

February 17, 2023

On May 3, 2022, we issued a memo about DHS paying contracted Social Security Advocacy Services grantees for [successful federal district court outcomes](#). In this memo we also stated that grantees must waive ALL fees including EAJA (Equal Access to Justice Act) fees as defined in contract sections 2.4.1.B; 3.2.d.5; and 3.2.d.6.

After further discussions with DHS' contract and legal departments, DHS will allow contracted Social Security Advocacy Services grantees to request and receive EAJA (Equal Access to Justice Act) fees for services provided at the federal district court levels. Our current contract language only covers grantee representation through the Social Security Administration (SSA) initial application, reconsideration, ALJ hearing, Appeals Council, and Continuing Disability Review levels - see contract clauses 2.2 and 2.4. Our current contract language does not include cases filed in federal district court.

All other language in our memo issued on May 3, 2022, still stands. If you have any questions, please contact your assigned coordinator or email us at DHS.SSAadvocacy@state.mn.us.

Thank you,

Social Security Advocacy Services Team
