

Filing an Unemployment Appeal at the Minnesota Court of Appeals Kev Zwm Ntawv Thov Txiaiv Txim Dua Txog Kev Poob Hauj Lwm hauv Minnesota Tsev Hais Cov Plaub Txiaiv Txim Dua

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This packet is provided as a general guide to the process of appealing from a final decision by an Unemployment Law Judge (ULJ) about a claim for unemployment benefits. The final decision that you can appeal is **a ruling on a request for reconsideration**.

Pob ntawv no yog ua qauv qhia cov txheej txheem thov kev txiaiv txim dua los ntawm Tus Kws Phua Txim Txog Kev Cai Hauj Lwm (ULJ) ntawm ib txoj kev aws cov nyiaj poob hauj lwm. Txoj kev txiaiv txim kawg uas koj thov tau kev txiaiv txim dua yog **txoj cai thov kev rov xav dua**.

These instructions explain the steps to start an appeal and answer common questions, but are not a full guide to the law.

Cov lus no yuav qhia txog cov kauj ruam pib thov kev txiaiv txim dua thiab teb cov lus nquag nug, tiam sis tsis yog cov lus cob qhia txhij txhua ntawm txoj cai.

Please read this entire packet carefully. If you do not understand any of the steps or do not know if these forms are right for your situation, you should speak with an attorney for legal advice. Court employees are able to give general information about court rules and procedures, but they cannot give legal advice.

Thov ua tib zoo nyeem pob ntawv no txhij txhua tag nrho. Yog koj tsis nkag siab txog tej kauj ruam twg los yog tsis paub tias cov ntawv no puas haum rau koj qhov xwm txheej, koj tham tau nrog ib tug kws lij choj kom muab tswv yim kev cai lij choj pab. Cov neeg ua hauj lwm hauv tsev hais plaub qhia tau tej ncauj lus dog dig txog tsev hais plaub cov cai thiab cov txheej txheem, tiam sis lawv muab tsis tau tswv yim kev cai lij choj.

This packet includes/Pob ntawv no muaj xws li:

- Step-by-Step Instructions for Filing an Unemployment Appeal
Cov Kauj Ruam Qhia Kev Zwm Ntawv Thov Txiaiv Txim Dua Txog Kev Poob Hauj Lwm
- Form: Petition for Writ of Certiorari
Tsab ntawv: Tsab Ntawv Thov Kev Yuam Tshab Xyuas Txog Kev Txiaiv Txim
- Form: Statement of the Case
Tsab ntawv: Nqe Lus Teev Rooj Plaub
- Form: Writ of Certiorari
Tsab ntawv: Ntawv Yuam Tshab Xyuas Txog Kev Txiaiv Txim
- Form: Certificate of Service by Mail of the Petition, Unsigned Writ, Statement of the Case, and Unemployment Law Judge's Decision
Tsab ntawv: Ntawv Pov Thawj Kev Xa Hauv Chaw Xa Tsab Ntawv Yuam, Tsis Kos Npe Rau, Nqe Lus Teev Rooj Plaub, thiab Kws Phua Txim Txog Kev Cai Poob Hauj Lwm Txog Kev Txiaiv Txim
- Form: Certificate of Service by Mail of the Issued Writ of Certiorari
Tsab ntawv: Ntawv Pov Thawj Kev Xa hauv Chaw Xa Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiaiv Txim uas Muab Tso Tawm
- Form: Certificate of Service by Mail of Brief
Tsab ntawv: Ntawv Pov Thawj Kev Xa hauv Chaw Xa Qhov Lus Meej

For Additional Assistance/Lwm cov kev pab txhawb ntxiv:

Additional helpful materials, including example briefs, can be found on the Minnesota State Law Library website(<https://mncourts.libguides.com/appeals>).

Muaj lwm cov ntaub ntawv pab txhawb xws li cov qauv lus meej, nyob rau ntawm Xeev Minnesota Lub Tsev Qiv Ntawv Lij Choj qhov vas sab (<https://mncourts.libguides.com/appeals>).

The State Law Library also hosts an Unemployment Appeal Legal Advice Clinic (<https://mn.gov/law-library/services/clinics/unemploymentclinic.jsp>), where you can get free legal advice about your case from a volunteer attorney or get help filling out forms. To sign up for the Unemployment Appeal Legal Advice Clinic, call (651)297-7651.

Lub Xeev Tsev Qiv Ntawv Lij Choj puav leej muaj lub Chaw Pab Tswv Yim Kev Cai Lij Choj Txog Kev Txiaiv Txim Dua Rau Kev Poob Hauj Lwm (<https://mn.gov/law-library/services/clinics/unemploymentclinic.jsp>), uas koj mus cuag tau tswv yim kev cai lij choj me ntsis rau koj rooj plaub los ntawm ib tug kws lij choj pab dag zog pub dawb los yog tau kev pab nrog ua cov ntawv thov. Kom rau npe tau nrog lub Chaw Pab Tswv Yim Kev Cai Lij Choj Txog Kev Txiaiv Txim Dua Rau Kev Poob Hauj Lwm, hu rau (651) 297-7651.

**Important Information about Unemployment Appeals
Ncauj Lus Tseem Ceeb txog Txoj Kev Txiav Txim Dua Txog
Kev Poob Hauj Lwm**

**Request Reconsideration Before You File Your Appeal
Thov Kev Xav Dua Ua Ntej Koj Thov Kev Txiav Txim Dua**

Before you appeal to the Court of Appeals, you must request reconsideration of the ULJ’s initial decision before the deadline for that request, and receive the ULJ’s ***ruling on your request for reconsideration***. The ULJ’s initial decision included instructions for requesting reconsideration. The ULJ’s ***ruling on a request for reconsideration*** is the final decision that you can appeal to the Court of Appeals.

Ua ntej koj yuav thov kev txiav txim dua los ntawm Lub Tsev Hais Cov Plaub Txiav Txim Dua, koj yuav tsum thov kev xav dua txog tus ULJ thawj txoj kev txiav txim ua ntej hnub kawg rau thov, thiab yeej tau tus ULJ ***txoj cai rau koj thov kev xav dua***. Tus ULJ thawj txoj kev txiav txim muaj cov lus qhia thov kev xav dua. Tus ULJ ***txoj cai thov kev xav dua*** yog txoj kev txiav txim kawg kias uas koj thov kev txiav txim txog tau hauv Lub Tsev Hais Cov Plaub Txiav Txim Dua.

**Court of Appeals Opinions are Available to the Public
Muaj Tswv Yim Kev Xav Qhia Rau Pej Xeem Huab Hwm Txog Tsev Hais
Plaub Cov Kev Txiav Txim Dua**

Once your appeal is decided, the Court of Appeals will issue a written decision, called an “opinion,” which will describe your case and the reasons for the court’s decision. **The opinion will be available to the public on the Minnesota Judicial Branch’s website.** After an opinion is filed, it cannot be removed from the Internet. This means that anyone who searches for your name on the Internet may be able to find and read the opinion, which will include information about the reason you were fired.

Thaum twg txiav txim dua tiav rau koj, Lub Tsev Hais Plaub Cov Kev Txiav Txim Dua yuav suav ib tsab ntawv teev kev txiav txim, hu ua “tswv yim kev xav,” uas yog yuav piav qhia txog koj rooj plaub thiab cov laj thawj rau lub tsev hais plaub txoj kev txiav txim. **Yuav muab lub tswv yim kev xav qhia rau pej xeem huab hwm ntawm Minnesota Judicial Branch qhov vas sab.** Tom qab zwm tiav ib lub tswv yim kev xav, yuav tshem tsis tau nws tawm saum Huab Cua. Qhov no txhais tau tias yog leej twg tshawb koj lub npe saum Huab Cua nws yuav pom thiab nyeem tau lub tswv yim kev xav, uas yuav muaj qhov laj thawj uas koj raug ncaws tawm hauj lwm nrog.

Laws that Apply to your Appeal

Cov Kev Cai Uas Muaj Feem Xyuam rau koj Txoj Kev Txiaiv Txim Dua

Your appeal is governed by the [Minnesota Rules of Civil Appellate Procedure](#), the [Special Rules of Practice for the Minnesota Court of Appeals](#), and the Minnesota Statutes. [Minnesota Statute section 268.105](#) applies specifically to unemployment benefits appeals.

Txoj kev txiaiv txim dua rau koj yog kav los ntawm [Minnesota Cov Cai Hais Txheej Txheem Kev Txiaiv Txim Dua rau Laj Mej Pej Xeem](#), [Cov Cai Tshwj Xeeb Hais hauv Minnesota Tsev Hais Cov Plaub Txiaiv Txim Dua](#), thiab Minnesota Cov Cai. [Minnesota Cai Lij Choj ntu 268.105](#) muaj xyuam kiag rau cov kev txiaiv txim dua txog cov nyiaj poob hauj lwm.

This packet includes simplified instructions, but you should read the rules and statutes yourself for more information. **If you are representing yourself, you are responsible for researching court rules, caselaw, and statutes that govern your case.**

Pob ntawv no muaj cov lus qhia yooj yim, tiam sis koj yuav tsum tau nyeem cov kev cai thiab cov cai koj tus khej kom paub meej ntxiv. **Yog koj sawv cev tam koj tus kheej, koj muaj tes dej num yuav tau tshawb fawb txog tsev hais plaub cov kev cai, rooj plaub txoj cai, thiab cov cai uas kav koj rooj plaub.**

You can find the rules, case law, and statutes at the Minnesota State Law Library (Room G25, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155, or call 651-297-7651), and at public libraries. You can also find the rules at the Minnesota Judicial Branch's website: <http://www.mncourts.gov/About-The-Courts/SupremeCourt/CourtRules.aspx>.

Koj yuav nrhiav tau cov kev cai, rooj plaub txoj cai, thiab cov cai nyob rau hauv Xeev Minnesota Tsev Qiv Ntawv Lij Choj (Room G25, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155, los yog hu rau 651-297-7651), thiab hauv cov tsev qiv ntawv dawb rau laj mej pej xeem. Koj yuav puav leej nrhiav tau cov kev cai nyob rau ntawm Minnesota Judicial Branch qhov vas sab: <http://www.mncourts.gov/About-The-Courts/SupremeCourt/CourtRules.aspx>.

Filing Fees/Cov Nqi Zwm Ntawv

An applicant appealing the denial of unemployment benefits does **not** have to pay a filing fee. [Minn. Stat. § 268.105, subs. 6\(b\), 7\(c\)](#).

Tus neeg thov kev txiaiv txim dua txog kev tsis kam muab cov nyiaj poob hauj lwm yuav **tsis** rau them qhov nqi zwm ntawv. [Minn. Stat. § 268.105, subs. 6\(b\), 7\(c\)](#).

Important Information about your Appeal
Ncauj Lus Tseem Ceeb txog Txoj Kev Txiaiv Txim Dua rau koj

Your Forms Must be Filled Out in English
Yuav Tsum Teb Koj Cov Ntawv Ua Lus Askiv

The forms in the attached packet are worded in both English and the translated language. But your answers on the form must be provided in English. If you are unable to fill out your forms in English yourself, you will need to arrange for someone to assist you to word your answers in English.

Cov ntawv rhais nrog pob ntawv no yog sau ua Lus Askiv thiab hom lus txhais tib si. Tiam sis koj cov lus teb rau tsab ntawv yuav tsum yog teb ua Lus Askiv. Yog koj teb tsis tau koj cov Ntawv ua Lus Askiv koj tus kheej, koj yuav tau npaj kom muaj leej twg pab koj sau koj cov lus teb ua Lus Askiv.

Your Brief Must be Written in English
Koj Qhov Lus Meej Yuav Tsum Sau Ua Lus Askiv

A major part of your appeal is your *brief*, which is where you will make your legal arguments supporting the outcome you are seeking in your appeal. Your brief will likely require some legal research into the statutes and case law that apply to your appeal. The brief must be written in English. If you are unable to write your brief in English yourself, you will need to arrange for someone to assist you researching and writing your brief in English.

