



Rov Mus Hais Dua hauv Tsev Hais Plaub Loj Txog

Tsoom Fwv Kev Pab

Public Benefits Appeals to District Court

Leejtwg thiaj li ua tau ntawv tsis tau kev pab koj rov qab los hais dua nrog lub Distrist Court?

Daim ntawv tseeb no **TSUAS YOG** rau cov neeg uas twb tau hais plaub hauv Department of Human Services (DHS) txog tsoom fwv cov kev pab thiab tau qhov lus txiav txim lawm lossis daim ntawv. Rov mus hais dua hauv Tsev Hais Plaub Loj nyuaj heev. Yog tau, nrhiav kev pab ntawm ib tug kws lij choj lossis hauv qhov chaw pab koj tus kheej “self-help center”.

Nws **TSIS YOG** rau “social security,” poob haujlwm lossis tsis tau vim keebkwm.

Yog koj rooj plaub hais txog nrhiav pom muaj kev tsim txom los ntawm lub Xeev Minnesota, saib peb daim ntawv tseeb [Kev Tsim Txom Yog Dabtsi thiab Nws Cuam Tshuam Kuv Txoj Haujlwm Tau Li Cas?](#)

Kuv ua tau li cas yog kuv tsis pom zoo li DHS qhov kev txiav txim?

Yog koj twb hais hauv DHS thiab tau qhov lus txiav txim uas koj tsis pom zoo nrog lawm, nws muaj tej yam koj ua tau. Koj hais tau kom lub hoobkas rov koj hais dua los saib xyuas thiab xav dua txog qhov lus txias txim. Qhov no hu uas rov koj los xav dua. Saib peb daim ntawv tseeb [Rov Hais Dua Txog Tsoomfwv Nyiaj Pab Pejxeem \(Welfare\) rau DHS](#) yog xav paub ntxiv txog thov kom rov koj los xav dua.



TSEEM CEEB: Koj tsis tas mus rau qhov rov koj los xav dua yog koj xav rov koj mus hais dua hauv Tsev Hais Plaub Loj sai li sai tau. Tabsis koj ua tsis tau ob yam tib lub sijhawm. **TSIS TXHOB** ua ntawv rov koj mus hais dua hauv Tsev Hais Plaub Loj yog koj twb thov kom rov koj los xav dua lawm. Koj yuav tsum tau to txog qhov txheej txheem ntawm tag tso.

Yog koj twb mus dhau qhov thov kom rov koj los xav lawm thiab tsis pom zoo li lawv hais LOSSIS yog koj xav hla kauj ruam rov koj los xav kom koj muaj feem koj mus hais dua hauv Tsev Hais Plaub Loj.

Nco Cia: Tsev Hais Plaub Loj yog lub tsev hais plaub hauv koj lub nroog.

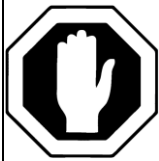
Kuv puas rov coj los hais dua?

Yog koj tsis pom zoo qhov lus txiav txim tom qab hais rooj plaub thiab rov coj xav dua, yog koj twb mus dhau qhov rov los xav dua lawm, koj rov coj mus hais tau hauv Tsev Hais Plaub Loj. TABSIS NCO CIA: feem ntau, cov rooj plaub hais swb hauv DHS **tsis yog** cov zoo rov coj mus hais

dua. Rov coj mus hais hauv Tsev Hais Plaub Loj tsis yog yuav muab nws qhov kev xav rau koj. Nws tsis cia koj rov pib rooj plaub tshiab.

Tsev Hais Plaub Loj tsuas nrhiav seb puas muaj dabtsi ua yuam kev loj uas hloov tau qhov lus txiav txim rau rooj plaub. Yog qhov DHS rov coj hais dua ua ncaj ncees thiab raws li kevcai, Tsev Hais Plaub Loj yuav tsis hloov qhov lus txiav txim.

Tsuas thov rov coj mus hais dua yog tias:



- koj muaj lus cam txog txoj kevcai. Xws li koj muaj povthawj tias DHS qhov lus txiav txim tsis ua raws li txoj kevcai.
LOSSIS
- koj muaj povthawj tshiab. TABSIS yuav tsum muaj qho lus keb kom zoo tias vim li cas koj tsis muaj qhov povthawj no thawj zaug.

