Veterans Legal Issues

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Overview

- Veterans have unique legal needs different from that of the general population.

- When providing legal services, always ask:

  *Is the client a veteran or a family member of a veteran?*

- Holistic Approach

- Awareness/Access to Information
Disability Benefits and Appeals

- Governed by Title 38, U.S. Code and Title 38, Code of Federal Regulations

- Service Connection – monthly payment for disability caused by active service.

- Pension – monthly payment to “war time” veteran based on financial need.

- Death Benefits – service connected and pension benefits can be paid to surviving spouse.

- Appeals – often when lawyers enter the benefits process; U.S. Court of Appeals for Veterans Claims.
Education and Employment Benefits

• Usage of GI Bill benefits

• Employment Assistance Programs – awareness and reciprocity of training requirements and certification processes

• USERRA – Uniformed Services Employment and Reemployment Rights Act

• Unemployment Benefits (UCX)

• ADA/Reasonable Accommodations
Healthcare

- Lack of Coverage
- Medicaid Expansion under the Affordable Care Act
- Malpractice and Negligence Cases
- Class Actions?
Housing

- Home ownership
- Homelessness
- HUD-VASH – collaboration between Department of Housing and Urban Development and VA
Family Matters

- Unpaid Child Support
- Divorce/Alimony Settlements
- Uniformed Services Former Spouses Protection Act
Veterans Treatment Courts

- Help veterans with criminal history rehabilitate rather than serve time in prison
- VJO – Veterans Justice Outreach Specialist
- Emphasis on Holistic Approach
Other Legal Issues

• Resolving Criminal Matters – outstanding warrants and fines not covered by Veterans Treatment Courts

• Discharge Upgrades

• Estate Planning
Additional Resources

- The National Veterans Legal Services Program
  http://www.nvlsp.org

- The Veterans Consortium Pro Bono Program
  http://www.vetsprobono.net/

- Stateside Legal
  http://www.statesidelegal.org

- Justice for Vets
  http://www.justiceforvets.org