Ib feem loj ntawm koj txoj kev thov txiaiv txim dua yog koj *qhov lus meej*, uas yog koj cov lus txhawb rau txoj kev txiaiv txim uas koj xav kom tshwm sim muaj los ntawm txoj kev txiaiv txim dua. Yuav tsum nyog tshawb fawb txog cov cai thiab txoj cai rau rooj plaub rau koj qhov lus meej. Qhov lus meej yuav tsum yog sau ua Lus Askiv. Yog koj sau tsis tau koj qhov lus meej ua Lus Askiv koj tus kheej, koj yuav tau npaj kom muaj leej twg pab koj sau koj cov lus teb ua Lus Askiv.

Step-by-Step Instructions for Filing an Unemployment Appeal Cov Kauj Ruam Qhia Kev Zwm Ntawv Thov Txiaiv Txim Dua Txog Nyiaj Poob Hauj Lwm

Step 1: Calculate Your Appeal Deadline Kauj Ruam 1: Ntsuas Hnub Kawg Rau Koj Thov Kev Txiaiv Txim Dua

If you received your ***ruling on the request for reconsideration by email*** from the Department of Employment and Economic Development (DEED), you have **30 days to file** your appeal, from the date the email was sent.

Yog tias koj txais tau koj ***txoj cai thov kev xav dua hauv ntawv email*** los ntawm Tuam Tsev Pab Kev Ua Hauj Lwm thiab Tsim Kho Kev Khwv Noj Khwv Haus (DEED), koj muaj **30 hnub zwm** koj tsab ntawv thov kev txiaiv txim dua, txij li hnub xa tsab ntawv emai.

If you received your ***ruling on the request for reconsideration in the mail*** from DEED, you have **33 days to file** from the date it was mailed to you.

Yog tias koj txais tau koj ***txoj cai thov kev xav dua hauv chaw xa ntawv*** los ntawm DEED, koj muaj **33 hnub zwm ntawv** txij li hnub xa rau koj.

General Instructions for Calculating Court of Appeals Deadlines
Cov Lus Qhia Dog Dig rau Kev Ntsuas Cov Hnub Kawg Rau Lub Tsev HaisCov
Plaub Txiaiv Txim Dua

- Do not count the day of the event that starts the time period (for example, the date the ULJ’s decision was mailed to you). Instead, start counting the next day.
Tsis txhob suav hnub uas qhov xwm txheej pib ua hnub pib rau lub sij hawm (piv txwv, hnub uas xa UJL tsab ntawv txiaiv txim rau koj). Pib suav hnub tom qab.
- Continue counting calendar days. Do not skip weekends or legal holidays.
Suav cov hnub mus. Tsis txhob hla cov hnub kawg hauv lim tiam los yog cov hnub caiv raws kev cai lij choj.
- If the last day of the period falls on a Saturday, Sunday, or legal holiday, then the deadline is the next business day. For the purpose of calculating deadlines, legal holidays for the appellate courts are:
Yog hnub kawg ntawm lub sij hawm no poob rau hnub Saturday, Sunday, los yog hnub caiv raws kev cai lij choj, ces hnub kawg yuav yog hnub qhib lag luam tom ntej. Rau qhov laj thawj kev ntsuas cov hnub kawg, cov hnub caiv raws kev cai lij choj rau cov tsev hais plaub txiaiv txim dua yuav yog:
 - New Year’s Day (January 1);
Hnub Xyoo Tshiab (Ib Hlis Tim 1);
 - Martin Luther King, Jr.’s birthday (the third Monday in January);
Hnub Yug Martin Luther King, Jr.(Hnub Monday thib peb hauv lub Hlis Ntuj);
 - Presidents’ Day (the third Monday in February);
Hau Teb Chaws Hnub (Hnub Monday thib peb hauv lub Ob Hlis Ntuj);
 - Memorial Day (the last Monday in May);
Hnub Nco Txog Cov Tuag (Hnub Monday kawg hauv lub Tsib Hlis Ntuj);
 - Juneteenth (June 19)/Lub Hli Thib Rau (Lub Rau Hlis Ntuj Tim 19)
 - Independence Day (July 4);
Hnub Ywj Pheej (Xya Hli Tim 4);
 - Labor Day (the first Monday in September);
Hnub Khwv (Thawj Hnub Monday hauv lub Cuaj Hli Ntuj);
 - Columbus Day (the second Monday in October), even though the appellate courts are open on Columbus Day;
Columbus Hnub (Hnub Monday thib ob hauv lub Kaum Hli Ntuj), txawm tias cov tsev hais plaub txiaiv txim dua yeej qhib rau Columbus Hnub;
 - Veterans’ Day (November 11);
Qub Tub Rog Hnub (Kaum Ib Hlis Tim 11);
 - Thanksgiving Day (the fourth Thursday in November);
Hnub Ua Tsaug (Hnub Thursday thib plaub hauv Kaum Ib Hlis Ntuj);
 - The Friday after Thanksgiving; and
Hnub Friday tom qab Hnub Ua Tsaug; thiab
 - Christmas Day (December 25).
Hnub Yug Yesxus (Kaum Ob Hlis Tim 25).

The deadline for starting my appeal is _____.

Hnub kawg pib txoj kev txiav txim dua rau koj yog

Note: **The Court of Appeals cannot extend the deadline for appeal.** Before the deadline you calculate in this step, the *Petition for Writ of Certiorari* must be **filed** with the Clerk of the Appellate Courts and **served** on all respondents (steps 2-5 provide instructions for filing and serving documents). **If you do not file and serve the *Petition for Writ of Certiorari* by the deadline, your appeal will be dismissed.**

Faj seeb: Lub Tsev Hais Cov Plaub Kev Txiav Txim Dua ncuat sis tau hnub kawg rau kev txiav txim dua. Ua ntej hnub kawg uas koj ntsuas tau ntawm kauj ruam no, *Tsab Ntawv Thov Yuam Tshab Xyuas Kev Txiav Txim* yuav tsum muab **zwm** nrog Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua thiab **muab xarau** tag nrho cov neeg teb plaub foob (cov kauj ruam 2-5 muaj cov lus qhia zw thiab xa cov ntaub ntawv). **Yog koj sis zwm thiab xa *Tsab Ntawv Thov Yuam Tshab Txog Kev Txiav Txim* thaum hnub kawg ces yuav muab koj txoj kev thov txiav txim dua tshem tawm.**

**Step 2: Fill out the *Petition for Writ of Certiorari*,
Statement of the Case, and *Writ of Certiorari***

Kauj Ruam 2: Teb rau *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Ke Txiav Txim*, *Nqe Lus Teev Rooj Plaub*, thiab *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim*

- Fill out the *Petition for Writ of Certiorari*, which tells the court that you want to appeal. Teb rau *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiav Txim*, uas qhia rau lub tsev hais plaub tias koj xav kom muaj kev txiav txim dua.
- Fill out the *Statement of the Case*, which should *briefly summarize* the reasons you think the ULJ’s decision was incorrect. You do not need to make detailed arguments in the *Statement of the Case*, because you will make detailed arguments later in your *Brief*. Do not attach any additional documents to your *Statement of the Case*.
Teb rau *Nqe Lus Teev Rooj Plaub*, uas *nthuav qhia me ntsis txog* cov laj thawj uas koj xav tias ULJ txoj kev txiav txim dhau los thiaj li tsis yog. Koj tsis tag teev cov ntsiab lus sib cam ntxaws rau hauv *Nqe Lus Teev Rooj Plaub*, vim tias koj yuav teev cov lus sib cam kom ntxaws rau hauv koj *Qhov Lus Meej*. Tsis txhob rhais lwm cov ntaub ntawv ntxiv rau koj *Nqe Lus Teev Rooj Plaub*.
- Fill out the *Writ of Certiorari*, which notifies the respondents that you have filed your appeal and orders the respondents to provide certain records. The Clerk of the Appellate Courts will sign the *Writ of Certiorari* after you file it and will return it to you (see step 7 for more information about the signed *Writ of Certiorari*).
Teb rau *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim*, uas yuav faj seeb qhia rau cov neeg teb plaub foob uas koj zwm koj tsab ntawv thov kev txiav txim dua thiab txib kom cov neeg teb plaub foob muab qee cov ntaub ntawv teev cia. Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua yuav kos npe rau *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* tom qab koj zwm nws thiab yuav muab xa rov rau koj (xyuas kauj ruam 7 kom paub ntxiv txog *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim*) uas kos npe rau.

The party who files the appeal is called the “relator.” The other parties are called the “respondents.” In an unemployment appeal, the respondents include:

Tog neeg uas zwm ntawv thov kev txiav txim dua yog hu ua “tus kws foob plaub ntug.” Lwm cov tog neeg yog hu ua “cov neeg te plaub foob.” Hauv txoj kev txiav txim dua txog kev poob hauj lwm, cov neeg teb plaub foob muaj xws li:

- (1) the Minnesota Department of Employment and Economic Development (DEED), and Tuam Tsev Pab Kev Ua Hauj Lwm & Tsim Kho Kev Khwv Noj Khwv Haus (DEED), thiab
- (2) the employer(s), if any. This includes all employers that are listed in the *ruling on the request for reconsideration*.
lub (cov) chaw hauj lwm, yog tias muaj.

Fill in all of the blanks on the forms. If you do not fill out all of the blanks, the Clerk of the Appellate Courts may have to return the forms to you, and it may cause you to miss your deadline to appeal. Teb rau tag nrho cov kab tsis muaj dab tsi hauv cov ntawv. Yog koj tsis teb rau tag nrho cov kab tsis sau dab tsi rau, tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiaiv Txim Dua yuav muab cov ntawv xa rov rau koj thiab nws yuav ua rau koj thov kev txiaiv txim dua tsis raws hnuv kawg.

Some questions on the *Statement of the Case* may require you to do some basic legal research before you answer them. Detailed instructions for completing this form are available at <http://mncourts.gov/CourtOfAppeals.aspx#Tab08Resources>.

Tej zaum koj yuav tau tshawb fawb txog kev cai ntawm *Nqe Lus Teev Rooj Plaub* ua ntej koj yuav teb tau qee cov nqe lus nug kom tiav. Muaj cov lus qhia teb tsab ntawv no kom ntxaws ntawm <http://mncourts.gov/CourtOfAppeals.aspx#Tab08Resources>.

**Step 3: File the *Petition for Writ of Certiorari*,
Statement of the Case, and *Writ of Certiorari***

Kauj Ruam 3: Zwm Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiav Txim, Nqe Lus Teev Rooj Plaub, thiab Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim

“Filing” means submitting or delivering documents to the Office of the Clerk of the Appellate Courts. Filing the *Petition for Writ of Certiorari* starts your appeal at the Court of Appeals.

“Kev zwm” txhais tau tias muab cov ntaub ntawv xa los yog nqa mus rau lub Chaw Ua Hauj Lwm ntawm Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua. Kev zwm ***Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiav Txim*** yog pib txoj kev txiav txim rau koj hauv Lub Tsev Hais Cov Plaub Txiav Txim Dua.

Choose your method of filing (see instructions below).

Xaiv koj txoj kev zwm (xyuas cov lus qhia nram no).

General Instructions for “Filing”

**Cov Lus Qhia Dog Dig Txog “Kev Zwm” Xaiv koj txoj kev zwm
(xyuas cov lus qhia nram no)**

Parties **without an attorney** may file documents by any of the following three methods: Cov tog neeg **tsis muaj kws lij choj** zwm tau cov ntaub ntawv raws peb txoj kev nram no:

(1) By **hand-delivering** them to the Clerk of the Appellate Courts during business hours (8:00 a.m. to 4:30 p.m. weekdays),

Raws **kev nqa kiag mus rau** Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua thaum cov sij hawm lag luam qhib (8:00 teev sawv ntxov txog 4:30 tav su, cov hnuv ua hauj lwm),

(2) By **mailing** the documents to the Clerk of the Appellate Courts, addressed to:

Raws **kev xa hauv chaw xa ntawv** mus rau Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua, sau kiag mus rau:

Clerk of the Appellate Courts
305 Minnesota Judicial Center
25 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

For filing by postal mail, a document will be considered filed “on time” if it is deposited in the U.S. Mail by the deadline with correct postage and the correct address, even though the Clerk of the Appellate Courts will not receive the document on the day you deposit it in the mail.

