

ARKANSAS COURT OF APPEALS

DIVISION I

No. E08-176

DEBORAH D. BERGMAN
APPELLANT

V.

DIRECTOR, DEPARTMENT OF
WORKFORCE SERVICES and
RANDOLPH COUNTY NURSING
HOME
APPELLEES

Opinion Delivered November 4, 2009

APPEAL FROM THE ARKANSAS
BOARD OF REVIEW, [NO. 2008-BR-
1040]

REMANDED

JOSEPHINE LINKER HART, Judge

Deborah D. Bergman appeals the Board of Review’s decision to disqualify her from receiving unemployment benefits. On appeal, Bergman argues that she was denied due process because the hearing officer refused to let a character witness testify and limited her cross-examination. She also argues that there was insufficient evidence to support the Board’s decision. Because the Board failed to make written findings on Bergman’s due-process claim, we remand for a ruling. When an administrative agency fails to make a finding on a pertinent issue, we do not decide the question in the first instance, but instead remand for a ruling. *Lawrence v. Everett*, 9 Ark. App. 138, 653 S.W.2d 140 (1983).

Remanded.

PITTMAN and GLOVER, JJ., agree.

Larry J. Steele, for appellant.

Phyllis Edwards, for appellee.