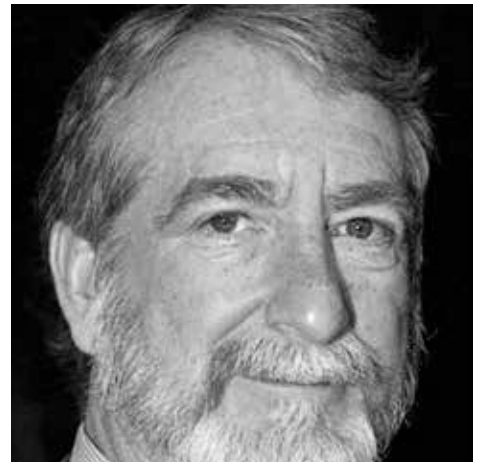




THE VETERANS CONSORTIUM PRO BONO PROGRAM 1992-2012

20

YEARS
of
Serving Our
NATION'S
VETERANS



THE VETERANS CONSORTIUM
PRO BONO PROGRAM

OUR MISSION

The Pro Bono Program established as its mission that no veteran or survivor who has taken an appeal to the U.S. Court of Appeals for Veterans Claims, who has a legally credible claim, and who wishes to be represented by counsel, will be without competent representation; and to accomplish this mission by—

- Recruiting and training volunteer lawyers in veterans law and the procedures of the Court;
- Referring to those lawyers, to handle without cost to the appellants, evaluated cases where there is an issue that should be fully presented to the Court and where the appellants are unable to afford counsel; and
- Providing advice and support to attorney, veterans and appellants.

Cover from top left: David Isbell, Chairman, US Army; Carol Williams, Board member, US Marine Corps; Carol Rutherford, Board member, US Army; Chief Judge Frank Nebeker, Program advocate; Brian Robertson, Director of Case Evaluation and Placement Component, US Navy (Ret.); William Mailander, Secretary/Board Member, US Marine Corps; David Addlestone, Board member, US Air Force

20 YEARS

of
Serving Our
NATION'S
VETERANS

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20 YEARS OF KEEPING FAITH WITH THOSE WHO SERVED


This Annual Report, celebrating the Pro Bono Program's 20th anniversary, is dedicated to the veterans we have assisted and the leaders and staff, past and present, who have worked tirelessly to advocate for the men and women who have served this nation.

MESSAGE FROM THE CHAIRMAN OF THE EXECUTIVE BOARD

This annual report marks the twentieth year of the Veterans Consortium Pro Bono Program, Inc. (Consortium). The Consortium enables our nation's veterans to have access to legal assistance to obtain benefits to which they may be entitled. During the past two decades the Consortium has focused on training attorneys with the goal of providing assistance to qualified veterans and their families. During its existence the Consortium has undergone significant changes in its organization, including the fact that it has become a freestanding entity with continued participation of the founding organizations.

The Consortium provides veterans and their loved ones peace of mind as appeals are undertaken on their behalf before the United States Court of Appeals for Veterans Claims (USCAVC) by attorneys trained by the Consortium. The Consortium continues to work to identify additional ways to support the men and women who have served to protect our country and its citizens. As the national focus on assisting veterans has increased, the applicable laws have also been the subject of many changes. The Consortium has been instrumental in much of this evolution.. Today, through the outreach and education efforts of the Consortium combined with the involvement of the private bar, veterans service organizations, law schools throughout the country, and more individual attorneys and law firms, the practice of veterans law has become a well-respected legal practice area. Indeed, many of the decisions by the USCAVC have set legal precedent.

The legal support from the Consortium's work has impacted the lives of so many veterans. There are no small victories when the result is a change in a veteran's life. The Consortium is privileged to have achieved such success, and those victories will continue to be the inspiration as the Consortium continues its service.



Mary Ann Gilleece
Chairman, Executive Board



The [Pro Bono] program is A LIGHT for those who are in darkness.

[WWII veteran]



1992–1997 INITIATING THE FIGHT FOR VETERANS

The Pro Bono Program was started in response to a clear need: Until the U.S. Court of Veterans Appeals (now the U.S. Court of Appeals for Veterans Claims) was established in 1989, any judicial review of the government's decisions on veterans' benefits claims had been barred by statute. In addition, anyone charging an applicant for benefits more than \$10 was liable to criminal prosecution—naturally discouraging lawyers interested in representing veterans.

"In 1989, a veteran filed the first notice of appeal in the newly created United States Court of Veterans Appeals. The veteran was not represented by counsel. This was an unfortunate precursor to what was, over time, to become a pro se filing rate of more than 80 percent.

"Chief Judge Frank Nebeker found this condition intolerable: Veterans, who had given so much for their country, were effectively being denied the benefit of their own right of judicial review. He sought the aid of Congress to transfer money from the Court's operating

budget to establish a program to recruit and educate counsel for veterans who could not obtain qualified legal representation. The program establishes some veterans organizations to expand their programs to provide free representation to veterans. But the program relied primarily on the willingness of private attorneys to volunteer their time.

"The private bar has been magnificent in answering the call."

Thus David Isbell, chairman of the Pro Bono Program's Advisory Committee, summed up the Program's origin and operation in the 1993 Annual Report—our first.

In May 1992, the Legal Service Corporation, at the Court's behest, issued two request for proposals (RFPs) for a demonstration pro bono program that would offer free representation to appellants before the Court. RFP A sought proposals for an umbrella organization to evaluate cases and recruit and train qualified volunteer attorneys. RFP B requested grant proposals from organizations that already were providing representation to veterans



Board Chairman David Isbell greets Senator Bob Dole (R-KS) during the ceremony surrounding the assignment of the Program's 1000th case. Senator Dole and Senator George Mitchell (D-ME) successfully represented Army vet James Gaddis.

that would enable them to provide direct representation. The A grant was awarded to a group of four veterans service organizations—The American Legion, Disabled American Veterans, National Veterans Legal Services Program, and Paralyzed Veterans of America—that joined to form the Veterans Consortium. The B grant was given to both NVLSP and Paralyzed Veterans in these first years, in recognition of their ability to immediately assign experienced attorneys to complicated cases or those requiring urgent action. In 1996, the B grant was awarded exclusively to Paralyzed Veterans, which continues to carry out this direct representation function.

On July 24, 1997, the Program assigned its 1,000th case, that of Army veteran James Gaddis, to former Senators Robert Dole and George Mitchell, themselves veterans with a longstanding interest

in veterans affairs. A ceremony at the Russell Senate Office Building attended by Senator Arlen Specter, chair of the Senate Veterans' Affairs Committee, and Chief Judge Nebeker, as well as several Associate Judges and a number of Consortium volunteer attorneys, marked the occasion and also showed the interest and respect which the Program was attracting.

