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Young Lawyers

BY RYAN J. WORKS, Young Lawyers Chair

VETERANS DAY – GIVING BACK WITH LEGAL SERVICES

On November 11, marking the anniversary of the end of World War I, we honor our military veterans who have sacrificed so much to ensure our freedom. Hopefully, most of us remember and honor our military men and women more often than once a year, but Woodrow Wilson and Congress decided that this would be the day for Americans to officially pay homage to the war heroes of our country.

Having both friends and relatives in the armed forces, I have an incredible amount of respect for these selfless individuals. So much so, that I often feel guilty for not having served my country in the same significant way that they have. The gravity of their sacrifices was recently brought into focus for me when I was contacted by a disabled veteran who was having trouble navigating the complex system of benefits and rights as determined by the United States Department of Veterans Affairs.

Plagued with a deteriorating eye condition, sinus problems and diabetes – all stemming from exposure to Agent Orange in Vietnam – this veteran was having difficulties submitting the forms, receiving answers to his questions and accessing the necessary benefits to treat his health conditions. Although an advocate had been assigned to his case, the issues he has had while trying to access his rights and benefits have dragged on for years, while his conditions continue to worsen. I was shocked to learn of the extreme delays in the process and to discover what meager benefits he was receiving for such an enormous sacrifice. While aiding this man was just a small favor for a deserving war veteran, I

started thinking about how I could make a more widespread contribution to our veterans.

While I generally handle several pro bono matters each year, I have never handled a pro bono case for a veteran and, frankly, I can think of nobody more deserving of such services. Although this veteran's issues have been resolved for the moment, I imagine many other deserving veterans are experiencing similar issues. Indeed, for many unrepresented non-lawyers trying to pilot the veterans' benefits process, an attorney can be extremely helpful, especially when benefits are denied, hearings are held and appeals ensue. With a \$600 million veterans' hospital slated to open in 2012 in southern Nevada, legal issues for our veterans may only increase in frequency and significance.

In conducting my research into how best to serve veterans through legal services, I was pleased to find a few programs designed specifically for this purpose.

The Veterans Consortium Pro Bono Program provides free attorneys to veterans and their qualifying family members who have appeals pending at the United States Court of Appeals for Veterans Claims. If an appeal has been filed, the Veterans Consortium will assist in providing help, free of charge. The Veterans Consortium was created through a grant from the Legal Services Corporation (LSC) as authorized by Congress. It is an ongoing, cooperative effort by four national veterans' service organizations: the American Legion, the Disabled American

Veterans, the National Veterans Legal Services Program and the Paralyzed Veterans of America. For more information you can go to: www.vetsprobono.org/

The ABA Law Student Division assists in a similar fashion through its *Duty Bound* program, which is a National Veterans Service Initiative that connects law students with attorneys who are providing free legal assistance on behalf of veterans and their qualifying family members who have an appeal pending at the U.S. Court of Appeals for Veterans Claims. See www.abanet.org/lsd/veterans/#mca.

The above pro bono services are not available to veterans during the often-lengthy administrative review process that precedes an appeal to the U.S. Court of Appeals for Veterans Claims. For instance, the Veterans Consortium Pro Bono Program does not provide legal advice or representation while claims are being processed through the Board of Veterans' Appeals or while claims are pending at the regional VA office. Furthermore, if benefits are ultimately denied, I am left wondering who will file the appeal.

The bottom line is that many veterans are in need of legal services in order to protect the benefits and rights of which they are most deserving, considering their sacrifices. Moreover, this is just one area where veterans may be in need of legal support. On this Veterans Day reach out to a veteran in need; represent a veteran pro bono or volunteer to give back. I know I will. ■

RYAN J. WORKS is an attorney at McDonald Carano Wilson LLP. On this Veterans Day, he salutes his grandfather Col. Robert C. Works, 10th Mountain Division, World War II; his grandfather Donald Bachman who also served in World War II; his father-in-law Kenneth Leascher who served in Vietnam and the countless men and women who have served in this nation's military.