

**UNITED STATES DISTRICT COURT  
DISTRICT OF IDAHO**

In Re: General Consent to United States  
Magistrate Judges, Pursuant to 28 U.S.C.  
Section 636(c) in Social Security Cases

General Order No. 458

(Supersedes and replaces General Order  
422)

In accordance with 28 U.S.C. § 636(c)(1), the decision in *Williams v. King*, 875 F.3d 500 (9th Cir. 2017), and the decision in *Washington v. Kijakazi*, 72 F.4th 1029 (9th Cir. 2023), IT IS HEREBY ORDERED that all cases filed by a plaintiff seeking review of a decision by the Commissioner of Social Security, pursuant to 42 U.S.C. § 405(g), shall be randomly assigned to a United States Magistrate Judge, provided, however, that the Chief Judge may direct the reassignment of cases as necessary to assure a more equitable distribution of the Court's caseload. This Order supersedes and replaces General Order 422.

Upon the filing of all such cases, the Clerk of Court will direct a Notice of Assignment to a United States Magistrate Judge and Declination of Consent Form for Social Security Cases to all parties that:

- 1) Identifies the Magistrate Judge to whom the case is assigned;
- 2) Notifies the parties and/or the parties' counsel of their right to decline consent to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c);
- 3) Provides a declination of consent form for the parties to complete, and (a) advises plaintiff that the Clerk of Court must receive the executed form within **21 days** of the date of the notice if plaintiff wants to decline Magistrate Judge jurisdiction, and (b) advises the United States that the Clerk of Court must receive the executed form no later than the date the United States files the administrative record if it wants to decline Magistrate Judge jurisdiction;
- 4) Advises the parties as to the Court's procedure as set forth below if either party declines to consent to Magistrate Judge jurisdiction; and
- 5) Advises the parties of the applicability of the Federal Rules of Civil Procedure Supplemental Rules for Social Security Actions Under 42 U.S.C. § 404(g).

IT IS FURTHER ORDERED that if neither party timely emails a Declination of Consent Form for Social Security Cases to the Clerk of Court the case will be deemed assigned to the Magistrate Judge for all purposes without the necessity of an order of referral. If either party emails a Declination of Consent Form for Social Security Cases to the Clerk of Court, the Clerk of Court will randomly reassign the case to a District Judge. Reassigned cases will be referred

pursuant to 28 U.S.C. § 636(b)(1)(B), without further order, to the same Magistrate Judge who was initially assigned to the case to conduct preliminary proceedings, including all pretrial, non-dispositive matters, and to issue a Report and Recommendation to the assigned District Judge, unless the District Judge directs otherwise.

IT ALSO IS HEREBY ORDERED that the Clerk of the Court may make ministerial changes to the attached Procedural Order and Notice of Assignment to a United States Magistrate Judge and Declination of Consent Form for Social Security Cases without revision of this General Order.

This General Order was effective January 1, 2025 and will supersede General Order 422.

DATED: January 6, 2024



David C. Nye  
Chief United States District Judge



Raymond E. Patricco  
Chief United States Magistrate Judge