

Report Summary

Social Security Administration Office of the Inspector General

April 2010



Objective

To assess the first in/first out (FIFO) process in place at the Office of Disability Adjudication and Review (ODAR) and conduct a preliminary examination of the extent to which the Social Security Administration was complying with this policy.

Background

Cases are assigned to administrative law judges on a rotational basis, with the oldest requests for hearings receiving priority, unless there is a special situation that requires a change in the order in which a case is assigned. Special situations include

- (1) critical cases;
- (2) Appeals Council and court remands;
- (3) dismissals; and
- (4) waived oral or advance notice of a hearing.

To view the full report, visit <http://www.ssa.gov/oig/ADO/BEPDF/A-12-10-20154.pdf>

Congressional Response Report: Scheduled Hearings (A-12-10-20154)

Our Findings

Our review of 55 cases received at 3 hearing offices with the same hearing request date demonstrates wide variances in the processing of these cases. Of the 55 cases received on the same day, 63 percent of the cases were still awaiting a scheduled hearing date and 5 percent of the cases were already decided

ODAR management stated that the hearing offices follow FIFO when they can, but various factors can alter the scheduling of hearing cases, including critical cases, remote site hearings, and incomplete or lost case files. Moreover, various factors can complicate scheduling, including coordinating with multiple parties involved in the hearing as well as locating sufficient hearing space.

ODAR is attempting to improve the timely processing of cases through various initiatives, including the *Aged Case* initiative, expanded electronic processes, and new hearing offices. For example, ODAR is developing a system to schedule hearings electronically.

Our Conclusion

A variety of factors contribute to the range of scheduled hearing dates among requests for hearing received on the same date. In addition to ODAR allowing exceptions to FIFO to address the most sensitive cases, the complex nature of the hearing process and the variety of parties and locations involved create additional delays and adjustments that can alter compliance with FIFO. Planned improvements and useful management information, as well as expanded video and hearing office capacity in the most hard-pressed regions, should contribute to a more predictable and efficient processing of hearing cases.