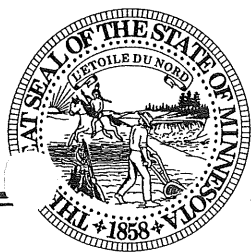


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# Minnesota Department of Human Rights

January 10, 2001

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The Honorable John Marty  
Senate Judiciary Committee  
325 Capitol  
75 Constitution Avenue  
St. Paul, MN 55155

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Dear Senator Marty:

The Minnesota Department of Human Rights (MDHR) submits a semi-annual report to the Legislature summarizing the results of its investigation and resolution of human rights complaints. A report detailing the Department's activities during the period of July 1, 2000 to December 31, 2000 is attached to this letter.

From July 1, 2000 to December 31, 2000, MDHR closed a total of 623 cases. On December 31, of the 929 cases needing a determination, only 6 (.06%) were older than 12 months. The average caseload per enforcement officer remained low, at 26 cases per FTE (full-time equivalent).

Meeting our statutory directive to make a determination in each case within one year of filing while maintaining manageable caseloads remains a top priority. During this reporting period, the average time from filing to a determination of no probable cause was 308 days; from filing to a probable cause determination was 327 days.

The Legislature has directed the MDHR to achieve 75% of Department dismissals within six months. I am pleased to tell you that during this reporting period, 86% of dismissals was accomplished within six months of the charge-file date.

From July 1, 2000 to December 31, 2000, 83 cases (12% of the total number of cases filed) were referred to the Office of Dispute Resolution (ODR). During this time period, ODR returned 67 cases to the Department for investigation. A total of 26 cases were mediated, with 19 resulting in settlements.

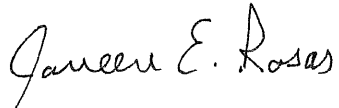
During the reporting period, MDHR recovered a total of \$784,650 for aggrieved charging parties. In addition, MDHR has modified its procedures to promote increased use of predetermination settlements to expedite case processing and recovery of damages. This new program will be evaluated for effectiveness in the Fall of 2001.

AN EQUAL OPPORTUNITY EMPLOYER

The Honorable John Marty  
January 10, 2001  
Page Two

The attached report details MDHR's case activity during the past six months. If you have any questions or concerns, please contact my office.

Sincerely,



Janeen E. Rosas  
Commissioner

JER:mw  
Attachment  
*h:legrep1200*

c: Senator Jane Ranum  
Representative Steve Smith  
Representative Rich Stanek  
Legislative Reference Library

**DEPARTMENT OF HUMAN RIGHTS  
CASE MANAGEMENT**

<b>CASE ACTIVITY</b>	<b>July 1, 2000 – Dec. 31, 2000</b>	<b>Jan. 1, 2000 – June 30, 2000</b>	<b>Change (Percent)</b>
<b>New Charges Filed</b>	677 charges	702 charges	- 4%
% of, above, pending determination	86%	90%	- 4%
<b>Total # Cases Closed/Disposition %</b>	623 cases	580 cases	+ 7%
Dismissed: Lack of Merit	27%	21%	+ 22%
Dismissed: other, incl. lack of cooperation	23%	18%	+ 22%
Withdrawn ( <i>excludes</i> settled cases)	5%	5%	no change
Closed after Probable Cause (PC)	7%	7%	no change
Closed after No Probable Cause (NPC)	34%	42%	- 24%
Closed after split (PC/NPC) determination	1%	.03%	+ 70%
Pre-determination Resolution*	3%	4%	- 33%
ADR-resolved (settled/withdrawn)	3%	4%	- 33%
<b>Avg. # Days to Issue Probable Cause determination</b>	327 days (36 cases)	288 days (62 cases)	+ 14% (-42%)
<b>Avg. # Days to Issue No Probable Cause determination</b>	308 days (246 cases)	314 days (252 cases)	- 2% (- 2%)
<b>Avg. # Days to issue split (NPC/PC) determination</b>	340 days (10 cases)	316 days (8 cases)	+ 8% (+ 25%)
<b>Avg. # Days to Issue Dismissal</b>	143 days	138 days	+ 4%
<b>% of DWR Dismissals within 6 months</b>	86%	88%	- 2%
<b>Average Case Load per full-time Enforcement Officer</b>	26 cases	18 cases	+ 44%

\* Includes predetermination settlements and non-ADR withdrawals due to satisfactory resolution.

