

BALL V. SWOAP COURT REPORT
 REPORT FOR **AUGUST 2010**

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.	46
b. The number of cases in which a final decision was issued by the last day of the month.	34
c. Of the cases decided during the month, the number in which a final decision was issued within 60 days of request.	25
d. Of the cases decided during the month, the number in which final decision was issued more than 60 days from request.	9

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

Decisions issued within

61 – 90 days of request	5
91 – 120 days	0
120 – 150 days	3
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	1
61 – 90 days	4
91 – 120 days	3
121 – 150 days	0
151 – 180 days	3
181 – 210 days	0
211 – 240 days	1
More than 240 days	0

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

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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.	17
b. The number of cases in which the final decision was issued by the last day of the month.	8
c. Of the cases decided during the month, the number in which the final decision was issued within 60 days of request.	6
d. Of the cases decided during the month, the number in which the final decision was issued more than 60 days from request.	2

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

Decisions issued within

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

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

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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.	39
b. The number of cases in which the final decision was issued by the last day of the month.	26
c. Of the cases decided during the month, the number in which the final decision was issued within 60 days of request.	18
d. Of the cases decided during the month, the number in which the final decision was issued more than 60 days from request.	8

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

Decisions issued within

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

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	4
61 – 90 days	3
91 – 120 days	3
121 – 150 days	0
151 – 180 days	1
181 – 210 days	1
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.	0
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BALL V. SWOAP COURT REPORT
 REPORT FOR **AUGUST 2010**

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.	324	63	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	213	39	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.	122	27	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	91	12	0	0	0

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

Decisions issued within

91 – 120 days	41	4	0	0	0
121 – 150 days	22	7	0	0	0
151 – 180 days	5	1	0	0	0
181 – 210 days	5	0	0	0	0
211 – 240 days	1	0	0	0	0
241 – 270 days	1	0	0	0	0
> 270 days	16	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	16	6	0	0	0
91 – 120 days	19	6	0	0	0
121 – 150 days	16	4	0	0	0
151 – 180 days	6	6	0	0	0
181 – 210 days	5	0	0	0	0
211 – 240 days	3	1	0	0	0
241 – 270 days	5	0	0	0	0
> 270 days	41	1	0	0	0

g. The number of untimely decisions (item 1.d.) in which the claimant prevailed, in whole or in part.	3	20	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.	372	16	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	179	4	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.	157	3	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.	22	1	0	0	0

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

Decision issued within

91 – 120 days	11	1	0	0	0
121 – 150 days	3	0	0	0	0
151 – 180 days	3	0	0	0	0
181 – 210 days	3	0	0	0	0
211 – 240 days	0	0	0	0	0
241 – 270 days	0	0	0	0	0
> 270 days	2	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	60	9	0	0	0
91 – 120 days	33	2	0	0	0
121 – 150 days	27	0	0	0	0
151 – 180 days	10	0	0	0	0
181 – 210 days	6	0	0	0	0
211 – 240 days	10	0	0	0	0
241 – 270 days	12	0	0	0	0
> 270 days	35	1	0	0	0

g. The number of untimely decisions (item 2.d.) in which the claimant prevailed, in whole or in part.	3	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.	224	35	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	119	17	0	0	0
c. Of cases decided during the month, the number in which the final decision was issued within 90 days of request.	84	12	0	0	0
d. Of cases decided during the month, the number in which final decision was issued more than 90 days from request.	35	5	0	0	0

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

Decisions issued within

91 – 120 days	12	5	0	0	0
121 – 150 days	5	0	0	0	0
151 – 180 days	6	0	0	0	0
181 – 210 days	1	0	0	0	0
211 – 240 days	3	0	0	0	0
241 – 270 days	0	0	0	0	0
> 270 days	8	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	26	10	0	0	0
91 – 120 days	16	3	0	0	0
121 – 150 days	18	2	0	0	0
151 – 180 days	8	0	0	0	0
181 – 210 days	5	0	0	0	0
211 – 240 days	5	0	0	0	0
241 – 270 days	6	0	0	0	0
> 270 days	22	3	0	0	0

g. The number of untimely decisions (item 3.d.) in which the claimant prevailed, in whole or in part.	5	5	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.	43
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b. Of the payments shown (item 4.a.), indicate the penalty payment for each late case:

NON-CW	\$27.50 / day
MN	\$65.00 / day
FS	\$30.00 / day

NON-CW

113 days / 23 days late / \$632.50
 116 days / 26 days late / \$715.00
 94 days / 4 days late / \$110.00
 106 days / 16 days late / \$440.00
 112 days / 22 days late / \$605.00
 159 days / 69 days late / \$1,897.50
 112 days / 22 days late / \$605.00
 99 days / 9 days late / \$247.50
 100 days / 10 days late / \$275.00
 94 days / 4 days late / \$110.00
 112 days / 22 days late / \$605.00
 93 days / 3 days late / \$82.50
 93 days / 3 days late / \$82.50
 91 days / 1 day late / \$50.00 minimum
 98 days / 8 days late / \$220.00
 110 days / 20 days late / \$550.00
 130 days / 40 days late / \$1,100.00
 126 days / 36 days late / \$990.00
 140 days / 50 days late / \$1,375.00
 140 days / 50 days late / \$1,375.00
 125 days / 35 days late / \$962.50
 106 days / 16 days late / \$440.00
 155 days / 65 days late / \$1,787.50
 93 days / 3 days late / \$82.50
 120 days / 30 days late / \$825.00
 94 days / 4 days late / \$110.00

FS

75 days / 15 days late / \$450.00
 64 days / 4 days late / \$120.00
 72 days / 12 days late / \$360.00
 125 days / 65 days late / \$1,950.00
 61 days / 1 day late / \$50.00 minimum
 63 days / 3 days late / \$90.00

MN/DED

132 days / 42 days late / \$2,730.00
91 days / 1 day late / \$65.00
101 days / 11 days late / \$715.00
125 days / 35 days late / \$2,275.00
150 days / 60 days late / \$3,900.00
197 days / 107 days late / \$6,955.00
180 days / 90 days late / \$5,850.00
140 days / 50 days late / \$3,250.00
96 days / 6 days late / \$390.00
152 days / 62 days late / \$4,030.00
186 days / 96 days late / \$6,240.00