Rau txoj zwm raws chaw xa ntawv, yuav xam tias zwm tsab ntawv “raws sij hawm” yog tias muab nws xa ntawm Teb Chaws Asmeskas Chaw Xa Ntawv rau hnuv kawg nrog qhov nqi xa yog thiab rau qhov chaw nyob yog, txawm tias Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua tsis tau txais tsab ntawv rau hnuv uas koj muab xa kiag.

(3) By **submitting them electronically** through the appellate courts' e-filing system, E-MACS. Parties who do not have an attorney are not required to use E-MACS, but they are allowed to do so. But, once you choose to file in E-MACS, you must continue using it for filing. You may not go back to filing by hand-delivery or mail. **(Note: All attorneys are required to use E-MACS and cannot file documents by mail or by hand-delivery to the Clerk of the Appellate Courts.)**

Raws kev xa hauv tshuab hluav taws xob hauv cov tsev hais plaub txiav txim dua txoj kev zwm ntaub ntawv saum huab cua, E-MACS. Cov tog neeg uas tsis muaj kws lij choj tsis tag yuav tsum siv E-MACS, tiam sis yeej kheev lawv siv. Tiam sis, thaum twg koj xaiv zwm raws E-MACS, koj yuav tsum siv txoj kev zwm ntawd mus. Koj rov qab tsis tau mus zwm raws kev nqa mus rau los yog kev xa hauv chaw xa ntawv. **(Faj seeb: Tag nrho cov kws lij choj yuav tsum tau siv E-MACS thiab xa ntaub ntawv hauv chaw xa ntawv los yog nqa mus tsis tau rau Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua.)**

For information about electronic filing and to submit documents electronically, go to the Clerk of the Appellate Courts' webpage (www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling). Filing by facsimile (fax) is not allowed. Xav paub txog kev zwm thiab xa ntawv hauv tshuab hluav taws xob, mus rau Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua qhov vas sab (www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling). Tsis kheev zwm ntawv raws xov tooj (xov tooj xa ntawv).

For additional instructions on filing, see [Minn. R. Civ. App. P. 125.01](#).

Xav paub ntxiv txog kev zwm ntawv, xyuas, [Minn. R. Civ. App. P. 125.01](#).

- If you are filing your documents by hand-delivery or by mail, make four copies of each of the following documents: (1) *Petition for Writ of Certiorari*, (2) *Statement of the Case*, (3) *Writ of Certiorari*, and (4) *Ruling on Request for Reconsideration* from the ULJ.

Yog tias koj zwm koj cov ntaub ntawv raws kev nqa mus cev los yog hauv chaw xa ntawv, luam plaub daim ib tsab twg ntawm cov ntawv nram no: (1) *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiav Txim*, (2) *Nqe Lus Teev Rooj Plaub*, (3) *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim*, thiab (4) *Txoj Cai Thov Kev Xav Dua* ntawm tus ULJ.

- Keep one copy of each document for your records and file the original of each with the Clerk of the Appellate Courts.

Khaws tseg ib tsab ntawv twg zus rau koj cov ntaub ntawv teev cia thiab zwm tsab tseem ib daig zus rau Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua.

Step 4: Serve the documents on respondents
Kauj Ruam 4: Xa cov ntawv mus rau cov neeg teb plaub foob

Any time you submit a document to the Clerk of the Appellate Courts for filing, a copy must also be provided to all other parties at or before the time of filing. This is called “service.”

Txhua lub sij hawm uas koj xa ib tsab ntawv mus rau Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua kom zwm, yuav tsum luam ib tsab xa mus rau tag nrho lwm cov tog neeg thaum lub sij hawm los yog ua ntej lub sij hawm zwm. Qhov no yog hu ua “tswv yim kev xa.”

You must also file proof that you have served the document (“proof of service”) with the Clerk of the Appellate Courts. Instructions for proof of service are at Step 5.

Koj puav leej yuav tsum zwm tsab ntawv pov thawj kev xa ntawv (“pov thawj kev xa”) mus rau Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua. Muaj cov lus qhia ua ntawv pov thawj kev xa nyob rau ntawm Kauj Ruam 5.

Important: You must file the *Petition for Writ of Certiorari* and serve it on the respondents by the deadline you calculated in Step 1, or your appeal will be dismissed.

Tseem ceeb: Koj yuav tsum zwm *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiav Txim thiab muab nws xa rau cov neeg teb plaub foob raws hnuv kawg uas koj ntsuas tau ntawm Kauj Ruam 1*, tsis li ces koj txoj kev thov txiav txim dua yuav raug muab tshem tawm.

- Choose your method of service (see instructions below). For each party who you need to serve documents on, follow these steps to decide how to serve that party:
Xaiv koj txoj kev zwm (xyuas cov lus qhia nram no). Rau ib tog neeg uas koj yuav tau xa cov ntaub ntawv rau, ua raws cov kauj ruam kom txiav txim tau txoj kev xa rau tog neeg ntawd:

General Instructions for “Service”/Raws Ncua Dav Cov Ncauj Lus Qhia rau “Kev Pab Cuam”

If a party has an attorney, you must serve the attorney rather than the party. If a party does not have an attorney, serve that party directly.

Yog ib tog neeg muaj tus kws lij choj, koj yuav tsum xa mus rau tus kws lij choj, tsis yog tog neeg ntawd. Yog tias ib tog neeg tsis muaj tus kws lij choj, yuav tsum xa ncaj qha rau tog neeg ntawd.

Did you file your *Notice of Appeal* and *Statement of the Case* electronically using EMACS **AND** is the person you are serving registered for electronic service in E-MACS?

Koj puas tau xa *Daim Ntawv Ceeb Toom Thov Kom Rov Qab Txiaiv Txim Dua* thiab *Lus Qhia Txog Rooj Plaub* hauv es lev taus niv uas siv EMACS **THIAB** yog tus neeg koj pab cuam rau tau tso npe siv kev pab cuam hauv es lev taus niv nyob hauv E-MACS?

If you answered **YES** to both questions above, then you may serve that person electronically using E-MACS.

Yog koj teb tias **YOG** rau ob nqe lus nug saum toj no, ces koj yuav tau pab cuam rau tus neeg ntawd hauv es lev taus niv uas siv E-MACS.

If you answered **NO** to either question above, then you filed your documents by hand delivery or by U.S. Mail and therefore you must choose one of the options below for service: Yog koj teb tias **TSIS YOG** rau ob nqe lus nug saum toj no nqe twg los xij, ces koj xa tau koj cov ntaub ntawv kiag ntawm tus kheej los sis Kev Xa Ntawv Hauv Teb Chaws Meskas thiab tag ntawd koj yuav tsum xaiv ib txoj hauv kev hauv qab no rau qhov kev pab cuam:

(1) In person (“personal service”): Have another person hand-deliver the document.

The person who hand-delivers the document must be 18 years or older and not a party to the appeal. **You cannot serve a party in person yourself.**

Raws tim ntsej tim muag (“nqa mus cev”): Muaj lwm tus neeg nqa tsab ntawv mus cev. Tus neeg uas nqa daim ntawv mus cev kiag yuav tsum muaj hnuv nyooog 18 xyoo los yog laus dua thiab tsis yog tog neeg thov kev txiaiv txim dua. **Koj nqa tsis tau mus cev rau tog neeg ntawd koj tus kheej.**

(2) By mail: Deposit the documents, correctly addressed, in the U.S. Mail, with adequate first-class postage. You may serve documents by mail yourself.

Los ntawm kev xa ntawv: Muab cov ntawv sau chaw nyob yog xa hauv Teb Chaws Asmeskas Chaw Xa Ntawv, nrog qhov nqi xa yog rau thawj qib. Koj mus xa tau cov ntawv koj tus kheej.

(3) If the recipient consents to another method of delivery, such as email or fax, you could also use that method for service. For additional instructions on service, see [Minn. R. Civ. App. P. 125.02 and 125.03](#).

Yog tus neeg txais tso cai rau lwm hom kev xa, xws li xa hauv email los yog hauv xov tooj, koj siv tau hom kev xa ntawv. Xav paub ntxiv txog cov kev xa ntawv, mus saib [Minn. R. Civ. App. P. 125.02 thiab 125.03](#).

- Serve your employer(s) with a copy of (1) *Petition for Writ of Certiorari*, (2) *Statement of the Case*, (3) unsigned copy of the *Writ of Certiorari*, and (4) *Ruling on Request for Reconsideration*.

Luam xa rau koj lub (cov) chaw hauj lwm (1) *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiav Txim*, (2) *Nqe Lus Teev Rooj Plaub*, (3) *Ntawv Yuam Tshab Xyuas Txog Kev Txiav Tximuas* tsis kos npe rau, thiab (4) *Txoj Cai Thov Kev Rov Xav*.

- Serve DEED with a copy of (1) *Petition for Writ of Certiorari*, (2) *Statement of the Case*, (3) unsigned copy of the *Writ of Certiorari*, and (4) *Ruling on Request for Reconsideration*. To serve DEED, the documents can be either electronically served on DEED's attorney (currently Anne Froelich, Attorney Bar ID #000392094) or mailed to:

Luam xa rau DEED (1) *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiav Txim*, (2) *Nqe Lus Teev Rooj Plaub*, (3) *Ntawv Yuam Tshab Xyuas Txog Kev Txiav Tximuas* tsis kos npe rau, thiab (4) *Txoj Cai Thov Kev Rov Xav*. Kom xa tau rau DEED, cov ntawv yuav tsum xa hauv tshuab hluav taws xob rau DEED tus kws lij choj (tam sim no yog Keri Phillips) los yog hauv chaw xa ntawv:

Dept. of Employment and Economic Development
The Great Northern Building
180 East 5th St, Suite 1200
St. Paul, MN 55102

Step 5: If you served any documents by mail or other non-electronic method:

Fill out and file the *Certificate of Service*

Kauj Ruam 5: Yog tias koj xa cov ntaub ntawv raws chaw xa ntawv los yog

lwm cov kev xa uas tsis yog tshuab hluav taws xob:

Teb rau thiab zwm *Tsab Ntawv Pov Thawj Kev Xa Ntawv*

Every document submitted to the Clerk of the Appellate Courts for filing must be accompanied by proof that the document was served on the other parties to the appeal. This is called "proof of service." Documents served electronically do not require a separate document showing proof of service.

Txhua tsab ntawv uas xa mus rau Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiaiv Txim Dua yuav tsum muaj pov thawj tias yeej tau muab tsab ntawv ntawd xa mus rau lwm cov tog neeg txog kev txiaiv txim dua. Qhov no yog hu ua "pov thawj kev xa." Cov ntawv uas muab xa hauv tshuab hluav taws xob tsis tag yuav muaj dua lwm tsab ntawv pov thawj kev xa.

General Instructions for “Proof of Service”

Raws Ncuav Dav ntawm Cov Ncauj Lus Qhia rau “Pov Thawj ntawm Kev Pab Cuam”

Did you serve **all** of your documents on **all** parties electronically using E-MACS?
Koj puas tau xa **txhua** koj cov ntawv mus rau **tag nrho** cov tog neeg hauv tshuab hluav
taws xob E-MACS?

If yes: No separate proof of service is required, because the Clerk of the Appellate Courts will receive proof (from E-MACS itself) that you have served each document electronically. Skip to Step 6 on page 11.

Yog tias yog: Tsis tag muab cov pov thawj ntawm kev pab cuam cais, vim tias tus Lis Ntaub Ntawv ntawm Cov Tsev Hais Plaub Txiaj Txim Dua yuav tau txais cov pov thawj (los ntawm E-MACS nws tus kheej lawm) tias koj tau pab cuam txhua cov ntaub ntawv hauv es lev taus niv. Hla Kauj Ruam 6 ntawm nplooj 11.

If no: Any time you serve papers in person, by postal mail, or by another delivery method (with the consent of the recipient), you must file a separate form showing proof of service.

