

# Report Summary

Social Security Administration Office of the Inspector General

February 2010



## Objective

To determine (1) the staffing ratio and combination of staff skills in the Office of Disability Adjudication and Review's (ODAR) hearing offices that maximize hearing office performance.

## Background

The Commissioner testified that at least 4.5 staff per administrative law judge (ALJ) (referred to as the staffing ratio) was necessary to maximize the number of legally sufficient hearings and decisions by ALJs. In performing their duties, ALJs are assisted by decision writers and other support staff. ODAR has instructed regional offices to meet staffing mix goals by hiring at least 1.5 decision writers per ALJ and 2.5 other support staff per ALJ in each of its hearing offices.

To view the full report, visit <http://www.ssa.gov/oig/ADO/BEPDF/A-12-08-28088>.

## Hearing Office Performance and Staffing (A-12-08-28088)

### Our Findings

In Fiscal Year (FY) 2009, as a result of additional Agency funding, ODAR increased the number of its ALJs to about 1,200 (a 19-percent increase since FY 2000) and the number of its hearing office managers and support staff to about 6,200 (almost a 25-percent increase over the same period). By July 2009, ODAR's staffing ratio was 5.1 thereby exceeding the Agency's national goal of 4.5 staff per ALJ.

We found that the hearing offices that met or exceeded the 1.5 decision writer per ALJ staffing mix goal had, on average, almost a 9-percent higher productivity rate than those hearing offices with a ratio less than the goal. However, 36 hearing offices did not meet the decision writer staffing mix goal, including most of the hearing offices in the San Francisco Region.

ODAR's staffing ratio had not been adjusted to reflect senior attorney adjudicators who perform two roles—staffing duties when drafting decisions and ALJ duties when issuing fully favorable, on-the-record decisions. While the Commissioner has set a staffing ratio goal of 4.5 staff per ALJ, adding the two ODAR staffing mix goals sums to only 4.0 staff per ALJ. At the time of our review, ODAR has not established any clear guidance as to how this 0.5 staff allocation should be used.

### Our Recommendations

We made four recommendations to the Agency to (1) focus resources on offices below the 4.0 staffing ratio, (2) continue expanding the use of centralized pulling and writing centers, (3) determine how the attorney adjudicators' new duties of issuing decisions affect the staffing ratio and adjust the ratio based on this analysis, and (4) consider modifying the staffing mix by increasing the number of decision writers per ALJ. SSA agreed with all of our recommendations.