

City Bar Justice Center  
42 W 44th St  
New York, NY 10036

**Executive Director**

**Lynn Kelly**  
212-382-6678  
lkelly@nycbar.org

**Managing Attorney**

**Alice Morey**  
212-382-6682  
amorey@nycbar.org

**Pro Bono Counsel**

**Kurt Denk**  
212-382-4714  
kdenk@nycbar.org

**Project Director  
Veterans Assistance  
Project**

**Kent Eiler**  
212-382-6622  
keiler@nycbar.org

### Who We Are | CBJC

As the nonprofit 501(c)(3) affiliate of the New York City Bar Association, the City Bar Justice Center (CBJC) increases access to justice by leveraging the resources of the New York City legal community. CBJC provides legal assistance to those in need; mobilizes lawyers, law firms, and corporate legal departments to provide pro bono legal services; educates the public on legal issues; fosters strategic relationships; and impacts public policy. Recognized as a pro bono leader, CBJC provides legal assistance to more than 20,000 low-income New Yorkers each year with a staff of about 30 and more than 1,000 pro bono volunteer attorneys.

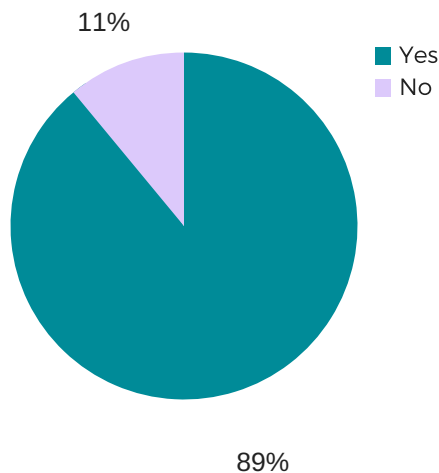
### Our History | VAP

Convinced that having skilled legal counsel greatly improves veterans' chances of receiving the benefits they deserve, CBJC launched VAP in October 2007. With the guidance of CBJC staff, volunteer lawyers help veterans file claims and appeals with the VA. VAP currently leverages the resources of more than 400 trained pro bono attorneys from 50 law firms and corporations. Since its inception, VAP has provided legal assistance to more than 1,300 veterans.

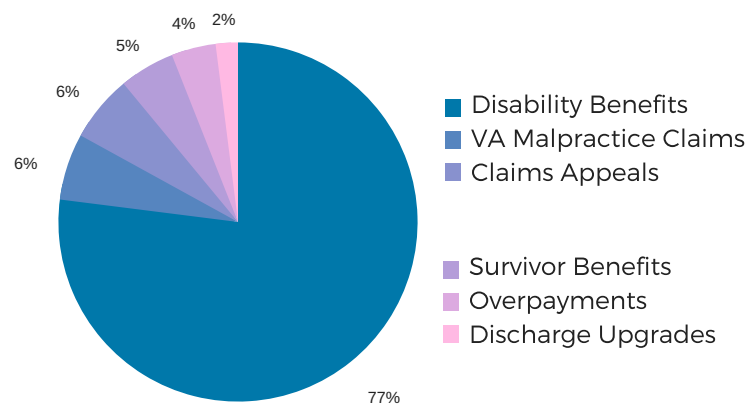
### Critical Need for Pro Bono Advocacy

According to data from the U.S. Department of Veterans Affairs (VA), over 330,000 claims for VA disability benefits are in process nationwide as of January 2018. At the New York Regional Office, over 6,000 veterans are waiting for decisions on their veterans benefits claims. The New York Regional Office takes an average of 105 days to make a decision on an initial application. For veterans living on scarce income, access to high-quality legal assistance could mean the difference between continued years of poverty or a hopeful future of financial stability and vital medical aid. VAP believes there is no substitute for the assistance of a qualified, accredited attorney in the claims or appeals process.

### Clients with Previous Claims Applications



### Types of Veterans' Legal Issues



## How It Works

VAP recruits, trains, and mentors volunteer attorneys to assist veterans with their VA claims. VAP conducts trainings at firms and corporations scheduled to staff an upcoming VAP legal clinic. VAP issues free CLE for its training, which lasts three hours and covers all areas of law required by the VA for attorney accreditation including representation before the VA, claims procedures, basic eligibility for VA benefits, right to appeal, disability compensation, dependency and indemnity compensation, and pension.

