

Veterans And Their Families Need Your Help

From 1933 to 1988, veterans of the United States armed forces were frustrated by laws that prohibited judicial review of denials of their claims for federal veterans benefits. Since the landmark Veterans' Judicial Review Act in 1988, veterans denied benefits by the U.S. Department of Veterans Affairs (VA) can appeal to the U.S. Court of Appeals for Veterans Claims.

The Court continues to spark enormous demand by veterans seeking judicial review. More than 36,000 veterans or their survivors have filed appeals in the Court. Most cases involve claims for VA disability or death benefits.

Unfortunately, for many veterans the promise of effective judicial review has proved elusive. More than 70% of those who appeal to the Court do not have a representative at the time they file their appeal. This is in large part because they are unable to afford a lawyer.

Unrepresented veterans are obviously at a significant disadvantage in litigating against the VA General Counsel's Office, which represents the VA in all Court proceedings. Mentally and physically disabled veterans may be especially disadvantaged.

A joint program of:

THE AMERICAN LEGION

DISABLED AMERICAN VETERANS

NATIONAL VETERANS LEGAL SERVICES PROGRAM

PARALYZED VETERANS OF AMERICA

Funded by a grant administered by the Legal Services Corporation

“For decades, veterans were barred from seeking judicial review of VA denials of disability benefits. Representing a low-income veteran in the new U.S. Court of Appeals can help make judicial review an effective reality.”

Erwin N. Griswold,
former Solicitor General

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“The Veterans Consortium Pro Bono Program provides a unique opportunity to repay those who served our country while providing counsel with valuable federal appellate litigation experience.”

William T. Coleman, Jr.,
Civil rights attorney and former
Secretary of Transportation



THE VETERANS CONSORTIUM
PRO BONO PROGRAM



*Providing Pro Bono Representation
before the U.S. Court of Appeals for
Veterans Claims*

What is the Veterans Consortium Pro Bono Program?

In 1991, the U. S. Court of Veterans Appeals (now the U. S. Court of Appeals for Veterans Claims) had a large pro se caseload and asked Congress to reallocate part of its own budget to securing representation for these claimants. As a result, a consortium of four organizations received a grant to operate a pro bono program. The organizations that comprise the consortium are The American Legion, the Disabled American Veterans, the National Veterans Legal Services Program, and the Paralyzed Veterans of America. The program recruits volunteer lawyers to represent appellants before the Court without charge. The program screens appeals so that pro bono representation is provided in meritorious cases, and offers comprehensive training and support to participating lawyers.

How You Can Help

The Veterans Consortium Pro Bono Program asks volunteer lawyers to represent at least one appellant before the Court. Private attorneys with no veterans law experience have demonstrated their ability to capably represent appellants in the Court. Most cases can be completed in 50 hours. To date, about 1,350 attorneys have accepted almost 3,000 cases under the program.

How The Veterans Consortium Pro Bono Program Works

The cornerstones of The Veterans Consortium Pro Bono Program are screening of cases for merit and providing lawyers with training. The program's experienced veterans law staff screen the appeal of every individual who seeks pro bono representation. Cases that appear meritorious and meet income-eligibility guidelines are referred to volunteer lawyers.

Before accepting an appeal, all lawyers must attend a training program. In some cases, distance training via DVD may be available for those unable to attend in person. Each participant, upon accepting a referral, will receive a free copy of the latest version of the *Veterans Benefit Manual*, a comprehensive guide to litigating veterans benefits claims; a memorandum discussing the facts and legal issues in the appeal; and the name and telephone number of an assigned mentor from one of the sponsoring organizations. Mentors are available to discuss litigation strategy, provide sample briefs, review draft pleadings, and conduct a moot court if oral argument is ordered.

www.vetsprobono.org

(202) 265-8305, ext. 118

Why Should You Do Pro Bono Work Through the Consortium?

There are many ways a lawyer can do pro bono work. But participating in the Veterans Consortium Pro Bono Program offers several advantages:

- The program provides one of the few opportunities to obtain appellate litigation experience while performing pro bono service. In addition to brief writing, some cases involve oral argument before a panel of three judges.
- Representation before the Court can provide an opportunity to make new law. Because the Court is relatively new, some of the cases present issues of first impression.
- The program provides significant support and training to ensure that your time is used effectively:
 - cases are prescreened for merit in advance assignment;
 - volunteer lawyers are quickly oriented to the case with a memorandum describing the facts and legal issues;
 - further assistance is available both from the assigned case-monitor and assigned mentor;
 - volunteers participate in an in-depth full-day training program and receive a detailed practice manual after case referral.
- Malpractice insurance is provided.
- CLE credits are available in many states. Attendees must initiate the process individually with the CLE administrator in the state in which they seek CLE credit.