

Unemployment Appeal Brief Advice Clinic 2016 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. Over 80% of these types of appeals involve an unrepresented party. The clinic is staffed by volunteer attorneys and law library staff.

The clinic operates 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 customer, the attorney reviews both 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 appeal. The intention is to provide guidance to litigants on whether they have potentially meritorious claims for appeal. If the attorney thinks the person has a possible claim to pursue, he or she can provide guidance on the relevant legal issues, including how to focus on them in the appeal. If the attorney determines that the person has 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 member of the law library staff, who can assist the customer with the unemployment appeals forms packet. 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 the State Law Library's unemployment case law database.

In 2016, the clinic assisted 30 people. Five were assisted at the in-person clinic and 25 were helped via a telephone consultation.* 20 of those who attended the clinic (67%) ended up not filing an appeal after speaking to the attorney. While the majority of the clinic customers live in the seven county metropolitan area, the clinic also assisted residents of Wright, Douglas, McLeod, St. Louis, and Roseau Counties, as well as one person who now lives out of state.

The attorneys who volunteered their time to staff the clinic in 2016 were:

Howard Bolter
Craig Brandt
Sarah Crippen
Marlene Garvis
Nathan Griffin
Mary Kaczorek
Corey Kobbervig
Kelly Jeanetta
Jonathan Reppe
Brian Rochel

*Note that when the in-person clinic has only 1 or 2 people signed up we give the attorney the option of doing a phone clinic instead.