

VETERANS ASSISTANCE PROJECT

2021-2022 REPORT

WHO WE ARE | CITY BAR JUSTICE CENTER

The City Bar Justice Center (CBJC) furthers access to justice by addressing unmet civil legal needs of New Yorkers struggling with poverty and other systemic socioeconomic barriers. CBJC mobilizes law firms, corporate legal departments, and other legal institutions to provide pro bono legal services; educates the public on pertinent legal issues; fosters strategic community relationships; and impacts public policy. CBJC's dozen civil justice projects, including the largest civil legal hotline in New York, are led by a staff of dedicated attorneys and professionals who each year, provide more than 24,000 New Yorkers with high-quality civil legal services through brief advice and information, referrals, and both limited scope and extended representation.

ABOUT VETERANS ASSISTANCE PROJECT

The Veterans Assistance Project (VAP) provides veterans living at or below the poverty line in New York City with pro bono legal assistance on issues related to their claims for disability benefits from the U.S. Department of Veterans Affairs (VA). Through VAP's partnership with 45 law firms and corporate legal departments, over 240 trained pro bono attorneys have provided counsel and representation to veterans. In recent years, VAP has provided legal assistance to more than 2,000 veterans, and secured approximately \$7.6 million in retroactive benefits in addition to more than \$250,000 in ongoing disability benefits.

CRITICAL NEED FOR PRO BONO ADVOCACY

According to data from the VA, approximately 187,443 claims for VA disability compensation and pension claims are backlogged as of March 2021 and will not be addressed until 2022. At the New York Regional Office, 15,590 claims are waiting for decisions. A claim will take up to 135 days for an initial decision to be issued by the regional offices. 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.

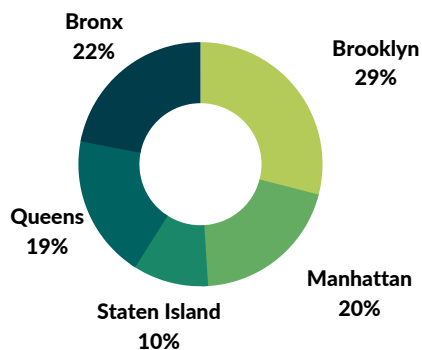
PRO BONO OPPORTUNITIES

VAP staff interview each veteran to ascertain the scope of their legal needs and eligibility for pro bono services. If the veteran is approved for services, VAP staff will connect the client with a pro bono attorney who will meet with the client at our clinics or in some cases, refer for full-representation. The volunteer attorney then works with the individual to help them apply for benefits for the first time, increase a disability rating, or appeal the denial of a claim. Other issues covered include cases of overpayment, survivors' benefits, and terminated or reduced benefits.

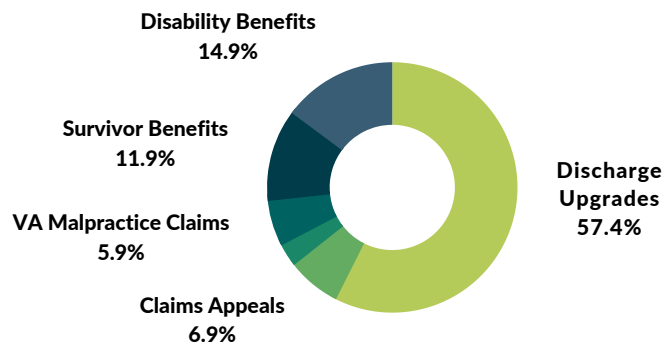
VAP's director is available to guide pro bono attorneys on-site during legal clinics and provide mentoring throughout the representation on topics such as: veteran law, navigating the VA system and processes, and engaging in effective pro bono advocacy. In addition, VAP provides CLE credit for attending a training or for providing pro bono legal services.

ABOUT THE CLIENTS WE SERVE

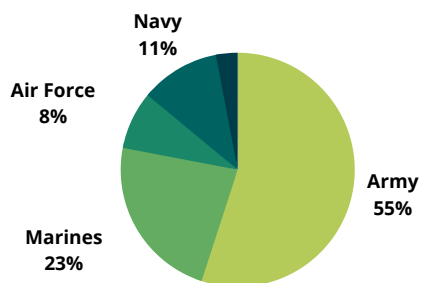
WHERE THEY RESIDE IN NYC



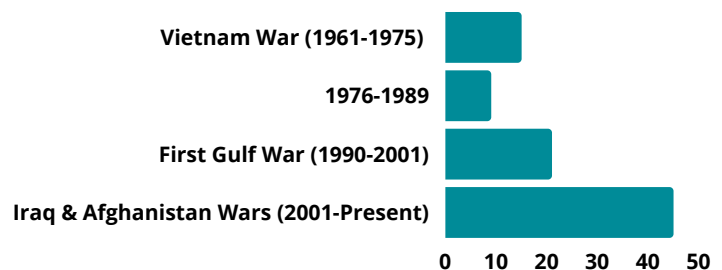
TYPE OF ISSUES



BRANCH OF SERVICE



ERA OF SERVICE



EMERGING ISSUES WE ASSIST WITH

PTSD/TBI

Many veterans who serve in combat return home and experience issues with memory, cognition, and concentration and suffer from irritability and sleep problems. Post-traumatic stress and traumatic brain injuries are common causes of such difficulties. These conditions can be difficult to distinguish from one another and accurately diagnose. VAP assists veterans in applying for benefits for these conditions.

