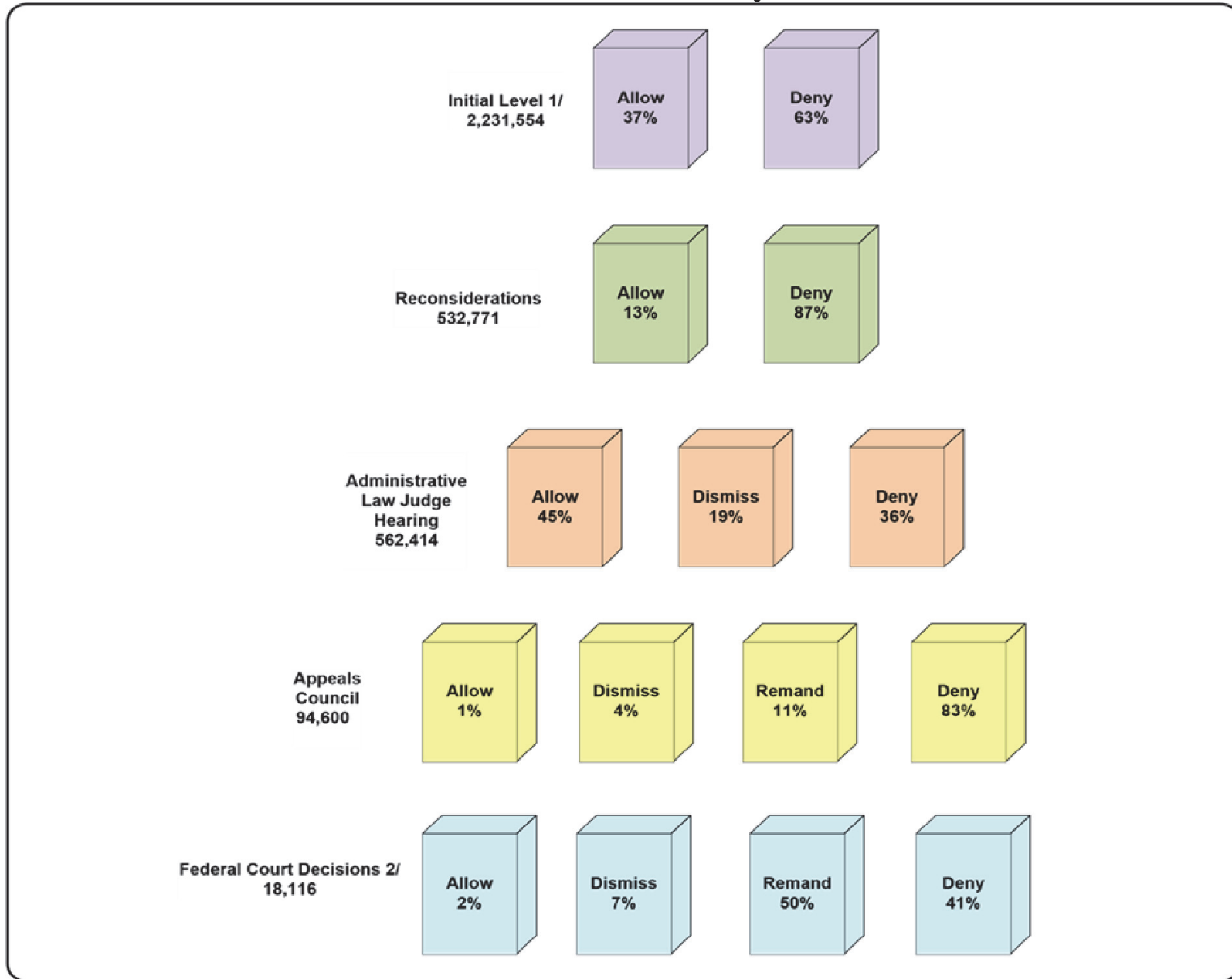


FY 2019 DISABILITY DECISION DATA

Table 3.24—Fiscal Year 2019 Disability Decision Data



POSITION DESCRIPTION
Administrative Law Judge
Social Security Administration
(Licensing and Benefits)

AL-935-03

PD# 2E089

I. ORGANIZATIONAL LOCATION OF POSITION

This position is located in a hearing office or hearing center under the Office of the Regional Chief Administrative Law Judge or the National Hearing Center, Office of the Chief Administrative Law Judge, Office of Disability Adjudication and Review (ODAR), Social Security Administration (SSA), which are located throughout ten geographically dispersed regions, encompassing the United States and Puerto Rico.

