At the federal level, veterans law is governed by Title 38 of the United States Code and Title 38 of the Code of Federal Regulations. Matters involving veterans under the USC and CFR are administered by the U.S. Department of Veterans Affairs (VA). The agency’s online site provides a wealth of information on benefits and services available to those individuals who have served in the United States armed forces and their dependents. The Michigan Department of Military & Veterans Affairs and the Michigan Veterans Affairs Agency websites are also good locations to review services and benefits available to veterans. All of these government websites are user friendly and provide application assistance to those seeking benefits.

Veterans may apply for benefits at the various Veterans Administration regional benefit offices. Requesting benefits at a regional office is the first step a claimant takes to secure aid or services. The office may grant, deny, or modify the request. If unsatisfied with the decision, the claimant may petition with an administrative appeal or notice of disagreement. The office’s determination may also be considered by a decision review officer, who may alter or reverse the decision. If a decision review is not elected or if the officer’s ruling is not satisfactory, the appellant must file a Form 9 appeal with the regional office in a timely manner. Deadlines differ depending on the action the office takes and must be carefully reviewed and followed by the appellant or his or her advocate.

Once received, the Form 9 appeal is forwarded to the Board of Veterans’ Appeals. After the board issues a decision on the matter, it may be appealed to the Court of Appeals for Veterans Claims, the only court that reviews the board’s decisions. The court is an impartial Article 1 court; once a matter moves there, it is governed by rules and procedures particular to that court, and the rules must be scrupulously followed. Appeals from the Court of Appeals for Veterans Claims are brought before the United States Court of Appeals for the Federal Circuit, and appeals from the federal circuit are brought before the United States Supreme Court. This appeals process is covered in detail in the Veterans Appeal Guidebook, a concise manual published by the American Bar Association for those representing veterans.

A searchable database of administrative decisions of the Board of Veterans’ Appeals is available at http://www.index.va.gov/search/va/bva.jsp. Information on the appeals process can be found at http://www.bva.va.gov/.

Attorneys wishing to become advocates for veterans should become familiar with the Veterans Benefits Manual, which is issued by the National Veterans Legal Services Program and updated every one or two years. Of particular relevance to advocates are Part V: The VA Claims Adjudication Process, Part VI: Advocacy on Behalf of VA Claimants, and Part VII: Correction of Military Records. The manual is available in print or as an e-book.

Many volunteer agencies assist veterans in applying for benefits and appealing regional office decisions that modify or deny benefits. Attorneys wishing to provide pro bono assistance to veterans may benefit from training available through private and government-sponsored programs including the Veterans Consortium Pro Bono Program, the National Veterans Legal Services Program, and the University of Detroit Mercy School of Law Project SALUTE.

Attorneys who want to formally represent veterans in the preparation, presentation, and prosecution of claims for VA benefits must be accredited by the U.S. Department of Veterans Affairs. To become accredited, attorneys may apply using the appropriate form(s) from the VA website at http://www.va.gov/ogc/accreditation.asp. Information on payment for services is also available on this site. The qualification process for attorney accreditation is also discussed in Part 2 of the Veterans Appeals Guidebook.

The National Association of Veterans’ Advocates, Inc. is a nonprofit organization that provides training to VA-accredited practitioners. According to its website, the association’s services include training workshops for new practitioners; a forum for networking via its online bulletin board; presentation of expert testimony before Congress; and authoring of amicus briefs to the U.S. Court of Appeals for Veterans Claims, the Court of Appeals for the Federal Circuit, and the United States Supreme Court. The American Bar Association also provides volunteer attorneys with continuing legal education that meets VA accreditation requirements.

Attorneys who want to formally represent veterans in the preparation, presentation, and prosecution of claims for VA benefits must be accredited by the U.S. Department of Veterans Affairs.
are available on the Michigan courts administration pages. Veterans courts continue to be implemented within Michigan's various county court systems.

Attorneys are also asked to represent veterans and active-duty military personnel in nonprofit matters. There are several legal publications and websites to assist attorneys with these endeavors. Both the ABA and the State Bar of Michigan have groups that concentrate in military and veterans law. The website for the ABA Standing Committee on Legal Assistance for Military Personnel contains information on the committee's mission and continuing legal education for attorneys. Of particular interest is the information on the ABA's Military Pro Bono Project, which details how individual attorneys and law firms can become involved. The site also has detailed information on the Servicemembers Civil Relief Act, a federal statute critical for attorneys to review. When working on such cases, attorneys need to be well-versed in the complexities these cases can pose. This article examines benefits and family law—the two areas in which attorneys are asked to assist most often—but these are by no means the only areas in which veterans and active-duty military personnel need legal assistance.

Attorney Mark Sullivan, a retired Army Reserve JAG colonel and a former chairman of the committee, has published a comprehensive guide to handling military divorce cases—The Military Divorce Handbook: A Practical Guide to Representing Military Personnel and Their Families. In 2014, he also published an article in Family Court Review titled “Military Custody and Visitation: Problems and Solutions in the Twenty-First Century.” He provides an in-depth treatment of the Uniform Deployed Parents Custody and Visitation Act and briefly touches on the Michigan case Ekdahl v Ekdahl, in which the appellate court found that a parent’s military deployment could not be held against the parent when determining the best interests of the child in a custody case.

Veterans law is a complex area that presents tremendous opportunities for pro bono assistance for attorneys and their firms. When working on such cases, attorneys need to be well-versed in the complexities these cases can pose. This article examines benefits and family law—the two areas in which attorneys are asked to assist most often—but these are by no means the only areas in which veterans and active-duty military personnel need legal assistance.

ENDNOTES
1. 38 USC 101 et seq.; Cornell University Law School, Legal Information Institute, <http://www.law.cornell.edu/uscode/text/38>. All websites cited in this article were accessed January 22, 2015.


8. Id.


17. ABA, Standing Committee on Legal Assistance for Military Personnel <http://www.americanbar.org/groups/legal-assistance_military_personnel.html>.


24. Id.

Marlene Coir has been a member of the State Bar of Michigan since 1990 and presently sits on the SBM Committee on Libraries, Legal Research, and Legal Publications. She is an active member of the Association of American Law Libraries and chairs the Michigan chapter of the Pro Bono Librarians Committee. Marlene is an attorney with the Child Advocacy Program and also provides reference service at the Wayne State University Arthur Neef Law Library.

Laura Mancini is director of library services for the Adams-Pratt Oakland County Law Library. She is also an adjunct faculty member for the School of Library and Information Science at Wayne State University. Laura is a member of the Solutions on Self-Help Legal Task Force and the State Bar Committee on Libraries, Legal Research, and Legal Publications.