

NVLSP
NATIONAL VETERANS LEGAL SERVICES PROGRAM

**INTRODUCTION AND
MOA BETWEEN
TDVS AND NVLSP**

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PAUL WRIGHT 



- Executive Director
- Deputy Executive Director (2/2019-7/2021)
- Army JAG Corps and Air Force Veteran

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RICK SPATARO 



- Director of Training and Publications
- Has practiced Veterans Law since 2004 at CAVC, Federal Circuit, and BVA
- Veterans Benefits Manual Editor
- Former Managing Attorney of NVLSP's *Nehmer* Lawsuit Division


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SOLVEIG FRASCH 




- Staff Attorney
- Veterans Benefits Manual author
- Practices before CAVC, BVA, and ROs
- Previously an attorney at the BVA

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WHAT IS NVLSP? 

- Nonprofit Veterans Service Organization
- Founded in 1981
- Works to ensure that the gov't delivers to Vets and active duty personnel the benefits to which they are entitled because of disabilities resulting from their military service

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WHAT IS NVLSP? 

- Individual representation at CAVC, Federal Circuit, other courts
 - Represents MST and Burn Pit claimants at the RO/BVA
- Class actions
 - *Nehmer, Wolfe, Beaudette, etc.*


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WHAT IS NVLSP? 

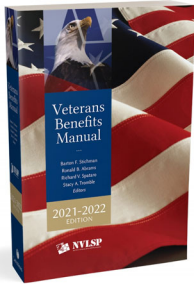
- In-person trainings
- Webinars
 - 10 per year on different topics in veterans law
 - Library of past webinars
- Online Basic Training Course on Veterans Benefits



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WHAT IS NVLSP? 

- Veterans Benefits Manual
- Federal Veterans Laws, Rules and Regulations



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WHAT IS NVLSP? 

- Lawyers Serving Warriors – free legal assistance through network of volunteer attorneys:
 - Discharge upgrades
 - CRSC applications
 - Applications to BCMRs for Vets wrongly discharged for personality disorder or adjustment disorder
 - Applications to BCMRs for Vets seeking disability retirement
 - Assistance with VA denials of SC for PTSD due to MST
 - Applications to the PDBR for an increase in military disability rating to attain a permanent disability retirement
 - Representation for svc members being processed through IDES


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WHAT IS NVLSP? 

- **NVLSP VA Benefit Identifier App**
 - **Helps Vets and VSOs figure out what VA disability benefits they might be entitled to**
 - **3 WAYS to Access:**


app.nvlsp.org

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MOA 


- **In June 2019, NVLSP and TDVS entered into a 2-year MOA**
- **In June 2021, NVLSP and TDVS continued their partnership with another 2-year MOA**

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CAVC REPRESENTATION 

- **NVLSP provides pro bono representation at the CAVC to claimants represented by TDVS who were erroneously denied benefits by BVA**
- **VA POA stays with TDVS while case at CAVC**

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CAVC REPRESENTATION 

- NVLSP attorneys are accredited by TDVS
- NVLSP screens BVA decisions to identify BVA errors
- NVLSP offers pro bono representation to claimant
- Letter to claimant w/TDVS letter of introduction

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 NVLSP
NATIONAL VETERANS LEGAL SERVICES PROGRAM

December 30, 2021

John Doe
123 Main Street
Cookeville, TN 38106

Dear Mr. Doe:

I am an attorney with the National Veterans Legal Services Program (NVLSP). NVLSP is a nonprofit veterans service organization that works in association with the Tennessee Department of Veterans Services, the organization that represented you before the Board of Veterans' Appeals (Board).

The Tennessee Department of Veterans Services asked us to review the Board's October 4, 2021, decision to resolve whether an appeal to the U.S. Court of Appeals for Veterans Claims (Court) is warranted. We have concluded that the Board made one or more errors in denying your claim(s) for entitlement to service connection for [illegible]. Therefore, we believe that you may benefit from exercising your right to appeal the Board's decision to the Court.


Since 1989, NVLSP has represented thousands of veterans, their survivors, and dependents on an appeal of their Board decision to the Court. If you appeal your Board decision to the Court, the Tennessee Department of Veterans Services has arranged for NVLSP to represent you **for free**.