Vim li no, **nrog ib tus kws lij choj tham ua ntej ua ntawv rov coj mus hais dua hauv Tsev Hais Plaub Loj.** Nrog tus kws lij choj tham yuav pab qhia seb koj puas muaj lus ntxaus rov coj mus hais dua los tsis muaj. Tus kws lij choj kuj pab qhia koj tias cov lus twg tsim nyog koj rov mus hais dua.

Tej zaum koj lub hoobkas Legal Aid yuav pab muab tswv yim tau rau koj lossis qhia lwm tus rau koj. Mus [nrhiav koj lub hoobkas Legal Aid](#), mus rau ntawm www.LawHelpMN.org/hm, mus hauv qab thiab nias rau “Kws Lij choj thiab Cov Chaw Pab Hais Plaub.”

Rooj plaub twg thiaj zoo rov coj mus hais dua?

Lus Cam Txog Txoj Kevcai: yuav yeej qhov rov coj los hais dua hauv Tsev Hais Plaub Loj, koj yuav tsum qhia kom tau tias qhov lus txiav txim hauv DHS tsis yog lawm vim lawv siv cov kevcai tsis yog lossis tsis muaj lus povthawj los txhawb tej yam lawv pom tias muaj. Qhov hais tias koj tsis pom zoo nrog cov lus teev lossis pojthawj tog tod muab tuaj tsis txaus rov mus hais dua.

Povthawj Tshiab: yog koj muaj povthawj tshiab THIAB lub keb zoo tias vim li cas koj tsis muaj rau thaum hais thawj zaug, tej zaum nws yuav pab koj yeej koj rooj plaub. Xws li koj tsis paub tias muaj ntaub ntawv yuav pab tau koj rooj plaub thawj zaug tabsis tamsim no koj tau lawv lawm.

Ntawm no yog ib cov qauv rooj plaub zoo rov mus hais dua:

- Txoj kev cai hloov ces tej cov nyiaj tau loss sau tsis tau rau koj qhov MFIP, tiam sis tus kws txiav txim plaub siv txoj kev cai qub.
- Lub nroog hais tias tus menyuam txiv nrog koj nyob. Tus kws txiav txim plaub pom zoo li vim hais tias koj tsis muaj ib qho chaw nyob txawv rau tus txiv. Tom qab hais rooj plaub koj paub hais tias tus txiv raug kaw. Koj mus nqa daim ntawv tom tub ceev xwm, ces muaj ib qho chaw nyob txawv rau nws.

Ib rooj plaub tsis zoo rov coj hais dua yog dabtsi?

Muaj tej rooj plaub uas txoj kevcai yeej qhia meej lawm txawm yog tias xws li nws tsis ncaj ncees rau koj.

Nov yog piv txwv ib rooj plaub tsis zoo rov coj hais dua:

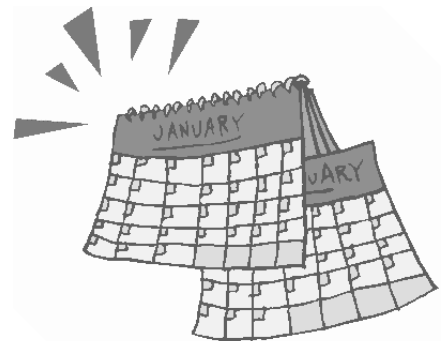
- Txoj kevcai tias koj muaj 30 hnuv rov coj mus hais dua. Koj rov coj mus hais dua 40 hnuv tom qab. Tus txiv txim plaub hais tias koj tsis muaj ib qho tseem ceeb vim ua lig.
- Cov tsev hais plaub yeej tsis hloov qhov kev txiav txim yog hais tias muaj kev sib cav txog cov lus tseeb. Tej zaum koj xav hais tias lub nroog tus tim khawv dag, tiam sis yog hais tias tus kws txiav txim plaub ntseeg tus tim khawv es tsis ntseeg koj nws tsis yog ib rooj plaub zoo rau koj rov hais dua. Tsuas yog zoo coj rov hais dua yog hais tias tom qab ntawm koj muaj povthawj tseem ceeb uas koj tsis muaj thaum lub sijhawm hais rooj plaub.

