This document is made available electronically by the Minnesota Legislative Reference Library as part of an ongoing digital archiving project. http://www.leg.state.mn.us/lrl/lrl.asp

### by the Minnesota Legislative Reference Library MINNESOTA DEPARTMENT OF HUMAN RIGHTS

CASE MANAGEMENT SUMMARY REPORT Report Period: January 1, 2010—June 30, 2010

New Charges Filed  422 charges  325 charges  72%  Total # Cases Closed/Disposition % Dismissed: Lack of Merit Dismissed: other, incl. Lack of Cooperation Withdrawn (excludes settled cases) Closed after Probable Cause (PC) Closed after No Probable Cause (NPC) Closed after split (PC/NPC) determination Pre-determination Resolution* ADR-resolved (settled/withdrawn)  Avg. # days to issue PROBABLE CAUSE Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE	•	• •	•	
% of, above, still awaiting determination  Total # Cases Closed/Disposition %  Dismissed: Lack of Merit  Dismissed: other, incl. Lack of Cooperation  Withdrawn (excludes settled cases)  Closed after Probable Cause (PC)  Closed after No Probable Cause (NPC)  Closed after split (PC/NPC) determination  Pre-determination Resolution*  ADR-resolved (settled/withdrawn)  Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE Avg. # days to issue NO PROBA	CASE ACTIVITY		December 31,	Change (Percent)
Total # Cases Closed/Disposition % Dismissed: Lack of Merit Dismissed: other, incl. Lack of Cooperation Withdrawn (excludes settled cases) Withdrawn (excludes settled cases) Closed after Probable Cause (PC) Closed after No Probable Cause (NPC) Closed after split (PC/NPC) determination Pre-determination Resolution* ADR-resolved (settled/withdrawn) Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE Avg. #	New Charges Filed	422 charges	325 charges	30%
Dismissed: Lack of Merit Dismissed: other, incl. Lack of Cooperation Withdrawn (excludes settled cases) Closed after Probable Cause (PC) Closed after No Probable Cause (NPC) Closed after split (PC/NPC) determination Pre-determination Resolution* ADR-resolved (settled/withdrawn)  Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE Avg. # days to issue NO PROBABLE CAUS	% of, above, still awaiting determination	79%	72%	1%
Dismissed: other, incl. Lack of Cooperation Withdrawn (excludes settled cases) Closed after Probable Cause (PC) Closed after No Probable Cause (NPC) Closed after split (PC/NPC) determination Pre-determination Resolution* ADR-resolved (settled/withdrawn) Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE	Total # Cases Closed/Disposition %	323	376	-14%
Withdrawn (excludes settled cases)  Closed after Probable Cause (PC)  Closed after No Probable Cause (NPC)  Closed after split (PC/NPC) determination  Pre-determination Resolution*  ADR-resolved (settled/withdrawn)  Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue PC/NPC (split)  Avg. # days to issue PC/NPC (split)  determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE  Avg. # days to issue NO PROBABLE CAUS	Dismissed: Lack of Merit	41%	46%	-11%
Closed after Probable Cause (PC) Closed after No Probable Cause (NPC) Closed after split (PC/NPC) determination Pre-determination Resolution* ADR-resolved (settled/withdrawn)  Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE			6%	-17%
Closed after No Probable Cause (NPC) Closed after split (PC/NPC) determination Pre-determination Resolution* ADR-resolved (settled/withdrawn)  Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue PC/NPC (split)  determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE Avg. # days to issue NO PROBAB	,	8%	6%	33%
Closed after split (PC/NPC) determination Pre-determination Resolution* ADR-resolved (settled/withdrawn)  Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE Avg. # days to issue NO PROBABLE CAUSE determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE determination/Number issued	• ,	8%	10%	-20%
Pre-determination Resolution* ADR-resolved (settled/withdrawn)  Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE Avg. # days to issue NO PROBABLE CAUSE determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE determination/Number issued	Closed after No Probable Cause (NPC)	27%	27%	0%
ADR-resolved (settled/withdrawn)  Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  427 days/ 5 PC/NPC cases  427 days/ 306 days/ 4 PC/NPC cases  Avg. # days to issue NO PROBABLE CAUSE Avg. # days to issue NO PROBABLE CAUSE determination/Number issued  388 days/ 317 days/ 306 days/ 5 PC/NPC cases 373 days/ 317 days/ 65 NPC cases	,			100%
Avg. # days to issue PROBABLE CAUSE determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  427 days/ determination/Number issued  5 PC/NPC cases  4 PC/NPC cases  6 NPC cases				100%
determination/Number issued  Avg. # days to issue PC/NPC (split) determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE determination/Number issued  35 PC cases 23 PC cases 306 days/ 5 PC/NPC cases 4 PC/NPC cases 373 days/ 317 days/ 65 NPC cases	ADR-resolved (settled/withdrawn)	3%	5%	-40%
Avg. # days to issue PC/NPC (split)  determination/Number issued  Avg. # days to issue NO PROBABLE CAUSE determination/Number issued  427 days/ 5 PC/NPC cases  4 PC/NPC cases  373 days/ 317 days/ 65 NPC cases	Avg. # days to issue PROBABLE CAUSE	388 days/	317 days/	22%
determination/Number issued 5 PC/NPC cases 4 PC/NPC cases Avg. # days to issue NO PROBABLE CAUSE 373 days/ determination/Number issued 104 NPC cases 65 NPC cases	determination/Number issued	35 PC cases	23 PC cases	52%
Avg. <b># days to issue NO PROBABLE CAUSE</b> determination/ <b>Number</b> issued  373 days/ 104 NPC cases  65 NPC cases	Avg. # days to issue PC/NPC (split)	427 days/	306 days/	40%
determination/ <b>Number</b> issued 104 NPC cases 65 NPC cases	determination/Number issued	5 PC/NPC cases	4 PC/NPC cases	25%
	Avg. # days to issue NO PROBABLE CAUSE	373 days/	317 days/	18%
Avg. <b># days to issue dismissal</b> 122 116	determination/Number issued	104 NPC cases	65 NPC cases	60%
	Avg. # days to issue dismissal	122	116	5%
% of DWR Dismissals within 6 months 89% N/A*	% of DWR Dismissals within 6 months	89%	N/A*	N/A*
Avg. # Cases per fte Enforcement Officer 35 27	Avg. # Cases per fte Enforcement Officer	35	27	30%

