

ATTORNEY CASE OPENING SOCIAL SECURITY COMPLAINT

I. OPEN CASE

1. Select → **Civil** → **Open a case** → **Open a Civil Case (Attorney)**

- a) Click **Next** after reading the attorney case opening message
- b) Click **Next** after reading the office/county message
- c) Select appropriate **Office** and **Case type** which is always **cv**
Leave Other court name and number blank, Click **Next**
- d) Enter the following in the appropriate fields:
Jurisdiction - 2 U.S. Government Defendant
Cause of Action – use appropriate citation code from list below:
42:0205 (42:205 Denial Social Security Benefits)
42:0206 (42:206 Social Security Benefits)
42:0402 (42:402 Social Security Benefits)
42:0405id (42:405 Review of HHS Decision (SSID))
42:0405wc (42:405 Review of HHS Decision (DIWC))
42:0405ww (42:405 Review of HHS Decision (DIWW))
42:0416 (42:416 Denial of Social Security Benefits)
42:0427 (42:427 Social Security Benefits)
Nature of Suit – use appropriate code from list below¹:
861 HIA (1395ff)
862 Black Lung (923)
863 DIWC/DIWW (405(g))
864 SSID Title XVI
865 RSI (405(g))
County – select the county where the plaintiff resides
Fee Status – indicate; pd (paid) or pend (IFP pending)
Leave all other fields blank or as they are, Click **Next**

2. Enter parties

- a) Click **Next** after reading the party entry information message
- b) Enter client's name used on the complaint in UPPERCASE letters in the **Search for a party** fields; Last, First and Middle, Click **Search**
- c) When prompted with the **Search Results** field, highlight the client's name if it appears and Click **Select Party** button, otherwise Click

¹ Only select one of these Nature of Suits, selecting another Nature of Suit exposes the client's complaint and other filings to viewing on Pacer and/or the world wide web. These Nature of Suit codes have a security feature embedded in them that restricts the viewing of the document to case participants and public terminals.

Create New Party button

- d) On the **Party Information** screen, change the party **Role** from Defendant to **Plaintiff**. On this screen, the client's **Generation** may be entered as well. Leave all other fields blank or as they are, Click **Add Party**
- e) Enter **COMMISSIONER OF SOCIAL SECURITY**² when Prompted with the **Search for a party** fields, but only use the **Last/Business Name** field, Click **Search**
- f) When prompted with the **Search Results** field, highlight the **COMMISSIONER OF SOCIAL SECURITY**, Click **Select Party**
- g) On the **Party Information** screen, Click **Add Party**
- h) Select → **Create case**
- i) Select → **Yes** when prompted with Case will be created. Proceed?

3. Docket the initial pleading

- a) Click **Next** after reading the case opening message
- b) There are 2 events available for filing the complaint. One found under **Complaints and Other Initiating Documents** → **Complaint**, when paying the filing fee and the other found under **Service of Process** → **Complaint Received** when submitting an IFP application. After selecting an event, Click **Next**
- c) Verify the case number at the Civil Case Number prompt, Click **Next**
- d) Confirm the case number and case caption, Click **Next**
- e) Highlight the filer/client, Click **Next**
- f) On the attorney/party association screen, Click **Next**
- g) Highlight the Commissioner of Social Security on the filing is against screen (Never use the Select a Group: prompt)
- h) Upload the complaint as the main document and attach additional documents with a Category or Description, ie... Civil Cover Sheet, Application IFP, etc..., Click **Next**
- i) Answer No to the jury demand prompt, Click **Next**

4. If paying filing fee, select Payment Type: Credit Card

- a) Verify Credit Card has been selected, Click **Next**
- b) Read Warning Message: **CANNOT use your browser Back button**, Click **Next**
- c) Wait for the Payment Process System, then enter appropriate data, Click **Continue with Plastic Card Payment**
- d) On the Authorize Payment screen, verify information, place a check mark in the I authorize a charge.... box, Click **Submit Payment**
- e) On the Case number and caption screen, Click **Next**
- f) On the Docket Text: Final Text screen, Click **Next**

² Only use the name COMMISSIONER OF SOCIAL SECURITY because it has an email address to the Social Security Administration embedded in the name which gives them advanced notice a new filing.

g) Transaction is Complete

5. If submitting an IFP Application, select Payment Type:

Application for In Forma Pauperis (without Prepayment of Fees)

- a) Verify Application for In Forma Pauperis has been selected, Click **Next**
- b) On the Case number and caption screen, Click **Next**
- c) On the Docket Text: Final Text screen, Click Next
- d) Transaction is Complete

II. Clerk's Office Review and Assignment of a Judge

The Clerk's Office will be automatically notified of your filing. Your filing will be reviewed for accuracy and you will be notified if additional action is required.

An NEF will be sent indicating the assigned judge within approximately two business days.