At the same time, the Program increased its outreach to expand a nationwide pool of attorneys, making presentations to groups of Navy, Marine Corps, Air Force Reserve, and Air National Guard attorneys and paralegals. In the five years since inception the Program had risen to and overcome the challenges posed by uncertain funding, while expanding awareness among members of the private bar and remaining dedicated to its mission of providing qualified appellant veterans with high-quality, free legal representation.

- 1988** ■ Passage of Veterans Judicial Review Act creates U.S. Court of Veterans Appeals.
- 1989** ■ Veteran files first notice of appeal in the newly created U.S. Court of Veterans Appeals—unrepresented by counsel.
- 1992** ■ October 15: First four requests for representation received (Clay Chabot, Mario Gugliemo, Charles W. Sellers, and Elmer X. Tracey)
- 1992** ■ November 2: First case (Christopher Dones) placed with volunteer attorney (John Buckholtz of Covington & Burling).
- 1992** ■ Legal Services Corporation issues solicitations for proposals: Veterans Consortium (Disabled American Veterans, Paralyzed Veterans of America, the American Legion, and National Veterans Legal Services Program) are awarded the grant.
- 1994** ■ Chairman David Isbell presented Distinguished Service Award for work as chairman of Consortium Advisory Board by (then) U.S. Court of Veterans Appeals.



**Millie v. Shinseki:
110 Percent Effort
Yields 100 Percent
Rating**

Elliott Sagor, a partner at Hogan Lovells in New York and former Navy Judge Advocate, was assigned the case of Vietnam veteran Edward J. Millie in September 2007. This was Mr. Sagor's first case for the Pro Bono Program.

"I'd been working on [the appeal] since 2001," Mr. Millie says, "and I'd been refused a couple of times. It seemed I was down to my last chance. The Pro Bono Program contacted me, along with a bunch of people from different outfits, and I'm really glad I chose them—they did a damn good job."

Mr. Millie had served in Vietnam from 1966 to 1967, where all but three of the 163 men in his company perished. Severely traumatized by his experience, he had been contending since 1999 that his post-traumatic stress disorder (PTSD) rating from the Department of Veterans Affairs should be higher than the 50 percent it was rated.

"Mr. Millie had been keeping the faith for a long time," Mr. Sagor said. "He just would not accept 'no' for an answer." With the help of a forensic psychiatrist, Mr. Sagor was able to develop a more extensive record of his client's disabilities, which was presented together with statements from Mrs. Millie. But VA analysts continued to disagree that Mr. Millie deserved a higher rating, insisting that because he was able to work as a janitor he was coping with his PTSD to at least the 50 percent rating.

"The case was often very frustrating because the VA was not immediately accepting of what we thought were compelling materials," Mr. Sagor recalls. "We had to keep coming back to them."

After Mr. Millie could no longer physically work as a janitor, in March 2012, VA finally awarded him a 70 percent PTSD disability and then raised it to 100 percent, taking into account his total disability based on individual unemployability. He received approximately \$75,000 in retroactive, tax-free benefits; and his disability rating was made retroactive to August 7, 2008, the date of the forensic psychiatrist's first examination.

Mr. Sagor then presented evidence which led VA to make its finding retroactive to August 2001, when its records showed Mr. Millie already to be as badly off as he was in 2008. With an expanded record and new acknowledgment by VA of the severity of Mr. Millie's disabilities, Mr. Sagor urged the VA Regional Office to grant an additional retroactivity award, whether at the 70 percent or 100 percent level, for his client's severe and intractable case of PTSD.

On August 20, 2012, Mr. Millie received an additional tax-free \$120,000 retroactive award. Since VA had granted all the relief sought, his appeal was withdrawn.

If it were not for your program, a lot of veterans COULD NOT APPEAL their case to the Court of Veterans Appeals.

[WWII Veteran]



THE PRO BONO PROGRAM

Case Evaluation and Placement Component and Direct Representation Component

The Program's **Case Evaluation and Placement Component** is charged with confirming a veteran's eligibility for representation and evaluating whether the case has sufficient merit to move forward in the appeals process. Our cases come from our offer of assistance as well as cases which are referred by the Court of Appeals for Veterans Claims, or come to us through other sources, ranging from private attorneys to the Internet.

When the veteran's eligibility is confirmed and the case is determined to have merit, a Pro Bono Program volunteer lawyer or Direct Representation lawyer is assigned to handle the appeal. In assigning an attorney, we consider the level of experience required. Whenever possible, the Pro Bono Program tries to match the appellant with a lawyer who is within the same area of the country. The Pro Bono Program continues to monitor the progress of all evaluated cases—even those that were not assigned to a Pro Bono volunteer.

When a case is referred to the Pro Bono Program that is particularly difficult or requires swift action, we call on the expertise of attorneys in our **Direct Representation Component**. Currently, we contract with Paralyzed Veterans of America, one of the founding members of the Pro Bono Program, to take these cases, which call for highly experienced, specialized lawyers able to provide adequate, timely representation in unique or complicated cases, or require immediate intervention to protect an appellant's interests.

The Case Evaluation and Placement Component also receives inquiries from veterans whose cases are not ready for an appeal, whose appeals do not qualify for Program representation, or who need assistance with a civil action. In such cases, the Pro Bono Program will refer them to the appropriate legal aid organization or veterans law clinic. From our first year until now, more than 23,000 veterans have been given some type of referrals to other legal resources.

1997 Program marks its 1,000th assigned case. Army vet James E. Gaddis wins remand with assistance of former Senators Robert Dole and George J. Mitchell, members of the firm of Verner, Lipfert, Berhard, McPherson and Hand.

1999 1,500th case referred to a Program volunteer attorney. Program assists in reviewing a large number of cases affected by failure of Board of Veterans' Appeals to open and associate mail submissions with the veterans' claim files.

1999 Chairman David Isbell presented Paralyzed Veterans of America's Harry Schweikert Jr. Disability Awareness Award for contributions to Pro Bono Program.

1999 "A" and "B" Grant Programs merge to form the Direct Representation Component.

2002 Program celebrates 10 years of service: 1,700 volunteer lawyers having provided representation during that time.

2002 VetsProBono.org website launched as resource for veterans and volunteer lawyers.



L: Education Component:
Ronald Abrams, Barton
Stichman, and Louis George



R: NVLSP mentors. *Back row:*
Christine Cote Hill, Richard
V. Spataro, Amy Fletcher Odom
Front Row: Katy S. Clemens,
Louis L. George, Patrick
Berkshire



THE PRO BONO PROGRAM

Outreach and Education Component

Our **Outreach Component** is responsible for recruitment activities that highlight opportunities available to volunteer attorneys and place the Pro Bono Program before a wider public, including veterans whose cases might be eligible for representation.

