

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**NICOLE BETTIS**  
Claimant

**APPEAL 20A-UI-12325-AW-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 08/02/20**  
**Claimant: Appellant (6)**

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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:**

Claimant filed an appeal from the September 14, 2020 (reference 02) unemployment insurance decision that denied benefits effective September 6, 2020, because claimant failed to participate in an assessment. Before a hearing was scheduled, Iowa Workforce Development issued a favorable decision to the claimant on November 10, 2020 (reference 05), stating that claimant is eligible for unemployment insurance benefits effective September 6, 2020, because claimant has participated in the assessment. This decision made the issue on appeal moot. Therefore, no testimony or additional evidence was necessary. The hearing scheduled for December 4, 2020 at 2:00 p.m. is no longer necessary.

**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 this claimant and her appeal. An unemployment insurance decision dated September 14, 2020 (reference 02), determined that the claimant was not eligible for unemployment insurance benefits as of September 6, 2020, because claimant failed to report to Iowa Workforce Development as required for an assessment. The claimant appealed this decision. Before a hearing was held, Iowa Workforce Development issued a favorable decision to the claimant, dated November 10, 2020 (reference 05), stating that claimant is eligible for unemployment insurance benefits as long as claimant meets all the other eligibility requirements. The decision dated November 10, 2020 (reference 05) found claimant has reported for the assessment and found claimant eligible for benefits effective September 6, 2020. The agency representative asked that the appeal be dismissed. This decision resolved the only issue on appeal in the claimant'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 decision appealed was amended in favor of the appellant, making this appeal moot. The appeal of the original representative's decision dated September 14, 2020 (reference 02) is dismissed.

**DECISION:**

The appeal is dismissed as moot.

The hearing scheduled for December 4, 2020 at 2:00 p.m. is cancelled.



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Adrienne C. Williamson  
Administrative Law Judge  
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November 24, 2020  
Decision Dated and Mailed

acw/scn