Yog tias tsis yog: Thaum koj tau pab cuam cov ntaub ntawv kiag ntawm tus kheej, los ntawm kev xa ntawv, los sis lwm txoj hauv kev xa (muaj ntawv tso cai ntawm tus txais), koj yuav tsum muab cais nyias qhia nyias daim foos pov thawj ntawm kev pab cuam.

Usually, proof of service is (1) a notarized *Affidavit of Service* or (2) a *Certificate of Service*. The difference between an *Affidavit of Service* and a *Certificate of Service* is that a *Certificate of Service* does not need to be signed in front of a notary.

Feem ntau, pov thawj kev xa (1) yog *Tsab Ntawv Tim Khawv Kev Xa Ntawv* los yog (2) ib *Tsab Ntawv Pov Thawj Kev Xa Ntawv* uas tim khawv kos npe lees pom. Qhov sib txawv ntawm *Tsab Ntawv Tim Khawv Kev Xa Ntawv* thiab *Tsab Ntawv Pov Thawj Kev Xa Ntawv* yog tias *Tsab Ntawv Pov Thawj Kev Xa Ntawv* tsis tag yuav tau muab kos npe rau ntawm tus tim khawv saib.

You may file one *Certificate of Service* (or *Affidavit of Service*) listing multiple documents if you serve those documents on the same date and on the same parties.

Koj zwm tau ib *Tsab Ntawv Pov Thawj Kev Xa Ntawv* (los yog *Tsab Ntawv Tim Khawv Kev Xa Ntawv*) sau qhia ntau tsab ntawv yog koj xa cov ntawv ntawd mus tib hnub thiab xa rau tib co tog neeg.

For additional instructions on proof of service, see [Minn. R. Civ. App. P. 125.04](#).
Xav paub ntxiv txog pov thawj kev xa, mus saib [Minn. R. Civ. App. P. 125.04](#).

If you served any documents by mail or other non-electronic method, follow the checklist on the next page to submit proof of service for those documents.

Yog tias koj pab cuam tej ntaub ntawv los ntawm kev xa ntawv los sis lwm yam uas tsis yog hauv es lev taus niv, saib cov ntawv txheeb txog hauv qab no nyob rau nplooj ntawv tom ntej los xa pov thawj ntawm kev pab cuam rau cov ntaub ntawv no.

- The person who served the documents by mail must complete and sign the form titled ***Relator’s Certificate of Service by Mail of the Petition, Unsigned Writ, Statement of the Case, and Unemployment Law Judge’s Decision.***

Tus neeg uas xa cov ntawv hauv chaw xa ntawv yuav tsum teb tiav thiab kos npe rau tsab ntawv muaj npe hu ua ***Tus Kws Foob Plaub Ntug Tsab Ntawv Pov Thawj Kev Xa Ntawv hauv Chaw Xa Tsab Ntawv Thov, Tsab Ntawv Yuam Tsis Tau Kos Npe Rau, Nqe Lus Teev Rooj Plaub, thiab Kev Txiaiv Txim.***

The ***Certificate of Service*** must include, from top to bottom:

Tsab ***Ntawv Pov Thawj Kev Xa Ntawv*** yuav tsum muaj, saum toj rau nram hav:

1. The parties’ names and case file number;
Cov tog neeg cov npe thiab tus zauv cim rooj plaub;
2. County where the form was signed;
Lub cheeb koog uas kos npe rau tsab ntawv;
3. The name of the person who served the documents;
Tus neeg uas xa cov ntawv lub npe;
4. The titles of the documents that were served (on the forms included with this packet, the titles of the document are already filled in);
Cov ntawv npe uas muab xa (ntawm cov ntawv uas muaj nyob rau hauv pob ntawv no, cov ntawv npe uas twb teb rau tag lawm);
5. The date the documents were served;
Hnub uas xa cov ntawv;
6. The names of the parties who were served and the addresses to which the documents were mailed or delivered to those parties;
Cov tog neeg uas yuav txais cov ntawv cov npe thiab cov chaw nyob uas yuav muab cov ntawv xa los yog nqa mus cev rau cov tog neeg ntawd;
7. The signature of the person who served the documents, the date the form was signed, and the county and state where the form was signed.
Tus neeg xa cov ntawv lub npe kos, hnub kos npe rau tsab ntawv thiab lub cheeb koog thiab lub xeev uas tsab ntawv kos npe nyob rau.

Note: You will need different ***Certificate of Service*** forms at different steps in the process. Do not fill out or file all of the ***Certificate of Service*** forms at the same time.

Faj seeb: Koj yuav tau muaj cov ***Tsab Ntawv Pov Thawj Kev Xa Ntawv*** sib txawv thaum txog cov kauj ruam sib txawv ntawm cov txheej txheem. Tsis txhob teb rau los yog zwm tag nrho cov ***Tsab Ntawv Pov Thawj Kev Xa Ntawv*** tib zaug.

- File the signed *Certificate of Service* with the Clerk of the Appellate Courts.

Muab *Tsab Ntawv Pov Thawj Kev Xa Ntawv* uas kos npe rau zwm nrog Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiaiv Txim Dua.

- If you used E-MACS to electronically file your *Petition for Writ of Certiorari*, *Writ of Certiorari*, and *Statement of the Case*, you will also file your *Certificate of Service* electronically using E-MACS (even if you served your documents by mail or in person). The *Certificate of Service* must be uploaded as a separate PDF or Word document – do not combine with one of your other documents into a single PDF or Word document.

Yog tias koj siv E-MACS los zwm koj *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiaiv Txim*, *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiaiv Txim*, *Nqe Lus Teev Rooj Plaub*, koj yuav tau puav leej zwm koj *Tsab Ntawv Pov Thawj Kev Xa Ntawv* hauv tshuab hluav taws xob ntawm E-MACS (txawm tias koj tau muab koj cov ntawv xa hauv chaw xa ntawv los yog nqa mus cev rau kiag). *Tsab Ntawv Pov Thawj Kev Xa Ntawv* yuav tsum yog muab rub ua hom PDF los yog Word – tsis txhob sib txuam ua ke nrog koj lwm cov ntawv ua ib tsab PDF los yog Word xwb.

- If you filed your *Petition for Writ of Certiorari*, *Writ of Certiorari*, and *Statement of the Case* by hand delivery or by mail, you may also file your *Certificate of Service* by hand delivery or by mail.

Yog tias koj zwm koj *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiaiv Txim*, *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiaiv Txim*, *Nqe Lus Teev Rooj Plaub*, raws kev nqa mus cev los yog raws xa hauv chaw xa ntawv, koj puav leej yuav tau zwm koj *Tsab Ntawv Pov Thawj Kev Xa Ntawv* raws kev nqa mus cev los yog raws xa hauv chaw xa ntawv.

- See Step 3 for additional instructions on how to file documents.
Xyuas Kauj Ruam 3 kom paub ntxiv cov lus qhia zwm ntawv.

Step 6: Serve the signed *Writ of Certiorari* and file proof of service
**Kauj Ruam 6: Xa *Tshab Ntawv Tshab Xyuas Txog Kev Txiav Txim* uas kos
 npe rau thiab zwm ntawv pov thawj kev xa**

The Office of the Clerk of the Appellate Courts will distribute the signed (“issued”) *Writ of Certiorari* soon after you file it. If you filed your appeal by mail or in person, the issued *Writ of Certiorari* will be mailed back to you. If you filed your appeal electronically through E-MACS, the issued *Writ of Certiorari* will be returned to you electronically.

Lub Chaw Ua Hauj Lwm ntawm Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua yuav yais *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* muab (“tso tawm”) uas kos npe rau sai tom qab koj zwm tiav. Yog tias koj zwm koj tsab ntawv thov kev txiav txim dua raws chaw xa ntawv los yog tim ntsej tim muag, yuav xa *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* muab tso tawm rau koj. Yog tias koj zwm koj tsab ntawv thov kev txiav txim dua hauv tshuab hluav taws xob ntawm E-MACS, yuav xa rov qab *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* muab tso tawm rau koj hauv tshuab hluav taws xob.

No matter how you receive the “issued” *Writ of Certiorari*, you must serve a copy on all of the other parties to the appeal, because the Clerk of the Appellate Courts only sends a copy of the issued *Writ of Certiorari* to the party who initiated the appeal.

Tsis hais koj yuav txais tau *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* uas muab “tso tawm” raws txoj kev xa twg, koj yuav tsum tau muab luam xa rau tag nrho cov tog neeg hauv txoj kev txiav txim dua, vim tias Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua tsuas luam xa *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* uas muab rov los rau tog neeg uas pib txoj kev thov txiav txim dua xwb.

- Receive the issued *Writ of Certiorari* from the Clerk of the Appellate Courts.

Txais tau *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* muab tso tawm los ntawm Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua.

- Make three copies of the issued *Writ of Certiorari*. Keep one copy for your records.

Luam peb *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* uas muab tso tawm. Khaws cia ib tsab ntawv lus meej rau koj cov ntaub ntawv teev cia.

- Serve one copy on your former employer(s) (see Step 4 above for instructions on how to serve documents).

Muab ib tsab luam xa rau koj lub (cov) chaw hauj lwm dhau los (xyuas Kauj Ruam 4 saum no kom tau cov lus qhia zwm ntawv).

- Serve one copy on DEED (see Step 4 above for instructions on how to serve documents).

Muab ib tsab luam xa rau DEED (xyuas Kauj Ruam 4 saum no kom tau cov lus qhia zwm ntawv).

- The person who served the issued *Writ of Certiorari* must fill out and sign the form titled *Relator's Certificate of Service by Mail of Issued Writ of Certiorari*. This is proof of service for the issued *Writ of Certiorari*. See Step 5 above for instructions about filling out the *Certificate of Service*.

Tus neeg uas xa *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* uas muab tso tawm yuav tsum teb rau thiab kos npe rau tsab ntawv muaj npe *Kws Foob Plaub Ntug Tsab Ntawv Pov Thawj Kev Xa hauv Chaw Xa Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim uas Muab Tso Tawm*. Qhov no yog pov thawj kev xa *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* uas muab tso tawm. Xyuas Kauj Ruam 5 saum no kom paub teb *Tsab Ntawv Pov Thawj Kev Xa Ntawv*.

- File the *Certificate of Service* of the issued *Writ of Certiorari* with the Clerk of Appellate Courts (see Step 3 above for instructions on how to file documents). This must be filed within 7 days of when the issued *Writ of Certiorari* was served on the employer and DEED. See [Minn. R. Civ. App. P. 115.03, subd. 4.](#)

Zwm *Tsab Ntawv Pov Thawj Kev Xa Ntawv* rau *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* uas muab tso tawm nrog Tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua (xyuas Kauj Ruam 3 saum no kom paub cov kev qhia zwm ntaub ntawv). Yuav tsum muab zwm ua ntej 7 hnuv uas xa *Tsab Ntawv Yuam Tshab Xyuas Txog Kev Txiav Txim* ua muab tso tawm mus rau lub chaw hauj lwm thiab DEED. Xyuas [Minn. R. Civ. App. P. 115.03, subd. 4.](#)

Step 7: Calculate the Deadline for your *Brief*

Kauj Ruam 7: Ntsuas Hnub Kawg rau koj *Qhov Lus Meej*

Your written argument on appeal is called a “brief.” As the relator (appealing party), **you must file a *brief*, or your appeal will be dismissed.** See [Minn. R. Civ. App. P. 142.02](#).

Koj cov lus sib cam kom txiav txim dua yog hu ua “qhov lus meej.” Tam tus kws foob plaub ntug (tog neeg thov kev txiav txim dua), **koj yuav tsum zwm muaj *qhov lus meej*, tsis li ces koj txoj kev thov txiav txim dua yuav raug muab tshem tawm.** Xyuas [Minn. R. Civ. App. P. 142.02](#).

See Step 1 for specific instructions for calculating deadlines.

***Saib* Kauj Ruam 1 kom paub cov lus qhia txog kev ntsuas cov hnub kawg.**

The deadline for your *brief* depends on when you were served with an *itemized list of the contents of the record*.

Hnub kawg rau koj *qhov lus meej* yog nyob ntawm seb thaum twg koj xa tag *tsab ntawv sau qhia cov ntaub ntawv teev cia*.

