

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

**IN RE: CONSENT TO MAGISTRATE
JUDGE JURISDICTION PURSUANT
TO 28 U.S.C. § 636**

Standing Order No. 2025-2

ORDER

1. Civil Cases Initially Assigned to a Full-Time Magistrate Judge

With the exception of cases seeking review of the decision of the Commissioner of Social Security under 42 U.S.C. § 405, and notwithstanding the process set forth in Local Rule 16-1(b), the requirements described in this section apply in any civil case initially randomly assigned to a full-time Magistrate Judge. Consent to the jurisdiction of the Magistrate Judge is presumed at case assignment. After all parties have appeared in the case, and after any party later appears in the case (such as after an amended complaint that adds a party), the Court will issue a notice setting a deadline for any party wishing to decline the jurisdiction of the Magistrate Judge to file a declination of consent. Where no declinations of consent are timely filed, the record will confirm the parties' consent. Parties who did not timely decline consent may not do so after the deadline for declination of consent and will be deemed to have knowingly and voluntarily consented to Magistrate Judge jurisdiction under 28 U.S.C. § 636(c).

If a declination of consent is filed, the identity of the declining party will not be communicated to any judge. The Magistrate Judge will remain responsible for all case management and scheduling activities, will hear and decide all non-dispositive pretrial and discovery matters, and will consider dispositive motions by issuing Findings and Recommendations. See Fed. R. Civ. P. 72, Standing Order 07-mc-9207.

Any declining party may change their position on consent by filing the Consent to Jurisdiction by a Magistrate Judge form at any point during the proceedings up until the deadline set by the Magistrate Judge, or if no deadline is set, no later than the filing of dispositive motions, though it is strongly encouraged to consent as early as possible and preferably prior to the filing of dispositive motions.

2. Civil Cases Initially Assigned to a District Judge or Part-Time Magistrate Judge

With the exception of cases seeking review of the decision of the Commissioner of Social Security under 42 U.S.C. § 405, in civil cases initially randomly assigned to a District Judge or part-time Magistrate Judge, the Court will issue the plaintiff a Consent to Jurisdiction by a Magistrate Judge form to serve on all parties. The consent form affords each party an initial opportunity to consent to having a Magistrate Judge assume complete jurisdiction over the case, including trial and entry of judgment. Upon full consent of all the parties, cases initially assigned to a District Judge will be randomly assigned to a Magistrate Judge. Although a party may decide to consent to jurisdiction by a Magistrate Judge at any point in the proceedings up until the deadline set by the presiding judge, or if no deadline is set, at the filing of dispositive motions, it is strongly encouraged to consent to Magistrate Judge jurisdiction as early as possible.

In civil cases initially assigned to a District Judge, if all parties do not consent to Magistrate Judge jurisdiction, the assigned District Judge will remain the presiding judge for all purposes.

In civil cases initially assigned to a part-time Magistrate Judge where there is not full consent, the Magistrate Judge will still remain responsible for all case management and scheduling activities, will hear and decide all non-dispositive pretrial and discovery matters, and

will consider dispositive motions by issuing Findings and Recommendations. See Fed. R. Civ. P. 72, Standing Order 07-mc-9207.

3. **Consent Procedures in Social Security Cases.**

Standing Order 2024-1, In Re: Plaintiff's Consent to Magistrate Judge Jurisdiction Pursuant to 28 U.S.C. § 636 in Social Security Cases, remains in effect and governs the procedure for consent to the jurisdiction of a Magistrate Judge in cases seeking review of the decision of the Commissioner of Social Security under 42 U.S.C. § 405.

This Order takes effect March 4, 2025, and will apply to qualifying cases filed on or after that date. On behalf of the Court, it is so ordered.

IT IS SO ORDERED.

Dated this 21 day of January 2025.



MICHAEL J. MCSHANE
CHIEF U.S. DISTRICT JUDGE