



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: March 13, 2018
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AMENDMENTS TO LOCAL RULE 9.1

The United States District Court for the District of Minnesota has approved amendments to Local Rule 9.1, Social Security Number in Social Security Cases. On January 2, 2018, the Court notified the public of proposed amendments to LR 9.1. After consideration of the public's comments and the recommendations of the Court's Federal Practice Committee, chaired by Steve Wells, the Court approved the following amendments.

Former LR 9.1 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. The rule now directs that the complaint be served and filed, but that the plaintiff's social security number be served but not filed.

The 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 March 13, 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.