

BALL V. SWOAP COURT REPORT
 REPORT FOR **SEPTEMBER 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.	55
b. The number of cases in which a final decision was issued by the last day of the month.	40
c. Of the cases decided during the month, the number in which a final decision was issued within 60 days of request.	21
d. Of the cases decided during the month, the number in which final decision was issued more than 60 days from request.	19

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	4
120 – 150 days	2
151 – 180 days	0
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	5
91 – 120 days	4
121 – 150 days	2
151 – 180 days	0
181 – 210 days	3
211 – 240 days	0
More than 240 days	1

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

10

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.	13
b. The number of cases in which the final decision was issued by the last day of the month.	9
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.	2

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

Decisions issued within

61 – 90 days	1
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	1
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	1

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

0

- 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.	29
b. The number of cases in which the final decision was issued by the last day of the month.	22
c. Of the cases decided during the month, the number in which the final decision was issued within 60 days of request.	13
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	5
91 – 120 days	2
121 – 150 days	1
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	1
61 – 90 days	0
91 – 120 days	2
121 – 150 days	2
151 – 180 days	0
181 – 210 days	1
211 – 240 days	0
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 **SEPTEMBER 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.	257	58	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	156	33	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.	113	24	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	43	9	0	0	0

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

Decisions issued within

91 – 120 days	22	6	0	0	0
121 – 150 days	11	1	0	0	0
151 – 180 days	0	2	0	0	0
181 – 210 days	1	0	0	0	0
211 – 240 days	1	0	0	0	0
241 – 270 days	0	0	0	0	0
> 270 days	8	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	20	7	0	0	0
91 – 120 days	20	4	0	0	0
121 – 150 days	10	6	0	0	0
151 – 180 days	6	2	0	0	0
181 – 210 days	6	4	0	0	0
211 – 240 days	1	0	0	0	0
241 – 270 days	1	1	0	0	0
> 270 days	37	1	0	0	0

g. The number of untimely decisions (item 1.d.) in which the claimant prevailed, in whole or in part.	2	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.	269	19	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	137	10	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	6	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.	15	5	0	0	0

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

Decision issued within

91 – 120 days	8	5	0	0	0
121 – 150 days	7	0	0	0	0
151 – 180 days	0	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	0	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	27	8	0	0	0
91 – 120 days	11	0	0	0	0
121 – 150 days	21	0	0	0	0
151 – 180 days	19	0	0	0	0
181 – 210 days	4	0	0	0	0
211 – 240 days	3	0	0	0	0
241 – 270 days	7	0	0	0	0
> 270 days	40	1	0	0	0

g. The number of untimely decisions (item 2.d.) in which the claimant prevailed, in whole or in part.	0	5	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.	211	39	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	116	19	0	0	0
c. Of cases decided during the month, the number in which the final decision was issued within 90 days of request.	80	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.	36	9	0	0	0

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

Decisions issued within

91 – 120 days	15	9	0	0	0
121 – 150 days	10	0	0	0	0
151 – 180 days	5	0	0	0	0
181 – 210 days	1	0	0	0	0
211 – 240 days	0	0	0	0	0
241 – 270 days	1	0	0	0	0
> 270 days	4	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	24	13	0	0	0
91 – 120 days	9	2	0	0	0
121 – 150 days	11	1	0	0	0
151 – 180 days	11	1	0	0	0
181 – 210 days	6	0	0	0	0
211 – 240 days	6	0	0	0	0
241 – 270 days	4	0	0	0	0
> 270 days	25	3	0	0	0

g. The number of untimely decisions (item 3.d.) in which the claimant prevailed, in whole or in part.	5	9	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.	42
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b. Of the payments shown (item 4.a.), indicate the penalty payment for each late case:

NON-CW	\$30.00 / day
MN	\$67.50 / day
FS	\$32.50 / day

NON-CW

97 days / 9 days late / \$210.00
 146 days / 56 days late / \$1,680.00
 108 days / 18 days late / \$540.00
 96 days / 6 days late / \$180.00
 92 days / 2 days late / \$60.00
 123 days / 33 days late / \$990.00
 104 days / 14 days late / \$420.00
 96 days / 6 days late / \$180.00
 93 days / 3 days late / \$90.00
 136 days / 46 days late / \$1,380.00
 105 days / 15 days late / \$450.00
 105 days / 15 days late / \$450.00
 112 days / 22 days late / \$660.00
 119 days / 29 days late / \$870.00
 95 days / 5 days late / \$150.00
 96 days / 6 days late / \$180.00
 93 days / 3 days late / \$90.00
 94 days / 4 days late / \$120.00
 102 days / 12 days late / \$360.00
 102 days / 12 days late / \$360.00
 92 days / 2 days late / \$60.00
 100 days / 10 days late / \$300.00
 98 days / 8 days late / \$240.00

FS

109 days / 49 days late / \$1,592.50
 69 days / 9 days late / \$292.50
 88 days / 28 days late / \$910.00
 96 days / 36 days late / \$1,170.00
 105 days / 45 days late / \$1,462.50
 69 days / 9 days late / \$292.50
 110 days / 50 days late / \$1,625.00
 63 days / 3 days late / \$97.50
 71 days / 11 days late / \$357.50

63 days / 3 days late / \$97.50
62 days / 2 days late / \$65.00
140 days / 80 days late / \$2,600.00

MN/DED

93 days / 3 days late / \$202.50
105 days / 15 days late / \$1,012.50
97 days / 7 days late / \$472.50
120 days / 30 days late / \$2,025.00
162 days / 72 days late / \$4,860.00
92 days / 2 days late / \$135.00
122 days / 32 days late / \$2,160.00