

**STATUS REPORT: SERVICE MEMBERS AND VETERANS PRO BONO PROGRAM
JUNE 2008**

The National Veterans Legal Services Program wishes to thank all of you for volunteering to participate and your patience as we roll out our Service Members and Veterans Pro Bono Program. With the help of the Pro Bono Institute, over 50 law firms and corporate law departments have agreed to participate in the Program. As we continue to place veterans' benefits cases and begin our new program to serve current and former service members who served in Iraq or Afghanistan, we wanted to provide the following status report.

**LAWYERS SERVING WARRIORS – A NEW PROGRAM TO PROVIDE PRO BONO
LEGAL SERVICES TO THOSE WHO SERVED IN IRAQ OR AFGHANISTAN**

NVLSP has been gearing up to assist troops returning from Iraq or Afghanistan with military discharge, military benefits, and VA benefit problems. Earlier this year, NVLSP added two experienced lawyers to assist and help coordinate these efforts, Thomas Moore, who recently finished six years serving in the Army Judge Advocate General's Corps, and Kenneth Ford, who recently retired as a Lieutenant Colonel from the Army Judge Advocate General's Corps. To supplement the VA benefit training materials that NVLSP has already provided, NVLSP has prepared a 5-hour training DVD on military discharges, medical and physical evaluation boards, discharge review boards, boards for correction of military records, and judicial review of these military agency decisions. NVLSP has also prepared a 190-page set of training notes to accompany the DVD. NVLSP, with the assistance of Morgan, Lewis & Bockius and Sidley Austin, is currently drafting a practice manual for use by lawyers in representing active duty service members, and the final product should be ready for distribution by the end of the summer.

NVLSP has begun to refer a few cases of current and former military personnel who served in Iraq or Afghanistan. If a case involves a military discharge or military disability benefits, the DVD and its training notes accompany the referral. In the next two months,

NVLSP will formally launch its Lawyers Serving Warriors program to the public, and as a result, we expect the pace of referrals to increase significantly by the end of the summer. Once the practice manual is completed, NVLSP will send the manual, the DVD and its training notes to each participating firm or department.

VETERANS' BENEFITS CASES AT THE BOARD OF VETERANS' APPEALS OR APPEALS MANAGEMENT CENTER

Case Referrals. Since the beginning of the Program in October 2007, NVLSP has referred over 145 cases. We continue to face two principal logistical challenges with respect to veterans' benefits cases pending at the Board or Appeals Management Center – screening cases to identify those in which a lawyer is likely to be of assistance and copying the often-voluminous records associated with these cases.

Screening Cases for Referral. At the outset of the Program, the most significant bottleneck in quickening the pace at which cases were being referred was the limited time available to NVLSP's eight attorneys to screen cases for merit. This problem was addressed by two measures: (1) NVLSP hired Celeste Krikorian, a former staff attorney at the Board of Veterans' Appeals (BVA), to screen cases on a full-time basis beginning in January 2008, and (2) we have concentrated on screening cases that have been the subject of a recent BVA remand. Screening cases that have been remanded by the BVA is more efficient because in many of these remanded cases the BVA has admitted that the VA should have, but did not, try to obtain crucial evidence.

Copying the Administrative Record. During the first quarter of 2008, we have encountered substantial obstacles in copying the records at the BVA and the administrative forum below the BVA (that is, the Appeals Management Center (AMC)). To address these problems, we have taken four steps: (1) Morgan, Lewis & Bockius has replaced the copier/scanning machine at the BVA; (2) NVLSP has hired an employee to focus solely on copying these administrative records; (3) we continue to use teams of volunteer paralegals from

Morgan, Lewis & Bockius and Sidley Austin to also help with the scanning/copying; and (4) NVLSP has been given an office at the VA Appeals Management Center and access to a VA high speed copier. We believe these steps should eliminate the past lag between case referrals and receipt of the administrative record by the firms and law departments undertaking the representation.

Developing a Network of Physicians for Medical Opinions

In many of the cases NVLSP refers, success depends on obtaining a favorable medical opinion from an appropriate physician. Several of the law firms and law departments participating in our program have developed strategies for identifying and retaining physicians and we wanted to highlight one of these. Hunton & Williams is organizing a firm-wide effort to develop a network of physicians who are willing to provide medical opinions for veterans or service members. The firm is conducting outreach to professional associations of physicians, and all of the firm's volunteers are asked to use their personal and professional connections in an effort to identify physicians willing to help. When Hunton & Williams is unable to secure a medical opinion on a pro bono basis, the firm considers it part of its responsibilities to pay for the opinion itself.