Nws yog ib qho zoo tswv yim yog nrog tus kws lij choj tham. Tus kws lij choj paub txog cov kev pab ntawm tsoom fwm thiaj muab tau tswv yim seb koj rooj plaub zoo los tsis zoo.

Kuv muaj sijhawm ntev li cas los coj rov los hais dua? --- Sijhawm Kawg rau Rov Coj Mus Hais Dua

Yog muab qhov lus txiav txim kawg ntawm Tus Thawj “Commissioner” hauv DHS xa ntawv tuaj, koj muaj **33 hnuv** suav pib hnuv tim sau hauv daim ntawv. Zoo tib yam li no txawm yog tias qhov lus txiav txim kawg thawj zaug hais plaub lossis lus txiav txim los ntawm rov xav dua.

Yog muab qhov lus txiav txim kawg tuaj cob kiag **rau koj**, ces koj muaj **30 hnuv** suav hnuv tim ntawm daim ntawv rov coj mus hais dua.



Kuv yuav tsum xav txog dabtsi ua ntej coj rov mus hais dua?

Nco ntsoov tias Tsev Hais Plaub Loj tsuas ua tau tej yam thaum rov hais dua xwb. Nws yuas tsis rov hais rooj plaub tshiab rau koj los hais koj cov povthawj dua xwb. Tej zaum Tsev Hais Plaub Loj yuav kam los saib povthawj tshiab **TABSIS tsuas yog** tsis tau qhov povthawj no thaum hais hauv DHS vim muaj lus keb zoo. Feem ntau, Tsev Hais Plaub tsuas saib seb puas siv cov kevcai kom yog rau koj rooj plaub xwb.

Yog koj nrhiav tsis tau ib tug kws lij choj, koj yeej tseem yuav tsum ua raws li tagrho tsev hais plaub cov kevcai. Koj mus nug kev pab ntawm qhov chaw “Self-Help” Pab Tus Kheej hauv koj lub nroog tsev hais plaub. Ua zoo xyuas kom lawv paub tias koj muab DHS qhov lus txiav txim rov los hais dua. Nws muaj kevcai tshwj xeeb. **Txhob hnov qab tias nws muaj hnuv kawg teem tseg!** Nhiav kev pab sai li sai tau!

Cov Kauj Ruam Rov Coj Mus Hais Dua hauv Tsev Hais Plaub Loj:

1. Muab daim ntawv Rov Coj Los Hais Dua “Notice of Appeal” nrog daim no *(lus Askiv xwb)*

sau kom tiav lossis koj sau koj tus kheej daim ntawv “notice of Appeal” mus thov kom rov coj los hais dua. Yog koj sau daim ntawv, nco ntsoov kom muaj tagnrho cov lus no nyob hauv:



- Lub koomhaum hauv lub nroog twg tsis kam rau koj
- Koj rooj plaub yog thaum twg lawm (hli, hnuv tim thiab xyoo)
- Hnuv tim txiav txim tsis kam qhov koj thov
- Seb koj puas tau nug kom rov los xav dua los tsis tau
- Yog koj tau nug kom rov los xav dua, hnuv tim ntawm qhov lus txiav txim ntawd
- Tias koj tsis pom zoo li qhov lus txiav txim ntawd That you disagree with the order
- Vim li cas koj xav tias yuav tsum hloov qhov lus txiav txim. Sau qhov koj xav tias DHS yuam kev lawm lossis piav tias koj qhov povthawj yog dabtsi thiab vim li cas koj tsis muaj nws thawj zaug.
- Muab daim ntawv ntaus cov lus hais plaub “Demand for Transcript.” Siv cov lus sau hauv daim ntawv los nrog daim no. Tseem ceeb heev rau koj rooj plaub kom tau daim ntawv ntaus cov lus hauv rooj plaub thiab lwm yam ntaub ntawv txog koj rooj plaub! Daim ntawv ntaus cov lus hauv koj rooj plaub rov hais dua dawb xwb, **tsuas txhob yog** rooj plaub rov coj hais dua yog rooj plaub kev tsim txom.
- Seb koj puas xav kom los hais rooj plaub
- Ntau lossis sau koj lub npe thiab chaw nyob nrog rau koj tus xov tooj thiab/lossis email chaw nyob.
- Sau hnuv tim, thiab xee npe

