaintiff** resides at time of filing.

Fee Status: Select either **pd** (paid) Filing fee to be paid online with this filing or **pend** (IFP pending) if submitting a motion to proceed in forma pauperis with filing.

Fee Date and Date Transfer: Leave blank or defaulted values.

Click [**Next**] to add parties.

Adding Parties:

- DO NOT enter party names in ALL CAPS.
- DO NOT enter address info for a party.
- To avoid the duplicate parties, SEARCH the database for existing party names before adding a new name.

Search for the plaintiff: If the system finds the correct name, highlight and click [**Select Party**]. If no match is found, click the [**Create New Party**] button. Click [**Add Party**] once all required information has been added. Repeat until all parties have been added.

The Defendant in ALL SSA cases is Commissioner of Social Security. **Do not use the individual name of the Acting Commissioner of Social Security.**

Add Interested Parties: **SSA Noticing** and **US Attorney-Social Security Noticing**. **Change Role to "Interested Party."** **DO NOT CREATE NEW PARTIES BUT SEARCH FOR THE NAMES AS LISTED ABOVE.**

Creating the Case:

When all parties are added and appear correctly in the Case Participant Tree, click **[Create Case]**.

Click on **[Docket Lead Event]** from the Open Unassigned Civil Case and select Complaint.

ECF will display the case number.

"Next" through to **select the filer** of the Complaint. **Do NOT** uncheck the attorney/party association box.

Choose **Commissioner of Social Security** as the party that this filing is against.

Uploading Complaint:

All documents must be in PDF format and 50 MB or less.

Click on the **[Browse]** button and select the PDF (**always open the PDF file BEFORE FILING to verify that you are attaching the correct PDF**).

ECF will prompt you with questions about a **jury demand and filing fee**.

Payment: You will be rerouted to Pay.gov website for online cc payment. **IMPORTANT: DO NOT use the internet browser's back button from this point forward in the transaction.** Enter all *required fields and continue to authorization.

Authorization: After reviewing the authorization information, **check the authorization check box** and **continue** to finish the transaction.

Receipt: Pay.gov returns you to ECF to complete the filing transaction. Click **[Next]** and do NOT modify/add docket text.

Additional Pleadings:

Service: In lieu of summons, the Court will issue notice to the Commissioner upon payment of the filing fee or at the granting of the IFP application via **Notice: Social Security Case Service**. See attached instructions for samples and additional information/limitations.

- Upon payment of the filing fee or granting of the IFP application, the Clerk's office will issue a **Notice to Answer SSA Complaint**.
- The Commissioner will docket the **Administrative Record/Answer-Social Security** event located under: **Civil Events > Other Filings > Social Security Documents > Administrative Record/Answer-Social Security**. *If the Commissioner wishes to file an answer in addition to the Administrative Record, the Commissioner will still use the **Administrative Record/Answer-Social Security** event; however, the main document will be the Answer and the attachments to this event will be the Administrative Record.
- Motions under Civil Rule 12 must be made within 60 days after the notice of the action is given under Rule 3 using: **Civil Events > Motions and Related Filings > Motions**.
- Upon the filing of the Administrative Record/Answer the clerk will issue a **Text-Only Social Security Scheduling Order**.

- To file the appropriate new **SS Briefs: Civil > Other Filings > Social Security Documents >**

SS Brief – Plaintiff

SS Brief – Defendant

SS Reply Brief – Plaintiff

The filing of each brief will terminate the current deadline and will set the next required brief deadline. Any motions to extend time to file these briefs will be in the standard motion event. Enter the type of extension sought (of Social Security Briefing Deadlines) and finalize entry.

ADDENDUM A:

DIVISION / COUNTY WESTERN DISTRICT NC

Asheville	Charlotte	Statesville
Avery	Anson	Alexander
Buncombe	Gaston	Alleghany
Burke	Union	Ashe
Cherokee	Mecklenburg	Caldwell
Clay		Catawba
Cleveland		Iredell
Graham		Lincoln
Haywood		Watauga
Henderson		Wilkes
Jackson		
Macon		
Madison		
McDowell		
Mitchell		
Polk		
Rutherfordton		
Swain		
Transylvania		
Yancey		