<b>Inventory of all Cases Pending, as of:</b>	<b><u>Dec. 31, 2000</u></b>	<b><u>June 30, 2000</u></b>
Cases needing initial determination:	929	891
Probable Cause cases; conciliation/ litigation status with Attorney General:	74	98
Administrative review requested by party:	4 cases pending (71 requests made)	5 cases pending (59 requests made)

**Inventory, by Case Age (days), as of December 31, 2000**

Case count and percentage of pre-determination inventory:

1 – 90 days:	290 (31%)
91 – 180 days:	350 (38%)
181 – 270 days:	166 (18%)
271 – 365 days:	117 (13%)
366+ days:	6 (.06%)
<u>Total:</u>	<u>929 (100%)</u>

**Entire Inventory, by Case Status, as of December 31, 2000**

<b>Pre-determination cases:</b>	<b>Post-determination cases:</b>
Initial Inquiry: 395	NPC appeal period: 27
Case Screening: 129	Appeal/Reopen pending: 4
Investigation: 305	Attorney General's Office: 74
Supervisor Review: 72	Returned to Investigation
ADR Project: 28	(from Appeal/Reopened): 16
<u>Total: 929</u>	<u>Total: 121</u>

## DEPARTMENT OF HUMAN RIGHTS

### ALTERNATIVE DISPUTE RESOLUTION (ADR) PROJECT

ADR case **activity** during the period July 1, 2000, through December 31, 2000:

Cases referred to ADR: 83 cases (This is 12% of the *number* of charges filed during report period.) Cases are typically sent to ADR between 3 and 4 months from their filing date, only after the answer and rebuttal are received and the case is screened for merit.

27 of the 83 cases referred (35%) were actually filed during the 7/1/00--12/31/00 report period. This is 4% of all charges filed during the period.

Cases returned by ADR : 67 cases (avg. time at ADR: 98 days)

Mediation opportunity declined:	41 cases (avg. time at ADR: 29 days)
Mediation held; settlement/withdrawal:	19 cases (avg. time at ADR: 119 days)
Mediation held; no agreement:	<u>7 cases</u> (avg. time at ADR: 73 days)
	67 cases

ADR inventory, as of 12/31/00:

Mediated; awaiting withdrawal:	5 cases
Mediation in progress:	0 cases
Mediation scheduled:	10 cases
Mediation being considered:	<u>13 cases</u>
	28 cases

Avg. case-age; entire ADR project inventory: 137 days (28 cases)

Avg. case-age; *unsettled* ADR cases, only: 136 days (23 cases)

# DEPARTMENT OF HUMAN RIGHTS

## REMEDIES RECOVERED REPORT

July 1, 2000 - December 31, 2000

### Summary, by Penalty/Damages Type:

<b>Penalty/Damages Type</b>	<b># of Cases</b>	<b>Total Value</b>
Civil Penalties	21	\$247,500.00
Legal Fees/Court Costs	18	\$247,950.00
Mental Anguish/Suffering	1	\$6,000.00
Other Monetary	4	\$66,000.00
Other, non-monetary	3	N/A
Mediation (unreported by type)	16	\$217,200.00
	<b>Total</b>	<b>\$784,650.00</b>

### Summary, by Closure Type:

<b>Closure Type</b>	<b># of Cases</b>	<b>Total Value</b>
Mediated Agreement (ADR)	16	\$217,200.00
Conciliation Settlements	45	\$527,450.00
Predetermination Settlements	1	\$10,000.00
Withdrawal - Satisfactorily Adj	1	\$30,000.00
	<b>Total</b>	<b>\$784,650.00</b>