

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ILLINOIS, EASTERN DIVISION

Harriet G. v. Frank Bisignano, Acting Commissioner of Social
Security

Harriet G. v. Bisignano, No. 1:23-cv-04476 (N.D. Ill. Dec. 4, 2025) · No. 1:23-cv-04476 · Decided December 4,
2025

SUMMARY

The United States District Court for the Northern District of Illinois reviewed the denial of Harriet G.’s application for Social Security disability insurance benefits. The court held that the ALJ failed to explain how the plaintiff’s mild limitation in concentration, persistence, or pace affected the residual functional capacity assessment, particularly because the ALJ found that she could perform skilled past relevant work. The court reversed the Commissioner’s decision and remanded for further proceedings.

CASE DETAILS

COURT	United States District Court for the Northern District of Illinois, Eastern Division
WRITING FOR THE COURT	Beth W. Jantz
JURISDICTION	United States District Court for the Northern District of Illinois, Eastern Division
DECIDED	December 4, 2025
DOCKET	1:23-cv-04476
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Action under 42 U.S.C. § 405(g) seeking review of the Commissioner's final decision denying an application for disability insurance benefits. The parties consented to magistrate-judge jurisdiction under 28 U.S.C. § 636(c).
STANDARD OF REVIEW	The court reviews whether the Commissioner's final decision is supported by substantial evidence and free of legal error. The ALJ must explain the analysis with sufficient detail and clarity to permit meaningful judicial review, and the court may not reweigh evidence or substitute its judgment for the ALJ's.
PRECEDENTIAL VALUE	Unknown

PARTIES

Harriet G. v. Frank Bisignano, Acting Commissioner of Social Security

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QUESTIONS PRESENTED

1. Whether the ALJ erred by finding a mild limitation in concentration, persistence, or pace at step two but failing either to incorporate that limitation into the RFC or explain why it required no functional restriction.
2. Whether the ALJ adequately evaluated Plaintiff's sitting limitations and subjective symptom statements and the third-party function report.

HOLDINGS

1. The ALJ committed reversible error by finding that Plaintiff had a mild limitation in concentration, persistence, or pace but failing either to include corresponding mental restrictions in the RFC or explain why the limitation caused no functional restrictions.
2. The court declined to reach the remaining arguments because the ALJ's failure to evaluate the mild concentration, persistence, or pace limitation independently required remand.

KEY QUOTATIONS

"The ALJ here did what these cases indicate is impermissible: the ALJ determined at step two that Plaintiff had non-severe mental impairments causing a mild mental limitation, but the ALJ did not discuss or even mention this limitation in assessing the RFC."

"It is the ALJ's failure to conduct such an evaluation—and not the ALJ's failure to find any functional limitations—that requires remand."

"The Court has not determined that Plaintiff has any functional limitations associated with the mild CPP limitation the ALJ found."

FACTUAL BACKGROUND

Plaintiff sought disability insurance benefits based on impairments including the effects of two hip replacements and hip osteoarthritis, as well as depression and anxiety. The ALJ found the physical impairments severe, the mental impairments non-severe, and found a mild limitation in concentration, persistence, or pace. The ALJ nevertheless formulated an RFC containing only physical restrictions and found Plaintiff capable of returning to her past skilled work as an office manager.

PROCEDURAL HISTORY

Plaintiff protectively filed a Title II application alleging disability beginning December 30, 2020. The claim was denied initially and on reconsideration; after a telephonic hearing, the ALJ denied the claim on August 29, 2022. The Appeals Council denied review on May 9, 2023, making the ALJ's decision the Commissioner's final decision. The district court granted Plaintiff's request for reversal and remand, denied the Commissioner's motion for summary judgment, reversed the Commissioner's decision, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner must conduct further proceedings consistent with the memorandum opinion, including evaluating the effect of Plaintiff's mild concentration, persistence, or pace limitation on the RFC and on her ability to perform past skilled work, or explaining why the limitation requires no corresponding RFC restriction.

CASES CITED

- Haynes v. Barnhart, 416 F.3d 621, 626 (7th Cir. 2005)
- Warnell v. O'Malley, 97 F.4th 1050, 1052-53 (7th Cir. 2024)
- Biestek v. Berryhill, 587 U.S. 97, 102 (2019)
- Scroggiam v. Colvin, 765 F.3d 685, 695 (7th Cir. 2014)
- Gedatus v. Saul, 994 F.3d 893, 900 (7th Cir. 2021)
- Lopez ex rel. Lopez v. Barnhart, 336 F.3d 535, 539 (7th Cir. 2003)
- Yurt v. Colvin, 758 F.3d 850, 857 (7th Cir. 2014)
- Thomas G. v. Kijakazi, No. 20-CV-5860, 2022 WL 4234967, at *4 (N.D. Ill. Sept. 14, 2022)
- Robin L.T. v. Bisignano, No. 23-cv-50213, 2025 WL 2830171, at *3 (N.D. Ill. Oct. 6, 2025)
- Gladis B. v. Bisignano, No. 24-cv-8130, 2025 WL 2712188, at *2-3 (N.D. Ill. Sept. 23, 2025)
- Rita S. v. Dudek, No. 24 C 5157, 2025 WL 1141179, at *5 (N.D. Ill. Apr. 16, 2025)
- Dianne T. v. Dudek, No. 22 CV 2411, 2025 WL 832968, at *7 (N.D. Ill. Mar. 17, 2025)
- Kathy A. v. Kijakazi, No. 20-CV-2387, 2022 WL 2758001, at *3-5 (N.D. Ill. July 14, 2022)
- Anthony W. v. Kijakazi, No. 20 C 6209, 2022 WL 1062334, at *3-4 (N.D. Ill. Apr. 8, 2022)
- Judy D. v. Saul, No. 17 C 8994, 2019 WL 3805592, at *3-5 (N.D. Ill. Aug. 13, 2019)
- Alonzo S. v. O'Malley, 757 F. Supp. 3d 822, 827 (N.D. Ill. 2024)
- Zellweger v. Saul, 984 F.3d 1251, 1252 (7th Cir. 2021)
- David K. v. Kijakazi, No. 20-CV-1743, 2022 WL 2757695, at *5 (N.D. Ill. July 14, 2022)
- Viviana R. v. Kijakazi, No. 19-CV-07419, 2022 WL 3354840, at *5 (N.D. Ill. Aug. 12, 2022)
- Mark M. v. Kijakazi, No. 20 C 05063, 2022 WL 17960687, at *4-5 (N.D. Ill. Dec. 27, 2022)
- Brenda R. v. Kijakazi, No. 20-cv-7498, 2023 WL 3689458, at *6 (N.D. Ill. May 26, 2023)

- *Esther H. v. Saul*, No. 18 CV 50052, 2019 WL 5634219, at *2-3 (N.D. Ill. Oct. 31, 2019)
- *McCulley v. Berryhill*, No. 13 C 6031, 2019 WL 1292982, at *6 (N.D. Ill. Mar. 20, 2019)

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