

Report Summary

Social Security Administration Office of the Inspector General

July 2011



Objective

To assess the role of the Senior Attorney Adjudicator (SAA) program in reducing the hearings backlog and evaluate the factors that affected SAA performance.

Background

On August 9, 2007, the Social Security Administration (SSA) issued an interim final rule permitting SAAs to issue fully favorable on-the-record (OTR) decisions, thereby conserving administrative law judge resources for the more complex cases that require a hearing. The SSA program is one of a number of Commissioner-led initiatives to reduce the hearings backlog, using an approach similar to that of the SAA experiment of 1995 through 2000. On April 4, 2011, SSA issued a final rule extending the sunset date of the SAA authority for another 2 years.

To view the full report, visit
http://www.ssa.gov/oig/ADO_BEPDF/A-12-10-11018.pdf

Senior Attorney Adjudicator Program (A-12-10-11018)

Our Findings

In Fiscal Year (FY) 2010, 689 SAAs adjudicated approximately 54,000 decisions. This represents a 46-percent increase in the number of adjudicating SAAs and a 120-percent increase in the number of SAA decisions when compared to FY 2008. SAA decisions represented about 7 percent of all Office of Disability Adjudication and Review dispositions in FY 2010. The majority of the regional and hearing office managers we interviewed had a positive impression of the SAA program. The benefits cited by these managers included (1) higher hearing office productivity; (2) greater retention of attorneys; and (3) increased advancement opportunities for productive SAAs. Managers also cited areas that could be improved, including (1) clearly defined performance measures and related awards; (2) a consistent method for promotions; (3) more developed attorney adjudicator worksheets; and (4) maintaining a sufficient number of decision writers.

Our Recommendations

SSA needs to:

1. Establish uniform performance measures for SAAs to ensure workloads are processed consistent with clearly defined standards.
2. Link SAA awards to uniform performance measures and ensure hearing office managers understand the administration of the SAA awards process.
3. Provide managers and staff with clear criteria for all SAA promotions.
4. Provide SAAs with additional guidance and tools, such as a modified *Attorney Adjudicator Worksheet*, to ensure SAAs highlight pertinent case details when a case cannot be decided as an OTR.

SSA agreed with all of our recommendations.