UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

IN RE: PLAINTIFF'S CONSENT TO   Standing Order No. 2024-1
MAGISTRATE JUDGE JURISDICTION
PURSUANT TO 28 U.S.C. § 636 IN SOCIAL
SECURITY CASES

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Effective April 2, 2024, the following procedures will govern filing a plaintiff's

determination regarding consent to the jurisdiction of a magistrate judge pursuant to 28 U.S.C. §

636(c) in cases seeking review, under 42 U.S.C. § 405(g), of the decision of the Commissioner

of Social Security, notwithstanding the process set forth in Local Civil Rule 16-1(b).

Initial Case Filing

When a Registered User of CM/ECF representing the plaintiff initiates the case, the Court

will require the plaintiff to make a determination regarding consent in CM/ECF at the time of the

initial case filing.   If the plaintiff consents, the case will be assigned randomly to a magistrate

judge.   If the plaintiff declines to consent, the case will be assigned randomly to a district judge.

When a plaintiff who is not a Registered User of CM/ECF initiates the case, the Clerk

will assign the case randomly to a district judge.

No plaintiff may file a consent after the case is assigned to a district judge.

Remands Pursuant to Sentence Four of 42 U.S.C. § 405(g)

Social Security case appeals following a previous remand by the District Court pursuant

to sentence four of 42 U.S.C. § 405(g) will be given a new case number.   The procedures

explained above under Initial Case Filing apply to the plaintiff when filing after remand.

Remands Pursuant to Sentence Six of 42 U.S.C. § 405(g)

Social Security appeals from a modified decision of the Commissioner following

previous remand by the District Court pursuant to sentence six of 42 U.S.C. § 405(g) will be

reopened under the prior case number and assigned to the judge who issued the final order in the initial case. If that judge is unavailable:

A new magistrate judge will be randomly assigned if the parties fully consented prior to reopening; or

A new district judge will be randomly assigned if there was not full consent prior to reopening.

No plaintiff may file a consent after the case is assigned to a district judge after remand under Sentence Four or Sentence Six of 42 U.S.C. § 405(g).

This order recognizes that the United States has consented to magistrate judge jurisdiction in all such cases, subject to reserved rights to withdraw the consent in a given matter and to withdraw the general consent as set forth in *In re: Consent to Magistrate Judges Pursuant to 28 U.S.C. Section 636(c) in Social Security Cases*, 06-mc-9130, May 26, 2006.

IT IS SO ORDERED. DATED this 18th day of March, 2024.

MICHAEL MCSHANE
CHIEF U.S. DISTRICT JUDGE