



Racfaan ka Qaadashada Diidmada Agabyada

Public Benefits Appeals to District Court

Warqadan waxaa loogu tala galay **UUN** dadka ay dacwadooday ku saabsan manfacyada dowlada ay qaaday Waaxda Adeega Bulshada [Department of Human Services (DHS)] oo helay go'aankii dacwadooda ama amar maxkamadeed.

Ma **AHA** Sooshal Sakuuriti ama manfaca shaqaalaha baaga-muudada noqda la siiyo kiisaska darsida iyo soo ogaanta taariikhda qofka si loo ogaado inuu xaq u yeelahay manfaca iyo in kale.

Hadii kiiskaagu ku saabsan yahay in la go'aamiyo silcin Gobolka Minnesota uu geystay, eeg warqada [What Is Maltreatment and How Can It Affect My Job?](#) (ingiriisi kaliya)

Maxaan sameyn karaa hadii aanan ku raacsanayn go'aanka ay qaadatay hay'ada DHS?

Hadii dacwadaadda ay dhageysatay hay'ada DHS aadna heshay go'aankii dacwadaa ama amar aad diidayso, waxaa jira waxbaayo aad sameyn karto. Waxa aad ka codsan kartaa xafiiska racfaanadu inuu dib u eego ama dib u tix-geliyo go'aanka. Arrintan waxaa loogu yeeraa dib u tix-gelin Ka eeg warqadayada [Welfare Appeals to DHS](#) akhbaar siyaado ah oo ku saabsan codsiga dib u tix-gelinta. (ingiriisi kaliya)



FIIRO GAAR AH: Khasab ma aha inaad doorato dib u tix-gelin hadii aad doonayso inaad racfaan u gudbisato District Court markiiba. Laakiin labadaba isku mar waad sameyn kartaa. HA KA XAREYSAN racfaan District Court hadii aad codsatay dib u tix-gelin. Waa inaad sugtaa ilaa iyo inta ay dib u tix-gelintu ka dhamaanayso.

Hadii aad jaa martay habka dib u tix-gelinta aadna wali diidan tahay AMA hadii aad doonayso inaad ka boodo talaabada dib u tix-gelinta waxaad racfaan u qaadab kartaa District Court.

Ogow: Maxkamada Degmadu (District Court) waa maxkamada degmadaadda ku taal.

Racfaan Ma qaataa?

Hadii aadan ku raacsanayn go'aanka ka dib kolka dacwada la dhageysto dibna loo tix-geliyo waxa aad racfaan u dirsan kartaa Maxkamada Degmada (District Court). LAAKIIN OGOW: inta badan kiisaska lagu najixi waayo kolka ay dhageysato DHS ku **ma aha** kiisas ku haboon racfaan qaadasho. Racfaanada (District Court) ma ay ku siinayaan adiga xukun cusub. Kuuma ogolaanayaan inaad dib u bilowdo dhageysi dacwo cusub.

(District Court) waxa kaliya oo ay eegtaa inay jiraan khaladaad waaweyn oo wax ka bedelay maxsuulka ka soo baxay kiiska. Hadii racfaanada DHS loo sameeyey si xaq ah lana waafajiyey sharciyada quseeya, District Court ma bedeli doonto go'aanka.



Aliya uun codso racfaan hadii:

- Aad sharcian haysato waxaad ku mudacdo. Sida inaad cadeyn karto in go'aanka DHS gaartay uusan sharciga u hogaansamin. **AMA**
- Aad hayso cadeyno cusub. **LAAKIIN** waa inay jirtaa sabab oo aadan u heli karin cadeymahaa markii ee dacwada la qaadayey.

Sababtaa awgeed, isku day inaad la hadasho qareen ka hor inta aadan racfaan ka xareysan (District Court). La hadlida qareen waxaa dhici karta inay kaa caawiso go'aansiga kuwa ay yihiin arrimaha racfaanka laga qaadanayo.

Xafiiska Deegaankaaga ee Legal Aid waxaa dhici karta inuu ku siiyo talo. Si aad u hesho taa [ka hel xafiiskaaga caawinta sharciga ee deegaankaaga](#), gal www.lawhelpmn.org/so hoos u dhig riixna "Gargaar bixiyeyaasha iyo Rugaha."

Kee weeye kiisaska ku fiican in racfaan laga qaato?