General Information about the “Record”

Ncauj Lus Dog Dig txog “Cov Ntaub Ntawv Teev Cia”

The record is the evidence used in the hearing before the ULJ and, if you asked for a new hearing in your request for reconsideration, any new evidence accepted at that hearing. The evidence in the record is the only evidence that the Court of Appeals typically looks at in an appeal.

Cov ntawv teev cia yog cov ntawv tseeb uas siv rau hauv koj lub rooj sib hais ua ntej tus ULJ thiab, yog koj thov kom muaj lub rooj sib hais tshiab rau txoj kev xav dua, tej ntawv tseeb tshiab uas txais muaj hauv lub rooj sib hais. Cov tseeb hauv cov ntaub ntawv teev cia yog tib co tseeb uas Lub Tsev Hais Cov Plaub Txiaiv Txim Dua ib txwm saib hauv txoj kev txiav txim dua.

If testimony was given at the hearing(s), DEED will prepare a transcript of the audiotape of the hearing free of charge. A transcript is a typed copy of what all of the parties and the ULJ said at your hearing.

Cov lus teev ntawm lub (cov) rooj sib hais, DEED yuav npaj daim ntawv teev cov lus kaw ua suab ntawm lub rooj sib hais tsis tsub nqi dab tsi. Daim ntawv teev rooj sib hais yog muab tag nrho cov tog neeg thiab tus ULJ hais nyob rau hauv koj lub rooj sib hais sau rau hauv ntawv.

DEED is required to serve an *itemized list of the contents of the record* on you and your former employer. DEED must serve this list on you within 30 days after DEED was served with the *Petition for Writ of Certiorari*, or within 14 days after the transcript is delivered to the Court of Appeals, whichever is later. If you request it, DEED will also send you a copy of all exhibits in the record, free of charge.

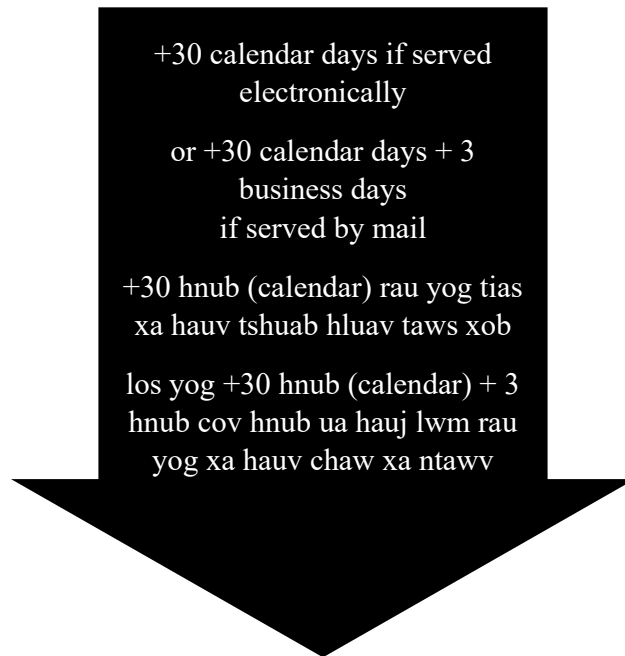
DEED yuav tsum xa *tsab ntawv sau qhia cov ntaub ntawv teev ciarau* koj thiab koj lub chaw hauj lwm dhau los. DEED yuav tsum xa tsabntawv sau qhia cov ntaub ntawv teev cia no rau koj ua ntej 30 hnub tom qab DEED tau txais *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiaiv Txim*, los yog ua ntej 14 hnub tom qab xa daim ntawv teev rooj sib hais mus rau lub Tsev Hais Cov Plaub Txiaiv Txim Dua, nyob tawm seb qhov twg yog qhov lig dua. Yog

koj thov txog, DEED yuav puav leej luam xa tag nrho cov ntawv siv ua pov thawj muaj tseg, pub dawb tsis tsub nqi.

Your **brief** is due 30 days after DEED serves you with the **itemized list of the contents of the record**. If DEED serves the itemized list by mail, then you have 33 days after the date that the list was mailed to serve and file your brief. See [Minn. R. Civ. App. P. 115.04, subd. 4](#).

Yuav **qhov lus meej** yuav tsum txog tom qab 30 hnuv DEED xa tag **tsab ntawv sau qhia cov ntaub ntawv teev cia** tuaj rau koj. Yog tias DEED xa tsab ntawv sau qhia cov ntaub ntawv teev cia xa hauv chaw xa ntawv, ces koj muaj 33 hnuv tom qab hnuv uas xa thiab zwm koj qhov lus meej. Xyuas [Minn. R. Civ. App. P. 115.04, subd. 4](#).

- The **itemized list of the contents of the record** was served or mailed to me on _____.
Twb muab **tsab ntawv sau qhia cov ntaub ntawv teev cia** xa los yog xa hauv chaw xa ntawv rau kuv thaum



- The deadline for my brief is/Hnuv kawg rau kuv qhov lus meej yog _____.

Step 8: Prepare your *Brief*
Kauj Ruam 8: Kev npaj koj *Qhov Lus Meej*

You have three options for the format of your *brief*:

Koj muaj peb txoj kev taug rau kev sau koj *qhov lus meej*:

- (1) **Formal *Brief***: A formal brief includes a table of contents, a statement of the legal issues, a statement of the case and the facts, an argument, a conclusion, and an addendum. See [Minn. R. Civ. App. P. 128.02](#).

Qhov Lus Meej *Raws Kev Raws Cai*: Qhov lus meej raws kev raws cai muaj cov sob teem, nqe lus teev cov teeb meem raws kev cai lij choj, nqe lus teev rooj plaub thiab cov ntsiab lus tseeb, nqe lus sib cam, nqe lus xaus thiab ntaub ntawv rhais txhawb nrog. Mus saib [Minn. R. Civ. App. P. 128.02](#).

- (2) **Informal *Brief***: If the court gives permission to file an informal brief, it must include a written argument and addendum. See [Minn. R. Civ. App. P. 128.01, subd. 1](#). To receive permission to file an informal brief, you would need to file a motion requesting permission. See page 17 for more information about motions.

Qhov Lus Meej *Tsis Raws Kev Raws Cai*: Yog tias lub tsev hais plaub muab kev tso cai los xa qhov lus piav qhia raws cai, nws yuav tsum sau muaj cov ntaub ntawv sib cav thiab daim ntawv txhab ntiv tom kawg. Mus saib [Minn. R. Civ. App. P. 128.01, subd. 1](#). Kom tau txais kev tso cai xa qhov qhia txog tus kheej raws cai, koj yuav tau xa ntawv thov kev tso cai txav mus los. Saib nplooj thib 17 rau lus qhia ntiv txog ntawm cov txav mus los.

- (3) **Memorandum of Law and Short Letter Argument**: If you submitted a written *Memorandum of Law* during your administrative or agency proceeding, you may file that Memorandum as your brief, along with a short letter argument that addresses the decision and an addendum. See [Minn. R. Civ. App. P. 128.01, subd. 2](#). If this is the type of brief you wish to file, you must have selected this option on the *Statement of the Case*.

Daim Ntawv Ceeb Toom txog Kev Tsis Sib Haum Xeeb Raws Cai Lij Choj thiab Daim Ntawv Sau Luv Txog Kev Tsis Sib Haum Xeeb: Yog tias koj xa **Daim Ntawv Ceeb Toom txog Kev Tsis Sib Haum Xeeb Raws Cai Lij Choj** nua sij hawm koj qhov kev tswj los sis lub chaw sawv cev tab tom lis hauj lwm, koj yuav xa tau Daim Ntawv Ceeb Toom raws li koj piav qhia, raws li daim ntawv ceeb toom luv piav qhia txog qhov kev txiav txim siab thiab daim ntawv txhab ntiv tom kawg. Mus saib [Minn. R. Civ. App. P. 128.01, subd. 2](#). Yog tias hom lus piav qhia meej no yog hom koj xav zwm, koj yuav tsum tau xaiv qhov no ntawm **Lus Qhia Txog Rooj Plaub**.

Choose the format for your *brief* (formal, informal, or short letter argument).

Xaiv koj hom *lus meej* (raws kev raws cai, tsis raws kev raws cai los yog tsab ntawv sib cam luv).

- Write your *brief*. The Minnesota State Law Library website has helpful information about writing briefs and example briefs you can read (<http://mncourts.libguides.com/appeals/briefs>). Sau koj *qhov lus meej*. Xeev Minnesota Tsev Qiv Ntawv Lij Choj qhov vas sab muaj cov ncauj lus pab qhia sau cov lus meej thiab cov qauv lus meej uas koj nyem tau (<http://mncourts.libguides.com/appeals/briefs>).

- Prepare the addendum to your *brief*. No matter what type of *brief* you file, your *brief* must include an addendum that contains a copy of the ULJ's decision that you are appealing. Kev npaj cov ntawv rhais txhawb nrog koj *qhov lus meej*. Tsis hais hom *lus meej* twg koj zwm, koj *qhov lus meej* yuav tsum muaj cov ntawv rhais txhawb nrog uas luam muaj ULJ tsab ntawv teev cov lus txiav txim uas koj xav kom muaj kev txiav txim dua.

The addendum *may* also include documents from the record before the ULJ, if there are specific parts of the record that you want to point out to the Court of Appeals. However, **you cannot include any new evidence that was not presented to the ULJ**. If you choose to include additional documents from the record, the page limit is 50 pages and your addendum should include a table of contents. See [Minn. R. Civ. App. P. 130.02](#) for additional instructions about the addendum.

Cov ntawv rhais txhawb nrogyeej yog tau cov ntaub ntawv teev cia hauv, yog tias muaj tej ntu ntawm cov ntaub ntawv teev cia uas koj xav taw qhia rau Lub Tsev Hais Cov Plaub Txiaiv Txim Dua. Tiam sis, **koj muab ntxiv tsis tau tej pov thawj tshiab uas tsis tau muab nthuav qhia rau ULJ**. Yog koj xav muab tej ntaub ntawv ntxiv los ntawm cov ntaub ntawv teev cia, kheev muaj txog 50 nplooj thiab koj cov ntawv rhais txhawb yuav tsum muaj cov sob teem nrog. Xyuas [Minn. R. Civ. App. P. 130.02](#) kom tau cov lus qhia ntxiv txog cov ntawv rhais txhawb nrog.

Step 9: File and Serve Paper Copies of your Brief
Kauj Ruam 9: Zwm thiab Xa Cov Ntawv Luam ntawm koj Qhov Lus Meej

- File your brief with the Clerk of the Appellate Courts (see Step 3 above for instructions on how to file documents).

Xa koj qhov lus piav qhia nrog rau Tus Lis Ntaub Ntawv ntawm Cov Tsev Hais Plaub Txiaiv Txim Dua (saib Kauj Ruam 3 saum toj no rau cov lus qhia hais txog kev xa daim ntawv).

If you have already **e-filed** documents using the appellate courts' E-MACS system, you will e-file your brief, too. During the e-filing process you should e-serve your brief on any parties to your case who have registered for e-filing.

Yog tias koj yeej tau xa cov ntawv **hauv es lev taus niv** lawm mus rau cov tsev hais plaub txiaiv txim dua qhov txheej teg ua hauj lwm E-MACS, ces koj xa tau koj cov lus piav qhia hauv es lev taus niv ib yam thiab. Ncu a sij hawm lis hauj lwm xa hauv es lev taus niv koj tsim nyog muab kev pab cuam piav hauv es lev taus niv nyob rau cov tog neeg uas cuam tshuam koj rooj plaub kom rau npe hauv es lev taus niv.

If you are filing **in person or by mail** (instead of using the appellate courts' E-MACS system), you will need to file a printed hard copy of your brief.

Yog tias koj tab tom xa **kiag ntawm tus kheej los sis los ntawm kev xa ntawv** (dhau ntawm kev siv cov tsev hais plaub txiaiv txim dua qhov txheej teg ua hauj lwm E-MACS), koj yuav tau xa cov ntawv luam tawm ntawm koj cov lus piav qhia.

