

Pending Amendments to Federal Rules Impacting NCMD Practices
(Effective 12/1/22)

Rule	Description	Impact
FRCP 7.1(a)(2)	Parties and intervenors in diversity cases must disclose the name and citizenship of every individual or entity attributed to each party.	Parties and intervenors should use the Court's revised Disclosure Form .
FRCrP 16	The Court shall set by order or local rule deadlines for the government and defendant to disclose expert witnesses.	The Court's Criminal Scheduling Orders now include deadlines for the disclosure of expert witnesses.
SSA Supp. Rule 3	The Court will notify the Social Security Administration (SSA) Office of General Counsel and U.S. Attorney's Office (USAO) of newly filed SSA cases. Petitioners will no longer serve a summons.	The Clerk's Office will provide a CM/ECF text notification to the SSA's Office of General Counsel and the USAO after receipt of the filing fee or entry of an IFP order. The SSA will be required to file their certified administrative record within 60 days of the text notice.
SSA Supp. Rule 4	The SSA's certified administrative record can serve as the answer.	The SSA should file the certified administrative record using the CM/ECF event: Answer/Certified Administrative Record – Social Security Case.
SSA Supp. Rule 5	Briefs, instead of motions, present the action for decision on the merits.	Plaintiffs and the SSA should submit briefs only and no longer prepare motions.
SSA Supp. Rule 6	The plaintiff's brief will be due 30 days after the answer or final order resolving a motion to dismiss is filed. A motion is not required.	Plaintiffs should submit briefs within 30 days using the new CM/ECF event: Plaintiff's Brief – Social Security Case.
SSA Supp. Rule 7	The SSA's brief will be due 30 days after service of the plaintiff's motion and brief. A motion is not required.	The SSA should submit briefs within 30 days using the new CM/ECF event: Defendant's Brief – Social Security Case.
SSA Supp. Rule 8	The plaintiff will have 14 days from the filing of the SSA's brief to file a reply, which was not previously allowed.	Plaintiffs should submit any replies within 14 days using the new CM/ECF event: Plaintiff's Reply Brief – Social Security Case.