

SELF-REPRESENTED LITIGANT

PETITION FOR JUDICIAL REVIEW OF AGENCY DECISION DENYING UNEMPLOYMENT INSURANCE RIGHT OR BENEFITS

This form is intended for Unemployment Insurance (UI) claimants who:

- ✓ Wish to have a decision of the Louisiana Workforce Commission's Board of Review reviewed by the Court

Information you will need:

1. The docket number of the Board of Review of the Louisiana Workforce Commission
2. The date the decision was mailed
3. The Employer Name if any listed on the Board of Review decision

Instructions:

These instructions are meant to guide you through the process of requesting a 'Judicial Review of Agency Decision Denying Unemployment Insurance Right or Benefits.'

This packet of forms is not legal advice and cannot take the place of the advice that a lawyer can give you. It is always best to speak with a lawyer before taking any legal action. **When you represent yourself in court, you must follow all the proper procedures and the law. It is your responsibility to see your case through the whole process.**

1. Be sure you have the correct form.
2. Read all instructions before you begin.
3. Fill in the blanks with 100% accurate information. *Any false statement made in court or written in a court document may constitute perjury.*
4. Check all options that pertain to your situation.
5. Attach any supporting documentation related to your request.
6. If you have trouble reading, writing, or understanding what is in this motion, seek help at the 25th Judicial District Clerk of Court's Office at 301 Main Street, Suite 108 in Belle Chasse, in the Government Annex Building, (504) 934-6610 or the Pointe-a-la-Hache Courthouse, 18055 Hwy 15, Pointe-a-la-Hache, LA 70082.

1 **STEP ONE - THE PETITION**

The first step is to fill out and file the "Petition for Judicial Review of Agency Decision Denying Unemployment Insurance Right or Benefits" form. Read everything carefully, double check the information you fill in and make sure you fill out the forms completely.

These instructions will guide you through the Petition for Judicial Review paragraph by paragraph.

- The top part of this form is your case information. Fill in your name as “Petitioner” and the Employer Name, if any is listed on the Board of Review decision. Leave the docket number and division blank.
- The beginning paragraph will automatically fill in your name as it was entered in the “Petitioner’s Name” field in the top part of the form.
- Paragraph 3 asks you to fill in the date the Board of Review decision was mailed to you and the Docket Number of the Board of Review decision. The docket number should have “BR” in the middle.
- Next, provide your name, address and telephone number in the spaces as indicated.
- Print out the form and Sign where indicated under your printed name.

2 STEP TWO - FILING

The next step is to take your papers to file with the Clerk of Court’s office. About 5-10 days after filing, you will have to check back with the Clerk’s office to find out the status of your petition.

After you’ve filled out the “Petition for Judicial Review of Agency Decision Denying Unemployment Insurance Right or Benefits”, you must file the document with the Clerk of Court’s office.

- You must go to 25th Judicial District Clerk of Court’s Office at 301 Main Street, Suite 108 in Belle Chasse, in the Government Annex Bldg or Pointe-a-la-Hache Courthouse, 18055 Hwy 15. The office is open 8:30am – 4:30pm Monday through Friday, excluding legal holidays. For more information, you can call the Clerk of Court’s Office at (504) 934-6610.
- You must file the original forms that you filled out. You will also need 2 copies for the court to serve the Louisiana Workforce Commission. It’s also a good idea to make a copy of your filled out forms for your records. When you file the originals, ask the Clerk of Court’s office to stamp your copies for your records and service.
- The Clerk of Court’s office can also provide your case information, like your case number and your division. Write this information down and keep it because you will need it to check the status of your petition.
- Under LA R.S. 23:1692, Petitioner is exempt from costs and fees because petitioner is an Unemployment Claimant. By law, the Court must accept this petition for filing without charging Petitioner any filing fees, service charges or other costs or fees.

Once you file your Petition with the Clerk of Court’s office, it will take a little time for it to get to the judge’s office for review. Check with the Clerk’s office 5 to 10 days after you file the Petition to find out the status of your petition. Please be patient as the court deals with a lot of matters.

(Petitioner's name)

TWENTY-FIFTH JUDICIAL DISTRICT COURT

VS.

PARISH OF PLAQUEMINES

EXECUTIVE DIRECTOR,
LOUISIANA WORKFORCE
COMMISSION, AND

STATE OF LOUISIANA

DOCKET NO.

(Employer Name if any listed on
Board of Review decision)

DIVISION “ ”

PETITION FOR JUDICIAL REVIEW OF AGENCY DECISION
DENYING UNEMPLOYMENT INSURANCE RIGHT OR BENEFITS

1.

Petitioner, _____(full name), asks this court under La. R.S. 23:1634 to review a decision of the Louisiana Workforce Commission's Board of Review.

2.

This court is the correct place to file this lawsuit because Petitioner lives in the parish where this court is located.

3.

The Board of Review decision Petitioner asks the court to review was mailed on this date: _____ and has this Docket Number:
_____.

(Docket number with "BR" in middle).

4.

The current Executive Director of the Louisiana Workforce Commission is sued in his/her official capacity as the head of the agency that runs the Unemployment Insurance program.

5.

If the Board of Review decision has an employer's name on it, that employer named above is either a Louisiana corporation or doing business in the State of Louisiana.

6.

Petitioner asks this court to review the Board of Review decision because it is:

- (a) in violation of constitutional provisions;
- (b) in excess of the statutory authority and jurisdiction of the Board of Review;

- (c) made upon unlawful procedures;
- (d) affected by other errors of law;
- (e) clearly erroneous in view of the entire record as submitted and the public policy contained in the act of the legislature authorizing the decision; and/or
- (f) not supported by facts established by sufficient, competent evidence.

WHEREFORE, petitioner asks this court, after reviewing the agency record and any arguments submitted by the parties:

- (1) To reverse the decision of the Board of Review;
- (2) To order any other appropriate relief.

Name (Print)

Signature

Street Address or P.O. Box

City, State, Zip Code

Telephone Number

PLEASE SERVE:

Defendant Executive Director (Two Copies)
Louisiana Workforce Commission
1001 North 23rd Street
Baton Rouge, LA 70804

(By law, R.S. 23:1634, s/he must
serve the other defendant if any)

PETITIONER CANNOT BE CHARGED FILING & SERVICE FEES because petitioner is an Unemployment Claimant. By law, the court must accept this petition for filing without charging Petitioner any filing fees, service charges, or other costs or fees. Petitioner is exempt from costs and fees as stated in La. R.S. 23:1692.

FREE LEGAL SERVICES PROGRAMS IN LOUISIANA:

Acadiana Legal Services (800) 256-1175 (www.la-law.org) (<http://www.lsnl.org>)
Southeast Louisiana Legal Services (877) 521-6242 (www.slls.org)