Mudaca sharciga ah: si aad ugu guuleysato racfaanka (District Court) waa inaad cadeysaa in amarka ay bixisay hay'ada DHS uu khalad ahaa waayo waxa ay isticmaashay sharci khalad ah ama ma jirin wax cadeyn ah oo gargaarayey waxa la xumkumay inay dhaceen.

Daliilo cusub: hadii aad hayso cadeymo cusub IYO sabab fiican oo aadan u haynin daliilaha kolkii hore ee dacwada la qaadayey waxa ay caawin karaan inaad ku guuleysato. Sida hadii aadan ogayn inay jireen dukumiintiyo caawin kara kiiskaaga kolkii hore laakiin aad hadda hayso.

Kuwani waa tusaalayaal ah kiisaska ku haboon racfaanka:

- In lagu diiday adeegyo caafimaad ama alaab dhaqtarkaagu uu doonayo inaad hesho. Inaad u sheego xaakim in sababta laguugu diiday waxa aad codstay inay tahay in dhaqtarku buuxiyey foom khalad ah ama uusan ku qoran foomka akhbaar buuxda. Hada waxa aad haystaa foomkii saxda ahaa ama akhbaar buuxda ayaad foomka ku haystaa.

Kiiskii aan ku fiicnayn in racfaan laga qaato?

Waxaa jira kiisas sharcigu iska cad yahay in kastoo ay adiga kuula eg tahay inaysan xaq ahayn taasi. Kiisaskaasi ma **aha** kiiska ku fiican in racfaan laga qaato.

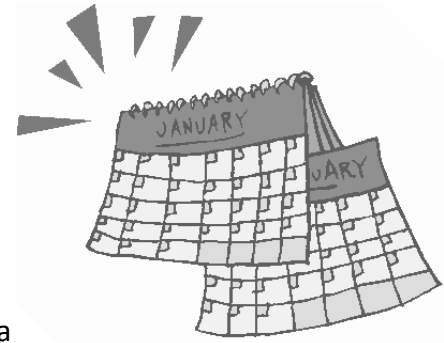
Kani waa tusaale ah kiisaska aan ku fiicnayn racfaanka:

- Sharcigu wuxuu qabaa inaad racfaan ku qaadata 30 cisho. Racfaankaaga waxaad ku qaadata 40 cisho. Xaakimku wuxu yiri ma haysatid sabab fiican oo aad ula soo daahdo.

Waa ra'yi wanaagsan inaad la tashato qareen. Qareen qaabilsan agabyada dowladu bixisaa waxa uu ku siin karaa talo ku saabsan inaad haysto kiis fiican iyo in kale.

Muddo intee le’eg ayaan haystaa inaan racfaan ku qaato? – Waqtiga ugu dambeeya ee Racfaanka la qaadan karo.

Amarka ugu dambeeya ee ka soo baxa Gudoomiyaha DHS waxaa ku yimaadaa boostada, waxa aad haysataa **33 cisho** inaad racfaan ku qaadato laga bilaabo maalinta ku qoran amarka. Tani waa isla si hadii uu amarku yahay kan kama dambaysta ah ee ka soo baxa dacwadaadii koowaad ama amarka dib u tix-gelin ah.



Hadii amarka kama dambaysta ah gacanta **lagaaga keenay**, kolkaa waxaad haystaa **30 cisho** inaad racfaan ku qaadato laga bilaabo maalinta ku qoran in amarku soo baxay.

Maxaan kaloo u baahnahay inaan ka fakaro ka hor inta aanan racfaan xareysan?

Xasuuusnow (District Court) waxay sameyn kartaa uun racfaanka. Ma kuu qaban doonto dhageysi cusub adiga si kolkaa aad mar labaad ugu soo bandhigto dhamaan daliilahaaga oo dhan. District Court waxaa dhici karta inay diyaar u tahay inay ogolaato inay dib u eegto cadeymo cusub **LAAKIIN UUN** hadii daliilahaasi aan la heli karin kolkaa la qaadayey dacwadii DHS ka ayna jiraan sababo fiican oo aan loo heli karin. (District Court) inta badan waxay eegtaa uun in mas’uulka dacwada qaaday uu sharciga sida uu yahay u waafajiyey dacwadaadda iyo in kale.

(District Court) waa khasab inay u hogaansanto xukunka Gudoomiyaha hay’ada aan ka ahayn inaad si cad u cadeyn karto in xukunkaasi uu khaldanaa.

