

Summary of Identifying and Monitoring Risk Factors at Hearing Offices

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Objective

To determine whether the Office of Disability Adjudication and Review (ODAR) had (1) identified key risk factors related to hearing office performance and operations and (2) established a process to measure and monitor these key risk factors.

Background

Administrative law judges (ALJ) and senior attorney adjudicators, in approximately 165 hearing offices and 5 National Hearing Centers, issued over 793,000 dispositions in Fiscal Year (FY) 2011. ALJs, managers, and hearing office staff are required to adhere to ODAR's policies and procedures to ensure each claimant has a fair hearing on his/her claim. In addition, ODAR managers are required to monitor the quality of the hearing process, ensure sufficient resources are directed at key workloads, and address allegations pertaining to deviations from proper case handling.

Our Findings

We found that ODAR had created 19 ranking reports that measured hearing office performance using a single risk factor, such as average processing time or pending cases per ALJ. However, ODAR had not established a process to rank hearing office performance using a combination of risk factors. In FY 2011, ODAR began developing an early monitoring system to measure ALJ performance based on a combination of risk factors, such as number of dispositions, number of on-the-record decisions, and frequency of hearings with the same claimant representative. A quality division then reviewed potential issues identified in the ALJ monitoring system to ensure compliance with established policies and procedures. We reviewed hearing office risk factors particular to ALJs to determine whether such information, when alone or combined with ODAR's ALJ monitoring system outcomes, would provide ODAR management with additional information to assess hearing office management controls. We found large variances in ALJ outcomes within and between hearing offices, indicating that further review of ALJ performance variances in hearing offices, as well as a new hearing office monitoring system using a combination of risk factors, would provide ODAR with additional tools to assess hearing office management controls. Moreover, greater analysis of hearing office variance can put issues identified as part of ODAR's ALJ monitoring system and quality reviews into a broader context.

Our Recommendations

- 1.** Ensure an ALJ early monitoring system becomes a permanent part of management oversight and use this information to timely address potential anomalies in the hearings process.
- 2.** Create new management information reports combining ALJ-related hearing office risk factors, which could include variances within those factors, and use this information to identify potential processing and management problems at hearing offices.

The Agency agreed with the recommendations.