To qualify for legal assistance through VAP, veterans must be low-income and reside within the five boroughs of NYC. VAP operates a toll-free intake line, which gives out brief advice and information to veterans and screens cases to be placed at monthly legal clinics held at the New York City Bar Association. At the legal clinic, trained volunteer attorneys meet with a pre-screened veteran, conduct an in-depth intake interview, and review any military or medical records the veteran brings. After assessing the veteran's claim at the legal clinic, it is expected that volunteer attorneys take on the veteran's case for full representation. Examples of actual cases can include applying for service-connected disability compensation or pension for the first time, appealing the denial of a claim, increasing a disability rating, resolving an overpayment issue, or applying for survivors' benefits.

## Prevalent Issues for Veterans

The VA estimates between 30-50% of veterans have some type of service-connected condition which entitles them to disability compensation. While a minority of the overall veteran population, 30-50% of the nation's 20 million veterans is nonetheless a substantial population.

### Camp Lejuene

In January 2017, the VA officially declared eight diseases as presumptively related to service for veterans who served at least 30 days at Camp Lejuene from August 1, 1953, through December 31, 1987. During this time, the water supply at Camp Lejuene contained hazardous contaminants. The eight diseases linked to the contaminated water are adult leukemia, aplastic anemia and other myelodysplastic syndromes, bladder cancer, kidney cancer, liver cancer, multiple myeloma, non-Hodgkin's lymphoma, or Parkinson's disease.

### "Bad Paper" Discharges

Veterans who receive less than honorable discharges, known as "bad paper," face many obstacles after service. They have a much harder time receiving any VA services or benefits, if they are able to at all. They also have difficulty integrating back into civilian life, since they have to disclose their discharge status to potential employers, on school applications, and even at the DMV. Advocates and researchers have shed light on the relationship between bad paper and PTSD, MST, TBI, and other underlying mental disabilities caused by in-service events. For instance, a combat veteran may experience PTSD while still in service, causes him to act out, receive a bad paper discharge, and thus be denied access to the services and benefits he needs.

### Post Traumatic Stress Disorder (PTSD)

PTSD is one of the most common conditions for which veterans seek disability compensation. Many events experienced by veterans can trigger PTSD. Common symptoms of PTSD include recurring memories or nightmares of the trigger event, anger or irritability, or sleeplessness. The VA reports that approximately 30% of Vietnam veterans, 12% of Gulf War veterans, and 13% of Iraq/Afghanistan veterans have PTSD. About a third of VAP's current clients report having PTSD.

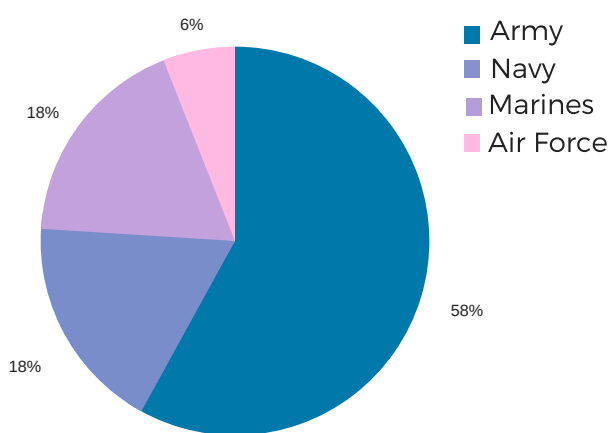


## War – and Red Tape – Stories

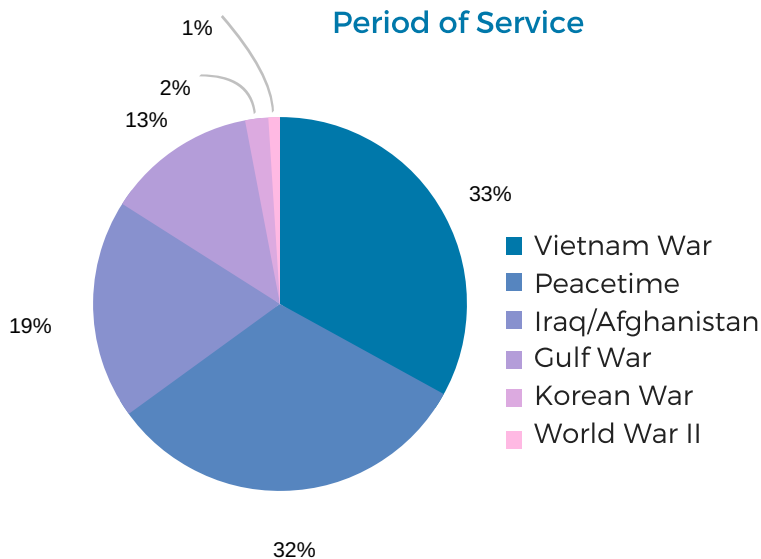
The human stories behind these cases underscore the importance of having skilled legal counsel. In many cases, it takes the hard work of a skilled attorney to work through the complicated web of issues that arise in just one case.