Hadii aadan heli karin qareen, waa khasab inaad raacdo dhamaan nidaamyada maxkamada. Waxa aad ka codsan kartaa caawimaad goobta la yiraa Self-Help ee ku taal maxkamada degmadaada. Hubi uun inaad la socodsiiiso inaad racfaan ka xareysanayso go’aan ay gaartay hay’ada DHS ku.

Talaaboyinka loo maro Racfaanka (District Court):

- 1. Buuxi foomka “Ogaysiiska racfaanka” ee ku lifaaqan** ama qoro warqad “ogaysiis racfaan” ah oo aad adigu leedahay oo aad ku codsanayso racfaan. Hadii aad warqad qorto, hubi inaad ku darto akhbaartan:
 - Degmada diiday codsigaaga
 - Kolka dacwadaadda la qaaday (bisha, maalinta iyo sannadka)
 - Taariikhda uu soo baxay amarka diidaya codsigaaga
 - Inaad codsatay dib u tix-gelin iyo kale
 - Hadii aad codsatay dib u tix-gelin, taariikhda amarkaa la soo saaray
 - Inaad diidan tahay amarkaa
 - Sababta aad isu leedahay waa in amarka wax laga bedelaa. Qor waxa aad is leedahay DHS ku waa ay ku khaldan tahay ama sharax waxa cadeymahaaga cusubi yihiin iyo sababta aadan u soo bandhigin markii hore.
 - Oo ay ku jiraan “Codsiga Qoraalada”. Isticmaal warka ku qoran foomka ku lifaaqan. Kiiskaaga muhiim ayey ku tahay inaad qoraalada dacwadaad! Qoraalka dacwadaada

laga sameeyey waa lacag la'aan kolka aad qaadanayso racfaankaaga **aan ka ahayn** hadii racfaanku uusan ku saabsanayn silcin ama sinji-soor lagu sameeyey.

- Hadii aad doonayso in dacwadaadda la qaado.

Hubi inaad sameyso tan ka hor inta aan la gaarin mudadda racfaanka la qaadan karo!

2. Saxiix taariikhdana ku qor warqada.

- Ku qor magacaaga iyo ciwaankaaga oo buuxa, oo ay ku jiraan telefoonkaaaga iyo/ama emaylkaaga.
- Ku qor maalinta la joogo.



3. Ku Lifaaq:

- Nuqulka amarka Waaxda Adeegyada Bulshada
- Nuqulka Amarka dib u tix-gelinta ah hadii aad hayso
- Nuqulka cadeymaha cusub hadii aad hayso

Ka samee nuqul warqadahan oo dhan. Nuqul ka sii hay'ada DHS, iyo qolo kasta oo kiiska ku jirta oo ku qoran amarkaaga aniguna nuqul ka hel.

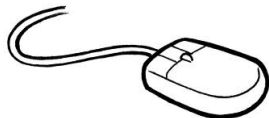
4. Sii ogaysiin (“serve”) dhamaan qolyaha kale oo dhan waxa la yiraa (Service of Process)

“U geynta” macnaheedu waa inaad ka siiso ama u geyso nuqul ama boostada u dhigto warqadaha racfaanka dadka ama hay'adaha kale ee ku jira kiiska. **Dhamaan hay'adaha ku qoran amarkaaga kama dambaysta ah** ee ka soo baxa DHS waa in isku mar lala geeyaa isla warqadaha aad ka xareysay maxkamada.

- Geyntu waxa ay noqon karaa
boostada – isticmaalka boostada caadiga ee heerka 1 aad
AMA
Gacan ka geyn – hadii aadan doonayn inaad bixiso kharashka boostada ee qolyaha oo dhan.
- **Waxaa fiican in warqadaha degdeg loo geeyo!**

5. Foomka “Affidavit of Service” waa in la buuxiyaa lana xareeyaa. Foomkani waxa uu u Sheegaa (Court) waqtiga warqadaha boostada lagu diray ama gacanta laga geeyey.

