

**BALL V. SWOAP COURT REPORT**  
 REPORT FOR FEBRUARY 2011

1. FOOD STAMP CASES WITH NO WAIVER OR POSTPONEMENTS

a. The number of cases heard and awaiting final decision as of the first day of the month.	88
b. The number of cases in which a final decision was issued by the last day of the month.	56
c. Of the cases decided during the month, the number in which a final decision was issued within 60 days of request.	39
d. Of the cases decided during the month, the number in which final decision was issued more than 60 days from request.	17

e. Indicate the age of the untimely decisions (item 1.d.) as follows:

Decisions issued within

61 – 90 days of request	14
91 – 120 days	2
120 – 150 days	0
151 – 180 days	1
181 – 210 days	0
211 – 240 days	0
More than 240 days	0

f. Indicate the age of the cases awaiting decision as of the last day of the month (the difference between items 1.a. and 1.b.) as follows:

Requests filed less than

60 days ago	0
61 – 90 days	12
91 – 120 days	4
121 – 150 days	6
151 – 180 days	2
181 – 210 days	6
211 – 240 days	1
More than 240 days	1

g. The number of untimely decisions (item 1.d.) in which the claimant prevailed, in whole or in part.

5
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2. FOOD STAMP CASES WITH POST HEARING CONTINUANCE (WAIVER)

a. The number of cases heard and awaiting final decision as of the first day of the month.	20
b. The number of cases in which the final decision was issued by the last day of the month.	11
c. Of the cases decided during the month, the number in which the final decision was issued within 60 days of request.	10
d. Of the cases decided during the month, the number in which the final decision was issued more than 60 days from request.	1

e. Indicate the age of the untimely decisions (item 2.d.) as follows:

Decisions issued within

61 – 90 days	0
91 – 120 days	1
121 – 150 days	0
151 – 180 days	0
181 – 210 days	0
211 – 240 days	0
More than 240 days	0

f. Indicate the age of cases awaiting decision as of the last day of the month (the difference between items 2.a. and 2.b.) as follows:

Request filed less than

60 days ago	8
61 – 90 days	0
91 – 120 days	0
121 – 150 days	0
151 – 180 days	0
181 – 210 days	0
211 – 240 days	0
More than 240 days	1

g. The number of untimely decisions (item 2.d.) in which the claimant prevailed, in whole or in part.

0
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- In those cases where the hearing was continued on the motion of the Administrative Law Judge prior to the close of the record or the record remained open after the hearing for submission of evidence, the number of days (1 day or greater) for continuance or holding the record open are computed as an extension to the 60 / 90 days from the date of the hearing request prior to indicating the age of a case having a post hearing continuance.

### 3. FOOD STAMP ONLY CASES WITH PREHEARING POSTPONEMENT

a. The number of cases heard and awaiting final decision as of the first day of the month.	44
b. The number of cases in which the final decision was issued by the last day of the month.	28
c. Of the cases decided during the month, the number in which the final decision was issued within 60 days of request.	16
d. Of the cases decided during the month, the number in which the final decision was issued more than 60 days from request.	12

e. Indicated the age of the untimely decisions (item 3.d.) as follows:

Decisions issued within

61 – 90 days of request	8
91 – 120 days	3
121 – 150 days	0
151 – 180 days	0
181 – 210 days	0
211 – 240 days	1
More than 240 days	0

f. Indicate the age of cases awaiting decision as of the last day of the month (the difference between items 3.a. and 3.b.) as follows:

Request filed less than

60 days ago	5
61 – 90 days	3
91 – 120 days	2
121 – 150 days	2
151 – 180 days	0
181 – 210 days	2
211 – 240 days	1
More than 240 days	1

g. The number of untimely decisions (item 3.d.) in which the claimant prevailed, in whole or in part.	2
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**BALL V. SWOAP COURT REPORT**  
 REPORT FOR **FEBRUARY 2011**

1. CASES WITH NO WAIVER OR POSTPONEMENTS.

	MN /DED	SS	RCA	AA	FSFR /IPV
a. The number of cases heard and awaiting final decision as of the first day of the month.	292	78	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	185	47	0	0	0
c. Of the cases decided during the month, the number in which the final decision was issued within 90 days of request.	150	30	0	0	0
d. Of the cases decided during the month, the number in which the final decision was issued more than 90 days of request	35	17	0	0	0

e. Indicate the age of the untimely decisions (item 1.d.) as follows:

Decisions issued within

91 – 120 days	22	13	0	0	0
121 – 150 days	6	2	0	0	0
151 – 180 days	4	1	0	0	0
181 – 210 days	2	0	0	0	0
211 – 240 days	0	1	0	0	0
241 – 270 days	0	0	0	0	0
> 270 days	1	0	0	0	0

f. Indicate the ages of cases awaiting final decision (the difference between items 1.a. and 1.b.) as of the last day of the month.

