

Summary of Office of Disability Adjudication and Review's Process for Scheduling Hearings When Cases are in "Ready to Schedule" Status

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Social Security Administration Office of the Inspector General

Objective

Our objectives were to identify (1) trends regarding cases that were ready to schedule for hearings at selected Office of Disability Adjudication and Review (ODAR) hearing offices and (2) obstacles that impacted hearing offices' ability to schedule hearings.

Background

In a January 17, 2012 email, the Commissioner of the Social Security Administration (SSA) requested that we determine why some ready to schedule (RTS) cases remained unscheduled. The Commissioner also requested we review the role work-at-home days (Flexiplace) play in case scheduling and report on any office dynamics that are of concern in terms of effective service.

To view the full report, visit <http://oig.ssa.gov/audits-and-investigations/audit-reports/A-08-12-21293>.

Our Findings

Of the 11 hearing offices we contacted, 8 experienced an increase in RTS cases from April 2011 through March 2012. Hearing office staff cited various reasons for this increase, including development of additional cases for hearings so they would have a larger inventory from which to select, expanded service areas and a greater number of disability filings. In contrast, three hearing offices experienced a decrease in RTS cases because of transferring cases to other hearing offices, modifying their scheduling procedures, and spending less time developing cases.

Hearing office staff cited various obstacles that impacted their ability to timely schedule hearings. Most notably, staff cited claimant representative availability as the greatest obstacle they faced when scheduling hearings. To a lesser degree, hearing office staff cited Administrative Law Judge (ALJ) availability as another key obstacle. Other less cited obstacles included availability of medical and vocational experts, hearing rooms, and video teleconferencing equipment.

Our Recommendations

We encourage ODAR to:

- Consider limiting the number of times it offers claimant representatives specific dates and times for hearings.
- Analyze hearing office and ALJ performance data to determine whether it should take additional steps to address key obstacles hearing office staff face during the scheduling process.
- Consider limiting ALJs use of Flexiplace to once a week.
- Reexamine its policy of allowing ALJs to transfer to another hearing office soon after meeting their 90-day service requirement.

In response to our draft report, SSA stated it will use the information provided in the report to assist it in effectively managing hearing workloads.