2. Muab Nrog:

- luam Department of Human Services daim ntawv txiav txim
- luam Rov Los Xav Dua (Reconsideration) daim ntawv txiav txim yog koj muaj
- luam daim ntawv povthawj tshiab yog koj muaj

Muab tagnrho cov ntawv uake no luam. Luam ib pob ntawv rau DHS, luam ib pob ntawv rau ib/pawg neeg sau rau hauv koj daim ntawv txiav txim thiab luam ib pob ntawv rau koj tus kheej.

- Coj koj cov ntaub ntawv mus rau tim koj lub tsev hais plaub qhov chaw pab tus kheej ua ntej xa mus kom lawv pab nrog koj saib seb puas ok. Mus [nrhiav koj lub tsev hais plaub](#) ntawm www.mncourts.gov thiab nias rau “Find Courts” ces nias rau koj lub nroog. *(lus Askiv xwb)*

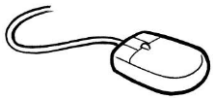
3. “Xa ntawv qhia” rau tagnrho cov neeg (hu uas Services of Process)

“Xa ntawv qhia” txais tias koj yuav tsum muab xa mus lossis nqa cov ntawm luam rov coj mus hais dua no mus rau lwm cov neeg lossis cov koomhaum koom tes rau rooj plaub no. Yuav tsum muab tagnrho cov ntawv uas koj muab rau tsev hais plaub rau **tagnrho cov koomhaum sau rau hauv koj daim ntawv los ntawm DHS.**

- Xa los ntawm
muab xa mus – siv 1st class xa mus
LOSSIS
Nqa mus cob kiag – yog koj tsis xav them nyiaj xa mus rau ib tug lossis tagnrho sawv daws

4. Yuav tsum ua daim ntawv “Affidavit of Service” thiab muab xa mus. Daim ntawv no qhia Tsev Hais Plaub tias hnuv twg kiag thaum xa daim ntawv lawm, lossis nqa mus cob kiag rau lawv lawm.

Koj yuav tsum qhia kom tau rau Tsev Hais Plaub Loj tias koj xa cov ntaub ntawv lawm. Daim ntawv “Affidavit of Service” yog qhov povthawj qhia tau li ntawd. Mus [muab daim ntawv](#) mus rau ntawm www.mncourts.gov. *(lus Askiv xwb)*



- Nias rau “Get Forms” saum toj qhov kev xiav “menu”
- Nias rau “Services of Process” ntawm cov lus sau ntawm daim ntawv
- Nias rau “Affidavit of Service – Combined”
- Rub tau daim ntawv ua Word lossis pdf

Tsev hais plaub toobkas pom tias sawvdaws tau txais cov ntawv lawm. Koj siv ib daim ntawv “affidavit of service” rau tagnrho sawvdaws thiab lawv cov chaw nyob. Lossis koj ua ib daim ntawv “affidavit” rau ib tug neeg lossis koomhaum ua xa ntawv rau tag.

Koj lossis lwm tug neeg xa tau cov ntawv **TABSIS** tus neeg uas xa lossis nqa mus cob kiag cov ntawv yuav tsum xee npe rau daim ntawv “Affidavit of Service.”

5. Xa koj daim ntawv rov coj mus hais dua thiab povthawj xa ntawv lawm mus rau hauv Tsev Hais Plaub Loj.

- Xa koj daim ntawv tseem “Notice of Appeal”, txhua daim ntawv “Affidavit of Service,” thiab tagnrho cov ntawv los nrog mus rau hauv Tsev Hais Plaub Loj. [Nrhiav tsev hais plaub chaw](#) nyob ntawm www.mncourts.gov. Nias rau “Find Courts” ces ntau lossis nias koj lub nroog.
- Tus nqi ua ntawv yog dawb **tsuas txhob yog** koj coj rov mus hais dua txog pom muaj kev tsim txom.

Yuav zoo li cas ntxiv?