Mr. A came to a Veterans Assistance Project Legal Clinic with bad paper looking for a discharge upgrade. He was also suffering from Traumatic Brain Injury (TBI), Post Traumatic Stress Disorder (PTSD), tension/cluster headaches, diabetes, peripheral neuropathy in all his extremities, and tinnitus. Mr. A served as a Marine for nearly ten years during the Vietnam Era, including time in combat in Vietnam. He was exposed to Agent Orange and suffered documented head trauma. Prior to coming to a VAP clinic, he applied for a discharge upgrade twice, and he was denied both times. He also applied for service-connected compensation for PTSD and diabetes twice, and he was denied both times. First, his volunteer attorneys spent four years working to successfully get his discharge upgraded. His volunteer attorneys were able to prove to the Board for Correction of Naval Records that Mr. A was suffering from service-connected PTSD which led to the conduct that caused his bad paper discharge. After getting his discharge upgraded, his volunteers successfully applied to the VA for service-connected disability compensation for his numerous conditions. The VA approved Mr. A's application and gave him an overall rating of 100% service-connected. He received over \$150,000 in retroactive benefits and will continue to receive \$7,500 a month for his family of six.

### Branch of Service



### Period of Service



Ms. D attended a VAP clinic for assistance increasing her service-connected compensation disability rating. Ms. D is an Army veteran who experienced Military Sexual Trauma (MST) committed by a senior officer, which contributed to her developing Post Traumatic Stress Disorder (PTSD). She was rated at 70% and prescribed multiple medications to treat her PTSD. After leaving active duty, she served in the Army Reserve where she injured her right shoulder. After separating from the military entirely, Ms. D was unable to hold full-time employment. Her volunteer attorneys decided to apply for Total Disability based on Individual Unemployability. While waiting for her claim to be reviewed, Ms. D was at risk of becoming homeless. Her attorneys called the VA every week to inform them of her situation and were able to elevate the priority of her claim application and connect her with the VA's homelessness coordinator. One month later, Ms. D was awarded 100% service connected due to MST/PSTD, resulting in \$3,100 a month.

“The one thing I would like to say is that I hope this program continues to grow and help other veterans and their families in need. It made a tremendous difference in our lives to be a part of the Veterans Assistance Project.” - VAP Client

## Partners of the Veterans Assistance Project

AIG  
Arnold & Porter  
Bank of America  
Bank of NY Mellon  
Barclays Capital  
Bloomberg LP  
Cadwalader Wickersham & Taft  
CBS  
Chubb  
Cleary Gottlieb Steen & Hamilton  
Colgate-Palmolive Company  
Credit Agricole CIB  
Davis Polk & Wardwell LLP  
Debevoise & Plimpton  
Dechert LLP  
DLA Piper LLC  
Duane Morris LLP  
Fitzpatrick, Cella, Harper & Scinto  
Freshfields Bruckhaus Deringer  
Goldman Sachs  
Goodwin Procter LLP  
Holland & Knight LLP  
IBM  
JP Morgan Chase Bank  
Katten Muchin Rosenman LLP  
Kirkland & Ellis  
Loeb Partners Corporation  
Lowenstein Sandler  
Mayer Brown LLP  
McCarter & English LLP  
Morgan Stanley  
Nixon Peabody LLP  
O'Melveny & Myers LLP  
Proskauer Rose LLP  
Ropes & Gray LLP  
Seward & Kissel LLP  
Seyfarth Shaw LLP  
Shearman & Sterling  
Sheppard, Mullin, Richter & Hampton LLP  
Sidley Austin Brown & Wood  
Skadden, Arps, Slate, Meagher & Flom LLP  
Wachtel & Missry LLP  
Weil, Gotshal & Manges LLP

