

UNEMPLOYMENT APPEALS SELF HELP CLINIC 2018 REPORT

In 2018 the clinic assisted 51 people. This is a 42% increase from 2017. 18 customers attended the in-person clinic, held at the State Law Library, and 34 attended the clinic via telephone. (One person attended twice.) Last year cases with at least one pro se party constituted about 89% of unemployment appeal case filings. There were a total of 88 unemployment cases filed in the Court of Appeals.

Clinic Details

Typically, 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.

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 approximately 15 minutes with a member of the law library staff, who can assist the customer with the unemployment appeals forms packet. Law librarians 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.

of Appeals Filed

25 of the clinic customers (49%) decided not to file an appeal after consulting with the clinic attorney.

Full Representation Provided

Five customers were provided full representation by the Appellate Pro Bono Panel (MSBA Appellate Practice Section).

Interpreter Use

In 2018, for the first time, one customer used an interpreter (Language Line) during the consultation with the attorney.

Appeal Outcomes

Description of Outcome	# of Cases	# of Clinic Customers Represented *
Appeals Dismissed No brief filed – 7 Jurisdiction questioned. No memorandum filed by relator – 1 Dismissed by relator - 1	9	
ULJ Affirmed Decision for employer – 12 Decision for relator - 1	13	2
ULJ Reversed	1	1
ULJ Reversed and Remanded	1	1
Appeal Stayed Pending NLRB Case	1	1

* Appellant had counsel from the Appellate Pro Bono Panel.

Counties of Customers:

Anoka, Big Stone, Blue Earth, Carver, Chisago, Crow Wing, Dakota, Douglas, Hennepin, McLeod, Mille Lacs, Mower, Olmsted, Pine, Ramsey, Rice, St. Louis, Scott, Sherburne, Stearns, Washington, Watonwan, Winona, Wright

Attorney volunteers in 2018:

Howard Bolter, Amy Boyle, Craig Brandt, Sarah Crippen, Joshua Erspamer, Marlene Garvis, Nathan Griffin, Kelly Jeanetta, Mary Kaczorek, Corey Kobbervig Jonathan Reppe

State Law Library Volunteers:

Sarah Larsen, Liz Reppe

About the Clinic:

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 an agency denial of unemployment benefits. The clinic is staffed by volunteer attorneys and law library staff.