Koj txais cov ntawv koj nug (daim ntawv ntaus cov lus hais plaub, thiab lwm yam ntawv) ntawm DHS. Lawv muab xa tuaj rau koj. Tej zaum yuav ntev tshaj 30 hnuv koj mam tau txais lawv.



Koj txais ib daim ntawv tuaj tim Tsev Hais Plaub Loj qhia koj tias tus yuav kws txiav txim plaub rau koj rooj plaub yog leejtwg thiab koj rooj plaub tus naj npawb.

Yog koj lossis lwm lub cov koomhaum thov kom hais rooj plaub, nws siv sijhawm 30 hnuv tom qab koj txais cov daim ntawv ntaus cov lus hauv rooj plaub ntawm DHS mam li teem tau sijhawm rau hauv Tsev Hais Plaub Loj. Hu rau tus Thawj Tswj Tsev Hais Plaub (Court Administrator) yog koj muaj lus nug txog qhov sijhawm teem no.

Yog tsis muaj leej twg nug kom hais rooj plaub, tus txiav txim plaub mam li saib koj rooj plaub thiab txiav txim tsis pub dhau 90 hnuv.

Yog koj muaj lus nug txog ua li cas rau koj rooj plaub lawm, hu rau tus ua haujlwm rau tus txiav txim plaub. Muab koj rooj plaub tus naj npawb ntawm rooj plaub rau nws thaum koj hu mus.

NCO CIA: Saib ntsoov koj ntawv tim Tsev Hais Plaub Loj tuaj. Nco ntsoov ua tib zoo nyeem! Qhia Tsev Hais Plaub Loj koj qhov chaw nyob txhua sijhawm. Yog koj tsiv, sau ntawv nrog koj chaw nyob tshiab thiab koj rooj plaub tus naj npawb mus qhia rau Tsev Hais Plaub Loj sai li sai tau.

Yog muaj mus hais rooj plaub ne?

Yog koj lossis ib lub koomhaum thov kom hais rooj plaub, Tsev Hais Plaub Loj mam li xa ib daim ntawv qhia hnuv tim tuaj rau koj. Tseem ceeb heev uas koj yuav tsum mus koom. **Yog koj tsis mus, tej zaum tus txiav txim plaub yuav muab koj cov ntawv rov hais dua tshem tawm.**

Thaum mus hais rooj plaub, koj muaj sijhawm los piav rau tus txiav txim plaub tias vim li cas koj xav tias DHS qhov lus txiav txim yuam kev lawm. Nws yog ib qho zoo tswv yim yog muab sau cia tej lus koj xav hais rau tus txiav txim plaub ua ntej koj mus hais rooj plaub. Nqa cov lus sau ntawd nrog koj. Nco ntsoov tias koj tsuas muaj sijhawm luv luv los piav koj tog xwb. Hais kom luv thiab hais lub ntsiab xwb.

Yog kuv swb hauv Tsev Hais Plaub Loj nes

Tom qab hais rooj plaub tas, Tsev Hais Plaub Loj mam li xa ntawv qhia nws qhov lus txiav txim tuaj rau koj. Yog koj tsis pom zoo nrog qhov lus txiav txim no, koj mam li rov coj mus hais dua rau hauv Minnesota Courts of Appeals. Nrog tus kws lij choj tham seb qhov txheej txheem rov mus hais dua yog li cas. Nws muaj sijhawm kawg ua ntawv rov hais dua, mus nrog tus kws lij choj tham sai li sai tau!

Cov ntawv Qhia Tseeb yog qhia kom paub txoj kevcai xwb TSIS yog muab txwv yim txog txoj kevcai. Mus ntsib ib tug kws lij choj rau tswv yim. Tsis txhob siv daim ntawv qhia tseeb yog tias nws qub tshaj ib xyoos lawm. Nug peb txog cov hloov tshiab, daim ntawv qhia txog cov ntawv qhia tseeb, lossis lwm hom ntawv.

© 2022 Minnesota Legal Services Coalition. Luam tau daim ntawv no los siv rau tus kheej tsis ua lag luam thiab qhia kom paub xwb. Tagnrho lwm cov cai ceev tseg. Qhov lus sau no yuav tsum nyob rau txhua daim ntawv. Txwv tsis pub muab luam, faib, thiab siv ua lag luam.

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: _____