We are available to discuss the possibility of NVLSP representing you before the Court. You will **not** need to pay for NVLSP's work on your appeal, and you will **not** have your VA benefits reduced to pay for NVLSP's work on your appeal.

If you are interested in appealing your case, please contact me by telephone at (202) 621-2672, or email me at stacy@nvlsp.org. It is very important that you contact us as soon as possible because the **deadline to file your Notice of Appeal is February 1, 2022. In order for us to file an appeal on your behalf, you must contact us at the number above no later than 5:00 p.m. Eastern time on February 1, 2022.**

Very Respectfully,
/s/ Stacy A. Trumble
Stacy A. Trumble
Appellate Attorney

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 NVLSP
NATIONAL VETERANS LEGAL SERVICES PROGRAM

STATE OF TENNESSEE
DEPARTMENT OF VETERANS SERVICES

TOMMY BAKER
COMMISSIONER

WILL LEE
GOVERNOR


Dear Tennessee Veteran:

Thank you for allowing the Tennessee Department of Veterans Services (TDVS) to represent you in your appeal before the Board of Veterans' Appeals (BVA). As you know, the BVA recently denied some or all of the benefits you have requested.


To best serve you, TDVS sent a copy of your decision to the National Veterans Legal Services Program (NVLSP) for their review. NVLSP is a nonprofit organization that has a great deal of experience in appealing BVA decisions to the next appellate level – the United States Court of Appeals for Veterans Claims (CAVC). NVLSP's lawyers have represented veterans in thousands of appeals at the CAVC. We have asked NVLSP to analyze your case and determine whether there are any errors which may be corrected by appealing your BVA decision.

NVLSP's lawyers have now finished analyzing your case and have informed us that they believe the BVA made one or more errors in denying you benefits. They recommend that you appeal your case to the CAVC. If you wish to appeal the BVA's decision, we have arranged for NVLSP to represent you – at no cost to you.

Enclosed is a letter from NVLSP with details about their offer to represent you at the CAVC for free. We want you to get the benefits you have earned through your service to our Nation and strongly encourage you to contact NVLSP for further assistance. The enclosed letter from NVLSP contains detailed information about contacting them for free representation.


Sincerely,

Tommy H. Baker
Interim Commissioner

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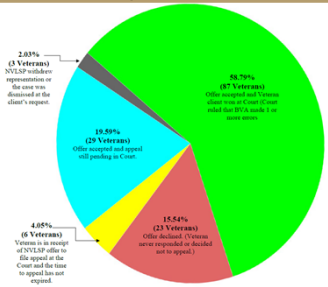
CAVC REPRESENTATION 

- After CAVC case is completed
 - Closing letter to claimant with advice for remand proceedings
 - Copy of JMR / CAVC decision
 - Copy to TDVS (Kathryn Held and Travis Murphy)

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CAVC REPRESENTATION 

- NVLSP has offered to represent 148 TDVS Vets at CAVC




Category	Percentage	Number of Veterans
Offer accepted and appeal will proceed in Court	59.79%	87 Veterans
Offer declined (Veteran never responded or decided not to appeal)	15.54%	23 Veterans
Offer accepted and appeal will proceed in Court	10.81%	16 Veterans
NVLSP will not offer representation or the case was dismissed at the client's request	13.87%	20 Veterans

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BVA REPRESENTATION 


- NVLSP will find pro bono attorney to represent appellant at BVA for some cases remanded by CAVC:
 - BVA likely to make decision without further remand
 - NVLSP-trained/VA-accredited attorney in LSW pro bono network

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BVA REPRESENTATION 

- NVLSP will contact client for permission
- NVLSP will inform TDVS if claimant agrees
- TDVS keeps POA


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BVA REPRESENTATION 

- NVLSP will provide to pro bono attorney:
 - Screening memo
 - RBA (copy of c-file used for CAVC case)
 - Mentoring




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BVA REPRESENTATION 

- Pro bono attorney will
 - Draft BVA brief
 - Gather lay statements, if necessary/possible
 - Obtain medical opinion, if necessary/possible

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TRAINING 

- 8-hours of in-person training
- 4 free webinar-series webinars selected by TDVS

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CONSULTATION 

- NVLSP attorneys available to discuss questions that TDVS leadership / management have about:
 - Legal issues 
 - Advocacy strategy
 - Individual benefits claims

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QUESTIONS 



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