

Appeals Quick Guide

Unemployment Benefits and Workers Compensation

Typical Duration

3 - 6 Months

Typical Costs

Copies & Mailing: \$25
Filing Fee: None

Quick Facts

Step by Step

Step 1 – Give Notice

What: The Notice of Appeal - JDF 663.

Due: Within 21 Days of the ICAO final order. No extension.

Why: Gives notice that an appeal has started.

Step 2 - Written Arguments*

What: The Opening Brief.

Due: Within 14 days after the record is filed.

Who Files: The Petitioner - the party who started the appeal.

Why: The Petitioner's arguments on appeal.

Step 3 - Optional Written Response

What: The Answer Brief.

Due: Within 14 days after the Opening Brief is filed.

Who Files: The Respondent - the party responding to the appeal.

Why: The counter arguments to the Opening Brief.

Step 4 - Optional Last Word

What: The Reply Brief.

Due: Within 7 days after the Answer Brief is filed.

Who Files: The Petitioner - the party who started the appeal.

Why: The counter arguments to the Answer Brief.

Step 5 - Decision

What: The Opinion.

When: Usually 2 - 4 months after the last brief is filed.

Who: Issued by a panel of three Judges.

1. Deadline: The 21-day filing deadline cannot be extended for **ANY** reason. Postmarked dates **DO NOT** count.

2. *Arguments with the Notice: Self-represented petitioners in unemployment cases may submit a combined Notice of Appeal & Opening Brief form, JDF 664.

3. Not a New Hearing: You will not be allowed to present new evidence or call witnesses on appeal.

4. Review of Final Order: This appeal is a review of the ICAO decision. You must show how the ICAO erred in its decision.

5. Issues on Appeal: The alleged mistakes the agency made in deciding the case.

6. What the Court Will Do: The Court will look at the issues and decide if there were any errors in the law, clearly wrong factual findings, or if the agency abused its discretion.

7. ICAO: Industrial Claim Appeals Office

For more information, contact an attorney or self-help staff at Appeals.SelfHelp@judicial.state.co.us