

**TO:** Dan Ruben, Executive Director, Equal Justice America  
**FROM:** Marie Sheehan, University of Michigan Law School, Class of 2022  
**RE:** EJA Summer Fellowship at the Unemployment Insurance Clinic

---

I decided to work at the Unemployment Insurance Clinic (now the Workers' Rights Clinic) after doing work for them during the winter semester of my 1L year. The Clinic represents Claimants who are in the process of applying for unemployment insurance benefits -- this work ranges from helping people who are submitting their application for benefits, representing clients at administrative hearings when they have been denied benefits, appealing client decisions to circuit court (and beyond) when the administrative judges do not find in the Claimants favor, and following-up with the Unemployment Insurance Agency ("Agency") when they fail to implement the Claimants' favorable decision.

As an aspiring litigator, getting the opportunity to advocate for clients in the courtroom excited me. However, over the course of the summer I realized that how I advocate for clients extends well beyond the courtroom.

In order to prepare for hearings, it is essential that the Agency shares the Claimants file with the Clinic. Initial determinations issued by the Agency contain bare-bone allegations -- no details necessary to advocate for our client at the hearing are included. The Agency is required, by law, to share the Agency file with the Claimant and the Claimant's attorneys. However, the Agency is sometimes slow to comply with this law. I learned how to call the Agency, detail the information I needed, request that they send it, and follow-up when the information was not been received. While this may sound simple, it is far from it.

The Agency sometimes makes you wait on hold for hours, refuses to talk to Claimant's attorneys, or will claim that they cannot find the necessary information. I learned how to respectfully press on those that I was speaking to in order to get the information that my client was legally entitled to. I learned how to explain what I wanted in many different ways, to ensure the Agency representative understood what I was talking about, and I learned how to ask for a manager when it was clear the representative I was speaking to was not going to comply with the law. In addition to advocating for my client to the Agency, I learned how to contact the Assistant Attorney General working on the case, how to negotiate a stipulation, and how to ask them to come to other agreements before the actual hearing or to enforce court orders after the hearing.

While lots of my work over the summer was out of the courtroom, I also advocated for clients in phone and in-person hearings. Participating in six hearings this summer afforded me the opportunity to take on many different roles at the hearings.

Sometimes I conducted the opening argument and direct examination, other times I was in charge of the cross examination and the closing argument. I worked with clients and my partner-student attorney before hearings to ensure that the direct examination would go smoothly, prepare our witnesses for possible questions that they would hear on cross examination, and craft a detailed hearing plan and strategy.

While an inordinate amount of preparation went into each hearing, no hearing went exactly according to plan. I learned to be flexible and ask follow-up questions when I got answers I wasn't anticipating, or when the witness for the employer revealed evidence favorable to our client during their testimony.

One of the moments I am most proud of from this summer, is when I was representing a client in a fraud hearing. It was my first time at an in-person hearing and it was a bit nerve-racking to have all eyes on me as I cross examined the employers' witness. However, the employers witness revealed significant contradictions in the employers story about the nature of the claimants separation from work. I pressed the employers witness on these inconsistencies and after this portion of the hearing was done the Assistant AG decided to drop the fraud charges against our client on the spot.

Not only did I grow as a future litigator over the course of the summer, but I felt my work had a real and meaningful impact on the clients that I helped represent. After the in-person hearing described above, our client's relief was palpable. Many claimants seek unemployment benefits because they are going through a difficult period in their lives, yet, because of the Agency's administrative errors or the Claimant's confusion about how to complete a form they will get charged with huge fees and accused of fraud.

This system of unemployment benefits meant to act as a safeguard ends up trapping claimants in litigation for years with huge fees looming over their heads, only adding to the stressful situations they are already dealing with. While the administrative hearings used to adjudicate unemployment insurance disputes are meant to be friendly to pro se litigants, without an understanding of unemployment insurance law and rules of evidence these hearings can be hard to navigate. The work of the Clinic is essential in ensuring many claimants are not taken advantage of in this system. My experience at the Clinic really informs the type of work that I hope to do in the future, and was an incredible experience.