

2.5.16 | ADMINISTRATIVE RECORD IN SOCIAL SECURITY DISABILITY APPEALS AND IMMIGRATION REVIEW CASES

In social security disability cases appealed from the district court, the record on appeal may be composed of both the agency and the district court records. If the agency record has been filed with the district court, it may be contained within the district court record when it's transmitted to the court of appeals. If the agency record was not transmitted to the district court by the agency, it's not necessary for the agency to file the administrative record with the court of appeals.

In immigration review cases, the agency files an electronic or paper copy of its administrative record in the court of appeals within 40 days after issuance of the notice requesting the record.

(4th Circuit Court of Appeals // December 2023)