In 2012, the Pro Bono Program conducted a number of outreach and recruitment activities, from staffing information/recruitment tables at the annual seminar of the Pro Bono Institute of the Georgetown University Law Center and D.C. Bar Pro Bono Partnership (PART) breakfast to keeping Recruitment Committee members and other interested parties informed about training opportunities throughout the year. In addition, recruitment activities included making contact with small, medium, and large law firms, and working with state bar associations in states near training sites to attract lawyers whose experience will benefit our veteran clients. Currently, volunteer lawyers are drawn from a pool that includes 39 states, the District of Columbia, and the U.S. territories/commonwealths.

In 2012, the Pro Bono Program's **Education Component** conducted classes in Washington, D.C., New York, Boston, Miami, and Atlanta. These classes were sponsored by the D.C. Bar Pro Bono Program; Fitzpatrick, Cella, Harper & Scinto; Nutter McClennen & Fish LLP; Greenberg Traurig, and Morris; and Manning & Martin respectively, training 197 attorneys. These sessions provided them with training in veterans law, extensive written material and ongoing training support—all of which are designed to prepare them to effectively represent an appellant before the Court. Since 1992, more than 3,100 attorneys across the country have received training through the Program.

Education for our volunteer lawyers continues after they receive a case. The Program assigns a mentor experienced in veterans law and Court practices and procedures to each attorney. On request, we also provide moot court practice sessions for volunteer lawyers with oral arguments scheduled before the Court of Appeals for Veterans Claims and those who voluntarily pursue an appeal in a Program case to the U.S. Court of Appeals for the Federal Circuit.



PVA mentors Jennifer Zajac
and Linda Blauhut



Roggenbuch v. Shinseki:
A Mentor's Suggestion Brings Statute Clarification

Donald Guthrie's Pro Bono Program representation of veterans grows naturally from his background as a military officer who retired early and then went to law school, after which he opened a civil practice focusing on injury cases. Having already been involved pro bono with veterans' issues in his community, he saw the Program as an excellent way to combine his legal interests with service to vets.

"The material and support is just fantastic," Mr. Guthrie says about the Pro Bono Program. "You get a full package about the case as it exists with the Court and information on the veteran. The mentoring program is invaluable as you review the case and start to prepare arguments. Mentors help you think through the process."

Mr. Guthrie had been a volunteer attorney on four other Pro Bono Program cases. On *Roggenbuch*, he consulted with Landon Overby, his previous mentor. "He'll say, what's been your process to date; I'll talk about my angles; he'll suggest I look at this or that."

In *Roggenbuch*, at question was whether the veteran, Ervin J. Roggenbuch, who had a debilitating knee disability and was then totally disabled, was entitled to nonservice-connected disability, available to veterans who meet certain requirements, including 90 days' continuous service during a period of war. "The first question was, did he have the 90 days—confusing because he had both active duty and two periods of training," Mr. Guthrie explains. "Second, was he medically discharged for service-connected disability."

VA argued that Mr. Roggenbuch never was medically discharged, therefore was

not eligible for nonservice connection. The *Roggenbuch* case had previously gone before the Court and been sent back to the Board [of Veterans Appeals] several times. Mr. Guthrie was reassigned to the case when the Board failed to do as required and the case was remanded. "Our fight was on whether he was qualified for nonservice connection, and whether his disability was related to military service," Mr. Guthrie says. "VA argued that he had come into service but was discharged because of his knee not meeting initial retention requirements—that even though he had been entered into service, his discharge wasn't medical but because he failed to meet service standards."

Mr. Guthrie gathered affidavits showing that Mr. Roggenbuch had had no issues prior to service, and that he was injured playing sports while on active duty. "I had a 20-page brief," he says, "which I sent off to Landon. Right before I filed the brief, I gave him a call and—this is ideally how the mentoring program works—he went through my arguments A, B, C, D. Then he said, 'You made a good argument, but here's one other concept to look at.' "

Despite VA arguments, the Court agreed, finding that the statute did not require a technical medical discharge. The Court moved that Mr. Guthrie was entitled to make the argument for nonservice-connected disability pension and the case was remanded to a VA regional office.

Unfortunately, while Mr. Roggenbuch was applying for the nonservice-connected pension, he passed away from medical issues related to his disability. "We had gone as far as we could," Mr. Guthrie recalls. "I'd talked to Mr. Roggenbuch, and he was going back to the VA to reapply. At the end of the day, he was very pleased."

The VETERANS PRO BONO PROGRAM can only be described as “FIRST CLASS.” Not only are we able to help deserving clients, our younger lawyers receive SUPERB TRAINING and VALUABLE EXPERIENCE.

[Volunteer Attorney, Butler Pappas Wehmiller Katz Craig]



Chief Judge Nebeker



Chief Judge Kramer



1998-2007 EXPANDING AND EVOLVING

During 1998, the Program received a highly complimentary peer review report from the Legal Services Corporation—proof once more of the Program’s effectiveness and the commitment of its staff and private bar volunteer attorneys. At the same time, we successfully competed for a four-year renewal of the grant that supported our operations.

By 1999, we had referred our 1,500th case to a Program attorney—another milestone that was specially recognized by the Legal Services Corporation. In 2000, we lost a great champion for veterans and Program supporter with the retirement of CAVC Chief Judge Frank Nebeker. Under his tenure, we had grown from a fledgling organization to an established, essentially freestanding organization. Judge Nebeker was succeeded by Chief Judge Kenneth Kramer, who also had been with the Court since its founding. As sponsor of an initiative to bring veterans law into the nation’s law schools, he played an instrumental role in raising awareness of this practice area.

The year 2000 also marked the signing of the Veterans Claims Assistance Act (VCAA), which produced the most sweeping revision of the law of veterans benefits since the establishment of the Court itself. Fittingly, in the Court’s first case interpreting the VCAA, *Holiday v. Principi*, the appellant was represented by a Pro Bono program lawyer.

A testament to the Program and our growing cadre of volunteer lawyers was the fact that many cases argued by Program attorneys during this decade resulted in precedential decisions that benefited other veterans as well as the individual appellant. These included *Bailey v. West*, *Hayre v. West*, *Trilles v. West*, *Linville v. West*, and *Winters v. Gober*, *Haas v. Shinseki* (the Agent Orange case)—all well known among practitioners of veterans law.

Outreach efforts to recruit attorneys also grew exponentially. We continued to take our private bar training sessions on the road, to groups of firms and individual attorneys in the South, Southwest and the West Coast as well as the East Coast and Mid-



Founding Chairman David Isbell shares a moment of good humor with Board member Ron Smith, Esq. (DAV).

Atlantic. Presentations to large gatherings such as the American Legion National Convention, Judge Advocates Association's Military Administrative Law Conference and the National Association of State Directors of Veterans Affairs also spread the word about the Program and the unique opportunities it offers to attorneys.

An undeniable byproduct of these initiatives has been the contribution to the substantial expansion of the veterans law bar. The Program as well as individual veterans looking for representation on their own now have a legal community well versed in veterans benefits law, and experienced in the ways of the Department of Veterans Affairs and the U.S. Court of Appeals for Veterans Claims.

