Serving Veterans Webinar Series

Screening and Technology

Tuesday, October 1 at 3 p.m. ET

Can't hear us? Click the grey phone button to connect to audio



Today's Presenters

Casey Chiappetta

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Agenda

- 1. Previous Webinar Highlights
- 2. Screening for Veterans
- 3. Veterans Justice Programs & Screening
- 4. Technology Tools
- 5. Stateside Legal

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6. Q & A



Previous Webinar: Research & Funding

- Webinar 1 linked here¹
- What does the research say?
 - In the <u>VA's CHALENG</u> survey of homeless veterans, four of the highest unmet needs were related to legal assistance.² These issues were related to child support, eviction and foreclosure, restoring a driver's license, and outstanding warrants and fines
- What funding is available?
 - SSVF, VETS, Grant Per Diem, and HUD-VASH



1. http://www.nlada.org/node/26791

2. https://www.va.gov/HOMELESS/docs/CHALENG-2018-factsheet-508.pdf

Previous Webinar: Service Delivery & Partnerships



BOB WOODRUFF FOUNDATION National Center for Medical the Legal Partnership

VA MEDICAL-LEGAL PARTNERSHIP READINESS GUIDE

Building and Strengthening Medical-Legal Partnerships for Veterans

June 2019



- Webinar 2 linked here¹
- National Center for Medical-Legal Partnership's new <u>VA Readiness Guide</u>²
- Coast to Coast Legal Aid's SSVF model with the United Way



1. http://www.nlada.org/node/26991 2. https://medical-legalpartnership.org/mlp-resources/va-mlp-readiness-guide/

Screening for Veterans

- Why screen? <u>Knowing about a military background</u> can help identify resources and benefits¹
- Military background is not always spontaneously shared
- The VA recommends <u>posting a sign</u> letting Veterans and Servicemembers know that you would like to know if they've served²

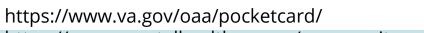


- 1. https://www.mentalhealth.va.gov/communityproviders/screening.asp
- https://www.mentalhealth.va.gov/communityproviders/screening_howto.a

Resources

1.

- The VA has a pocket card for health professionals¹
- The VA offers sample <u>screening questions</u> about military service, whether family members have served, and dates of service²
- The Uniformed Services University has <u>four modules</u> (military ethos, organization and roles, stress and resources, and treatment resources) to help visitors understand military culture³



- 2. https://www.mentalhealth.va.gov/communityproviders/docs/Military_Service_Screening.pdf
- 3. https://deploymentpsych.org/why-know-about-military-culture



Veterans' Access to Legal Services and the VA

Sean Clark, Veterans Justice Programs Lara Eilhardt, Office of General Counsel



October 1, 2019

What Do We Know about Veterans' Legal Needs?

- VA's annual CHALENG* survey of homeless Veterans, VA staff, and other providers consistently reveals :
- 5 of homeless Veterans' top 10 unmet needs are legal needs
 - eviction/foreclosure issues,
 - child support and family law,
 - outstanding warrants/fines, and
 - restoring driver's licenses
 - discharge upgrades
- Read the latest CHALENG fact sheet: <u>https://www.va.gov/HOMELESS/chaleng.asp</u>

* Community Homelessness Assessment, Local Education & Networking Groups (CHALENG)

What Can Legal Service Providers Do in Response?

- Ask clients about Veteran status
- Issues with "Veteran"
- "Did you ever serve in the U.S. military, including the Guard or Reserves?"
- Know how to help Veteran clients access VA services
- Build partnerships with staff at the VA medical center that serves your area

Who at VA Can Help Me Help My Veteran Client?

• A Place to Start: Veterans Justice Outreach (VJO) Program

Mission

To identify justice-involved Veterans and contact them through outreach, in order to facilitate access to VA services at the earliest possible point. Veterans Justice Programs accomplish this by building and maintaining partnerships between VA and key elements of the criminal justice system.

- At least one VJO Specialist at every VA medical center (contact them directly: <u>https://www.va.gov/HOMELESS/VJO.asp</u>)
- Linkage to other VA programs and services
- Recent Eligibility Changes: Enhanced Access for Veterans with Other Than Honorable Discharges

How Can We Respond as Partners?

