

Unemployment Appeal Legal Advice Clinic

2013 Report

In April 2013, the Minnesota State Law Library and the Labor and Employment Section of the MSBA started a free clinic for people contemplating an appeal to the Minnesota Court of Appeals from a denial of unemployment benefits. The clinic is staffed by volunteer attorneys, law library staff, and law students.

The clinic meets twice per month; once via phone and once at the State Law Library. For people using the phone clinic, their experience involves speaking with a volunteer attorney for approximately 30 minutes. Prior to calling the clinic customer, the attorney reviews the customer's initial decision from the unemployment law judge and the decision in response to the request for reconsideration. Attorneys provide information about whether the person has a meritorious claim to pursue. The intention is to screen people who have no basis for appeal, thus saving the court time and effort on those cases. If the attorney thinks the person has a possible claim to pursue, he or she can provide guidance on what the relevant legal issues are, and how to focus on them in the appeal. If the attorney determines that the person had a strong case, he or she can provide full representation on a pro bono basis, or can refer the customer to the Appellate Practice Section's Pro Bono Panel.

The in-person clinic, at the State Law Library, has an additional component. After the customer meets with the attorney, he or she can spend 15 minutes with a law student or member of the law library staff, who can assist the customer with the unemployment appeals forms packet. Law students and library staff members do not provide legal advice, but offer guidance on the process of filing the appeal. They also show clinic customers samples of informal appellate briefs and an unemployment case law database, the latter of which the State Law Library created.

Attorneys were recruited through the MSBA Labor and Employment Law Section and the Appellate Practice Section. Law students were recruited through the Minnesota Justice Foundation. Howard Bolter, Chair of the Labor and Employment Section, and Liz Reppe, State Law Librarian, facilitated the creation of the clinic. The State Law Library schedules the appointments and handles all aspects of running the clinic.

In 2013 the clinic assisted 35 people. 23 of those who attended the clinic (66%) ended up not filing an appeal after speaking to the attorney. 16 were assisted at the in-person clinic and 19 were helped via a telephone consultation. One person was provided full representation, on a pro bono basis.

While the majority of the clinic customers lived in the seven county metropolitan area, the clinic also assisted residents of Cass, Fillmore, McLeod, Olmsted, Pine, Sherburne, and Stearns Counties.

The attorneys who staffed the clinic in 2013 were:

Paul Banker
Howard Bolter
Sarah Crippen
Marlene Garvis
Nathan Griffin
Kelly Jeanetta
Amy Lanser
Jonathan Reppe
Brian Rochel

The law students who staffed the clinic were: Nicole Faulkner (William Mitchell), Lisa Hui-Peterson (Hamline), and Amanda Sicoli (William Mitchell). Clara Lowther, reference librarian at the State Law Library, also provided valuable assistance to the clinic.