

BALL V. SWOAP COURT REPORT
 REPORT FOR **SEPTEMBER 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.	86
b. The number of cases in which a final decision was issued by the last day of the month.	66
c. Of the cases decided during the month, the number in which a final decision was issued within 60 days of request.	43
d. Of the cases decided during the month, the number in which final decision was issued more than 60 days from request.	23

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

Decisions issued within

61 – 90 days of request	15
91 – 120 days	5
120 – 150 days	1
151 – 180 days	2
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	7
91 – 120 days	3
121 – 150 days	1
151 – 180 days	0
181 – 210 days	1
211 – 240 days	4
More than 240 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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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.	11
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	2
91 – 120 days	0
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	1
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.

1

- 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.	57
b. The number of cases in which the final decision was issued by the last day of the month.	41
c. Of the cases decided during the month, the number in which the final decision was issued within 60 days of request.	21
d. Of the cases decided during the month, the number in which the final decision was issued more than 60 days from request.	20

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

Decisions issued within

61 – 90 days of request	11
91 – 120 days	6
121 – 150 days	2
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 3.a. and 3.b.) as follows:

Request filed less than

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

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 **SEPTEMBER 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.	424	85	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	298	49	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.	234	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	64	19	0	0	0

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

Decisions issued within

91 – 120 days	45	14	0	0	0
121 – 150 days	7	1	0	0	0
151 – 180 days	4	2	0	0	0
181 – 210 days	5	1	0	0	0
211 – 240 days	0	1	0	0	0
241 – 270 days	0	0	0	0	0
> 270 days	3	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	34	18	0	0	0
91 – 120 days	32	7	0	0	0
121 – 150 days	25	1	0	0	0
151 – 180 days	8	1	0	0	0
181 – 210 days	7	3	0	0	0
211 – 240 days	6	1	0	0	0
241 – 270 days	4	1	0	0	0
> 270 days	10	4	0	0	0

g. The number of untimely decisions (item 1.d.) in which the claimant prevailed, in whole or in part.	8	15	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.	212	31	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	105	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.	97	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.	8	4	0	0	0

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

Decision issued within

91 – 120 days	5	2	0	0	0
121 – 150 days	1	0	0	0	0
151 – 180 days	1	1	0	0	0
181 – 210 days	0	1	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	71	14	0	0	0
91 – 120 days	6	2	0	0	0
121 – 150 days	13	1	0	0	0
151 – 180 days	10	0	0	0	0
181 – 210 days	0	1	0	0	0
211 – 240 days	1	1	0	0	0
241 – 270 days	1	1	0	0	0
> 270 days	5	1	0	0	0

g. The number of untimely decisions (item 2.d.) in which the claimant prevailed, in whole or in part.	0	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.	188	54	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	119	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.	84	17	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	19	4	0	0	0
121 – 150 days	4	0	0	0	0
151 – 180 days	4	0	0	0	0
181 – 210 days	2	0	0	0	0
211 – 240 days	2	1	0	0	0
241 – 270 days	1	0	0	0	0
> 270 days	3	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	27	18	0	0	0
91 – 120 days	16	8	0	0	0
121 – 150 days	6	2	0	0	0
151 – 180 days	5	0	0	0	0
181 – 210 days	4	1	0	0	0
211 – 240 days	3	0	0	0	0
241 – 270 days	1	0	0	0	0
> 270 days	7	3	0	0	0

g. The number of untimely decisions (item 3.d.) in which the claimant prevailed, in whole or in part.	6	3	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.	37
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b. Of the payments shown (item 4.a.), indicate the penalty payment for each late case:

NON-CW	\$60.00 / day
MN	\$87.50 / day
FS	\$47.50 / day

NON-CW

91 days / 1 day late / \$60.00
 91 days / 1 day late / \$60.00
 111 days / 21 days late / \$1,260.00
 109 days / 19 days late / \$1,140.00
 172 days / 82 days late / \$4,920.00
 107 days / 17 days late / \$1,020.00
 109 days / 19 days late / \$1,140.00
 109 days / 19 days late / \$1,140.00
 91 days / 1 day late / \$60.00
 192 days / 102 days late / \$6,120.00
 105 days / 15 days late / \$900.00
 104 days / 14 days late / \$840.00
 110 days / 20 days late / \$1,200.00
 107 days / 17 days late / \$1,020.00
 160 days / 70 days late / \$4,200.00
 189 days / 99 days late / \$5,940.00
 93 days / 3 days late / \$180.00
 98 days / 8 days late / \$480.00
 98 days / 8 days late / \$480.00

FS

68 days / 8 days late / \$380.00
 68 days / 8 days late / \$380.00
 62 days / 2 days late / \$95.00
 65 days / 5 days late / \$237.50

MN/DED

280 days / 190 days late / \$16,625.00
 105 days / 15 days late / \$1,312.50
 104 days / 14 days late / \$1,225.00

MN/DED (continued)

120 days / 30 days late / \$2,625.00
155 days / 65 days late / \$5,687.50
101 days / 11 days late / \$962.50
184 days / 94 days late / \$8,225.00
694 days / 604 days late / \$52,850.00
134 days / 44 days late / \$3,850.00
114 days / 24 days late / \$2,100.00
99 days / 9 days late / \$787.50
243 days / 153 days late / \$13,387.50
219 days / 129 days late / \$11,287.50
103 days / 13 days late / \$1,137.50