



# UNITED STATES DISTRICT COURT District of Minnesota

John R. Tunheim, Chief Judge  
Kate M. Fogarty, Clerk

Warren E. Burger Federal  
Building and U.S. Courthouse  
316 North Robert Street  
Suite 100  
St. Paul, MN 55101  
(651) 848-1100

U.S. Courthouse  
300 South Fourth Street  
Suite 202  
Minneapolis, MN 55415  
(612) 664-5000

Gerald W. Heaney Federal Building  
and U.S. Courthouse and Customhouse  
515 West First Street  
Suite 417  
Duluth, MN 55802  
(218) 529-3500

Edward J. Devitt U.S. Courthouse  
and Federal Building  
118 South Mill Street  
Suite 212  
Fergus Falls, MN 56537  
(218) 739-5758

## PUBLIC NOTICE

**Date: January 2, 2018**  
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### PROPOSED AMENDMENTS TO LOCAL RULE 9.1

The United States District Court for the District of Minnesota is issuing for public comment proposed amendments to the Court's Local Rules. The Court proposes amendments to LR 9.1, Social Security Number in Social Security Cases. A summary of the proposed amendments is provided below.

Currently, LR 9.1 requires that a plaintiff suing the Commissioner of Social Security under 42 U.S.C. § 405(g) serve and file both the complaint and the plaintiff's social security number. The proposed amendments require that only the complaint be served and filed and that the plaintiff's social security number be served but not filed.

The proposed amendments to LR 9.1 are provided in redline, below.

#### LR 9.1 SOCIAL SECURITY NUMBER IN SOCIAL SECURITY CASES

~~(a)~~—A plaintiff suing the Commissioner of Social Security under 42 U.S.C. § 405(g) must ~~provide, on a separate paper attached to~~serve—but not file—the ~~complaint, the plaintiff's~~ social security number ~~of the worker whose wage record forms the basis of the benefit application underlying the suit. The separate paper containing the worker's social security number must also be served, along with the complaint, on the Commissioner, and the complaint must state that the separate paper was served on the Commissioner. But the complaint.~~ The complaint will not be dismissed for failure to comply with this rule.

~~(b)~~—~~The clerk must file the separate paper containing the worker's social security number under seal.~~

[Adopted effective February 1, 1991; amended September 24, 2009; amended May 14, 2013; [amended \\_\\_\\_\\_\\_, 2018](#)]

**[2018 Advisory Committee's Note to LR 9.1](#)**

[Local Rule 9.1 formerly required that a plaintiff suing the Commissioner of Social Security under 42 U.S.C. § 405\(g\) serve and file both the complaint and the plaintiff's social security number. Under the amended rule, only the complaint must be both served and filed; the plaintiff's social security number must be served but not filed. Plaintiffs should bear in mind that, under Fed. R. Civ. P. 4\(i\), the complaint and the plaintiff's social security number must be served on both the Commissioner and the United States Attorney's Office.](#)

The Court's Federal Practice Committee, chaired by Steve Wells, recommended that public comment be solicited on these proposed amendments. The proposed amendments are posted by the Court for public review and comment through February 2, 2018.

Comments should be provided in writing to the Clerk of Court at the address above, or by e-mail to [MnFedRules@mnd.uscourts.gov](mailto:MnFedRules@mnd.uscourts.gov). The Court will consider adoption of the proposed amendments after reviewing any comments or suggestions submitted on or before February 2, 2018. Please note that all public comments received by the Court will be made available to the public.