II. FUNCTIONS

Under a direct delegation from the Commissioner of Social Security, and pursuant to agency regulations implementing the Social Security Act, as amended (Act), the incumbent has authority to hold hearings and make and issue decisions on appeals from determinations made in the course of administration of titles II, VIII, and XVI of the Act in conformity with the Administrative Procedure Act. The types of case heard include: (1) appeals involving old age, survivors, and disability benefits

under title II of the Act; (2) appeals involving special veteran's benefits under title VIII of the Act; and (3) appeals involving supplemental security income under title XVI of the Act. The incumbent may handle any of these types of cases, regardless of the degree of difficulty or complexity of the issues.

III. DUTIES AND RESPONSIBILITIES

Under the direction and supervision of the Hearing Office Chief Administrative Law Judge or the Hearing Center Chief Administrative Law Judge, the incumbent holds hearings and makes and issues decisions on appeals from determinations on claims filed under titles II, VIII, and XVI of the Act. Specific duties and responsibilities include but are not limited to:

A. Investigating the facts of each claim and developing the arguments both for and against granting benefits. Generally, the incumbent holds non-adversarial hearings on the record, and issues decisions based on all the evidence presented. The incumbent derives authority from the Commissioner of Social Security and has, under section 205(b) of the Act, the authority to find facts and to conduct hearings in accordance with the agency's regulations, rulings, policy statements, and other interpretations of the law. Under agency regulations that implement titles II, VIII, and XVI of the Act, the incumbent holds hearings and issues timely and legally sufficient decisions and may: (1) dismiss a request for hearing and rule on a request

for an extension of time; (2) identify issues to be resolved; (3) analyze the evidence; (4) determine whether there are other parties to be joined in the case; (5) issue subpoenas and rule on petitions to revoke subpoenas; (6) consider and resolve conflicting evidence; (7) hear testimony and rule on all motions, petitions, or exceptions involving questions of law, procedure, and the admissibility of evidence; (8) hold pre-hearing conferences with the claimant, representative, or both; (9) make the evidence of record available to the parties and inform them of any evidence or expert testimony required in connection with the hearing; (10) administer oaths and affirmations; (11) govern the conduct of the parties at the hearing, and in general regulate the course of the hearing; (12) control the examination and cross-examination of witnesses; (13) introduce into the record documentary and other evidence deemed necessary for the completion or full development of the record; (14) hear oral argument, and receive and consider briefs that are submitted; (15) evaluate the credibility of witnesses, and resolve conflicts in lay and expert evidence; (16) consider and dispose of proposed findings of fact and conclusions of law submitted by the claimant; (17) make findings of fact in accordance with the Act, the agency's regulations, rulings, and policy on each issue, giving reasons therefore, and render conclusions of law; (18) fully consider all the evidence of record, and issue timely and legally sufficient decisions within the requirements of the Act, and which are individually signed or individually approved by the

incumbent prior to issuances; and (19) entertain petitions for representative fees and issue orders designating the amount of fee authorized.

B. Taking other action not inconsistent with the Act, the Commissioner's regulations, rulings, and other policies, such as issuing decisions in matters remanded by the Federal courts in accordance with the Appeals Council's instructions.

C. In the absence of the Hearing Office Chief Administrative Law Judge or Hearing Center Chief Administrative Law Judge, may be assigned to act as the Hearing Office Chief Administrative Law Judge of a hearing office or Hearing Center Chief Administrative Law Judge of a hearing center under the general direction and supervision of the Regional Chief Administrative Law Judge or Associate Chief Administrative Law Judge for the National Hearing Center, Deputy Chief Administrative Law Judge, Chief Administrative Law Judge, and the Deputy Commissioner for Disability Adjudication and Review. As such, the incumbent would be responsible for the management of the hearing office or hearing center, and would also be responsible for holding hearings and making and issuing decisions on hearing requests made pursuant to the Act. Assignment as a Hearing Office Chief Administrative Law Judge or a Hearing Center Chief Administrative Law Judge is subject to the duties, responsibilities, and authorities set forth in the addendum for the Hearing Office Chief Administrative Law Judge and Hearing Center Chief Administrative Law Judge.