- If needed, serve paper hard copies of your brief on other parties to your case. There are two situations where you would need to print hard copies of your brief to serve on parties to your case:

Yog tias yuav tau siv, luam tawm cov ntawv ntawm koj qhov lus piav qhia nyob rau lwm tog neeg cuam tshuam koj rooj plaub. Nws muaj ob qho xwm txheej uas koj yuav tau los luam tawm cov ntawv ntawm koj rooj plaub mus rau cov tog neeg cuam tshuam koj rooj plaub:

- 1) If you filed your brief in person or by mail (instead of using the appellate courts' E-MACS system), you will need to serve a hard copy of your brief on all of the other parties to the case. Make enough hard copies of your briefs for all respondents on the case.

Yog tias koj tab tom xa qhov lus piav qhia kiag ntawm tus kheej los sis los ntawm kev xa ntawv (dhau ntawm kev siv cov tsev hais plaub txiaiv txim dua qhov txheej teg ua hauj lwm E-MACS), koj yuav tau xa cov ntawv luam tawm ntawm koj cov lus piav qhia. Ua kom ntseeg tias koj muaj cov ntawv luam tawm txaus txog ntawm cov lus piav qhia rau txhua cov neeg raug foob ntawm rooj plaub.

- 2) If you e-filed your brief using the appellate courts' E-MACS system, but there were any parties who you could not e-serve through E-MACS and they have not agreed to some other form of e-service (such as email), you will need to serve those parties with a hard copy of your brief. Make enough hard copies of your brief for all parties who

could not be e-served.

Yog koj xa koj cov lus piav qhia raws hauv es lev taus niv uas siv cov tsev hais plaub txiav txim dua txheej teg ua hauj lwm E-MACS, tab sis nws muaj cov tog neeg uas koj tsim nyog tsis txhob pab cuam hauv es lev taus niv los ntawm kev siv E-MACS thiab lawv tsis pom zoo rau cov tog neeg muaj daim ntawv luam tawm ntawm koj cov lus piav qhia. Ua kom ntseeg tias muaj cov ntawv luam tawm txaus ntawm koj cov lus piav qhia rau txhua tog neeg tus uas tsis tuaj yeem ua tau hauv es lev taus niv.

- If you needed to serve any hard copies of your brief, the person who served the hard copies of the brief must fill out and sign the form titled *Certificate of Service by Mail of Brief* (see Steps 4 & 5 above for instructions about service and proof of service).

Yog tias koj xav tau kev pab cuam ua cov ntawv luam tawm, tus neeg tau txais kev pab cuam yuav luam cov ntawv txog ntawm qhov lus piav qhia tsim nyog sau thiab kos npe rau daim foos muaj npe ***Pov Thawj ntawm Kev Pab Cuam los ntawm Xa Raws Kev Xa Ntawv ntawm Cov Lus Piav Qhia*** (saib Kauj Rum 4 thiab 5 saum toj no txog ntawm cov lus piav qhia txog ntawm kev pab cuam thiab pov thawj ntawm kev pab cuam).

- If you needed to serve any hard copies of your brief, file the *Certificate of Service by Mail of Brief* with the Clerk of the Appellate Courts (see Step 3 above for instructions on how to file documents).

Yog tias xav tau kev pab cuam luam cov ntawv ntawm koj li lus piav qhia, xa ***Pov Thawj ntawm Kev Pab Cuam los ntawm Xa Raws Kev Xa Ntawv ntawm Cov Lus Piav Qhia*** nrog rau Tus Lis Ntaub Ntawv ntawm Cov Tsev Hais Plaub Txiaiv Txim Dua (saib Kauj Ruam 3 saum toj no rau cov lus qhia hais txog txoj hauv kev xa cov ntawv).

**General Information about “Motions”
Ncauj Lus Dog Dig Txog “Cov Kev Thov”**

If you cannot serve and file your brief within 30 days and you need more time, or if you want to make any other request of the court, you must serve and file a signed, written request asking the court for the relief you need. This formal request is called a “motion.”

Yog koj xa thiab zwm tsis tau koj qhov lus meej ua ntej 30 hnub thiab koj xav tau sij hawm ntxiv, los yog koj xav thov dua lwm yam hauv tsev hais plaub, koj yuav tsum muaj ib tsab ntawv uas koj xa thiab kos npe rau mus thov lub tsev hais plaub txog qhov kev tso pa uas koj xav tau. Txoj kev thov raws kev raws cai no yog hu ua “kev thov.”

The motion must state (1) what you are requesting and (2) the reason(s) for that request. You must serve the written motion on the respondents and file proof of service for the motion. The requirements for a motion are found in [Minn. R. Civ. App. P. 127](#) and specific instructions for requesting a briefing extension are found in [Minn. R. Civ. App. P. 131.02](#). If you are requesting a deadline extension, your motion should be served and filed before the deadline you wish to extend.

Cov lus thov yuav tsum teev txog (1) yam koj xav thov thiab (2) qhov (cov) laj thawj thov txog. Koj yuav tsum muab cov lus thov sau xa mus rau cov neeg teb plaub foob thiab zwm muaj pov thawj kev xa cov lus thov. Cov kev ceev ntawm txoj kev thov muaj nyob rau ntawm [Minn. R. Civ. App. P. 127](#) thiab cov lus qhia meej txog kev thov ncau sij hawm me ntsis muaj nyob rau ntawm [Minn. R. Civ. App. P. 131.02](#). Yog koj thov ncau sij hawm rau hnub kawg, koj cov lus thov yuav tsum muab xa thiab zwm ua ntej hnub kawg uas koj xav ncau mus txog.

Reminder: the Court of Appeals cannot extend the deadline to serve and file the *Petition for Writ of Certiorari*.

Qhia kom nco txog: Lub Tsev Hais Cov Plaub Kev Txiaiv Txim Dua ncau tsis tau hnub kawg rau kev xa thiab zwm *Tsab Ntawv Thov Yuam Tshab Xyuas Txog Kev Txiaiv Txim*.

What Happens Next?/Dab Tsi Yuav Tshwm Sim Tom Ntej?

Court of Appeals Receives the Evidentiary Record and Briefs

Lub Tsev Hais Cov Plaub Txiaiv Txim Dua Txais Tau Cov Ntaub Ntawv Teev Cia thiab Cov Lus Meej

DEED sends the record from your case to the Court of Appeals, including any transcript of your hearing(s). DEED and your former employer also have the opportunity to each submit a brief to the Court of Appeals.

DEED yuav xa cov ntaub ntawv teev cia ntawm koj rooj plaub mus rau Lub Tsev Hais Cov Plaub Txiaiv Txim Dua, nrog rau tej ntawv teev rooj sib hais ntawm koj lub (cov) rooj sib hais. DEED thiab koj lub chaw hauj lwm dhau los puav leej muaj lub caij nyoog xa qhov lus meej mus rau Lub Tsev Hais Cov Plaub Txiaiv Txim Dua.

Oral Argument or Non-Oral Consideration

Hais Lus Sib Cam los yog Kev Xav Tsis Ua Lus Hais

After the parties have filed their briefs, your appeal will be submitted to a panel of three Court of Appeals judges. You will receive a *Notice* of the date of oral argument or non-oral consideration by the panel. This notice will also include the names of the judges assigned to decide your case.

Tom qab cov tog neeg zwm lawv cov lus meej tag, yuav muab koj cov lus thov kev txiaiv txim dua cev mus rau ib pab kws phua txim muaj peb tug hauv Lub Tsev Hais Cov Plaub Txiaiv Txim Dua. Koj yuav tau txais *Tsab ntawv faj seeb* txog hnub uas pab kws phua txim yuav muaj hais lus sib am los yog kev xav tsis ua lus hais. Tsab ntawv faj seeb no yuav puav leej qhia cov npe ntawm peb tug kws phua txim cov uas raug txib los txiaiv txim txog koj rooj plaub.

If you are not represented by an attorney, the Court of Appeals will not allow oral argument by any party. See [Minn. R. Civ. App. P. 134.01](#).

Yog tias koj tsis muaj tus kws lij choj sawv cev tam koj, Lub Tsev Hais Cov Plaub Txiaiv Txim Dua yuav tsis kheev muaj hais lus sib cam los ntawm ib tog neeg twg. Xyuas [Minn. R. Civ. App. P. 134.01](#).

In deciding your appeal, the Court of Appeals looks at the evidence used in the hearing(s) before the ULJ. You may not give new evidence on appeal without first getting permission from the Court of Appeals. The Court of Appeals generally does not accept new evidence.

Thaum txiaiv txim dua rau koj, Lub Tsev Hais Cov Plaub Txiaiv Txim Dua yuav xyuas cov lus tseeb uas siv ntawm ULJ. Koj yuav muab tsis tau pov thawj tshiab ntxiv rau txoj kev txiaiv txim dua tshwj tsis yog koj tau kev tso cai los ntawm Lub Tsev Hais Cov Plaub Txiaiv Txim Dua. Feem ntau Lub Tsev Hais Cov Plaub Txiaiv Txim Dua yuav tsis kam txais cov pov thawj tshiab.

Opinion is Issued/Tso Tawm Tswv Yim Kev Xav

The Court of Appeals will issue a written decision, called an “opinion,” within 90 days after the appeal is considered by the judges. **All appellate court opinions are public and will be available on the Judicial Branch website.**

Lub Tsev Hais Cov Plaub Txiav Txim Dua yuav tso tawm txoj kev txiav txim rau hauv ntawv, hu ua ib txoj “tswv yim kev xav,” ua ntej 90 hnub tom qab cov kws phua txim txiav txim dua tag. **Lub tsev hais cov plaub txiav txim dua cov tswv yim kev xav yog lus qhib rau laj mej pej xeem pom thiab yuav muaj nyob rau ntawm fab Judicial Branch qhov vas sab.**

If you wish to appeal the Court of Appeals decision, you have 30 days after the opinion is issued to file a *petition for further review (PFR)*, which is a request for the Minnesota Supreme Court to review the Court of Appeals decision. See [Minn. R. Civ. App. P. 117](#).

Yog koj xav thov kev txiav txim dua rau Lub Tsev Hais Cov Plaub Txiav Txim Dua txoj kev txiav txim, koj muaj 30 hnub tom qab tso tawm tswj yim kev xav kom zwm *tsab ntawv thov kev tshab xyuas mus ntxiv (petition for further review) (PFR)*, uas yog thov Minnesota Qib Tsev Hais Plaub Loj nrog tshab xyuas txog Tsev Hais Plaub Txiav Txim Dua txoj kev txiav txim. Xyuas [Minn. R. Civ. App. P. 117](#).

**THIS FORM MUST BE COMPLETED IN ENGLISH
DAIM NTAWV NO YUAV TSUM TEB UA LUS ASKIV**

STATE OF MINNESOTA
IN COURT OF APPEALS
XEEV MINNESOTA TSEV HAIS COV
PLAUB TXIAV TXIM DUA

CASE TITLE/NPE ROOJ PLAUB:

_____,
Relator (your name)
Kws Foob Plaub Ntug (koj lub npe)

vs./thiab

**PETITION FOR WRIT OF CERTIORARI
TSAB NTAWV THOV KEV YUAM
TSHAB XYUAS TXOG KEV TXIAV
TXIM**

COURT OF APPEALS #:
TSEV HAIS COV PLAUB TXIAV TXIM:
DUA ZAUV #:

1) _____,
Respondent (employer's name),
Neeg Teb Plaub Foob (chaw hauj lwm npe),

DEPARTMENT OF
EMPLOYMENT & ECONOMIC
DEVELOPMENT #:
TUAM TSEV PAB KEV UA HAUJ LWM
& TSIM KHO KEV KHWV NOJ KHWV
HAUS #:

2) Department of Employment & Economic
Development,
Tuam Tsev Pab Kev Ua Hauj Lwm & Tsim Kho
Kev Khwv Noj Khwv Haus,
Respondent./Neeg Teb Plaub Foob.

