

# Report Summary

Social Security Administration Office of the Inspector General

July 2010



## Objective

To determine whether the Social Security Administration (SSA) had an achievable plan to eliminate the pending hearings backlog by Fiscal Year (FY) 2013.

## Background

In May 2007, SSA presented to Congress and began implementing its *Plan to Eliminate the Hearings Backlog and Prevent its Recurrence*. As outlined in its FY 2008–2013 Strategic Plan, SSA plans to reduce the number of pending cases to a desired level of 466,000 cases and reduce the average processing time to 270 days by FY 2013. According to SSA, a pending case level of 466,000 cases would be the ideal number of pending cases based on the expected number of administrative law judges (ALJ) working in the Agency.

To view the full report, visit <http://www.ssa.gov/oig/ADO/BEPDF/A-12-10-20114.pdf>

## ***Congressional Response Report: The Office of Disability Adjudication and Review's 2013 Pending Hearings Backlog Plan (A-12-10-20114)***

### Our Findings

Our projections, based on four key variables that directly affect the pending hearings backlog, indicate SSA will meet its FY 2013 pending hearings backlog goal. We estimate the Agency will have approximately 405,000 pending hearing cases by the end of FY 2013, which is lower than the Agency's stated ideal goal of 466,000 cases. Our calculations are based on factors over which SSA maintains varying control, including the (1) number of new receipts, (2) number of available ALJs, (3) productivity of those ALJs, and (4) number of decisions issued by senior attorney adjudicators. Current projections indicate the Agency is closer to meeting its FY 2013 pending hearing backlog goal than it was when we conducted our August 2009 review—*Office of Disability Adjudication and Review Management Information (A-07-09-29162)*.

### Our Conclusion

SSA should be able to eliminate the pending hearings backlog if its projections regarding hearings-level receipts, ALJ availability, ALJ productivity, and senior attorney adjudicator productivity are met. However, there is little room for error. A small change in any one of the underlying assumptions may cause SSA to miss its 2013 pending hearings backlog goal. For this reason, continued assessment of these various factors, as well as periodic adjustments by Agency managers, will be necessary to ensure SSA remains on track to reduce the pending hearings backlog. Moreover, since not all of these factors are solely within SSA's control, such as available sufficient funding and qualified ALJ candidates, the Agency will need to maintain a good understanding of any potential deficiencies to communicate its needs to other parties, including the Congress and the Office of Personnel Management.