Pro Bono Legal Clinics at VA facilities

- VHA Directive 2011-034: VA Medical Centers are encouraged to make space available for legal service providers to assist Veterans.
- Currently, at least 170 pro bono legal clinics serve Veterans in VA facilities under VHA Directive 11-34.
 - 30 clinics use Medical-Legal Partnership Model
 - Clinic sites range from VA Medical Centers, Community Based Outpatient Clinics (CBOCs), to Vet Centers
 - Clinics are staffed and funded by outside legal aid organizations, law school clinics, foundations, and pro bono private attorneys.
 - VA OGC's public website lists these clinics:

http://www.va.gov/OGC/LegalServices.asp

 Currently, VA does <u>not</u> have statutory authority to directly provide or fund legal services for Veterans

VA OGC Website: List of Legal Clinics in VA Facilities

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				Free Legal Clinics in VA Facilities June 2019 "Red indicates a VA Medical Legal Partnership Note: The VA contacts listed below are NOT atomeys and therefore incoming email is not atomey client privileged nor a secure form of communication. These VA contacts can provide additional information about the legal clinics operating in their facilities, but they cannot give legal advice, determine your eligibility for a legal clinic, or schedule a legal clinic appointment for you. State VA Earliny VA Contact & Contact IS									* III	₽ <u>/</u> ~	
				Alabama	Tuscaloosa VA Medical Center 3701 Loop Rd East Tuscaloosa, Al 35404	Will Adams VJO William.Adams3@va.gov	University of Alabama Law School and Volunteer Attorneys RAP4-6F-4905		specifically excluded. Civil and Criminal Cases	Walk-in	3x/annually 10am – 2pm				
				Alabama	Central Alabama Veterans Health Car System 215 Perry Hill Rd Montgomery, AL 38109	e Ian Reed, HUD VASH Program Coordinator, Ian.Reed@va.gov	Legal Services of Alabama 886-456-4995	Legal Aid Organization	Civil Cases	ins accepted	2nd and 4th Wednesdays 9:00 am -3:00pm	ays .			
				Alabama	Tuskegee VAMC 2400 Hospital Road Tuskegee, AL Huntsville VA CBOC	Marguerita High, VJO Marguerita.High@va.gov	Legal Services of Alabama 866-456-4995	Legal Aid Organization	Civil cases	Appointments and Walk- ins accepted Walk-in	Wednesdays 9am-3pm				
						Ahmad Brewer Ahmad.brewer@va.gov	Madison County Volunteer Lawyers Program		Divorce, Past Fines, Bankruptcy)	waik-in	2nd Thursdays from 8:30am- 12pm				
				Alabama	Birmingham VA Medical Center 700 South 19th Street Birimingham, AL	Ahmad Brewer, VJO Ahmad.brewer@va.gov	Birmingham Bar Volunteer Lawyers Program mphilips@vlpbirmingham.org 868-458-4995	Bar Volunteer Lawyers Program	Civil (ID/Driver's License reinstatement, Divorce, Past Fines, Bankruptcy)	Walk-in	2nd and 4th Wednesdays from 12:30pm to 4pm				
				Alaska	Alaska VA Healthcare System 1201 N. Muldoon Rd., Anchorage, AK 99504	Jeremiah Newbold, LCSW VJO Coordinator jeremiah.newbold@va.gov	Alaska Legal Services Corporation (ALSC), mhumm@alsc-law.org	Legal Aid Organization	Consumer matters, family law, public benefits, child support, housing, healthcare (Medicaid/medicare), wills, probate, power of attorney forms	however if space is	1st Friday of each month. 9:00 am - 4:00 pm			4	
			Alaska	Wasilla Vet Center 851 E. West Point Drive Suite 102 Wasilla, AK 99854	Jeremiah Newbold, LCSW VJO Coordinator jeremiah.newbold@va.gov	Alaska Legal Services Corporation (ALSC)	Legal Aid Organization	Consumer matters, family law, public benefits, child support, housing, healthcare (Medicaid/medicare), wills, probate, power of attorney forms	permitting	1x/month 9:00 am - 4:00 pm					
				Arkansas	Veterans Healthcare System of the Ozarks 1100 N College Avenue Fayetteville, AR 72703	David (Jeff) Glover VJO Coordinator David.Glover@va.gov	Legal Aid of Arkansas Shea Crosby scrosby@arlegalaid.org (479) 442-0600 ext. 4316	Legal Aid Organization	Civil, public benefits, VA benefits, family law consumer issues, expungements, employment law issues, (federal) tax issues	1st come, 1st served	Mondays 9:00 am - 12:00 pm or helpline (800) 967-9224				
				Arkansas	Central Arkansas Veterans Healthcan Administration Day Treatment Center 1000 Main St, Little Rock, AR 72202	e Rickey Phillips LCSW rickey.phillips@va.gov	Center for Arkansas Legal Services (501) 376-3423 John Brogden (501) 376-3423 (ext. 128) (brogden@arkansaslegalservices.org dotke@arkansaslegalservices.org jcarter@arkansaslegalservices.org	Legal Aid Organization	Civil including: Housing & Landlord/Tenant; Family Law, Public Benefits (SNAP/Rod stamps, SSL etc); Bankrupty and Dabt Collection; Expungements; Consumer Issues; Probate and Advanced Directives	accepted if clinic is not busy					
				Arizona	Phoenix VA Medical Center 650 E. Indian School Rd. Phoenix, AZ 85012		Disabled American Veterans/Arizona Department of Veterans Services/Arizona Disabled Veterans Foundation John Tokarz (480) 383 6880 vetlegalclinic@gmail.com		counseling, bankruptcy,	Appointment strongly encouraged	1x/month Next clinic date: Dec. 8, 2018 9am-3pm				
				Arizona	Phoenix VA Medical Center 650 E. Indian School Rd. Phoenix, AZ 85012	Christopher Wallace, LCSW christopher.wallace@va.gov	DLA Piper Volunteer pro bono attorneys 619-899-1818	Law firm pro bono	Civil legal matters		First clinic date: June 21, 2019. Clinic operates every other month.				
				California	San Diego Vet Center 2790 Truxtun Road, Suite 130 San Diego, CA 92108		DLA Piper Volunteer pro bono attorneys 619-699-1818	Law firm pro bono	Civil legal matters	Appointments are required					_
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What Do These Partnerships Look Like?

