

**Rule 9.02 (FRCP 56) Social Security Appeals.**

In all cases seeking review pursuant to 42 U.S.C. § 405(g) of a final determination of the Commissioner of Social Security denying a claim for benefits, no motion for summary judgment shall be filed without leave of Court for good cause shown. The action shall commence upon filing of a complaint, and the Commissioner shall file any motion to dismiss, motion to remand, and/or answer within sixty (60) days of service of the complaint. With its answer, the Commissioner shall file the administrative record. The plaintiff shall, unless otherwise ordered by the Court, serve and file a brief in support of the complaint within thirty (30) days after the Commissioner's service of an answer and the administrative record. The Commissioner shall serve and file a brief in support of the answer within thirty (30) days after service of the plaintiff's brief. Plaintiff shall have fourteen (14) days after service of the Commissioner's brief to file a reply brief. No further briefs shall be filed except by leave of Court for good cause shown. A brief filed pursuant to this rule shall not exceed fifteen (15) standard typed pages, exclusive of a signature page and attachments, except by leave of Court for good cause shown. A reply brief shall not exceed ten (10) typed pages.

(Amended February 8, 1999, effective March 15, 1999; Amended July 10, 2006, effective August 28, 2006; Amended September 8, 2009, effective December 1, 2009)