

**KING V. MCMAHON COURT REPORT**  
 REPORT FOR **OCTOBER 2010**

1. CalWORKs (CW)<sup>(1)</sup> CASES WITH NO WAIVER OR POSTPONEMENT

a. The number of cases heard and awaiting the final decision as of the first day of the month.	155
b. The number of cases in which a final decision was issued by the last day of the month	99
c. Of the cases decided during the month, the number in which a final decision was issued within 90 days of request.	63
d. Of the cases decided during the month, the number in which the final decision was issued more than 90 days from request.	36

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

Decision issued within

91 – 120 days	26
121 – 150 days	7
151 – 180 days	1
181 – 210 days	1
211 – 240 days	1
241 – 270 days	0
> 270 days	0

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

Requests filed:

<90 days ago	33
91 – 120 days	10
121 – 150 days	3
151 – 180 days	5
181 – 210 days	2
211 – 240 days	0
241 – 270 days	0
>270 days	3

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

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<sup>[1]</sup> CalWORKs (CW) – formerly AFDC

CW ONLY CASES WITH POST HEARING CONTINUANCE (WAIVER)

a. The number of cases heard and awaiting final decision as of the first day of the month.	30
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 90 days of request.	13
d. Of the cases decided during the month, the number in which the final decision was issued more than 90 days from request.	3

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

Decisions issued within

91 – 120 days	2
121 – 150 days	1
151 – 180 days	0
181 – 210 days	0
211 – 240 days	0
241 – 270 days	0
More than 270 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:

<90 days ago	13
91 – 120 days	0
121 – 150 days	0
151 – 180 days	0
181 – 210 days	0
211 – 240 days	0
241 – 270 days	0
>270 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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- 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.

## CW CASES WITH PREHEARING POSTPONEMENT

a. The number of cases heard and awaiting final decision as of the first day of the month.	81
b. The number of cases in which the final decision was issued by the last day of the month.	40
c. Of the cases decided during the month, the number in which the final decision was issued within 90 days of request.	28
d. Of the cases decided during the month, the number in which the final decision was issued more than 90 days from request.	12

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

Decisions issued within

91 – 120 days	10
121 – 150 days	1
151 – 180 days	0
181 – 210 days	1
211 – 240 days	0
241 – 270 days	0
More than 270 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:

<90 days ago	20
91 – 120 days	6
121 – 150 days	1
151 – 180 days	2
181 – 210 days	3
211 – 240 days	2
241 – 270 days	1
>270 days	6

g. The number of untimely decisions (item 3.d.) in which the claimant prevailed, in whole or in part.	2
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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>King v. McMahon</i> 1981.	17
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b. Of the payments shown (item 4.a.), indicate the penalty payment for each late case:

CW	\$37.50 / day
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CW

98 days / 8 days late / \$300.00  
101 days / 11 days late / \$412.50  
112 days / 22 days late / \$825.00  
100 days / 10 days late / \$375.00  
113 days / 23 days late / \$862.50  
91 days / 1 day late / \$50.00 minimum  
98 days / 8 days late / \$300.00  
97 days / 7 days late / \$262.50  
154 days / 64 days late / \$2,400.00  
156 days / 66 days late / \$2,475.00  
95 days / 5 days late / \$187.50  
94 days / 4 days late / \$150.00  
133 days / 43 days late / \$1,612.50  
91 days / 1 days late / \$50.00 minimum  
97 days / 7 days late / \$262.50  
96 days / 6 days late / \$225.00  
113 days / 23 days late / \$862.50