VHA Directive 2011-034:

"It is VHA policy to encourage staff to refer homeless Veterans to legal service providers or referral services for assistance with matters such as child support or outstanding warrants or fines, and to provide office space to legal service providers, when possible."

- VHA Directive 2011-034 requires that <u>VA cannot endorse</u> the legal clinic on-site at VA, even though it may occupy space in the VA facility.
- Staff should provide Veterans with listings of local legal service providers, rather than referring them directly to a particular provider. "
- VA Disclaimer VA assumes no responsibility for the professional ability or integrity of the organizations whose names appear on this list. This referral does not constitute an endorsement or recommendation by VA.
- The above disclaimer must be displayed in the VA space provided for the legal clinic AND on any referral list of legal service providers that VA staff gives to Veterans.

What Do These Partnerships Look Like (cont.)?

- ✓ Pro Bono:
- VA OGC District Counsel shall confirm that the legal service provider intends to provide pro bono legal services while on-site at VA.
- VA OGC shall verify that the legal service provider will not take medical malpractice cases as part of its on-site legal clinic at VA.
- State Bar Check:
- VA OGC District Counsel shall verify that the attorneys staffing the legal clinic are active members of a state bar and are not under investigation for disciplinary action by any state bar.
- ➢ VA Benefits Claims Assistance:
- There is no inherent conflict of interest in or ethics law prohibition on non-federal employees of legal service providers hosted in VA facilities under VHA Directive 11-34 providing VA benefits claims assistance.
- 38 C.F.R. 14.636(c) permits VA-accredited attorneys to accept fees after a Notice of Disagreement (NOD) / initial appeal has been filed on a VA benefits claim (see slide 12). However, legal clinics at VA are expected to remain pro bono for any legal services rendered on-site at VA.