Along the way, they have represented veterans in appeals that set legal precedents, expanding access to benefits and protecting the rights of veterans and their family members to appeal. One such case was 2002's *Bonny v. Principi*, which allows certain surviving beneficiaries access to all disability benefits awarded

but unpaid at the time of death by distinguishing between accrued benefits and benefits awarded but unpaid.

The Program also witnessed a changing of the guard as David Isbell, our founding board chairman, resigned from the board in 2005, and Jeffrey Stonerock of Baker Botts assumed the chairmanship. By the end of our 15th year, we also had moved to offices at 701 Pennsylvania Avenue, NW, next to the Navy Memorial, and had incorporated as a not-for-profit 501(c)(3) tax-exempt organization.

Throughout these changes of leadership and location, the Program continued to ably, even remarkably, fill an undeniable need by providing representation to our country's veterans, their families and their survivors, those who otherwise could not afford or find qualified attorneys to take their appeals before the Court. The positive impact on their lives of successful appeals is the measure above all others of the Program's success.

2006 Program donates \$30,000 to The Veterans' Rights Clinic of the University of South Carolina School of Law, the Widener University School of Law Veterans Law Assistance Program, the Walter Reed Society, and the Fisher House Foundation to expand assistance to veterans beyond the courtroom.

2006 November 11: Deputy Director David Myers delivers Veterans Day address at Mount Vernon, Ohio, ceremony.

2007 Program celebrates 15th anniversary, having reached out to more than 18,000 veterans, assisted more than 7,800, and placed almost 3,000 cases with Program attorneys.

2008 Program donates \$5,000 each to Veterans Benefits Clinic; William and Mary School of Law in Williamsburg, Virginia; and to the Widener University Veterans Law Clinic.

2009 Executive Board makes decision to become a totally freestanding organization and seeks executive director to be responsible for day to day operations of the program.



The Court of Veterans' Appeals at its founding. *Back Row:* Judge Donald L. Ivers, Judge Hart T. Mankin, Judge Ronald M. Holdaway, Judge Jonathan R. Steinberg. *Front Row:* Judge Kenneth B. Kramer, Chief Judge Frank Q. Nebeker, Judge John J. Farley



A CONVERSATION WITH MEMBERS OF THE COURT

Value Then and Now

Judge Margaret Bartley and Judge Lawrence Hagel of the Court of Appeals for Veterans Claims both worked for and with the Pro Bono Program before being called to the bench. Judge Hagel was a Program founding father and a Board member from our earliest days, instrumental in proposing and creating the Program's structure in response to the Legal Services Corporation's RFP. Judge Bartley was director of the Program's Outreach and Education components, which recruit and train volunteer attorneys in veterans law.

Pro Bono Program Executive Director Camille Soleil recently spoke with them about the Program's relationship with, and value to, the Court—then and now.

Judge Bartley: I think the Program's impact has been great. I see it even more now up close [from the bench]. One unique piece about the Consortium is its blend of private bar with veterans service organizations. Bringing both to the table gives a whole perspective of veterans benefits law.

One of the biggest impacts comes from having lawyers who don't have an expertise in veterans law. We judges and the lawyers who practice [veterans law] all the time think we know what the statutes mean and the different regulations say...[Volunteer] lawyers come in and read the statute flat out,

"The Court recognizes the invaluable contribution of the veteran's counsel, who represented the veteran through the Veterans Consortium Pro Bono Program. His representation, as well as that of other attorneys representing veterans through that program or otherwise on a pro bono basis, adds immeasurably to the quality of representation of veterans before this Court and is highly commendable. [The decision of the Board of veterans' Appeals] is VACATED AND REMANDED." Gregory v. Brown, _____ Vet. App._____, U.S. Vet. App. No. 92-1270, slip op. at 8 (Nov. 16, 1993).

20 YEARS

The Pro Bono Program's very first case from an appellant from Hanniman, Tennessee, was placed in November 1992 with a volunteer attorney from Covington & Burling. The last case placed in 2012 was for an appellant in Paris, Texas, who was represented by an attorney with Kellogg Huber Hansen Todd Evans & Figel.

In the 20 years between, the Pro Bono Program has—

- Provided representation or **legal counseling to more than 4,000 veterans** or qualified family members who had a meritorious claim at the U.S. Court of Appeals for Veterans Claims.
- **Offered services to more than 28,600** veterans and their qualified family members.
- **Analyzed/evaluated more than 11,000 cases** where appellants requested representation. Provided more than 7,000 appellants with information about their case if we could not provide representation for them, due to the fact that they were not financially qualified, retained a private attorney, had not filed a timely appeal, or did not have a meritorious issue for a volunteer attorney to pursue at the Court.
- Provided an estimated **23,000 individuals with information or referrals** for a variety of inquiries, including referrals to other pro bono legal resources for unrelated issues.

as written—not with the overlay of what different cases have said about it. This is very helpful—the lawyers bring fresh ideas to the facts they are dealing with. Consortium lawyers have made a big impact on case law—the panel [of judges] might decide to buy into this fresh view that no one has proposed before.

Judge Hagel: I remember a Social Security case before the Supreme Court, where someone asked if there were any comparable programs [to one being discussed]. When Justice Roberts heard that 70 percent [of Pro Bono Program appeals] were remanded, just reading the transcript you could almost see him go, “What? 70 percent of the decisions made by VA are wrong?!”

David Isbell [former Pro Bono Program Board chairman] put it this way: This is the only program in America in the legal system where every individual who needs a lawyer, who should have a lawyer, who can't afford a lawyer, gets a lawyer.



2012 U.S. Court of Appeals for Veterans Claims:
Back row: Judge Margaret Bartley, Judge Mary J. Schoelen, Judge Coral W. Pietsch, Judge William S. Greenberg *Front row:* Judge Alan G. Lance, Judge Larry B. Hagel, Chief Judge Bruce E. Kasold, Judge William A. Moorman, Judge Robert N. Davis



El-Amin v. Shinseki:
Positive Outcome for the Appellant, Praise from the Court

Mr. El-Amin was a Marine Corps veteran with service in Vietnam. He subsequently was diagnosed with and treated for drug and alcohol abuse, and hepatitis C—none of which was ever determined to be connected to his military service. When Mr. El-Amin died in 2006, his death certificate listed the cause of death as hepatic cirrhosis. At his death, he was receiving VA disability benefits for post-traumatic stress disorder, with a 70 percent disability rating. Asserting that her husband's service-connected PTSD either caused or aggravated her husband's alcoholism, which, in turn, led to the cirrhosis that caused his death, his widow, Mrs. Kadijeh El-Amin, sought benefits. The Board of Veterans Appeals denied her claim—a decision based almost exclusively on a VA medical opinion that concluded factors other than the PTSD had aggravated Mr. El-Amin's condition.