DATE OF DECISION:
HNUB TXIAV TXIM:

TO: The Court of Appeals of the State of Minnesota:
XA RAU: Tsev Hais Cov Plaub Txiav Txim Dua hauv Xeev Minnesota:

_____ (your name/koj lub npe) hereby petitions the Court of Appeals for a Writ of Certiorari pursuant to Minn. Stat. § 268.105, subd. 7, to review a decision of the unemployment law judge issued on the date noted above, upon the grounds that/ .

ntawm no ua ntawv thov lub Tsev Hais Cov Plaub Txiav Txim Dua muab Tsab Ntawv Yuam Tshab Xyuas Kev Txiav Txim raws li Minn. Stat. § 268.105, subd. 7, los nrog tshab xyuas txoj kev txiav txim los ntawm tus kws phua txim txog kev cai poob hauj lwm uas tso tawm rau hnuv teev saum no, raws cov chaw txawb chaw rau uas

(Summarize why you are appealing in a sentence or two. You will make a detailed argument in the brief that you will be filing later.)

(Nthuav qhia ua ib los yog ob nqe lus tias vim li cas koj thiaj thov kev txiav txim dua. Koj yuav teev tau cov lus sib cam kom ntxaws dua rau hauv tsab ntawv nthuav lus uas koj yeej yuav tau ua tom qab.)

DATED/HNUB TIM: _____

**(Signature of you or your attorney/
Koj los yog koj tus kws lij choj kos npe)**

(Print your name/Sau koj lub npe)

(Address/Chaw Nyob)

(Telephone number/Xov Tooj)

(Email Address/Chaw sau ntawv Email)

**THIS FORM MUST BE COMPLETED IN ENGLISH
DAIM NTAWV NO YUAV TSUM TEB UA LUS ASKIV**

STATE OF MINNESOTA
IN COURT OF APPEALS
XEEV MINNESOTA TSEV HAIS
COV PLAUB TXIAV TXIM DUA

CASE TITLE/NPE ROOJ PLAUB:

_____,
Relator (your name)
Kws Foob Plaub Ntug (koj lub npe)

vs./thiab

WRIT OF CERTIORARI
TSAB NTAWV YUAM TSHAB XYUAS
TXOG KEV TXIAV TXIM

COURT OF APPEALS #:
TSEV HAIS COV PLAUB TXIAV
TXIM DUA ZAUV #:

1) _____,
Respondent (employer's name),
Neeg Teb Plaub Foob (chaw hauj lwm npe),

DEPARTMENT OF
EMPLOYMENT & ECONOMIC
DEVELOPMENT #:
TUAM TSEV PAB KEV UA
HAUJ LWM & TSIM KHO:

2) Department of Employment & Economic
Development
Tuam Tsev Pab Kev Ua Hauj Lwm & Tsim
Kho Kev Khwv Noj Khwv Haus,
Respondent./Neeg Teb Plaub Foob.

DATE OF DECISION:
HNUB TXIAV TXIM:

TO: Department of Employment & Economic Development:
RAU: Tuam Tsev Pab Kev Ua Hauj Lwm & Tsim Kho Kev Khwv Noj Khwv Haus:

You are hereby ordered to return to the Court of Appeals and serve on all parties in accordance with rule 115.04, subdivision 3, within 30 days after service of the petition or 14 days after delivery of a transcript, whichever is later, an itemized statement of the record, exhibits and proceedings in the above-entitled matter so that this court may review the decision of the unemployment law judge issued on the date noted above.

Koj raug txib kom rov tuaj rau hauv Lub Tsev Hais Cov Plaub Txiav Txim Dua thiab xa tsab ntawv thov mus rau txhua nrho cov tog neeg raws li txoj cai 115.04, theem nqe lus 3, ua ntej 30 hnuv tom qab ua tsab ntawv thov tag los yog 14 hnuv tom qab xa tiav tsab ntawv teev rooj sib hais, nyob ntawm seb qhov twg yog qhov tiav lig dua, tsab ntawv sau qhia cov ntaub ntawv teev cia, cov ntawv siv ua pov thawj, thiab cov txheej txheem sib hais muaj npe saum no kom lub tsev hais plaub no tshab xyuas tau txoj kev txiav txim ntawm tus kws phua txim txog kev cai poob hauj lwm rau qhov xwm txheej uas teev muaj saum no.

You are further directed to retain the actual record, exhibits, and transcript of proceedings (if any) until requested by the Clerk of the Appellate Courts to deliver them in accordance with rule 115.04, subdivision 5.

Qhia rau koj ntxiv kom yuav tsum ceev cia cov ntaub ntawv tseem, cov ntawv siv ua pov thawj, thiab cov ntawv teev rooj sib hais (yog tias muaj) kom txog thaum twg tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua qhia kom muab xa raws li txoj cai 115.04, them nqe lus 5.

Copies of this writ and accompanying petition shall be served forthwith either personally or by mail upon the respondent Department of Employment & Economic Development and upon the respondent or its attorney at:

Yuav tsum muab tsab ntawv yuam kev tshab xyuas no thiab tsab ntawv txuam nrog nqa kias mus rau los yog xa mus rau tus neeg teb plaub foob Tuam Tsev Pab Kev Ua Hauj Lwm & Tsim Kho Kev Khwv Noj Khwv Haus thiab rau tus neeg teb plaub foob los yog nws tus kws lij choj nyob rau ntawm:

**(address of each employer or its attorney if it has one/
chaw nyob ntawm lub hau lwm los yog nws tus kws lij choj yog tias muaj ib tug)**

Proof of service shall be filed with the Clerk of the Appellate Courts.

Yuav tsum zwm tsab ntawv pov thawj kev xa ntawv nrog tus Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua.

DATED/HNUB TIM: _____

Clerk of the Appellate Courts/

Kws Lis Ntaub Ntawv hauv Cov Tsev Hais Plaub Txiav Txim Dua

By/Los ntawm: _____

Assistant Clerk/Lwm Thawj Neeg Lis Ntaub Ntawv

**THIS FORM MUST BE COMPLETED IN ENGLISH
DAIM NTAWV NO YUAV TSUM TEB UA LUS ASKIV**

STATE OF MINNESOTA
IN COURT OF APPEALS
XEEV MINNESOTA COV TSEV HAIS
PLAUB TXIAV TXIM DUA

CASE TITLE/NPE ROOJ PLAUB:

_____,
Relator (your name)
Kws Foob Plaub Ntug (koj lub npe)

vs./thiab

_____,
Respondent (employer's name),
Neeg Teb Plaub Foob (chaw hauj lwm npe),

**STATEMENT OF CASE OF
RELATOR
NQE LUS TEEV ROOJ PLAUB NTAWM
KWS FOOB PLAUB NTUG**

COURT OF APPEALS #:
TSEV HAIS COV PLAUB TXIAV TXIM
DUA ZAUV #:

DEPARTMENT OF
EMPLOYMENT & ECONOMIC
DEVELOPMENT #:
TUAM TSEV PAB KEV UA HAUJ LWM
& TSIM KHO KEV KHWV NOJ KHWV
HAUS #:

Department of Employment & Economic Development,
Tuam Tsev Pab Kev Ua Hauj Lwm & Tsim Kho Kev
Khvw Noj Khvw Haus,
Respondent./Neeg Teb Plaub Foob.

This form is provided for the benefit of self-represented litigants, and conforms to the Statement of the Case form required by Rule 133.03 of the Minnesota Rules of Civil Appellate Procedure and to Form 133, found at the end of the Minnesota Rules of Civil Appellate Procedure. Some questions on this form may require you to complete some basic legal research about your appeal before you can complete them. Instructions for completing this form are available at <https://mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab04Forms>.

Tsab ntawv no yog muab rau cov neeg sawv cev tam tus kheej sib hais plaub, thiab yeej haum raws li tsab Nqe Lus Teev Rooj Plaub uas yuav tsum tau muaj raws Txoj Cai 133.03 hauv Minnesota Cov Cai Hais Txheej Txheem Kev Txiaiv Txim Dua rau Laj Mej Pej Xeem thiab rau Tsab Ntawv 133, uas muaj nyob nram kawg ntawm Minnesota Cov Cai Hais Txheej Txheem Kev Txiaiv Txim Dua rau Laj Mej Pej Xeem. Tej zaum koj yuav tau tshawb fawb txog kev cai lij choj txiaiv txim dua ua ntej koj yuav teb tau qee cov nqe lus nug kom tiav hauv tsab ntawv no. Cov lus qhia teb tsab ntawv no muaj nyob ntawm <https://mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab04Forms>.

1. Agency of case origination/Lub koom haum uas rooj plaub pib tshwm rau.
Department of Employment and Economic Development
Tuam Tsev Pab Kev Ua Hauj Lwm & Tsim Kho Kev Khvw Noj Khvw Haus
2. Jurisdictional statement/Nqe lus teev hom plaub ntug.
Certiorari appeal/Kev tshab xyuas txog kev txiaiv txim dua.
Statute authority authorizing certiorari appeal and fixing time limit for appeal:

Minn. Stat. § 268.105, subd. 7(a)

Txoj cai lij choj tso kev tshab xyuas txog kev txiav txim dua thiab kev txwv sij hawm rau txoj kev txiav txim dua: Minn. Stat. § 268.105, subd. 7(a)

3. State type of litigation and designate any statutes at issue. Unemployment insurance, Minn. Stat. ch. 268

Hom kev hais plaub ntug thiab cov txoj cai lij choj ntawm qhov teeb meem: Kev pov hwm nyiaj poob hauj lwm, Minn. Stat. ch. 268

4. Short description of issues that you raised to the unemployment law judge:
Piav me ntsis txog cov teeb meem uas koj hais rau tus kws phua txim txog kev cai poob hauj lwm:

5. Short description of the issues you are raising in this appeal. (Summarize why you are appealing in a sentence or two. You can make a detailed argument in the brief that you will be filing later.)

Piav me ntsis txog qhov teeb meem koj xav hais hauv txoj kev txiav txim dua no. (Nthuav qhia ua ib los yog ob nqe lus tias vim li cas koj thiaj thov kev txiav txim dua. Koj yuav teev tau cov lus sib cam kom ntxaws rau hauv qhov lus meej uas koj yeej yuav tau ua tom qab.)

6. List any other related appeals/Teev qhia lwm cov kev txiav txim dua uas txuam nrog.

7. Was testimony given at the hearing conducted by the unemployment law judge?

Cov lus teev ntawm lub rooj sib hais puas yog tswj los ntawm tus kws phua txim txog kev cai poob hauj lwm?

_____ Yes/Yog _____ No/Tsis yog

If testimony was given, the Department of Employment and Economic Development will send you a transcript. If no testimony was given, there is no transcript to send. Yog tias muaj cov lus teev, lub Tuam Tsev Pab Kev Ua Hauj Lwm thiab Tsim Kho Kev Khwv Noj Khwv Haus yuav xa tsab ntawv teev rooj sib hais tuaj rau koj. Yog tsis muaj cov lus teev, yuav tsis muaj ntawv teev rooj sib hais xa tuaj.

8. Oral argument/Hais lus sib cam.

Only attorneys can make oral arguments. If you do not have an attorney, neither you nor respondents will have oral argument.

Tsuas yog cov kws lij choj thiaj li hais lus sib cam tau. Yog koj tsis muaj ib tug kws

loj choj, koj los sis cov neeg teb plaub foob yuav muaj tsis tau kev hais lus sib cam.

If you have an attorney, is oral argument requested? ___ Yes/Tau ___ No/Tsis Tau
Yog tias koj muaj ib tug kws lij choj, puas tau thov kev hais lus sib cam?

If yes, state where oral argument is requested: _____
Yog tau, qhia seb thov kev hais lus sib cam nyob rau qhov twg:

9. Identify the type of brief to be filed (choose one of the options below):

Qhia hom lus meej yuav muab zwm (xaiv ib yam nram no):

Formal brief under rule 128.02

Lus meej raws kev raws cai ntawm txoj cai 128.02

A formal brief includes a table of contents, a statement of legal issues, a statement of the case, facts, an argument, a conclusion, and an addendum (*see* rule 128.02).

