

Report Summary

Social Security Administration Office of the Inspector General

June 2011



Objective

Senator Baucus, Chairman, Committee on Finance, requested that we determine (1) the Social Security Administration's (SSA) ability to meet its 2013 deadline for eliminating the hearings backlog; and (2) recent trends in processing times of cases at the hearing level.

Background

In May 2007, the Commissioner of Social Security announced SSA's *Plan to Eliminate the Hearings Backlog and Prevent its Recurrence*. As specifically outlined in its Fiscal Years (FY) 2008-2013 Strategic Plan, SSA plans to reduce the number of pending cases to a desired level of 466,000 and the average processing time to 270 days by the end of FY 2013.

To view the full report, visit
<http://www.ssa.gov/oig/ADO/BEPDF/A-12-11-21192.pdf>

Congressional Response Report: The Office of Disability Adjudication and Review's Hearings Backlog and Processing Times (A-12-11-21192)

Our Findings

Based on SSA's projections for administrative law judge (ALJ) productivity, senior attorney adjudicator decisions, hearing level receipts, and ALJ availability, we continue to believe SSA will be able to achieve its FY 2013 pending hearings backlog goal. However, the margin for meeting this goal has narrowed since our 2010 report.

The Agency might miss its pending backlog goal if it has a:

- ✓ 1-percent decrease in available ALJs,
- ✓ 1-percent decrease in ALJ productivity,
- ✓ 3-percent decrease in senior attorney adjudicator decisions, or
- ✓ 1-percent increase in receipts.

SSA has a varying level of influence over the backlog factors used in our calculation. For example, SSA can influence ALJ productivity and the continuation of the *Senior Attorney Adjudicator* initiative. SSA has less influence over the number of hearing-level receipts and funding for ALJs and support staff. While Congress determines the level of funding for SSA operations, the Agency still has flexibility in deciding how it allocates funds.

SSA is also making progress on lowering its average processing time on closed cases and its average age of pending for open cases. For example, since the start of FY 2009, the average processing time for closed cases has decreased by 25 percent, from an average of 476 days in October 2008 to 359 days in March 2011. During the same time, the average age of pending has decreased by 32 percent to an average of 212 days.