"The key issue," according to Martin Totaro, the Program volunteer attorney representing Mrs. El-Amin, "was whether the VA examiner's statement that alcohol use was related to things other than Mr. El-Amin's PTSD was sufficient to conclude that PTSD did not contribute. My argument focused on causation and all the other factors related to aggravation."

Another attorney had been involved in the case, but had had to bow out when Chief Judge Kasold determined the case warranted a full panel. At that point, Mr. Totaro was asked to take over. He went through the voluminous record page by page, looking for everywhere the record was contradicted. He also participated in two moot courts in preparation.

"The argument was very rewarding," he recalls. "The bench was active, which is

helpful because it lets you have a real conversation on particular issues the judges care about."

The judges concluded that the VA examiner's statement that Mr. El-Amin's alcoholism was "related to" factors other than his service-connected PTSD was not sufficient for the Board to conclude PTSD did not aggravate his alcoholism. The decision was vacated and the case remanded.

"Working on these cases you get to understand that the veteran or veteran's spouse must find it very frustrating to work through the process, so helping a veteran to overcome the hurdles is well worth the effort," Mr. Totaro says. "This was a really positive result."

The Court particularly praised the oral advocacy of both sides in the appeal: "As a final matter, the Court feels it would be remiss if it did not recognize the superior oral advocacy by both counsel in this appeal. Such advocacy, of course, reflects well on these lawyers. More important to the Court, however, is that it permits the Court to consider and decide the key issue or issues presented by the case and to decide them with some dispatch. Despite the outcome of this or other cases, their professionalism serves their clients well and displays respect for and honor to this Court. It further facilitates the delivery of justice in a timely fashion."

Even the dissenting judge wrote in his opinion: "Although I disagree with the ultimate decision of the majority, I concur in their recognition of the superior oral advocacy of counsel for both parties."

IF EVERY VETERAN had the opportunity to be provided the services of [my attorney] I can assure you there wouldn't be too many cases remaining in the Court of Appeals.

[Vietnam veteran]



2007-2012 POSITIONING THE PROGRAM FOR FUTURE NEEDS

Many things have changed since the Pro Bono Program was established in 1992. During the past five years, under the leadership of Jeffrey Stonerock until his resignation in 2009, and then Mary Ann Gilleece of Holland & Knight, who continues as chairman to the present, the Pro Bono Program Executive Board made a number of significant decisions.

One change was to expand the size of the board, amending the bylaws to enlarge it to its current size of seven members with the option of adding two additional members. The goal was to position the Program to become a completely independent organization with separate incorporation—its current status. This expansion enabled the Board to welcome additional members from the private sector.

Another change, implemented in 2009, was to change the Program's organizational model, which less than two years ago underwent a significant transformation as we became a stand-alone entity with our own staff. Staff who had previously been employed by some of the supporting national veterans service organizations

became official employees of the now fully independent Pro Bono Program. In 2011 the Program hired the first executive director, Camille Soleil, to be responsible for our day-to-day operations.

The Program remains committed to recruiting and training lawyers from across the country in veterans law, preparing them to take up the cause of veterans in need of assistance for their appeals.

Pro Bono Program attorneys continue to represent hundreds of veterans annually, arguing before the Court of Appeals for Veterans Claims, the Federal Circuit Court of Appeals and even the Supreme Court in cases whose decisions have made legal history. A very significant case was the 2011 Supreme Court decision in *Henderson v. Shinseki*, which examined equitable tolling—a legal concept that in the interest of fairness allows a case to go forward after a deadline has been missed. The Court found that Congress did not intend that stringent rules about deadlines and severe consequences of missing them should apply when the appeal was made to a specialized court established to review denials of benefits by VA.

2010

Carol Scott, deputy director for the Case Evaluation and Placement Component, receives the Federal Bar Association's President's Award, given each year to an individual who has made an outstanding contribution to the Federal Bar. Carol also receives NOVA's Ken Carpenter Achievement Award for Excellence for "a lifetime of extraordinary dedication and outstanding service in the veteran's community."

2011

The landmark case of *Henderson v. Shinseki* preserves the rule of equitable tolling for veterans who as a result of disabilities or circumstances beyond their control fail to file a notice of appeal within the 120-day time limit.

2012

Program celebrates 20th year of service, having placed more than 4,000 veterans with Program volunteers and generated more than \$60 million in donated services.



The 2012 David Isbell Summer Intern: Candice Tucker



Every year, in honor of David Isbell, the Program's first chairman and founding father, the Pro Bono Program awards a summer internship to a law student who has shown a strong interest in, and true commitment to, the field of veterans law. Candice Tucker was our 2012 Isbell intern, coming to us from the University of the District of Columbia David A. Clarke School of Law, where she was in her third year. A former U.S. Army sergeant, Candice's concern for veterans grows from her own experience—for six years she was on active duty in the Army as a Korean linguist, primarily stationed in the Republic of Korea but also deployed in support of Operation Iraqi Freedom. Her interest in veterans law began when she

invited then-director of the Program's Outreach and Education Meg Bartley (now a judge for the Court of Appeals for Veterans Claims) and Jim Vale, himself a former Isbell scholar, to speak at her school about what future lawyers could do to advocate for veterans. "I was hooked right away," Candice recalls. She applied for the Isbell Internship the following year. "My experience in the field so far has been nothing but rewarding. I am still working for NVLSP," she says, "and I go in every day with a smile on my face." Candice plans to sit for the Virginia bar in July 2013; we wish her the best of luck as she pursues her interest in veterans law.

What has never been altered is the Pro Bono Program's mission to provide excellent, free legal representation to qualified veterans and their families before the U.S. Court of Appeals for Veterans Claims. For two decades, thanks to strong outreach and training efforts, the Program has recruited and introduced thousands of volunteer lawyers to the intricacies of veterans law and its appeals process. From 1992 to 2012, their commitment to serving veterans in need has contributed significantly to reducing pro se filings before the Court of Appeals for Veterans Claims by almost half (from 80 to 42 percent).

To meet an ever-increasing need, the Pro Bono Program continues to explore innovative ways to serve veterans and their families whose cases, while not

qualifying for representation before the appeals courts, would benefit from legal advice and assistance. We wholeheartedly believe this expansion of our services is in keeping with our charter and the spirit of serving veterans in need.

In all aspects of our work, the Program and those who serve remain committed to doing our utmost to ensure that justice is done, and that those men and women who have so bravely served our country receive their due. We look forward to the next 20 years and the opportunity to serve America's veterans and their families, offering them the assistance of some of the best legal minds our nation's legal system can offer.

This is an OUTSTANDING SERVICE.
I can't believe that it is
REALLY FREE. My attorney is
a very professional gentleman...
I don't know what I would
have done without him.