Waxaad u baahan tahay inaad u cadeyso (District Court) in warqadihii la geeyey. “Affidavit of Service” waa sida aad ku cadeyn karto. Si aad u hesho [foomka hel](#) gal www.mncourts.gov.
(ingiriisi kaliya)



- Riix “Get Forms” kor ku qoran
- Riix “Service of Process” ku qoran liiska
- Riix “Affidavit of Service – Combined”
- Kala soo bax foomka asagoo ah (Word ama pdf)

Maxkamadu waxa ay u baahan tahay inay aragto qolo walba oo aad warqadaha u geysay. Waxa aad taa ku sameyn kartaa waxa la yiraa (affidavit of service) ay ku qoran yihiin cid walba iyo ciwaankeeda. Ama waxa aad u sameyn kartaa (affidavit) u gaar ah qof walba ama hay'ad walba oo warqadaha aad u geysay.

Warqadaha waxaa boostada ku diri kara ama gacanta ka geyn kara adiga ama qof kale **LAAKIIN** qofka boostada dhigaya ama gacanta ka geeyaa waa inuu saxiixo waxa la yiraa "Affidavit of Service".

6. Racfaankaaga xaree ka dibna ka cadee inaad u geysay cid walba warqadaha District Court.

- Hadii aad racfaan ka qaadanayso diidmo, ka xaree degmada aad ka codsatay agabyada.
- Hadii aad racfaan ka qaadanayso joojin ama wax ka bedelid agabyadaadda, ka xaree racfaanka degmada aad ka qaadan jirtay agabyadaadda.
- Si aad u hesho [hel maxkamadda saxda ah](#) gal www.mncourts.gov ka dibna riix "District Courts." (ingiriisi kaliya)
- Ka xaree "Notice of Appeal" ka asalka ah, iyo "Affidavit of Service," kasta iyo dhamaan warqadaha ku lifaaqan (District Court).
 - Ma jiraan wax khidmad ah oo lagu xareeyo racfaanada **aan ka ahayn** hadii racfaanku uusan ku saabsanayn silcin ama sinji-soor lagugu sameeyey.

Maxaa dhici marka xigta?

Waxa aad ka heli nuqulada warqadaha aad codsatay (wixii la qoray waqtigii dacwada la qaadayey, iyo warqado kale) hay'ada DHS ka. Waxa ay ku imaan boostada. Waxa ay qaadan kartaa muddo ka badan 30 cisho inay yimaadaan.

Waxa aad ka heli warqad (District Court) kuu sheegaysa xaakimka go'aansan doona kiiskaaga iyo Lambarka Kiiskaaga.

Hadii adiga ama mid ka mid ah hay'adaha kale ay codsatay dhageysi dacwo, waxa ay qaadan 30 cisho inaad ka hesho qoraalada dacwada hay'ada DHS si looga qabto balanta waqtiga dacwada la qaadayo District Court. Wac maamulaha Maxkamada hadii aad qabto wax su'aalo ah oo ku saabsan balan qabashada.

Hadii cidna aysan codsan dhageysi dacwo, xaakimku waxa uu eegi kiiskaaga waxa uuna ka gaari go'aan 90 cisho gudahood.

Hadii aad su'aal ka qabto xaalada kiiskaaga, wac karaaniga xaakimka. Siina lambarka kiiskaaga kolka aad wacdo.

OGOW: U toog hay warqadaha (District Court) boostada kuugu soo diri. Hubi inaad si taxadar leh u akhrido! Sii mar walba (District Court) ciwaankaaga cusub. Hadii aad guurto, u sheeg



(District Court) markiiba adigoo u diraya warqad ay ku qoran tahay ciwaankaaga cusub iyo lambarka kiiskaaga.

Ka waran hadii dacwo dhageysi jiro?

Hadii adiga ama mid ka mid ah hay'adahu ay codsadaan dacwo dhageysi, (District Court) waxa ay kuu soo diri warqad kuu sheegaysa waqtiga dacwada la qaadayo. Aad ayey muhim u tahay inaad tagto meesha. **Hadii aadan tagin meesha dacwada lagu qaadayo, waxaa dhici karta in xaakimku uu diido inuu qaado dacwadaadda.**

Kolka dacwada la qaadayo, waxa aad heli fursad aad ugu sharaxdo xaakimka sababta aad ugu malaynayso in amarka ay soo saartay hay'ada DHS ku uu u khaldan yahay. Waa ra'yi wacan inaad soo qoroto dacwada ka hor waxa aad doonayso inaad xaakimka u sheegato. Qoraalka soo qaado. Xasuusnow, waxa aad haysataa waqti yar oo kooban si aad u sharaxdo mawfiqkaaga. Hadalkaagu ha koobnaado xubina ha haysto.