MILITARY SEXUAL TRAUMA

Some veterans experience sexual harassment and sexual assault while in the military. These incidents may have lasting effects on veterans, and many suffer from PTSD, depression, and other mental and physical disabilities resulting from sexual trauma.

DISCHARGE UPGRADES

There are veterans with disabilities who are not eligible for VA benefits because they have a less than honorable discharge. Often, an underlying mental disability may be responsible for the discharge status. We may be able to assist veterans in applying for a discharge upgrade.

SUICIDE

The rates of suicide for service members are high. The number of active-duty personnel that have committed suicide in recent years is higher than the number of those that have died in combat. VAP sees many veterans who have attempted suicide and suffer from debilitating mental illnesses.

RACIAL HARASSMENT

Some veterans report racial harassment by fellow service members. Occasionally, this harassment escalates to the point of physical assault and may lead to compensable injuries.

ENVIRONMENTAL HEALTH ISSUES

From the 1950s through the 1980s, people living or working at the U.S. Marine Corps Base Camp Lejeune, North Carolina, were potentially exposed to drinking water contaminated with industrial solvents, benzene, and other chemicals. The VA officially declared eight diseases diagnosed in veterans, as presumptively related to service for veterans who served at least 30 days at Camp Lejeune from August 1, 1953 through December 31, 1987. VAP assists veterans in applying for benefits for these conditions.

IMPACT: CLIENT STORIES

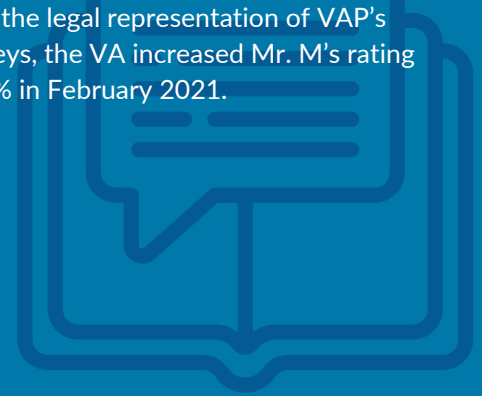
The human stories behind these cases underscore the importance of having free, high quality legal representation. It takes the hard work of a skilled and dedicated attorney to work through the complicated web of issues that arise in just one case.

STORY ONE

Mr. C served in the Army and was deployed to Afghanistan twice. He contacted VAP in 2017, seeking to file a claim for PTSD, sleep apnea, and a wrist injury connected to his time in the military. Due to what he faced during his time in service, Mr. C suffered from PTSD and went years without seeking compensation although it was severely affecting his life. VAP took on Mr. C's case and in 2018, was able to obtain an 80% disability rating for him. His pro bono attorneys later pursued an increase for Mr. C's disability rating and in March of 2021, Mr. C received an increase from 80% to 100% Total Disability Individual Employability (TDIU), raising his monthly VA benefits by \$1,491.37. He is now receiving \$3,263.74 in monthly VA benefits and able to provide for himself and his child. The TDIU claim filed in April of 2020, also resulted in Mr. C receiving a total of \$14,913.70 in retroactive benefits.

STORY TWO

Ms. M is an Army veteran who served from 2010 to 2013. After experiencing a blast from an improvised explosive device, Mr. M suffered a severe injury that continues to affect him. As a result of this explosion, he also suffered a traumatic brain injury (TBI) and PTSD. Mr. M began receiving a 10% rating for service connected compensation. Mr. M was seeking an increase for the compensation he was receiving and wanted to apply for compensation for his TBI and PTSD. With the legal representation of VAP's pro bono attorneys, the VA increased Mr. M's rating from 10% to 90% in February 2021.



STORY THREE

Mr. C is an Army veteran who contacted VAP in hopes of obtaining service connected disability compensation for an injury he obtained during his time in service. After a back injury he obtained, Mr. C went through training and further aggravated his back injury. His condition became worse and Mr. C experienced increased pain which impacted his quality of life. VAP was able to connect Mr. C with a highly-skilled legal team that represented him before the VA. Mr. C was able to obtain a 20% disability rating. In addition to the successful application for service connected disability benefits, Mr. C's pro bono attorneys were able to obtain nearly \$4,000 in retroactive benefits for him.

STORY FOUR

Mr. M is a Marine Corps veteran who served from July 2007 to May 2011. Mr. M first reached out to VAP seeking a discharge upgrade from "Other than Honorable," due to mental health conditions he was dealing with at the time of his discharge from the military, to "Honorable." In addition to the character of discharge review, Mr. M's pro bono attorneys also submitted a Veterans Pension application based on the veteran's psoriatic arthritis which prevents him from working and was aggravated during his time in the military. In May 2021, the VA finally issued a favorable decision, granting Mr. M's pension application with the additional benefit of aid and attendance, for which he is currently receiving payments. At the time the VA granted the decision for pension with aid and attendance, Mr. M received \$2,732 in retroactive payments.



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PARTNERS OF THE VETERANS ASSISTANCE PROJECT

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Herrick Feinstein LLP	Weil, Gotshal & Manges LLP
Holland & Knight LLP	Winston & Strawn LLP

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