

## **Appeals from the Department of Employment and Workforce Appellate Panel (Panel) to the Administrative Law Court (ALC)\***

If you have received a written decision from the Department of Employment and Workforce **Appellate Panel**, you may appeal that decision to the South Carolina Administrative Law Court pursuant to South Carolina Code §41-35-750 and the ALC's Rules of Procedure.

In order to file an appeal with the ALC, you must file a written, signed document with the ALC and include the following:

- the name, address and telephone number of the party requesting the appeal, and the name, address and telephone number of the attorney or other authorized representative, if any, representing that party;
- a general statement of the grounds for appeal as provided in S.C. Code Ann. §1-23-380(5). The grounds for appeal may be amended, supplemented or modified in the statement of issues in the brief required by Rule 37(B)(1);
- a copy of the final decision which is the subject of the appeal and the date received; and
- a certificate of service of the notice of appeal on all parties (including the employer)

Any notice of appeal which is incomplete or not in compliance with the ALC's Rules will not be assigned to an administrative law judge until all required information is received.

A copy of Section III of the ALC's Rules and a form Certificate of Service are attached. The complete Rules of Procedure and the Certificate of Service are also available on the website at [www.scalc.net](http://www.scalc.net).

If you have any questions after you review these documents, you may call the ALC at (803) 734-0550 and ask to speak with the Clerk regarding your DEW appeal.

However, if you have any questions regarding the process within DEW or have not received a final decision from the Appellate Panel, you may need to contact DEW. Information on the appeals process at DEW can be accessed on their website at <http://www.sces.org/appeals.asp> or by contacting them at (803) 737-2666.

Once your case has been processed and assigned to an administrative law judge, the DEW is required to file the Record on Appeal and all parties (including you) will be required to file a brief in accordance with the Rules. After the record and briefs have been filed, the administrative law judge will review the case and issue a decision. A hearing may not be required (See ALC Rule 39).

**\*NOTE: This information is provided for informational purposes only and is not intended as legal advice. Nothing contained herein shall be construed to bind the presiding judge or the ALC to any practice described. Further, no ALC employee can provide legal advice to any party.**