[U.S. Army Veteran]



20 YEARS OF CONTRIBUTING TIME AND EXPERTISE TO SERVE VETERANS

The Pro Bono Program has been able to assist thousands of veterans and their families because of the willingness of individual attorneys and law firms to devote their time, expertise, and resources to this worthy cause—not only as advocates before the Court, but also as strategic advisors to our staff, as mentors and guides to our volunteers, and as generous financial donors to the Program's operations.

The response of the private bar to the Program and the legal needs of our

veterans has been magnificent, and continues to grow with every passing year. All of our volunteers have been drawn to the opportunity offered by the Program to give back by putting their legal experience and expertise to work for those who have given so much for our country.

We want to thank the many attorneys and firms that have contributed to the success of the Pro Bono Program and have helped thousands of veterans and family members over the past 20 years.

This year we are honored to thank the attorneys and firms that have represented our 2012 clients.

20
YEARS

In 2012, volunteer attorneys contributed services worth more than **\$3,500,000**, bringing the 20-year total to over **\$65,500,000**.

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From left: William S. Foster, Gary Butter, Ronald B. Abrams, Mary Ann Gilleece, Roy E. Spicer, Leonard J. Selfon, Richard D. Dumancas



The Executive Board consists of seven voting members—four of them veterans—who are responsible for establishing and monitoring the direction of the Pro Bono Program. Four representatives are drawn from veterans service organizations—The American Legion, Disabled American Veterans, National Veterans Legal Services Program, and Paralyzed Veterans of America. The other three members, including the Board's current chairman and vice chairman, represent the private bar. The treasurer serves as a nonvoting member of the Board.

Executive Board members oversee the Pro Bono Program's executive director, who is responsible for implementing established policies, complying with the terms of the Pro Bono Program's grant, and operating the components within a budget approved by the Executive Board.

The Board formally met eight times during 2012. All personnel and other expenses connected with the Executive Board's activities were donated by the organizations with which the Board members are affiliated.

Mary Ann Gilleece, Esq., Chairman

A partner in the Washington, D.C. office of Holland & Knight LLP, Ms. Gilleece provides advice to domestic and foreign corporations on a broad spectrum of issues related to legislative, government contract, and business matters. Her knowledge of the laws,

regulations, and internal government procedures related to the government acquisition process, coupled with her experience in senior positions in the executive and legislative branches of government, enable her to assist clients to successfully resolve complex business, legal, legislative, and regulatory problems.

Gary Butter, Esq., Vice Chairman

Mr. Butter is in-house patent counsel in the New York office of Google Inc., and an assistant adjunct professor of law at Brooklyn Law School. Before joining Google, he was a partner at Baker Botts, LLP, where he focused on high-tech patent litigation

and intellectual property issues. After graduating from the United States Naval Academy, Mr. Butter served as a submarine officer from 1982 to 1987, and retired from the US Naval Reserve as a captain in 2010.

Ronald B. Abrams, Esq., Director

Mr. Abrams is joint executive director of the National Veterans Legal Services Program (NVLSP). Since joining that organization in 1989, he has conducted more than 200 training sessions for numerous national veterans organizations, associations and

government agencies involved in veterans affairs, state bar associations, Legal Services Corporation-funded offices, and national legal associations. Mr. Abrams is

author of the NVLSP's Basic Training Course in Veterans Benefits and helped design the training curriculum for the Pro Bono Program.

Richard C. Dumancas, Director

A U.S. Air Force veteran, Mr. Dumancas is deputy director of Claims, Veterans Affairs & Rehabilitations for The American Legion, overseeing the operations of the VA&R, Board of Veterans Appeals, Appeals Management Center, Military Evaluations Board/

Physical Evaluations Board, Benefits Delivered at Discharge, Pension Management Centers, and VA Life Insurance. Mr. Dumancas also is responsible for two Department Service Officer schools in Washington, D.C., and Indianapolis, IN. Prior to assuming this position, he served as director of the St. Louis County Veterans Service Office, and before that, as deputy veterans service officer for Carlton County Veterans Service Office, where he began his career of advocating for veterans.

William S. Foster, Jr., Esq., Director

Mr. Foster is a partner at Baker Botts and a member of the firm's Intellectual Property Practice who also practices before the U.S. Court of Federal Claims. Throughout his career, Mr. Foster has been involved with veterans issues, representing veterans for the

Pro Bono Program before the U.S. Court of Appeals for Veterans Claims. Prior to attending law school, he was a legislative aide with the Majority Staff for the Senate Committee on Veterans' Affairs and a professional staff member of the Congressional Commission on Servicemembers and Veterans Transition Assistance. Mr. Foster is a service-connected disabled veteran who was a beneficiary of the Chapter 31 Vocational Rehabilitation benefit.

**Leonard J. Selfon, Esq., CAE, Director/
Corporate Secretary**



Mr. Selfon is the recently appointed general counsel for Paralyzed Veterans of America (PVA), joining the Office of General Counsel as associate director in 2010. He previously served as senior vice president for United Spinal Association and VetsFirst, where he managed a national network of veterans service representatives and directly represented veterans and their family members before the Department of Veterans Affairs' regional offices, the Board of Veterans' Appeals and the federal courts. Mr. Selfon also has been director of Vietnam Veterans of America's Veterans Benefits Program, a legal consultant to the Veterans Consortium Pro Bono Program and a senior appellate attorney in the VA Office of the General Counsel.

Roy E. Spicer, Director



Mr. Spicer supervises the Disabled American Veterans (DAV) National Appeals Office located in Washington, D.C., which provides free, professional representation of appellants before the Board of Veterans' Appeals. He joined the Army in 1968, serving in Vietnam as leader of a Recon Team until serious combat wounds led to disability retirement. Mr. Spicer has received numerous military honors, including two Purple Hearts, a Bronze Star and two Presidential Unit Citations. After Army service, he entered the DAV National Service Program in 1971, serving in a number of key positions until being named executive assistant to the Secretary of Veterans Affairs in 1994. In 1997, Mr. Spicer rejoined DAV at its National Appeals Office.

Hugh Quinn, CPA, MBA, CFE, JD, Treasurer



Mr. Quinn is the principal at Quinn Forensics in Washington D.C. He brings more than 25 years of business management, litigation consulting, and accounting experience to the position of Pro Bono Program Board treasurer, having assisted corporate officers, boards of directors, including special and audit committees, and counsel in matters such as government contractors, international accounting issues and insurance investigations.

INVITED GUESTS

**Cary P. Sklar, Esq., U.S. Court of Appeals
for Veterans Claims**



Mr. Sklar serves as counsel to the Court, acting as a court liaison to the Pro Bono Program while also handling a wide range of legal matters arising from court administration, including compliance with the codes of conduct and other judicial ethics questions; attorney discipline; interpreting and applying court rules; and advising on public office operations, appropriations, and personnel matters. Before joining the court, Mr. Sklar served as senior advisor to the special counsel at the U.S. Office of Special Counsel (OSC), where he provided advice on administrative and policy matters. He also established and directed the OSC's Mediation Program and served as director of OSC's Equal Employment Opportunity Program.

