

FILED

DEC 18 2013

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
13-JP-1-JG

JULIE A. RICHARDS, CLERK  
US DISTRICT COURT, EDNC  
BY  DEP CLK

IN RE: )  
)  
FILING OF TEXT-SEARCHABLE ) **JUDICIAL PREFERENCE ORDER**  
ADMINISTRATIVE RECORDS IN )  
SOCIAL SECURITY APPEALS )

The undersigned finds that judicial economy and efficiency would be substantially enhanced in Social Security appeals before him by having available in the court’s docket a text-searchable<sup>1</sup> copy of the certified transcript of the record of administrative proceedings (“administrative record”). The procedures below ensure the availability of a text-searchable copy of the administrative record by requiring the Commissioner of Social Security (“Commissioner”)<sup>2</sup> to file one in the event the Commissioner does not otherwise do so.

IT IS THEREFORE ORDERED as follows:

1. The Commissioner shall file a text-searchable copy of the administrative record in every Social Security appeal, pursuant to 42 U.S.C. § 405(g) or § 1383(c)(3),<sup>3</sup> that is reassigned to the undersigned for entry of judgment with the consent of the parties pursuant to 28 U.S.C. § 636(c) or in which one or more motions for judgment on the pleadings, motions for summary judgment, motions for remand, or other potentially dispositive motions are referred to the undersigned by the presiding district judge for a memorandum and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) where the copy of the administrative record filed or set to be filed in

<sup>1</sup>For the purposes of this order, the term “text-searchable” does not apply to portions of documents that are handwritten and are unable to be converted to searchable text via an optical character recognition (*i.e.*, “OCR”) program.

<sup>2</sup>This term includes any Acting Commissioner.


<sup>3</sup>This Order thereby applies to appeals from denial of an application for a period of disability and disability benefits under Title II of the Social Security Act and appeals from denial of an application for Supplemental Security Income under Title XVI of the Social Security Act.

the appeal is not text-searchable. To the extent practicable, the Commissioner shall file the text-searchable copy of the administrative record in a single docket entry.

2. In appeals pending before the undersigned on the date of this Order, whether by reassignment of the appeal or by referral of one or more potentially dispositive motions, the Commissioner shall file the text-searchable copy of the administrative record required in paragraph 1 within 21 days after the date of this Order. In such appeals, the clerk shall docket and serve a text-only notice on the parties in each appeal within three days after the date of this Order.

3. In appeals coming before the undersigned after the date of this Order, the Commissioner shall file the text-searchable copy of the administrative record required in paragraph 1 by whichever one of the following deadlines applies: (i) in reassigned appeals, by the later of 14 days after the date of entry of the order reassigning the appeal or 75 days after the date of commencement of the appeal; or (ii) in appeals with one or more referred potentially dispositive motions, within 14 days after the date of entry of the initial order or clerk's docket entry providing for such a referral. In appeals subject to this paragraph, the clerk shall docket and serve a text-only notice on the parties on either (i) the date of entry of the order reassigning the appeal or (ii) the date of entry of the initial order or clerk's docket entry providing for the referral, whichever is applicable.

SO ORDERED, this 18th day of December 2013.

  
James E. Gates  
United States Magistrate Judge