

BALL V. SWOAP COURT REPORT
REPORT FOR AUGUST 2013

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.	76
b. The number of cases in which a final decision was issued by the last day of the month.	73
c. Of the cases decided during the month, the number in which a final decision was issued within 60 days of request.	63
d. Of the cases decided during the month, the number in which final decision was issued more than 60 days from request.	10

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

Decisions issued within

61 – 90 days of request	2
91 – 120 days	7
120 – 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 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	0
91 – 120 days	1
121 – 150 days	0
151 – 180 days	0
181 – 210 days	0
211 – 240 days	0
More than 240 days	2

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

1

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.	12
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	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	3
61 – 90 days	0
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

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

2

- 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.	34
c. Of the cases decided during the month, the number in which the final decision was issued within 60 days of request.	30
d. Of the cases decided during the month, the number in which the final decision was issued more than 60 days from request.	4

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

Decisions issued within

61 – 90 days of request	1
91 – 120 days	1
121 – 150 days	1
151 – 180 days	1
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 3.a. and 3.b.) as follows:

Request filed less than

60 days ago	3
61 – 90 days	0
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 3.d.) in which the claimant prevailed, in whole or in part.	1
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BALL V. SWOAP COURT REPORT
REPORT FOR AUGUST 2013

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.	343	66	0	4	0
b. The number of cases in which a final decision was issued by the last day of the month.	261	51	0	4	0
c. Of the cases decided during the month, the number in which the final decision was issued within 90 days of request.	240	48	0	4	0
d. Of the cases decided during the month, the number in which the final decision was issued more than 90 days of request	21	3	0	0	0

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

Decisions issued within

91 – 120 days	13	1	0	0	0
121 – 150 days	4	0	0	0	0
151 – 180 days	4	1	0	0	0
181 – 210 days	0	0	0	0	0
211 – 240 days	0	1	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 final decision (the difference between items 1.a. and 1.b.) as of the last day of the month.

Request filed

< 91 days	57	12	0	0	0
91 – 120 days	12	0	0	0	0
121 – 150 days	2	2	0	0	0
151 – 180 days	0	0	0	0	0
181 – 210 days	0	0	0	0	0
211 – 240 days	3	0	0	0	0
241 – 270 days	0	0	0	0	0
> 270 days	8	1	0	0	0

g. The number of untimely decisions (item 1.d.) in which the claimant prevailed, in whole or in part.	6	1	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.	58	14	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	37	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.	34	9	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.	3	1	0	0	0

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

Decision issued within

91 – 120 days	1	1	0	0	0
121 – 150 days	1	0	0	0	0
151 – 180 days	0	0	0	0	0
181 – 210 days	1	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	19	4	0	0	0
91 – 120 days	0	0	0	0	0
121 – 150 days	0	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	2	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

	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.	196	48	0	0	0
b. The number of cases in which a final decision was issued by the last day of the month.	145	35	0	0	0
c. Of cases decided during the month, the number in which the final decision was issued within 90 days of request.	128	33	0	0	0
d. Of cases decided during the month, the number in which final decision was issued more than 90 days from request.	17	2	0	0	0

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

Decisions issued within

91 – 120 days	12	2	0	0	0
121 – 150 days	1	0	0	0	0
151 – 180 days	1	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	1	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	36	11	0	0	0
91 – 120 days	3	2	0	0	0
121 – 150 days	3	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	2	0	0	0	0
> 270 days	7	0	0	0	0

g. The number of untimely decisions (item 3.d.) in which the claimant prevailed, in whole or in part.	3	1	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.	17
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b. Of the payments shown (item 4.a.), indicate the penalty payment for each late case:

NON-CW	\$100.00 / day
MN	\$100.00 / day
FS	\$25.00 / day

NON-CW

165 days / 75 days late / \$7,500.00
104 days / 14 days late / \$1,400.00
100 days / 10 days late / \$1,000.00

FS

106 days / 16 days late / \$400.00
61 days / 1 day late / \$50.00
67 days / 7 days late / \$175.00
63 days / 3 days late / \$75.00

MN/DED

179 days / 89 days late / \$8,900.00
210 days / 120 days late / \$12,000.00
107 days / 17 days late / \$1,700.00
97 days / 7 days late / \$700.00
356 days / 266 days late / \$26,600.00
201 days / 111 days late / \$11,100.00
92 days / 2 days late / \$200.00
92 days / 2 days late / \$200.00
103 days / 13 days late / \$1,300.00
308 days / 218 days late / \$21,800.00