

MINNESOTA DEPARTMENT OF HUMAN RIGHTS
CASE MANAGEMENT SUMMARY REPORT
 Report Period: July 1, 2010—December 31, 2010

| CASE ACTIVITY | July 1, 2010 – December 31, 2010 | January 1, 2010 – June 30, 2010 | Change (Percent) |
|-------------------------------------------------------------------------------|-------------------------------------|------------------------------------|---------------------|
| New Charges Filed | 380 charges | 422 charges | -10% |
| % of, above, still awaiting determination | 87% | 79% | 1% |
| Total # Cases Closed/Disposition % | 429 | 323 | 33% |
| Dismissed: Lack of Merit | 59% | 41% | 44% |
| Dismissed: other, incl. Lack of Cooperation | 2% | 5% | -60% |
| Withdrawn (<i>excludes</i> settled cases) | 3% | 8% | -63% |
| Closed after Probable Cause (PC) | 6% | 8% | -25% |
| Closed after No Probable Cause (NPC) | 20% | 27% | -26% |
| Closed after split (PC/NPC) determination | 1% | 2% | -50% |
| Pre-determination Resolution* | 4% | 6% | -33% |
| ADR-resolved (settled/withdrawn) | 4% | 3% | 33% |
| Avg. # days to issue PROBABLE CAUSE determination/Number issued | 410 days/ 40 PC cases | 388 days/ 35 PC cases | 6% 14% |
| Avg. # days to issue PC/NPC (split) determination/Number issued | 440 days/ 8 PC/NPC cases | 427 days/ 5 PC/NPC cases | 3% 60% |
| Avg. # days to issue NO PROBABLE CAUSE determination/Number issued | 423 days/ 62 NPC cases | 373 days/ 104 NPC cases | 13% -40% |
| Avg. # days to issue dismissal | 207 | 122 | 70% |
| % of DWR Dismissals within 6 months | 69% | 89% | -22% |
| Avg. # Cases per fte Enforcement Officer | 37 | 35 | 6% |

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

INVENTORY: Cases Pending, as of: **December 31, 2010** **June 30, 2010**

| | | |
|--------------------------------------------------|--------------------------|--------------------------|
| Cases needing <i>initial</i> determination: | 516 | 556 |
| <i>Probable Cause</i> or <i>Split</i> cases: | 43 | 39 |
| Conciliation/Litigation with Attorney General: | | |
| <i>Administrative review</i> requested by party: | 22 pending (61 requests) | 13 pending (55 requests) |

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

| <u>December 31, 2010:</u> | # | % | <u>June 30, 2010:</u> | # | % |
|---------------------------|------------|-------------|-----------------------|------------|-------------|
| 1 – 90 days: | 178 | 35% | 1 – 90 days: | 246 | 44% |
| 91 – 180 days: | 174 | 34% | 91 – 180 days: | 113 | 20% |
| 181 – 270 days: | 89 | 17% | 181 – 270 days: | 74 | 13% |
| 271 – 365 days: | 66 | 13% | 271 – 365 days: | 88 | 16% |
| 366 or more days: | 9 | 2% | 366 or more days: | 32 | 6% |
| Total: | 516 | 100% | Total: | 553 | 100% |

Entire Inventory, by Case Status, as of December 31, 2010:

Pre-determination cases:

| | |
|----------------------------|------------|
| Initial Inquiry: | 176 |
| Case Screening: | 145 |
| Investigation: | 171 |
| PDS Pending: | 2 |
| Determination Review: | 1 |
| ADR Pending: | 19 |
| <u>Withdrawal Pending:</u> | <u>2</u> |
| Total: | 553 |

Post-determination cases:

| | |
|------------------------------------|-----------|
| Remand Inv./Negotiations: | 2 |
| NPC/Split Appeal Period: | 14 |
| Attorney General's Office: | 43 |
| Appeal/Reopen Pending: | 13 |
| <u>Withdrawal pending/post-PC:</u> | <u>2</u> |
| Total: | 74 |

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

Report Period: July 1, 2010—December 31, 2010

ADR Program activity:

Number of cases referred to ADR from Enforcement Inventory: 118
(This is 94% of the *number* of charges eligible for ADR during this period.)

ADR Case activity, 7/1/10—12/31/10:

| | |
|-----------------------------------------------------------------------------------------|------------------|
| Invitation <i>declined</i> by one or both parties; returned to Case Processing Unit: | 98 cases |
| Both parties <i>accepted</i> ADR invitation: | 39 cases |
| Mediation held; resolved & closed: | 18 cases |
| Mediation held; awaiting withdrawal: | 3 cases |
| <u>Mediation/s held; no agreement:</u> | <u>13 cases</u> |
| Total: | 171 cases |

ADR inventory, as of 12/31/10:

| | |
|--------------------------------------|-----------------|
| Awaiting response to ADR invitation: | 9 cases |
| Mediation being scheduled: | 3 cases |
| <u>Mediation session scheduled:</u> | <u>5 cases</u> |
| Total: | 17 cases |

MINNESOTA DEPARTMENT OF HUMAN RIGHTS

| Settlement Summary | | |
|---------------------------------------------------------|---------------------|----------------------|
| Closure Date of July 1, 2010 — December 31, 2010 | | |
| | | |
| Summary by Settlement Term: | Total(s) #'s | Total(s) \$'s |
| Back Wages/Pay | 2 | 16,300.00 |
| Civil Penalties | 5 | 25,000.00 |
| Combined CP/Attorney Award | 5 | 223,250.00 |
| Conduct Training | 22 | 0.00 |
| CP Attorney Fees | 1 | 6,395.35 |
| CP Damages Awarded | 8 | 75,500.00 |
| CP Emotional Damages | 1 | 3,179.65 |
| Other | 6 | 0.00 |
| Other Monetary | 1 | 10,125.00 |
| Policy Development/Review | 15 | 0.00 |
| Submit Report to MDHR | 1 | 0.00 |
| Total | 67 | \$359,750.00 |
| | | |
| Summary by Closure Type: | | |
| ADR | 18 | |
| Conciliation Settlements | 14 | \$359,750.00 |
| Litigation | 0 | |
| Total | 32 | |