Dr. Bristow Hardin, Legal Services Corporation



Dr. Hardin is a program analyst with the Legal Services Corporation (LSC) and is its administrator for the Pro Bono Program's grant funds. Before joining the LSC, he was director of the Union Institute's Center for Public Policy, project coordinator at

the National Legal Aid and Defender Association, and policy analyst and advocate at the Food Research and Action Center and the Virginia Poverty Law Center Food Law Project. Dr. Hardin has been a lecturer and adjunct professor at the University of California, Santa Cruz, and American University, Washington, D.C. As a private consultant, he provides legal services organizations and other groups with assistance in the areas of evaluation, strategic research, and policy analysis.

PRINCIPAL STAFF MEMBERS

Camille Soleil, Esq., Executive Director



Ms. Soleil previously served in nonprofit management positions with professional associations for registered nurses, including as director of leadership services for the American Nurses Association, executive director of the Alaska Nurses Association, and

director of labor for the Kentucky Nurses Association. In addition, she worked as an attorney for the Louisville Legal Aid Society.

Louis J. George, Esq., Director of Outreach and Education Components



In June 2012, Mr. George became the NVLSP appointed contract director of Outreach and Education for the Veterans Consortium Pro Bono Program, having previously served as staff attorney at the National Veterans Legal Services Program. Before

joining NVLSP in 1998, Mr. George worked as an associate counsel with the Board of Veterans' Appeals, where he wrote decisions regarding entitlement to veterans benefits for review by members of the Board. Since 2010, Mr. George has served as co-chair of the Veterans Affairs Committee of the Section of Administrative Law and Regulatory Practice of the American Bar Association. He is a current member and former president of the Board of Governors of the Court of Appeals for Veterans Claims Bar Association.

David H. Myers, Esq., CDR, JAGC, USN (Ret.), Director of Case Evaluation and Placement Component



Mr. Myers joined the Pro Bono Program as deputy director for Case Evaluation with the Case Evaluation and Placement Component in 2000, becoming its director in June 2012. He retired from the U.S. Navy in May 2000 after 28 years of enlisted and commissioned

service, including 1973-74 enlisted-service deployment to Southeast Asia and 24 years as a Navy judge advocate. During his Navy career, Mr. Myers assumed numerous roles, including director, Special Programs Division (OJAG); deputy director, Appellate Government Division, Navy-Marine Appellate Review Activity; deputy director, Criminal Law Division (OJAG); senior trial counsel, Naval Legal Service Office, Naples, Italy, during the first Gulf War; military judge, Navy-Marine Corps Trial Judiciary; Atlantic Circuit; and assistant staff judge advocate, Bureau of Naval Personnel. His military decorations include four Meritorious Service Medals.



**Bill Mailander
Tribute:
With Thanks,
William J. Mailander**



With the 2012 retirement of William “Bill” Mailander from Paralyzed Veterans of America (Paralyzed Veterans), the organization that he had represented on the Pro Bono Program Board since 2004, we said farewell not just to one of our most dedicated Executive Board members, but also to a supporter who, in one way or another, has been with the Program even before our official start.

In early 1992, as a young VA lawyer litigating cases at the newly established Court of Appeals for Veterans Claims, Bill encountered Lawrence Hagel, now a judge at the Court but then, deputy general counsel at Paralyzed Veterans. The American Legion, Disabled American Veterans, National Veterans Legal Services Program, and Paralyzed Veterans of America had just formed the Veterans Consortium to compete for the grant offered by the Court through the Legal Services Corporation to fund a pro bono initiative that would evaluate cases, recruit and educate qualified volunteer attorneys, and offer free legal representation to qualifying veterans. The concept behind the initiative was compelling, and eagerly discussed by Bill, Hagel and Paralyzed Veterans General Counsel Bob Nelson. The Consortium won the grant, and the Pro Bono Program became a reality. Paralyzed Veterans offered Bill the job of representing veterans referred by the Consortium whose cases were particularly complex or urgent, and in need of an experienced attorney. This Program function, which came to be known as the Direct Representation Component, continues to be performed under contract by Paralyzed Veterans.

Bill’s unwavering commitment to ensuring that veterans receive the benefits that are their due had its roots in his own service from 1976 to 1979 in the U.S. Marine Corps, during which he received merit promotions through the rank of corporal and was awarded the Navy Achievement Medal. After his discharge, Bill earned a B.A. from New York University in 1984, followed by a J.D. from Temple University School of Law in 1988. The path he would follow was never in doubt: veterans law and veterans issues were—and would remain—his passion. After finishing law school, Bill worked for the Board of Veterans’ Appeals and the Coast Guard General Counsel’s Office before moving to the VA Office of the General Counsel and then on to Paralyzed Veterans.

Over the next 20 years, Bill took on many roles within Paralyzed Veterans, eventually becoming general counsel in 2005. But no matter what the focus of his “day job” might be, he remained a steadfast friend and advisor to the Pro Bono Program—generously donating his time and expertise as volunteer, mentor, Board member (he took Hagel’s seat when he moved to the Court), and corporate secretary.

Bill may have found a new home in Delaware, and assumed a new role as student—both he and his wife, Rosalyn, are back at school. Happily, we know we can count on Bill’s continuing willingness to share his long experience and seasoned perspective as both he and the Program embark on our next 20 years.



**Brian Robertson
tribute:
Fair Winds and
Following Seas,
Brian D. Robertson**



In 1994, Brian Robertson was preparing for civilian life once his retirement as a Navy Judge Advocate was official. Although still on active duty in Guam, he'd received his orders to return to D.C.—his furniture was already on its way—and from there, he'd start a new phase in his legal career, although what form that would take was anyone's guess.

A 2 a.m. phone call from a friend and former JAG colleague back in the States changed all that. His friend was working for the Pro Bono Program through the National Veterans Legal Services Program but was about to move to Paralyzed Veterans of America, leaving a vacancy. Are you coming to D.C.? was his question to Brian, followed by, if you are I have a job for you—would you think about it?

When Brian said yes, his stateside buddy fast-tracked the paperwork and within weeks, Brian was not only back in Washington but working as the Pro Bono Program's deputy director of the Case Evaluation and Placement Component briefly, then as its director. Brian has always believed that the job found him. And instead of the two years he had intended to give the Program, he retired this year after 18.

