

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JODY L LAWRENCE
Claimant

APPEAL 21A-UI-18618-DZ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWAWORKS
REEMPLOYMENT SERVICES**

**OC: 06/27/21
Claimant: Appellant (6)**

Iowa Code § 96.4(3) – Available for Work

Iowa Admin. Code r. 871-24.2(1)e – Procedures for Workers Desiring to File a Claim For Benefits

Iowa Admin. Code r. 871-24.23 (11) – Failure to Report

Iowa Code § 96.4(7) – Reemployment services

Iowa Admin. Code r. 871-24.6 – Profiling for Reemployment Services

Iowa Code Ch. 17A – Iowa Administrative Procedure Act

Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action

Iowa Admin. Code r. 871-26.11 - Motions

STATEMENT OF THE CASE:

Jody L Lawrence, the claimant/appellant filed an appeal from the August 11, 2021 (reference 01) unemployment insurance decision that denied benefits as of August 8, 2021 because she did not participate in a Reemployment and Eligibility Assessment. Before a hearing was held, Iowa Workforce Development (IWD) issued a favorable decision to Ms. Lawrence on October 4, 2021 (reference 04), stating that Ms. Lawrence is eligible for unemployment insurance benefits as of August 8, 2021 because Ms. Lawrence has since participated in the assessment. This decision made the issue on appeal moot. Therefore, no testimony or additional evidence was necessary. No hearing was held.

ISSUES:

Should the most recent unemployment insurance decision be affirmed?

Should the appeal be dismissed as moot?

FINDINGS OF FACT:

These findings of fact are based on the pertinent agency documents relating to Ms. Lawrence and her appeal. An unemployment insurance decision dated August 11, 2021 (reference 01), determined that Ms. Lawrence was not eligible for unemployment insurance benefits as of August 8, 2021, because she did not report to IWD as required. Ms. Lawrence appealed this decision. Before a hearing was held, Iowa Workforce Development issued a favorable decision to Ms. Lawrence, dated October 4, 2021 (reference 04), stating that Ms. Lawrence is eligible for unemployment insurance benefits as of August 8, 2021 as long as she meets all the other eligibility requirements. The reference 04 decision found Ms. Lawrence has since reported to

IWD. The agency representative asked that the appeal be dismissed. The reference 04 decision resolved the only issue on appeal in Ms. Lawrence's favor, making the appeal moot.

REASONING AND CONCLUSIONS OF LAW:

Generally, courts and administrative tribunals do not decide issues when the underlying controversy is moot. *Rhiner v. State*, 703 N.W.2d 174, 176 (Iowa 2005). "A case is moot if it no longer presents a justiciable controversy because the issues involved are academic or nonexistent." *Iowa Bankers Ass'n v. Iowa Credit Union Dep't*, 335 N.W.2d 439, 442 (Iowa 1983)

The reference 01 decision that Ms. Lawrence appealed was amended in her favor making this appeal moot. The appeal of the original representative's decision dated August 11, 2021, (reference 01) is dismissed. The most recent decision, dated October 4, 2021, (reference 04) is affirmed.

DECISION:

The appeal is dismissed as moot. The October 4, 2021 (reference 04) unemployment insurance decision is affirmed.



Daniel Zeno
Administrative Law Judge
Iowa Workforce Development
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax 515-478-3528

October 8, 2021
Decision Dated and Mailed

dz/mn