VA Accreditation

• VA Accreditation, if needed: Attorneys staffing a legal clinic on-site at the VA may provide assistance on VA benefits claims. However, if the legal service provider is assisting on VA benefits claims, the attorneys at the VA-hosted legal clinic **must be VA accredited** to prepare, present, and prosecute VA benefit claims.



https://www.va.gov/ogc/accreditation.asp

VA Accreditation (cont.)

https://www.va.gov/ogc/accreditation.asp

UNITED STATES DEPARTMENT OF VETERANS AFFAIRS								
Home Veteran Services Business About VA Media Room Locations Contact Us Related Links								
Accredited Attorneys, Agents								
Name	City	State	Zip	Phone				
Abell, Brian Gary	Louisville	KY	40220					
Abell, Thomas Scott	Louisville	KY	40243	502-450-5611				
Aboulhosn, Neil K	Louisville	KY	40207	502-581-1111				
Aldridge-Casey, Melody S	Elizabethtown	KY	42701	270-769-4618				
Axon, Grant Matthew	Warsaw	KY	41095	895-567-2000				
Barber Jr., Oliver H	Louisville	KY	40243	502-905-7902				
Berman, Harris J	Louisville	KY	40202	502-583-4881 ex 126				
Berwick, Roy W	Louisville	KY	40252	262-309-3205				
Bottorff, Joni Patrice	Crestwood	KY	40014	502-895-9900				
Brawner, Darron L	Owensboro	KY	42301	270-684-4811				
Bubenzer, Mark A	Lexington	KY	40514	502-226-1100				
Canupp, Brian T	Paris	KY	40361	859-988-9658				
Carroway, Carolyn	Georgetown	KY	40324	502-863-5856				
Cecil, Mary M	Owensboro	KY	42303	270-684-8400				
Claycomb, Thomas P	Hodgenville	KY	42748	270-358-9620				
Clendenen, Christopher M	Lexington	KY	40507	859-233-9811				
Clifton, Parker L	Crestview Hills	KY	41017	859-279-4100				
Collins, Mark Douglas	Elkton	KY	42220	270-265-2912				
Collins, Scott Edward	Richmond	KY	40475	859-684-5333				
Couch, Richard	Manchester	KY	40962	606-598-2700				
Crum, Jarvd H	Paintsville	KY	41240	606-297-5888				
Crump, Melissa J	Paris	KY	40361	859-749-6529				
Dawahare, Richard F	Lexington	KY	40513	859-608-0200				
Dickson, Victoria Frances	Lexington	KY	40507	859-225-4714				
Dotson, John L	Louisville	KY	40207	502-581-111				
Dougherty, Amy E	Lexington	KY	40507	859-281-0048				
Dowell, Rachele L	Louisville	KY	40207-4695	502-581-1111				
Eaves, James C	Louisville	KY	40202	502-587-3724				
Eisenberg, Mitchel David	Knoxville	KY	37902	865-372-2142				

Questions?

Sean Clark, J.D. National Director, Veterans Justice Programs U.S. Department of Veterans Affairs (859) 233-4511, x 3188 <u>Sean.Clark2@va.gov</u> <u>http://www.va.gov/homeless/vjo.asp</u> <u>http://www.va.gov/homeless/reentry.asp</u>



Background Slides: Medical-Legal Partnerships in VA

MLPs in VA: What Are the Impacts?

Veterans Tell the Story about MLPs:

"Their support, encouragement and technical assistance made the difference. I now have peace of mind. Within a year all my criminal offenses will be banished from my record. It's incredible. I never thought it would happen and didn't think it was even possible. All it took was knowledge, persistence, determination and support. All veterans need these legal services." -Mike D., Connecticut

The Impact of MLPs – Hospitals with MLPs report:

- > Less frequent visits to the hospital by patients
- > Patients are more likely to take prescribed medication
- ➤ Greater staff satisfaction at the medical facility
- Patients with over less stress

MLPs in VA: What Are the Impacts (cont.)?