Brian took his job personally in the best possible way. No one who came into contact with Brian during his long tenure

could doubt his passionate commitment to the cause of seeing that veterans and their families received justice, and their due. As director of Case Evaluation and Placement, he oversaw the huge increase in applications for assistance and referrals from the Court, and was instrumental in taking the concept of assisting veterans beyond simply advocating for qualified appellants before the Court. Brian and those he worked with and inspired devoted countless hours of their own time to helping veterans with issues that did not fall within the Program's scope, but could benefit from advice, information and referrals to other organizations.

Brian was also active outside the program, serving as chair of the Veterans Law Section of the Federal Bar Association, and in a number of leadership positions with the U.S. Court of Appeals for Veterans Claims Bar Association. Even in retirement—a word difficult to associate with him—he undoubtedly will continue to work on behalf of veterans. Wherever this third phase of his life takes him, the Pro Bono Program wishes Brian the very best of futures.



Thank You to All Leaders and Staff for 20 Years of Service.

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563 cases evaluated in 2012, of which **301** were placed for representation, legal counseling, or legal assistance.



Pro Bono Program's First Advisory Committee: *Front*: David Addlestone, Esq. (NVLSP), David Isbell, Esq., Carroll Williams (American Legion) *Back*: Ron Smith, Esq. (DAV); Larry Hagel (PVA); Jack E. Lane, Jr., Esq. (Counsel to the Clerk of the Court); and Dr. Bristol Hardin (LSC)



Carol Scott
Service Recognized

In 2012, the National Organization of Veterans' Advocates honored Carol Scott, Pro Bono Program deputy director of Placement, with the prestigious Ken Carpenter Achievement Award for Excellence in recognition of a career spent in dedicated service to U.S. veterans. "Carol's accomplishments are too numerous to list," Mike Viterna, NOVA president, said in presenting the award, "but perhaps her most noteworthy undertaking has been to increase awareness for our veterans who are Native Americans and heretofore have been largely excluded from the important VA benefits they have earned. Her exceptional knowledge of veterans' law, extraordinary tenacity, selfless service, and tireless efforts make her a role model for others to emulate."



Carol Scott and Mike Viterna

Thank you for your service.



Direct Representation Component (Paralyzed Veterans of America) 1999: Standing (L-R) Michael Horan, Lawrence Hagel, William Mailander. Seated (L-R) Karen Levin, Robert Nelson, Linda Blauhut



Capt. David Rhoads, US Army, Iraq 2009 (Son-in-law, Cathy Klingler, CE&P Component)



Case Evaluation & Placement Component Staff 1994 Brian D. Robertson, Director, Linda Harrison, Nathan Smith



Case Evaluation & Placement Component 2012: Standing (L-R) Nathan Smith, Elizabeth Pesin, Cathy Klingler, Sandra Peterson, Seated (L-R) David H. Myers, Carol W. Scott, Courtney L. McRae



Chief Judge William P. Greene, Jr. (CAVC 1997-2010)



CWO4 Frank Angarola, US Army, (Vietnam, Kuwait 2001)



Sgt. Michael D. Allen, 10th Special Forces, VN 1970-71, US Army (left) and comrade



Ned Maestas, USAF 1955-59, US Army National Guard 1960-1991



CDR David H. Myers, JAGC, USN (Ret.) Director, CE&P Component, with daughter Kaitlyn



David Henderson, US Army, Korean War, appellant – Henderson v. Shinseki, 562 U.S. ___(2011)



Case Evaluation & Placement Component with donations to USMCR Toys for Tots Program

Statement of Grant Income and Expenses (Unaudited)

Revenue	
Grant Funds Carried Forward (prior years)	\$1,150,141
2012 Grant Funds Made Available by LSC	\$2,725,000
Interest Earned 1/1/12 - 12/31/12	\$634
Total Funds Available in Grant Year 2012	\$3,875,775
Expenses	
<i>Program Services</i>	
Executive Board	-
Personnel Expenditures	\$1,111,003
Operating Expenditures	\$526,691
Property Acquisition	\$167,908
Total Program Services Expenses	\$ 1,805,602
<i>Contract Services</i>	
Outreach & Education	\$215,930
Direct Representation	\$77,160
Evaluation & Placement	\$13,742
General & Administrative	\$94,026
Total Contract Services Expenses	\$ 400,858
Total 2012 Grant Expenses	\$ 2,206,460
Excess of Total Grant Funds over Expenses	\$ 1,669,315
Reserve Funds	\$900,000
Available Grant Funds as of 12/31/2012	\$769,315

Reported/Estimated Organizational Contributions

The American Legion	\$15,300
Disabled American Veterans	\$2,800
National Veterans Legal Services Program	\$26,063
Paralyzed Veterans of America	\$200,771
Holland & Knight	\$103,109
Baker Botts, LLP	\$23,820
Google	\$16,000
Quinn Forensics, Inc.	\$151,087
Total Value of Organizational Contributions^a	\$523,650

a. Each of the Program's founding veterans services organizations, as well as the firms or businesses of our Board members make various contributions of time or services to the Program during the course of the year.

Nonorganizational Contributions

Estimated Donated Pro Bono Legal Services ^b	\$3,543,725
Donated Services – D.C. Bar Pro Bono Program	\$3,000
Donated Services – Fitzpatrick, Cella, Harper & Scinto	\$1,220
Donated Services – Greenberg Traurig	\$300
Donated Services – Nutter McClennen & Fish LLP	\$3,455
Donated Services – Morris, Manning & Martin	\$1,815
Total Nonorganizational Contributions	\$3,553,515
Total Program Organization and Nonorganizational Contributions & Services	\$4,077,165

b. This figure was calculated by multiplying the number of cases placed with the pro bono attorneys by the average number of hours for a pro bono attorneys to complete a case, as reported by pro bono attorneys completing cases in 2012, and multiplying by the 2012 Laffey matrix hourly rate for a private attorney in their 4-7th year of practice.

Summary of Donated Funds & Expenses

Contributions available as of 12/31/11	\$152,033
Contributions received as of 12/31/12	\$59,053
Interest earned 1/1 - 12/31/12	\$108
Total contributions/interest	\$211,194
Less:	
Expenses paid from contributions 1/1 - 12/31/12	\$(17,265)
Contributions available as of 12/31/12	\$193,929

2012 Donated Funds

Greenberg Traurig	\$12,406
Holland & Knight	\$9,239
Mcdermott, Will & Emery	\$2,500
Patton Boggs, LLC	\$6,000
Joy Fleming	\$100
Albert W. Wohlwend	\$1,000
Sharon Costales	\$1,000
Robert Nelson	\$125
James Hickles	\$250
Jennifer Ricklin	\$50
David Hanson	\$50
Local Independent Charities of America	\$26,009
Combined Federal Campaign	\$324
Total	\$59,053

Honor to the soldier and sailor
everywhere who BRAVELY BEARS
his country's cause.

Honor also to the citizen who
CARES FOR HIS BROTHER in the field.

[Abraham Lincoln, Letter to George Opdyke and Others, December 2, 1863]



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