IV. SUPERVISION AND GUIDANCE

The incumbent is subject to the supervision and management of the Hearing Office Chief Administrative Law Judge or Hearing Center Chief Administrative Law Judge, Regional Chief Administrative Law Judge, Associate Chief Administrative Law Judge, Deputy Chief Administrative Law Judge, Chief Administrative Law Judge, and the Deputy Commissioner for Disability Adjudication and Review. The incumbent exercises independent judgment on the evidence, free from pressure by the parties or agency officials, but is subordinate to the Commissioner in matters of policy and the interpretation of the law. The Commissioner has delegated authority to the incumbent to apply agency policy regarding the administrative adjudication and review of claims. The incumbent's decisions may not be substantively reviewed before issuance, but may be reviewed by the Appeals Council after issuance.

The Deputy Commissioner for Disability Adjudication and Review ensures, through delegations of authority to the Chief Administrative Law Judge, Deputy Chief Administrative Law Judge, Regional Chief Administrative Law Judge, Associate Chief Administrative Law Judge for the National Hearing Center, Hearing Office Chief Administrative Law Judge and the Hearing Center Chief Administrative Law Judge, that incumbents shall, on a continuing basis, receive such training

and guidance as is necessary to ensure knowledge of the agency's policies and agency's interpretation of the law so that he/she is able to apply them properly.

V. SPECIAL KNOWLEDGE AND ABILITIES REQUIRED

An entry-level ALJ must meet OPM's regulatory requirements and qualification standards for ALJs and have passed the OPM ALJ examination. The following special knowledge and abilities are required for fully-trained, experienced incumbent ALJs at SSA.

The incumbent must have expert knowledge of judicial practice; a capacity for analysis; the ability to clearly and concisely convey decisional instructions to support staff; a capacity for clear and concise oral and written articulation; the ability to balance important and conflicting considerations; a proven ability to ensure a fair hearing; and the ability to discharge effectively and timely the responsibilities placed upon him/her for bringing all matters to a prompt and just decision. Inherent demands of the job require the incumbent to have such characteristics as tact, poise, firmness, impartiality, diplomacy, originality, imagination, initiative, professional bearing, as well as the ability to control dispassionately any emotionalism of counsel, claimants, witnesses, or other individuals in order to ensure the orderly conduct of the proceedings. The incumbent must possess the ability to analyze and address novel

and complex legal problems in accordance with the Commissioner's policies and interpretation of the law. The incumbent is required to evaluate the issues promptly and thoroughly before any testimony is adduced. If the pleadings are insufficient, the incumbent must have the necessary legal ability to take all actions required to clarify the issues, and may obtain stipulations of fact. Since the incumbent has no contempt powers, poise and diplomacy in meeting delicate situations are essential, as well as the ability to convey courtesy and respect to all those who appear in front of him/her.

Utilizing all of the technological and support staff resources provided by the agency, the incumbent must be able to exercise effective docket management and time-management skills including: (1) efficiently schedule cases for hearing; (2) hear and decide cases in a high volume caseload environment; (3) timely move cases toward dispositions; (4) timely write clearly and decisively; and (5) issue timely and legally defensible dispositions.

The incumbent must timely develop a clear and concise record, containing all relevant facts, while excluding all immaterial matters. The incumbent must be responsible and use judgment and initiative in deciding what evidence must be in the record in order to decide the issues in the case. The incumbent ensures that a hearing is timely held at which experts and/or other witnesses are called when evidence on medical and/or vocational factors

are relevant and necessary to deciding the issues in the case.

In the disability programs, under titles II, VIII, and XVI, the incumbent must decide cases involving a wide variety of physical and mental impairments, and determine how the claimant's impairments affect the claimant's ability to perform substantial gainful activity. To reach informed judgments in these cases, the incumbent must possess knowledge of the medical, psychological, and vocational factors involved in each case. The incumbent must also possess the ability to competently read and understand medical terminology and medical records.

The incumbent will sometimes need to utilize oral or written testimony of vocational and medical experts. The incumbent is required to perform the skillful and comprehensive interrogation of expert witnesses. The incumbent must be able to analyze and summarize in decisional format complex facts and legal conclusions clearly and concisely, and to create a dignified and objective atmosphere at the hearing. When the incumbent determines that a material issue in a case involves a determination of federal, state, local or foreign law on which the agency has not issued an opinion, the incumbent ensures that the issue is referred to the agency's Office of the General Counsel so that the agency can make a decision on the issue.