

Procedural Due Process

Mathews v. Eldridge, 424 U.S. 319 (1976)

History: The Social Security Administration stopped Eldridge's disability benefit payments without first conducting an evidentiary hearing. Eldridge filed a constitutional challenge to the administrative procedure, citing a violation of due process. The District Court found that Eldridge's right to procedural due process had been violated and ordered that an evidentiary hearing must be held before his disability benefits could be terminated. The Fourth Circuit affirmed. The U.S. Supreme Court reversed.

Facts:

1. Eldridge was awarded Social Security disability benefits in June 1968.
2. In March 1972, Eldridge was directed by the state agency to provide information about his disabling medical condition. The state agency also requested and received medical reports about Eldridge's condition.
3. The state agency notified Eldridge that it had tentatively decided that he was no longer disabled and proposed to terminate his disability benefits.
4. Eldridge provided a written dispute to the state agency, but the state agency issued a determination that Eldridge's disability ended in May 1972. The Social Security Administration accepted the state agency's determination.
5. Eldridge's disability benefits were terminated before an evidentiary hearing was held.

Issue: Does the Due Process Clause of the Fifth Amendment require that a recipient be afforded an opportunity for an evidentiary hearing prior to the termination of Social Security disability benefits?

Holding: No. "(D)ue process, unlike some legal rules, is not a technical conception with a fixed content unrelated to time, place and circumstances." "(D)ue process is flexible and calls for such procedural protections as the particular situation demands." When creating a process for decision-making, an agency must conduct an "analysis of the governmental and private interests that are affected." Three factors must be considered: (1) "[T]he private interest that will be affected by the official action." (2) "[T]he risk of an erroneous deprivation of such interest through the procedures used, and the probably value, if any, of additional or substitute procedural safeguards." (3) [T]he Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirements would entail." In this case, "(r)equiring an evidentiary hearing upon demand in all cases prior to the termination of disability benefits would entail fiscal and administrative burdens out of proportion to any countervailing benefits." For this reason, there was no deprivation of due process under this procedure.

Shaw v. Valdez, 819 F.2d 965 (10th Cir. 1987)

- History:** Claimant filed a complaint alleging that Colorado's unemployment appeal procedures violated the Social Security Act's fair hearing requirements. The U.S. District Court of Colorado dismissed the complaint for failing to state a claim. Claimant appealed to the Tenth Circuit Court. The Tenth Circuit reversed and remanded the case.
- Facts:**
1. Colorado's unemployment appeal law required a notice of hearing that stated only the time and place of the hearing. The law did not require notice of the legal and/or factual issues to be covered at hearing.
 2. Claimant's former employer cited only one reason for his discharge when it initially protested the claim. The claimant did not receive a copy of the protest letter.
 3. Claimant's benefits were allowed, and the employer appealed. The claimant still did not receive a copy of the employer's protest letter.
 4. At the appeal hearing, the employer added several other reasons to its initial reason for claimant's discharge.
 5. Claimant's benefits were denied on appeal, and the higher appellate authority affirmed the denial.
- Issue:** Was claimant deprived a "fair hearing" in accordance with the Social Security Act as a result of Colorado's notice procedure?
- Holding:** Yes. "[T]he requirements of a fair hearing include notice of the claims of the opposing party and an opportunity to meet them....[S]ince [claimant] never received the employer's protest letter, he was faced with the virtually impossible task of preparing for *all issues* that might arise under Colorado's complex statutory scheme....[T]he generic notice provided [claimant] was, in substance, no notice at all....[Claimant] was entitled, as a matter of right, to know in advance all of the factual and legal issues that would be presented at hearing....[Colorado] could afford a fair hearing premised on fair notice by a brief statement of particular factual and legal points to be raised at the hearing, and here the protest letter itself could have been furnished with a warning to the parties that there would be no 'issue switching' at the hearing."

Substantive Due Process

Turner v. Dep't of Emp't Sec. and Bd. of Review of the Indus. Comm'n of Utah,
423 U.S. 44 (1975)

- History:** Claimant appealed a denial of her unemployment benefits through the administrative agency, and then to the Utah Supreme Court. The Utah Supreme Court ruled that the law was valid, affirming the denial of benefits. Claimant appeal to the U.S. Supreme Court. The U.S. Supreme Court vacated the decision and remanded the case to the Supreme Court of Utah.
- Facts:**
1. Utah's law denied unemployment benefits to pregnant women from 12 weeks before her expected due date until 6 weeks after childbirth.
 2. Claimant was pregnant. She filed for and received unemployment benefits until 12 weeks prior to her due date. Thereafter, she was denied until 6 weeks after childbirth.
- Issue:** Did Utah's law, which "establishes a blanket disqualification during an 18-week period immediately preceding and following childbirth," violate the claimant's Fourteenth Amendment liberty of "freedom of personal choice in matters of marriage and family life?"
- Holding:** Yes. Whether a particular woman can continue to work while she is pregnant is a decision that must be made on a case by case basis. "The Fourteenth Amendment requires that unemployment compensation boards...must achieve state ends through more individualized means when basic human liberties are at stake.... [T]he Utah unemployment compensation statute's incorporation of a conclusive presumption of incapacity during so long a period before and after childbirth is constitutionally invalid..."