Ka waran hadii la igaga adkaado dacwada (District Court) ka?

Ka dib kolka dacwada la qaado, (District Court) waxa ay kaaga soo diri nuqul go'aanka xaakimka. Hadii aadan ku raacsanayn go'aamkiisaa, waxa aad racfaan u qaadan kartaa (Minnesota Court of Appeals). Kala tasho qareen sida racfaanadan loo qaato. Waxaa jira muddo ugu dambaysa ah oo racfaan la qaadan karo sidaa awgeed, waa muhiim inaad la tashato qareen markiiba.



Warqadaha xogtu waa xog sharci ee ma'aha talo qareen. Arag qareen haddii aad talo rabto. Ha isticmaalin warqadan xogta haddii ay ka weyntahay 1 sano. Nasoo waydii xog wixii cusub, warqado xogta, ama xog sikale u dhigan.

© 2019 Minnesota Legal Services Coalition. **Dukumintigaan waa la badan karaa, loona isticmaali kara wixii aan ahayn ganacsi sida arimo shaqsi iyo waxbarasho kaliya. Xuquuqda qoraalkan waa la illaliyay. Waa in ogaysiiskani ku qornaadaa koobi kasta oo laga saaro. In loo koobiyeeyo, ama loo isticmaalo arimo ganacsi waa mamnuuc.**

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

Appellant (*write your name here*)

CASE TYPE: OTHER CIVIL
Appeal from Administrative Agency

Vs.

NOTICE OF APPEAL AND
DEMAND FOR TRANSCRIPT AND
REQUEST FOR HEARING

State of Minnesota, Department of Human Services
AND (*write name of County where you were denied or were receiving assistance*) _____
_____ County Social/Human Services Agency

OR (*name of Health Plan if it denied your services*)

Other: _____, the Respondents

1. I had a hearing before a Department of Human Services hearing officer on _____ (month, day, year).
2. After the hearing, an order was mailed to me. This written order is dated: _____. The Department of Human Services Docket number on the order is: _____.
3. I did not submit a request for reconsideration (reconsideration is optional).

OR

- On _____ (date) I asked the Department of Human Services to reconsider its order. An order on my request for reconsideration was mailed to me. The reconsideration order is dated: _____. *See Minn. Stat. § 256.045, Subd. 5.*
4. I disagree with this order. I am appealing the order to District Court and there is no court filing fee. See Minn. Stat. § 256.045, Subd.7.

5. The district court may reverse, modify or remand an order if the administrative finding, inferences, conclusion or order is
- (a) in violation of constitutional provisions; or
 - (b) in excess of the statutory authority or jurisdiction of the agency; or
 - (c) made upon unlawful procedure; or
 - (d) affected by other error of law; or
 - (e) unsupported by substantial evidence in view of the entire record as submitted; or
 - (f) arbitrary or capricious. Minn.Stat. § 14.69.

The order should be reversed, changed or sent back to the agency for further action because
(describe why you think the DHS Order should be changed):

6. I also request the following additional relief from the Court:

I have attached to this "Notice of Appeal" a true and correct copy of the Order of the Commissioner of Human Services and a copy of the Reconsideration Order, if any, that I received in the mail.

DEMAND FOR TRANSCRIPT: I am asking the Commissioner of Human Services to provide me, the District Court and all other parties with a transcript of any testimony from the hearing, and copies of any other papers or evidence from the hearing, without charge to me.

REQUEST FOR HEARING:

I am asking the court to schedule a hearing no sooner than 30 days *after* the court receives the transcript, so I can come to court and tell the judge why I disagree with the decision. I also ask the court to send the parties a notice of the time and date of the hearing.

OR

I am not asking for a hearing. I want the Court to make a decision based on the transcript, this Notice and the other evidence of record from the hearing.

VERIFICATION AND ACKNOWLEDGEMENTS

- a. I have read this document. To the best of my knowledge, information and belief the information contained in this document is well grounded in fact and is warranted by existing law.
- b. I have not been determined by any Court in Minnesota or in any other State to be a frivolous litigant and I am not the subject of an Order precluding me from serving or filing this document.
- c. I am not serving or filing this document for any improper purpose, such as to harass the other party or to cause delay or needless increase in the cost of litigation or to commit a fraud on the Court.

DATE: / /
 month day year

Appellant's Signature (*sign your name here*)

Appellant's name: _____

Address: _____

City, State: _____

Zip code: _____