



NOTICE OF PROPOSED LOCAL RULES REVISION AND OPPORTUNITY FOR PUBLIC COMMENT

Pursuant to 28 U.S.C. § 2071(b), and Fed. R. Civ. P. 83(a)(1), the United States District Court for the District of Vermont gives notice that the proposed amendments to the Local Rules published below are being considered for adoption to be effective December 1, 2022. The purpose of the proposed revisions is to conform the District's Local Rules with the new revisions to the Federal Rule of Civil Procedure also scheduled to go into effect on December 1, 2022.

The proposed changes are as follows (new matter is underlined in red text; matter to be stricken is crossed out in red text):

CIVIL RULES

Rule 7.1. Corporate Disclosure; Purpose.

(a) Corporate Disclosure. In addition to the disclosures required by Fed. R. Civ. P. 7.1, a non-governmental corporate party or a non-governmental party that seeks to intervene must file a statement identifying:

- (1) any subsidiary (except wholly-owned subsidiaries); and
- (2) any affiliate that has issued shares of ownership to the public.

Rule 9. Pleading Social Security Cases; Bankruptcy Appeals.

(a) Social Security Cases. The following procedures govern all actions challenging a final decision of the Commissioner of the Social Security Administration filed under the Social Security Act, 42 U.S.C. § 405.

(1) Time for Filing Answer. Within 60 days after ~~service of the complaint~~ notice of the action is given under Rule 3, the Commissioner must serve and file:

- (A) an answer, which may be limited to a certified copy of the administrative record (and may be filed in electronic form), and to any affirmative defenses under Civil Rule 8(c). Civil Rule 8(b) does not apply.; ~~and~~
- ~~(B) a certified copy of the administrative record, which may be in electronic form.~~

(2) Motion for Order Reversing the Commissioner's Decision. Within ~~60~~ 30 days after the Commissioner files an answer, the plaintiff must serve and file:

- (A) a Motion for Order Reversing the Commissioner's Decision or for other relief; and
- (B) a supporting memorandum.

(3) Motion for Order Affirming the Commissioner's Decision. Within ~~60~~ 30 days after the plaintiff files the Motion for Order Reversing the Commissioner's Decision, the Commissioner must serve and file:

- (A)** a Motion for Order Affirming the Decision of the Commissioner or for other relief; and
- (B)** a supporting memorandum.

Input from the public and the bar is encouraged. The public comment period is open from October 31, 2022 through November 30, 2022. All written comments are due by close of business on November 30, 2022.

Comments on the proposed amendments may be submitted to one of the addresses listed below:

In letter form to:

Jeffrey S. Eaton, Clerk of Court
Attn: Local Rules
U.S. District Court
P.O. Box 945
Burlington, VT 05402-0945

Via e-mail to:

Jeff_Eaton@vtd.uscourts.gov