- According to the first study to examine MLPs operating in VA facilities, Veterans who received legal services in conjunction with medical treatment showed considerable improvement in multiple domains, including:
 - Housing status
 - Substance use
 - Mental health
- **Study**: J Tsai et al., "Medical-Legal Partnerships At Veterans Affairs Medical Centers Improved Housing and Psychosocial Outcomes For Vets." Health Affairs 36, no. 12 (2017): 2195-2203.
- **Summary** available at: <u>https://bobwoodrufffoundation.org/wp-</u> <u>content/uploads/2019/05/StandSMART-Issue-3.pdf</u>

MLP Resources

- National Center for Medical-Legal Partnership/Bob Woodruff Foundation
 - Toolkit: VA Medical-Legal Partnership Readiness Guide: <u>https://medical-legalpartnership.org/mlp-resources/va-mlp-readiness-guide/</u>
 - Issue Brief: The History, Growth, and Progress of MLPs serving Veterans: <u>https://medical-legalpartnership.org/mlp-resources/veterans-mlp-history/</u>

Technology tools

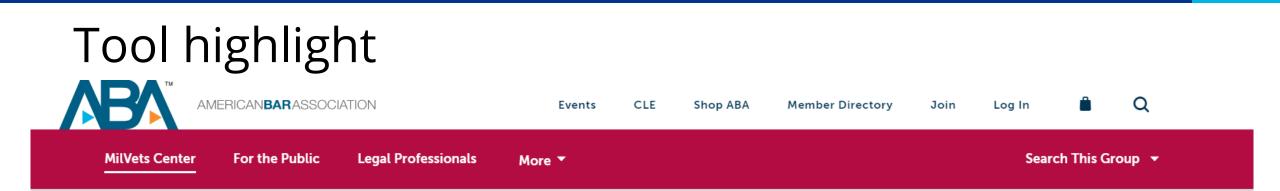
- Stateside Legal: <u>https://www.statesidelegal.org/</u>
 - A "one-stop-shop for veterans" to understand the law and benefits as they pertain to veterans and servicemembers. Provides legal education tools and a national directory of service providers, including free and low-cost providers
 - More on this soon!
- Justice for Vets: <u>https://justiceforvets.org/</u>
 - Does not offer legal advice or direct services but educates and trains veteran treatment court professionals.
- National Organization of Veterans Advocates, Inc.: <u>https://www.vetadvocates.org/cpages/home</u>
 - A national network of attorneys and legal professionals who advocate on behalf of veterans. Offers educational resources for veterans on approaching legal issues and a directory of attorneys who can help.



Even more technology tools!

- National Veterans Legal Services Program: <u>https://www.nvlsp.org/</u>
 - Network of attorneys and professionals working to obtain services and benefits on behalf veterans – NVLSP also offers <u>https://www.nvlsp.org/va-app/</u> and Advocate Resource Manuals
- The Veterans Consortium: <u>https://www.vetsprobono.org/</u>
 - A consortium of attorneys who assist unrepresented veterans and their families in appeals to the U.S. Courts of Appeals for Veterans Claims free of charge.
- ABA Military and Veterans Legal Center: <u>https://www.americanbar.org/groups/legal_services/milvets/</u>
 - Including Military Pro Bono, VCAN and various CLE opportunities. More on this later!
- VA App Store: <u>https://mobile.va.gov/appstore/all</u>
 - Collection of apps helping veterans find mental health resources, health providers, and soon to analyze VA benefits.
- William & Mary veterans listserv <u>veteransclinics-request@lists.wm.edu</u>





The ABA Military and Veterans Legal Center

The ABA Military and Veterans Legal Center brings together all of the ABA entities, programs, and projects focused on legal services for military personnel, veterans, and their families, and provides access to all of these ABA resources to both the public as well as legal professionals.

https://www.americanbar.org/groups/legal_services/milvets/



ABA MILITARY & VETERANS LEGAL CENTER TOOLS

Military Pro Bono Center

The Home Front Pro Bono Center brings together military and civilian attorneys to help military families.



View Training and CLE programs—both live in-person and via webinars—that focus on legal topics that directly relate to servicemembers, military families, and veterans.

Explore - TRAINING & CLE

Directory of Programs



About the Directory

Clicking the states from the list below provides information about legal programs available to military families. Programs listed include military legal assistance offices, legal aid and pro bono organizations, lawyer referral and information services, and military-specific programs where available. Any of these programs may impose income-eligibility limits, provide help in only certain areas of law, or may require payment of some costs. Programs wishing to add or update a listing should email militaryprobono@americanbar.org.



