

MINNESOTA DEPARTMENT OF HUMAN RIGHTS

09 - 0061

Settlement Summary		
Closure Date of July 1, 2008—December 31, 2008		
Summary by Settlement Type:		
Settlement Term	Total(s) #'s	Total(s) \$'s
Combined CP/Attorney Award	10	\$139,374.00
Conduct Training	16	\$0.00
Write/Update AA/EEO Plan	2	\$0.00
CP Attorney Fees	2	\$16,607.70
CP Damages Awarded	8	\$72,654.00
CP Mental Anguish/Suffering	1	\$10,000.00
Back Wages/Pay	1	\$3,000.00
AG Legal Fees/Court Costs	1	\$8,500.00
Implement Policy Change	13	\$0.00
Punitive Damages	1	\$8,500.00
Send Letter or Other Positive Reference	2	\$0.00
Send Letter of Apology	3	\$0.00
Terms Confidential	21	\$140,731.00
Unspecified Lump Sum	3	\$12,012.00
Other	11	\$0.00
Other Monetary	3	\$22,714.80
Total	98	\$434,093.50
Summary by Closure Type:		
Closure Type		
ADR	21	\$140,731.00
Conciliation Settlements	54	\$172,174.00
Withdrawal - Satisfactorily Adjusted	4	\$13,212.00
Litigation	18	\$107,976.50
Predetermination Settlement	1	\$0.00
Total	98	\$434,093.50
Total number of cases with reported settlements:		95

**MINNESOTA DEPARTMENT OF HUMAN RIGHTS
ALTERNATIVE DISPUTE RESOLUTION (ADR) PROGRAM**

Report Period: July 1, 2008—December 31, 2008

ADR Program activity:

Number of cases referred to ADR from Enforcement Inventory: 211
(This is 47% of the *number* of charges filed during period.)

104 of the cases referred to ADR were *filed* during the July 1, through December 31, 2008, report period. (This is 23% of all charges filed during the period.*)

95% of all cases designated for investigation this report period were first referred to ADR.

ADR Case activity, 7/1/08—12/31/08:

Invitation *declined* by one or both parties;
returned to Case Processing Unit: 96 cases

Both parties *accepted* ADR invitation: 45 cases

Mediation held; resolved & closed: 21 cases (avg. of 89 days in ADR status)

Mediation held; awaiting withdrawal: 4 cases

Mediation/s held; no agreement: 15 cases

Mediation cancelled; no agreement: 5 cases

ADR inventory, as of 12/31/08:

Awaiting response to ADR invitation: 11 cases

Mediation being scheduled: 4 cases

Mediation session scheduled: 6 cases

Resolved/awaiting withdrawal: 4 cases

Total: 25 cases

* Cases are typically sent directly to ADR after the answer and rebuttal are received and the case has been screened for merit, which generally occurs between three and six months from the filing date; however, if the parties are interested, cases under investigation also may be referred to mediation.

MINNESOTA DEPARTMENT OF HUMAN RIGHTS

CASE MANAGEMENT SUMMARY REPORT

Report Period: July 1, 2008—December 31, 2008

CASE ACTIVITY	July 1, 2008— December 31, 2008	January 1, 2008— June 30, 2008	Change (Percent)
New Charges Filed	451 charges	420 charges	+7%
% of, above, still awaiting determination	71%	69%	+3%
Total # Cases Closed/Disposition %	452 cases	459 cases	-2%
Dismissed: Lack of Merit	37%	42%	-12%
Dismissed: other, incl. Lack of Cooperation	18%	20%	-10%
Withdrawn (excludes settled cases)	4%	5%	-20%
Closed after Probable Cause (PC)	10%	8%	+25%
Closed after No Probable Cause (NPC)	20%	17%	+18%
Closed after split (PC/NPC) determination	1%	2%	-50%
Pre-determination Resolution*	4%	3%	+33%
ADR-resolved (settled/withdrawn)	5%	3%	+67%
Avg. # days to issue PROBABLE CAUSE determination/Number issued	356 days/ 23 PC cases	329 days/ 34 PC cases	+8% -32%
Avg. # days to issue PC/NPC (split) determination/Number issued	402 days/ 8 PC/NPC cases	413 days/ 4 PC/NPC cases	-3% +100%
Avg. # days to issue NO PROBABLE CAUSE determination/Number issued	339 days/ 79 NPC cases	389 days/ 88 NPC cases	-13% -10%
Avg. # days to issue dismissal	105 days	166 days	-37%
% of DWRR Dismissals within 6 months	90%	88%	+2%
Avg. # Cases per fte Enforcement Officer	23 cases	22 cases	+5%

* Includes predetermination settlements (PDS) and non-ADR withdrawals due to satisfactory resolution.

INVENTORY: Cases Pending, as of: December 31, 2008 June 30, 2008

Cases needing <i>initial</i> determination:	450	428
<i>Probable Cause</i> or <i>Split</i> cases:		
Conciliation/Litigation with Attorney General:	64	81
<i>Administrative review</i> requested by party:	8 pending (60 requests)	5 pending (32 requests)

***Pre-determination* Inventory, by Case Age (# days from filing, less tolling):**

Case count and percentage of inventory, as of

<u>December 31, 2008:</u>		<u>June 30, 2008:</u>	
1 – 90 days:	222 49%	1 – 90 days:	206 48%
91 – 180 days:	108 24%	91 – 180 days:	97 23%
181 – 270 days:	61 14%	181 – 270 days:	66 15%
271 – 365 days:	59 13%	271 – 365 days:	52 12%
366 or more days:	0 0%	366 or more days:	7 2%
Total:	450 100%	Total:	428 100%

Entire Inventory, by Case Status, as of December 31, 2008:

Pre -determination cases:

Initial Inquiry:	165
Case Screening:	41
Investigation:	204
PDS Pending:	5
Determination Review:	8
ADR:	24
Withdrawal Pending:	3
Total:	450

Post-determination cases:

Appeal/Reopen Pending:	8
Remand Review	0
Remand Inv./Negotiations:	3
NPC/Split Appeal Period:	13
Attorney General's Office:	62
OAH (180-day hearing):	0
Legal Affairs Mgr. Review	0
Total:	86