Request filed

< 91 days	41	9	0	0	0
91 – 120 days	24	8	0	0	0
121 – 150 days	9	1	0	0	0
151 – 180 days	4	4	0	0	0
181 – 210 days	8	3	0	0	0
211 – 240 days	6	2	0	0	0
241 – 270 days	7	0	0	0	0
> 270 days	9	4	0	0	0

g. The number of untimely decisions (item 1.d.) in which the claimant prevailed, in whole or in part.	6	10	0	0	0
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2. CASES WITH A POSTHEARING CONTINUANCE (WAIVER)

	MN /DED	SS	RCA	AA	FSFR /IPV
a. The number of cases heard and awaiting final decisions as of the first day of the month.	196	23	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	44	5	0	0	0
c. Of the cases decided during the month, the number in which a final decision was issued within 90 days of the request.	35	2	0	0	0
d. Of the cases decided during the month, the number in which a final decision was issued more than 90 days from the request.	9	3	0	0	0

e. Indicate the age of the timely decisions (item 1.d.) as follows:

Decision issued within

91 – 120 days	5	3	0	0	0
121 – 150 days	2	0	0	0	0
151 – 180 days	1	0	0	0	0
181 – 210 days	0	0	0	0	0
211 – 240 days	0	0	0	0	0
241 – 270 days	0	0	0	0	0
> 270 days	1	0	0	0	0

f. Indicate the ages of cases awaiting decisions as of the last day of the month (the difference between 1.a. and 1.b.) as follows:

Request filed

< 91days ago	83	15	0	0	0
91 – 120 days	29	1	0	0	0
121 – 150 days	16	1	0	0	0
151 – 180 days	3	0	0	0	0
181 – 210 days	2	1	0	0	0
211 – 240 days	0	0	0	0	0
241 – 270 days	4	0	0	0	0
> 270 days	15	0	0	0	0

g. The number of untimely decisions (item 2.d.) in which the claimant prevailed, in whole or in part.	1	1	0	0	0
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- In those cases where the hearing was continued on the motion of the Administrative Law Judge prior to the close of the record or the record remained open after the hearing for submission of evidence, the number of days (1 day or greater) for continuance or holding the record open are computed as an extension to the 60 / 90 days from the date of the hearing request prior to indicating the age of a case having a post hearing continuance.

### 3. CASES WITH PREHEARING POSTPONEMENT

	MN / DED	SS	RCA	AA	FSFR / IPV
a. The number of cases heard and awaiting final decision as of the first day of the month.	206	60	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	105	23	0	0	0
c. Of cases decided during the month, the number in which the final decision was issued within 90 days of request.	83	16	0	0	0
d. Of cases decided during the month, the number in which final decision was issued more than 90 days from request.	22	7	0	0	0

e. Indicate the age of the untimely decisions (item 3.d.) as follows:

Decisions issued within

91 – 120 days	11	3	0	0	0
121 – 150 days	2	3	0	0	0
151 – 180 days	2	0	0	0	0
181 – 210 days	2	1	0	0	0
211 – 240 days	0	0	0	0	0
241 – 270 days	0	0	0	0	0
> 270 days	5	0	0	0	0

f. Indicate the age of cases awaiting decision (the difference between 3.a. and 3.b.) as of the last day of the month.

Request filed

< 91 days ago	49	24	0	0	0
91 – 120 days	16	5	0	0	0
121 – 150 days	11	1	0	0	0
151 – 180 days	1	0	0	0	0
181 – 210 days	2	4	0	0	0
211 – 240 days	1	1	0	0	0
241 – 270 days	1	1	0	0	0
> 270 days	20	1	0	0	0

g. The number of untimely decisions (item 3.d.) in which the claimant prevailed, in whole or in part.	0	7	0	0	0
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4. INTERIM PAYMENTS DURING THE REPORTING MONTH

a. The number of claimants paid \$50.00 or more under paragraph 3 of the Order of <i>Ball v. Swoap</i> 1981.	32
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b. Of the payments shown (item 4.a.), indicate the penalty payment for each late case:

NON-CW	\$42.50 / day
MN	\$80.00 / day
FS	\$40.00 / day

NON-CW

102 days / 12 days late / \$510.00  
 104 days / 14 days late / \$595.00  
 134 days / 44 days late / \$1,870.00  
 98 days / 8 days late / \$340.00  
 97 days / 7 days late / \$297.50  
 91 days / 1 day late / \$50.00 minimum  
 91 days / 1 day late / \$50.00 minimum  
 91 days / 1 day late / \$50.00 minimum  
 91 days / 1 days late / \$50.00 minimum  
 105 days / 15 days late / \$637.50  
 117 days / 27 days late / \$1,147.50  
 110 days / 20 days late / \$850.00  
 121 days / 31 days late / \$1,317.50  
 172 days / 82 days late / \$3,485.00  
 97 days / 7 days late / \$297.50  
 117 days / 27 days late / \$1,147.50  
 93 days / 3 days late / \$127.50  
 112 days / 22 days late / \$935.00

FS

73 days / 13 days late / \$520.00  
 81 days / 21 days late / \$840.00  
 63 days / 3 days late / \$120.00  
 88 days / 28 days late / \$1,120.00  
 68 days / 8 days late / \$320.00  
 163 days / 102 days late / \$4,120.00  
 86 days late / 26 days late / \$1,040.00

MN/DED

133 days / 43 days late / \$3,440.00  
113 days / 23 days late / \$1,840.00  
119 days / 29 days late / \$2,320.00  
197 days / 107 days late / \$8,560.00  
102 days / 12 days late / \$960.00  
127 days / 37 days late / \$2,960.00  
132 days / 42 days late / \$3,360.00