ANOTHER ABA TOOL



Home Veterans Attorneys About VetLex Events Contact Us Q





Other Federal Agency Websites

- US Department of Justice: <u>https://www.justice.gov/servicemembers</u>
- US Department of Labor: <u>https://www.dol.gov/agencies/vets</u>
- Federal Trade Commission: <u>https://www.militaryconsumer.gov/</u>
- Consumer Finance Protection Bureau: <u>https://www.consumerfinance.gov/practitioner-</u> <u>resources/servicemembers/</u>
- National Resource Directory: <u>https://nrd.gov</u>
 - <u>https://nrd.gov/Other-Services-Resources/Legal-Rights-Assistance</u> (you can list your organization here)



Stateside Legal

Nan Heald, Pine Tree Legal Assistance



StatesideLegal.org



Find Legal Help

Current database is being updated but now includes:

- JAG: JAG & Military Legal Assistance
- LRS: local and state bar lawyer referral services
- WOMEN: Women's network resources
- LSC: legal services providers (mostly LSC grantees)
- VSA: Veteran Service Agency



Know Your Rights

Currently 11 categories of information, including:

- Benefits
- Immigration
- Discharge Upgrades and Military Record Changes
- Housing and Real Estate
- Health and Safety
- Education and Employment
- Family Matters



Discharge Upgrade Classroom

LEGAL HELP FOR MILITARY MEMBERS, VETERANS AND THEIR FAMILIES



Mailbag

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Donate

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Find Legal Help

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Help Navigator

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Jim's Mailbag

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Search

Defender Association

nlada.org

Home / Step-by-Step Guide: How To Apply for a Discharge Upgrade



Book navigation

Step 1: Which Board Do I Apply to?

Step 2: What Records Do I Need? How Do I Request Records I Don't Have?

Step 3: How Does Mental Health Affect My Discharge Upgrade Application?

Step 4: Gather the Components of Your Application

Step 5: Make Your Case: The Written Statement

Step 6: Letters of Support

Sten 7: What Form Do I File to

Step-by-Step Guide: How To Apply for a Discharge Upgrade

Discharge Upgrade Basics

Did you know there is a way to change your military discharge status? If you received a discharge that was not Honorable, a discharge upgrade can help you access important VA benefits, services, and care. Or you may feel that your discharge was not fair and you want to correct it.

Any veteran who has a discharge below Honorable can apply for an upgrade. You do not need an attorney to apply for a discharge upgrade.

There are many different reasons why a veteran may want to apply for a discharge upgrade. This classroom is focused on helping veterans with mental health conditions. Many of the topics discussed will be helpful for other veterans who want to apply for a discharge upgrade. If you know that mental health issues like Post-Traumatic Stress Disorder (<u>PTSD</u>) or a Traumatic Brain Injury (TBI) did <u>not</u> affect your discharge, you may want to consult other resources as well. The VA online discharge upgrade tool may be a useful starting point, as it incorporates other kinds of issues that may have affected your discharge such as sexual orientation or sexual assault.

The VA recently made it easier for veterans with Post Traumatic Stress Disorder (PTSD) or Traumatic B

Veteran Suicide Prevention Triage

STATESIDELEGAL

Home / Veterans Legal Help Navigator / Veteran Suicide Prevention Caseworker Resource Finder

Veteran Suicide Prevention Caseworker Resource Finder

Please choose the issue you need help with:						
Consumer/Debt	Discharge Upgrades					
Family Law	Housing					
Veterans Benefits						



Advocate Resources

Tool-kits include:

- Military Legal Resources (branch websites, regs)
- VA Legal Resources (internal guidance, BVA searchable database of decisions)
- VA Advocate Tool Kit (includes VA accreditation process info)

Resources include summaries of important legal issues, law review articles, and 'cheat sheets' to help identify benefit eligibility

nlada.org

Q&A



Wait! Before you go...

- Do you like NLADA and the Justice in Government Project? Help us better meet your needs! Fill out our survey here: https://tinyurl.com/nladajgpsurvey
- Want curated research in your inbox every month? Sign up for our newsletter here: <u>https://tinyurl.com/justresearchsignup</u>
 - Read our veterans newsletter here: <u>https://tinyurl.com/justvets</u>
- Seeking technical assistance? Reach us at resourcedesk@nlada.org