<sup>\*</sup> Includes predetermination settlements (PDS) and non-ADR withdrawals due to satisfactory resolution.

INVENTORY: Cases Pending, as of:	June 30, 2010	<b>December 31, 2009</b>
Cases needing initial determination:	556	492
Probable Cause or Split cases: Conciliation/Litigation with Attorney Gener	39 al:	36

Administrative review requested by party: 13 pending (55 requests) 55 pending (50 requests)

## Pre-determination Inventory, by Case Age (# days from filing, less tolling): Case count and percentage of inventory, as of

June 30, 2010:	#	%	<b>December 31, 200</b>	<u>9</u> : #	%
1 – 90 days:	246	44%	1 – 90 days:	N/A*	
91 – 180 days:	113	20%	91 – 180 days:	N/A*	
181 – 270 days:	74	13%	181 – 270 days:	N/A*	
271 – 365 days:	88	16%	271 – 365 days:	N/A*	
366 or more days:	32	6%	366 or more days:	0	0%
Total:	553	100%	Total:	492	100%

# Entire Inventory, by Case Status, as of June 30, 2010:

#### Pre-determination cases: Post-determination cases:

Initial Inquiry:	267	Remand Review:	N/A*
Case Screening:	1	Remand Inv./Negotiations:	6
Investigation:	244	NPC/Split Appeal Period:	29
PDS Pending:	0	Attorney General's Office:	39
<b>Determination Review</b>	v: 0	OAH (180-day hearing):	N/A*
ADR Pending:	39	Appeal/Reopen Pending:	12
Withdrawal Pending:	2	Legal Affairs Mgr. Review:	N/A*
Total:	553	Withdrawal pending/post-PC	: <i>N/A*</i>
		Total:	86

<sup>\*</sup>Note: Some data that has been available in previous reports is currently not available. It will become available when the department's new case management system is fully implemented.

#### MINNESOTA DEPARTMENT OF HUMAN RIGHTS

#### **ALTERNATIVE DISPUTE RESOLUTION (ADR) PROGRAM**

Report Period: January 1, 2010—June 30, 2010

#### **ADR Program activity:**

**Number of cases referred to ADR from Enforcement Inventory:** 160 (This is 35% of the *number* of charges filed during period.)

100% of all cases designated for investigation during the period of January 1 through June 30, 2010 were first referred to ADR.

#### **ADR Case activity**, 1/1/10—6/30/10:

Invitation declined by one or both parties;

returned to Case Processing Unit: 80 cases

Both parties accepted ADR invitation: 46 cases

Mediation held; resolved & closed: 7 cases

Mediation held; awaiting withdrawal: 1 case

Mediation/s held; no agreement: 12 cases

Mediation cancelled; no agreement: 6 cases

Total: 152 cases

#### **ADR inventory**, as of 6/30/10:

Awaiting response to ADR invitation: 0 cases

Mediation being scheduled: 27 cases

Mediation session scheduled: 0 cases

Resolved/awaiting withdrawal: 1 case

Total: 28 cases

# MINNESOTA DEPARTMENT OF HUMAN RIGHTS

Settlement Summary				
Closure Date of January 1, 2010—June 30, 2010				
Summary by Settlement Term:	Total(s) #'s	Total(s) \$'s		
Back Wages/Pay	4	57,700.00		
Civil Penalties	2	750.00		
Combined CP/Attorney Award	7	239,200.00		
Conduct Training	15	0.00		
CP Attorney Fees	4	42,300.00		
CP Damages Awarded	4	54,000.00		
Implement Policy Change	14	0.00		
Mental Anguish/Suffering	1	5,000.00		
Modify Job, Etc. to Accommodate Disability	3	0.00		
Other	6	0.00		
Other Monetary	1	0.00		
Post EEO Notice	2	0.00		
Send Letter or Other Positive Reference	2	0.00		
Submit Report to MDHR	3	0.00		
Total	68	\$398,950.00		
Summary by Closure Type:				
ADR	13			
Conciliation Settlements	19	\$398,950.00		
Litigation	0			
Total	32			