

**MICHIGAN EMPLOYMENT SECURITY ACT (EXCERPT)**  
**Act 1 of 1936 (Ex. Sess.)**

**421.38 Review by circuit court; direct appeal of order or decision of administrative law judge; unemployment agency as party; manner of appeal.**

Sec. 38.

(1) The circuit court in the county in which the claimant resides or the circuit court in the county in which the claimant's place of employment is or was located, or, if a claimant is not a party to the case, the circuit court in the county in which the employer's principal place of business in this state is located, may review questions of fact and law on the record made before the administrative law judge and the Michigan compensation appellate commission involved in a final order or decision of the Michigan compensation appellate commission, and may make further orders in respect to that order or decision as justice may require, but the court may reverse an order or decision only if it finds that the order or decision is contrary to law or is not supported by competent, material, and substantial evidence on the whole record. Application for review shall be made within 30 days after the mailing of a copy of the order or decision by any method permissible under the rules and practices of the circuit court of this state.

(2) An order or decision of an administrative law judge that involves a claim for unemployment benefits may be appealed directly to the circuit court if the claimant and the employer or their authorized agents or attorneys agree to do so by written stipulation filed with the administrative law judge. An administrative law judge's order or decision involving an employer's contributions or payments in lieu of contributions under this act may be appealed directly to the circuit court based on a written stipulation agreeing to the direct appeal to the circuit court.

(3) The unemployment agency is a party to any judicial action involving an order or decision of the Michigan compensation appellate commission or an administrative law judge.

(4) The decision of the circuit court may be appealed in the manner provided by the laws of this state for appeals from the circuit court.

**History:** 1936, Ex. Sess., Act 1, Imd. Eff. Dec. 24, 1936 ;-- Am. 1937, Act 347, Imd. Eff. Aug. 5, 1937 ;-- Am. 1939, Act 324, Imd. Eff. June 22, 1939 ;-- Am. 1941, Act 364, Imd. Eff. July 1, 1941 ;-- CL 1948, 421.38 ;-- Am. 1951, Act 251, Imd. Eff. June 17, 1951 ;-- Am. 1967, Act 254, Imd. Eff. July 19, 1967 ;-- Am. 1975, Act 110, Eff. June 8, 1975 ;-- Am. 1977, Act 52, Imd. Eff. July 5, 1977 ;-- Am. 1983, Act 164, Imd. Eff. July 24, 1983 ;-- Am. 1996, Act 503, Imd. Eff. Jan. 9, 1997 ;-- Am. 2011, Act 269, Imd. Eff. Dec. 19, 2011

**Compiler's Notes:** For the abolishment of the Michigan compensation appellate commission and establishment of the new unemployment insurance appeals commission and the transfer of certain powers and duties of the Michigan compensation appellate commission to the unemployment insurance appeals commission, see E.R.O. No. 2019-3, compiled at MCL 125.1998.