Qhov lus meej raws kev raws cai muaj cov sob teem, nqe lus teev cov teeb meem raws kev cai lij choj, nqe lus teev rooj plaub, cov ntsiab lus tseeb, nqe lus sib cam, nqe lus xaus thiab ntaub ntawv rhais txhawb nrog (*xyuas* txoj cai 128.02).

Informal brief under rule 128.01, subd. 1.

Qhov lus meej tsis raws kev raws cai li txoj cai 128.01, subd. 1.

An informal brief contains a concise statement of your argument and an addendum.

Qhov lus meej tsis raws kev raws cai muaj koj nqe lus sib cam tshab thiab ntaub ntawv rhais txhawb nrog.

Trial memoranda, supplemented by a short letter argument under rule 128.01, subd. 2, and an addendum.

Lus txhawb kev sib foob, txhawb nrog ib tsab ntawv sau sib cam luv luv li Txoj Cai 128.01, them nqe lus 2, thiab ntaub ntawv rhais txhawb nrog.

All briefs must contain an addendum that includes a copy of the decision that you are appealing.

Tag nrho cov lus meej yuav muaj daim ntawv txhawb nrog uas luam muaj tsab ntawv txiav txim uas koj xav kom muaj kev txiav txim dua.

10. Names, addresses, zip codes and telephone numbers of relator and respondents (or attorneys, if any).

Cov npe, chawv nyob, zauv cim zip thiab cov xov tooj ntawm tus kws foob plaub ntug thiab cov neeg teb plaub foob (los yog cov kws lij choj, yog muaj).

Relator/Kws Foob Plaub Ntug:

Print name/Sau npe: _____

Address/Chaw nyob: _____

Email Address/Chaw sau ntawv Email: _____

Telephone/Xov tooj: _____

Signature/Kos npe: _____

Employer (or attorney)/Chaw hauj lwm (los yog kws lij choj):

Name/Sau npe: _____

Address/Chaw nyob: _____

Email Address/Chaw sau ntawv Email: _____

Telephone/Xov tooj: _____

Atty. Reg. #/Kws Lij Choj Tus Zauv Rau Npe #: _____

DEPARTMENT OF EMPLOYMENT & ECONOMIC DEVELOPMENT

The Great Northern Building

180 East 5th St, Suite 1200

St. Paul, MN 55102

THIS FORM MUST BE COMPLETED IN ENGLISH
DAIM NTAWV NO YUAV TSUM TEB UA LUS ASKIV

STATE OF MINNESOTA
IN COURT OF APPEALS
XEEV MINNESOTA
HAUV TSEV HAIS COV PLAUB TXIAV TXIM DUA

CASE TITLE/NPE ROOJ PLAUB:

_____,
Relator (your name)
Kws Foob Plaub Ntug (koj lub npe)

COURT OF APPEALS #
TSEV HAIS COV PLAUB TXIAV TXIM
DUA ZAUV #

vs./thiab

- 1) _____,
Respondent (employer's name),
Neeg Teb Plaub Foob (chaw hauj),
- 2) Department of Employment & Economic
Development,
Tuam Tsev Pab Kev Ua Hauj Lwm & Tsim Kho
Kev Khwv Noj Khwv Haus,
Respondent./Neeg Teb Plaub Foob.

**RELATOR'S CERTIFICATE
OF SERVICE BY MAIL OF
THE PETITION, UNSIGNED WRIT,
STATEMENT OF THE CASE, AND
UNEMPLOYMENT LAW JUDGE'S
DECISION**
**KWS FOOB PLAUB NTUG TSAB
NTAWV POV THAWJ TSAB NTAWV
THOV, TSAB TSIS NQE LUS TEEV
ROOJ PLAUB, KWS PHUA TXIM
TXOG KEV CAI POOB HAUJ LWM**

STATE OF MINNESOTA
COUNTY OF _____
XEEV MINNESOTA
CHEEB KOOG NTAWM

I/Kuv, _____ (Name/Npe), certify that on/lees meej tias thaum
_____ (Date/Hnub tim), I served the attached **(1)**
petition for a writ of certiorari; (2) unsigned writ of certiorari; (3) statement of the case;
and (4) ULJ's decision from which appeal is taken, on the following parties by mailing to each
of them a copy thereof, enclosed in an envelope, first-class postage pre-paid, and by depositing
the same in the United States Mail, directed to said party as follows:/kuv tau xa **(1) tsab ntawv**
thov kev tshab xyuas txog kev txiav txim; (2) uas tsis tau kos npe rau tsab ntawv tshab xyuas
txog kev txiav txim ntawm no; (3) nqe lus teev rooj plaub; thiab (4) ULJ txoj kev txiav txim
uas muaj txoj kev txiav txim dua, rau cov neeg raws li muab luam xa mus rau ib tug zus, ntim rau
hauv lub hnab ntawv, xub them nqi xa thawj qib, thiab mub tso rau hauv Teb Chaws Asmeskas
Chaw Xa Ntawv, xa ncaj qha mus rau ib tug neeg twg uas teev raws li nram no:

(Fill in the name and address of the employer or employer's attorney on the lines below. Add additional lines if there are additional employers. Then check the box next to each party to whom documents were mailed.)

(Sau lub npe thiab chaw nyob ntawm lub hauj lwm los yog lub hauj lwm tus kws lij choj rau cov kab nram no. Ces kos rau kem ib sab ntawm ib tog neeg zuas uas tau xa cov ntaub ntawv mus rau.)

**Department of Employment & Economic Development
The Great Northern Building
180 East 5th St, Suite 1200
St. Paul, MN 55102**

I declare under the penalty of perjury that everything I have stated in this document is true and correct.

Kuv plov meej raws txoj cai rau lub txim dag tias txhua yam kuv tau teev hauv tsab ntawv no yeej muaj tseeb thiab yog.

(Signature/Kos npe)

(County where certificate was signed/Cheeb koog uas kos npe rau tsab ntawv pov thawj)

(Date of signature/Hnub kos npe)

(State where certificate was signed/Lus xeev uas kos npe rau tsab ntawv pov thawj)

THIS FORM MUST BE COMPLETED IN ENGLISH
DAIM NTAUV NO YUAV TSUM TEB UA LUS ASKIV

STATE OF MINNESOTA IN
COURT OF APPEALS
XEEV MINNESOTA COV
TSEV HAIS PLAUB TXIAV TXIM DUA

CASE TITLE/NPE ROOJ PLAUB:

_____,
Relator (your name)
Kws Foob Plaub Ntug (koj lub npe)

COURT OF APPEALS #
TSEV HAIS COV PLAUB TXIAV TXIM
DUA ZAUV #

vs./thiab

**RELATOR'S CERTIFICATE
OF SERVICE BY MAIL OF
ISSUED WRIT OF CERTIORARI
KWS FOOB PLAUB NTUG DAIM
NTAWV POV THAWJ KEV XA HAUV
CHAW XA NTAUV TSAB NTAUV
TSHAB XYUAS TXOG KEV TXIAV
TXIM UAS TSO TAWM**

1) _____,
Respondent (employer's name),
Neeg Teb Plaub Foob (chaw hauj lwm lub npe),

2) Department of Employment & Economic
Development
Tuam Tsev Pab Kev Ua Hauj Lwm &
Tsim Kho Kev Khwv Noj Khwv Haus,
Respondent./Neeg Teb Plaub Foob.

STATE OF MINNESOTA
COUNTY OF _____
XEEV MINNESOTA
CHEEB KOOG NTAWM

I/Kuv, _____ (**Your name/Koj lub npe**), being first duly sworn, depose and say that on/xub tsa tes lees, teev lus tim khawv thiab hais tias thaum _____ (**Date/Hnub tim**), I served the attached **issued writ of certiorari (signed by the Clerk of the Appellate Courts)** on the following parties by mailing to each of them a copy thereof, enclosed in an envelope, first-class postage pre-paid, and by depositing the same in the United States Mail, directed to said party as follows:/kuv tau xa **tsab ntauv yuam tshab xyuas txog kev txiav txim uas tso tawm (kos npe rau los ntauv tus Kws Lis Ntaub Ntauv hauv Cov Tsev Hais Plaub Txiav Txim Dua)** rau cov neeg raws li muab luam xa mus rau ib tug zus, ntim rau hauv lub hnab ntauv, them nqi xa ua ntej thawj qib, thiab mub tso rau hauv Teb Chaws Asmeskas Chaw Xa Ntauv, xa ncaj qha mus rau ib tug neeg twg uas teev raws li nram no:

(Fill in the name and address of the employer or employer's attorney on the lines below.

Then check the box next to each party to whom documents were mailed.)

(Sau lub npe thiab chaw nyob ntawm lub hauj lwm los yog lub hauj lwm tus kws lij choj rau cov kab nram no. Ces kos rau kem ib sab ntawm ib tog neeg zuas uas tau xa cov ntaub ntawv mus rau.)

**Department of Employment & Economic Development
The Great Northern Building
180 East 5th St, Suite 1200
St. Paul, MN 55102**

I declare under the penalty of perjury that everything I have stated in this document is true and correct.

Kuv plov meej raws txoj cai rau lub txim dag tias txhua yam kuv tau teev hauv tsab ntawv no yeej muaj tseeb thiab yog.

(Signature/Kos npe)

(County where certificate was signed/Cheeb koog uas kos npe rau tsab ntawv pov thawj)

(Date of signature/Hnub kos npe)

(State where certificate was signed/Lus xeev uas kos npe rau tsab ntawv pov thawj)

STATE OF MINNESOTA
IN COURT OF APPEALS
XEEV MINNESOTA TSEV COV HAIS PLAUB TXIAV TXIM DUA

CASE TITLE/NPE ROOJ PLAUB:

_____,
Relator (your name)
TXIM
Kws Foob Plaub Ntug (koj lub npe)

COURT OF APPEALS #
TSEV HAIS COV PLAUB TXIAV
DUA ZAUV #

vs./thiab

**RELATOR'S CERTIFICATE
OF SERVICE BY MAIL OF BRIEF
KWS FOOB PLAUB NTUG DAIM
NTAWV POV THAWJ KEV XA**

1) _____,
Respondent (employer's name),
HAUV
Neeg Teb Plaub Foob (chaw hauj lwm npe),

CHAW XA QHOV LUS MEEJ

2) Department of Employment & Economic
Development,
Tuam Tsev Pab Kev Ua Hauj Lwm & Tsim
Kho Kev Khwv Noj Khwv Haus,
Respondent./Neeg Teb Plaub Foob.

STATE OF MINNESOTA
COUNTY OF _____
XEEV MINNESOTA
CHEEB KOOG NTAWM

I/Kuv, _____ (**Your name/Koj lub npe**), being first
duly sworn, depose and say that on/xub tsa tes lees, teev lus tim khawv thiab hais tias thaum

(**Date/Hnub tim**), I served the
attached **brief** on the following parties by mailing to each of them a copy thereof, enclosed
in an envelope, first-class postage pre-paid, and by depositing the same in the United States
Mail, directed to said party as follows:/kuv xa **qhov lus meej** rau cov tog neeg raws li muab
luam xa mus rau ib tug zus, ntim rau hauv lub hnab ntawv, xub them nqi xa thawj qib, thiab
mub tso rau hauv Teb Chaws Asmeskas Chaw Xa Ntawv, xa ncaj qha mus rau ib tug neeg twg
uas teev raws li nram no:

(Fill in the name and address of the employer or employer's attorney on the lines below. Add additional lines if there are additional employers. Then check the box next to each party to whom documents were mailed.)

(Sau lub npe thiab chaw nyob ntawm lub hauj lwm los yog lub hauj lwm tus kws lij choj rau cov kab nram no. Ces kos rau kem ib sab ntawm ib tog neeg zuas uas tau xa cov ntaub ntawv mus rau.)

**Department of Employment & Economic
Development
The Great Northern Building
180 East 5th St, Suite 1200
St. Paul, MN 55102**

I declare under the penalty of perjury that everything I have stated in this document is true and correct.

Kuv plov meej raws txoj cai rau lub txim dag tias txhua yam kuv tau teev hauv tsab ntawv no yeej muaj tseeb thiab yog.

(Signature)

(County where certificate was signed)

(Date of signature)

(State where certificate was signed)