

BALL V. SWOAP COURT REPORT
REPORT FOR **MAY 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.	100
b. The number of cases in which a final decision was issued by the last day of the month.	63
c. Of the cases decided during the month, the number in which a final decision was issued within 60 days of request.	31
d. Of the cases decided during the month, the number in which final decision was issued more than 60 days from request.	32

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

Decisions issued within

61 – 90 days of request	13
91 – 120 days	15
120 – 150 days	1
151 – 180 days	0
181 – 210 days	0
211 – 240 days	2
More than 240 days	1

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	7
91 – 120 days	2
121 – 150 days	6
151 – 180 days	3
181 – 210 days	2
211 – 240 days	1
More than 240 days	16

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.	14
b. The number of cases in which the final decision was issued by the last day of the month.	7
c. Of the cases decided during the month, the number in which the final decision was issued within 60 days of request.	5
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	0
151 – 180 days	0
181 – 210 days	0
211 – 240 days	0
More than 240 days	1

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	3
61 – 90 days	2
91 – 120 days	0
121 – 150 days	0
151 – 180 days	1
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.

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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.	37
b. The number of cases in which the final decision was issued by the last day of the month.	16
c. Of the cases decided during the month, the number in which the final decision was issued within 60 days of request.	7
d. Of the cases decided during the month, the number in which the final decision was issued more than 60 days from request.	9

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	1
121 – 150 days	0
151 – 180 days	0
181 – 210 days	2
211 – 240 days	1
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	3
61 – 90 days	4
91 – 120 days	1
121 – 150 days	4
151 – 180 days	2
181 – 210 days	2
211 – 240 days	1
More than 240 days	4

g. The number of untimely decisions (item 3.d.) in which the claimant prevailed, in whole or in part.	5
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BALL V. SWOAP COURT REPORT
 REPORT FOR **MAY 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.	431	107	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	165	41	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.	99	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	66	11	0	0	0

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

Decisions issued within

91 – 120 days	25	5	0	0	0
121 – 150 days	12	1	0	0	0
151 – 180 days	4	0	0	0	0
181 – 210 days	2	1	0	0	0
211 – 240 days	5	0	0	0	0
241 – 270 days	2	2	0	0	0
> 270 days	16	2	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	25	19	0	0	0
91 – 120 days	29	17	0	0	0
121 – 150 days	22	3	0	0	0
151 – 180 days	24	8	0	0	0
181 – 210 days	22	6	0	0	0
211 – 240 days	25	4	0	0	0
241 – 270 days	25	3	0	0	0
> 270 days	94	6	0	0	0

g. The number of untimely decisions (item 1.d.) in which the claimant prevailed, in whole or in part.	5	9	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.	453	15	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	140	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.	122	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.	18	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	0	0	0	0	0
151 – 180 days	1	0	0	0	0
181 – 210 days	3	0	0	0	0
211 – 240 days	0	0	0	0	0
241 – 270 days	2	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	104	9	0	0	0
91 – 120 days	28	1	0	0	0
121 – 150 days	22	0	0	0	0
151 – 180 days	33	0	0	0	0
181 – 210 days	20	1	0	0	0
211 – 240 days	26	0	0	0	0
241 – 270 days	17	0	0	0	0
> 270 days	63	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

	MIN / DED	SS	RCA	AA	FSFR / IPV
a. The number of cases heard and awaiting final decision as of the first day of the month.	280	56	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	95	22	0	0	0
c. Of cases decided during the month, the number in which the final decision was issued within 90 days of request.	57	13	0	0	0
d. Of cases decided during the month, the number in which final decision was issued more than 90 days from request.	38	11	0	0	0

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

Decisions issued within

91 – 120 days	19	7	0	0	0
121 – 150 days	4	0	0	0	0
151 – 180 days	2	3	0	0	0
181 – 210 days	3	0	0	0	0
211 – 240 days	1	0	0	0	0
241 – 270 days	1	0	0	0	0
> 270 days	8	1	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	59	13	0	0	0
91 – 120 days	21	4	0	0	0
121 – 150 days	15	6	0	0	0
151 – 180 days	13	1	0	0	0
181 – 210 days	15	4	0	0	0
211 – 240 days	6	0	0	0	0
241 – 270 days	8	0	0	0	0
> 270 days	49	6	0	0	0

g. The number of untimely decisions (item 3.d.) in which the claimant prevailed, in whole or in part.	4	11	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.	
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b. Of the payments shown (item 4.a.), indicate the penalty payment for each late case:

NON-CW	\$20.00 / day
MN	\$57.50 / day
FS	\$22.50 / day

NON-CW

96 days / 6 days late / \$120.00
 106 days / 16 days late / \$320.00
 111 days / 21 days late / \$420.00
 94 days / 4 days late / \$80.00
 355 days / 265 days late / \$5,300.00
 363 days / 273 days late / \$5,460.00
 264 days / 174 days late / \$3,480.00
 140 days / 50 days late / \$1,000.00
 127 days / 37 days late / \$740.00
 358 days / 268 days late / \$5,360.00
 110 days / 20 days late / \$400.00
 98 days / 8 days late / \$160.00
 95 days / 5 days late / \$100.00
 126 days / 36 days late / \$720.00
 170 days / 80 days late / \$1,600.00
 114 days / 24 days late / \$480.00
 105 days / 15 days late / \$300.00
 105 days / 15 days late / \$300.00
 105 days / 15 days late / \$300.00
 100 days / 10 days late / \$200.00
 131 days / 41 days late / \$820.00

FS

62 days / 2 days late / \$50.00 minimum
 183 days / 123 days late / \$2,767.50
 91 days / 31 day late / \$697.50
 88 days / 28 days late / \$630.00
 86 days / 26 days late / \$585.00
 63 days / 3 days late / \$67.50
 69 days / 9 days late / \$202.50
 75 days / 15 days late / \$337.50
 105 days / 45 days late / \$1,012.50
 112 days / 52 days late / \$1,170.00
 64 days / 4 days late / \$90.00

116 days / 56 days late / \$1,260.00
61 days / 1 day late / \$50.00 minimum
62 days / 2 days late / \$50.00 minimum
63 days / 3 days late / \$67.50

MN/DED

96 days / 6 days late / \$120.00
106 days / 16 days late / \$320.00
111 days / 21 days late / \$420.00
94 days / 4 days late / \$80.00
355 days / 265 days late / \$5,300.00
363 days / 273 days late / \$5,460.00
264 days / 174 days late / \$3,480.00
140 days / 50 days late / \$1,000.00
127 days / 37 days late / \$740.00
358 days / 268 days late / \$5,360.00
110 days / 20 days late / \$400.00
98 days / 8 days late / \$160.00
95 days / 5 days late / \$100.00
126 days / 36 days late / \$720.00
170 days / 80 days late / \$1,600.00
114 days / 24 days late / \$480.00
105 days / 15 days late / \$300.00
105 days / 15 days late / \$300.00
105 days / 15 days late / \$300.00
100 days / 10 days late / \$200.00
131 days / 41 days late / \$820.00