

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANNY O. MONAHAN, JR.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

No. 16-13026

District Judge Robert H. Cleland

Magistrate Judge R. Steven Whalen

ORDER

Before the Court is Plaintiff's Application for Waiver of Local Counsel [Doc. #11]. Counsel of record, whose office is in the Northern District of Illinois, does not have an office in this district, and is therefore required by E.D. Mich. Local Rule 83.20(f)(1) to "specify as local counsel a member of the bar of this court with an office in the district." The Rule further provides that "[o]n application, the Court may relieve an attorney who is not an active member of the State Bar of Michigan of the obligation to specify local counsel."

In support of this application, Plaintiff's counsel contends that given the nature of Social Security Disability cases and the presumed purpose of the Local Rule, requiring local counsel would be "futile," that "[t]here are not many [local] attorneys willing to take social security matters to federal court," and that the local attorney that Plaintiff's counsel usually engages has cut back on work due to health issues.

While it is true that, unlike other civil cases, Social Security cases do not typically involve multiple hearings and discovery issues, I would not characterize Local Rule 83.20(f) as "futile." I also disagree that there are few local attorneys willing to file Social

Security appeals in federal court; to the contrary, there is a plethora of skilled and experienced attorneys in this district who regularly file such appeals in this Court. But I do accept counsel's statement that her usual local counsel is experiencing health-related issues, although she does not set forth any efforts to obtain a different local counsel.

Nonetheless, in this case I will grant a waiver of the local counsel requirement of Local Rule 83.20(f), with the proviso that in the future, I will expect attorneys from Plaintiff's law firm to inform the Court of its efforts to obtain local counsel when petitioning for a waiver.

Plaintiff's Application for Waiver of Local Counsel [Doc. #11] is GRANTED.

IT IS SO ORDERED.

s/ R. Steven Whalen

R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: September 26, 2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on September 26, 2016, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla

Case Manager to the
Honorable R. Steven Whalen