

## www.nvlsp.org

## **Organizational Profile**

The Need: There are 4.5 million U.S. veterans that have a service-connected disability. Disability benefits, which are provided by the Department of Veterans Affairs (VA) and the branches of our military, are a step toward restoring the lives of these men and women. Yet each year, thousands of veterans have their claims for disability benefits wrongly denied or evaluated incorrectly. For many veterans, securing the proper amount of compensation due after returning home can be a discouraging and drawn-out process. Of the veterans who file appeals each year, thousands do not have a lawyer to represent them, mainly because it is unaffordable.

**NVLSP's Response and Mission:** National Veterans Legal Services Program (NVLSP) is a nonprofit organization that has worked since 1981 to ensure that the government delivers to our nation's 18 million veterans, active duty personnel, and their families the disability benefits to which they are entitled.

#### **Core Programs:**

- NVLSP provides legal services to help veterans, service members, and their families secure disability benefits
  from the Department of Veterans Affairs and the United States Armed Forces at no cost. NVLSP's individual
  representation services include appeals to the U.S. Court of Appeals for Veterans Claims (CAVC) and class
  actions.
- NVLSP recruits, trains, and mentors lawyer and non-lawyer advocates who represent veterans, service members, and their family members on a pro bono basis on claims for disability benefits. NVLSP acts as a force multiplier providing in-person and webinar trainings.
- NVLSP publishes educational materials that equip legal advocates to better assist veterans and service members. Since 1991, we have produced the <u>Veterans Benefits Manual</u>, the comprehensive treatise on veterans law.
- NVLSP provides representation through the <u>Lawyers Serving Warriors® (LSW)</u> pro bono program at no cost to the veteran. LSW offers legal assistance to veterans and service members on a range of disability benefits issues, with cases placed with volunteer attorneys from law firms and corporate legal departments nationwide.

**Key Accomplishments:** NVLSP has represented thousands of veterans in class action lawsuits, advanced veterans rights, and achieved milestone victories in numerous cases.

• On June 12, 2025, the U.S. Supreme Court <u>ruled unanimously</u> in favor of a class of over 9,000 disabled Army, Navy, Marine Corps, Air Force and Coast Guard veterans who were wrongfully denied their full retroactive combat-related special compensation (CRSC). The class is represented by pro bono legal counsel and NVLSP. <u>Learn more.</u>

## **NVLSP's other historic class actions include:**

- <u>Sabo v. United States</u>: This lawsuit alleged that between December 17, 2002, and October 14, 2008, the military illegally denied benefits to thousands of service members who returned from Iraq and Afghanistan with PTSD and were discharged. These service members were entitled to but denied minimum 50% disability rating for PTSD. NVLSP reached a settlement agreement that provided retroactive and future disability benefits to more than 2,200 class members.
- Nehmer v. U.S. Dep't of Veterans Affairs: This landmark case has resulted in over \$5.6 billion in VA compensation benefits to veterans and their survivors. The case originated with VA regulations mandating the denial of benefits claims by Vietnam veterans who had diseases associated with exposure to Agent Orange. In 1989, a federal court

found the regulation unlawful, and class members received retroactive and prospective benefits. NVLSP, as class counsel, has represented the veterans and their survivors as the VA has recognized more diseases associated with Agent Orange exposure, including three recognized in August 2010. In 2011, NVLSP began monitoring over 150,000 VA adjudications related to the three new diseases. NVLSP reviewed over 10,000 of those cases which resulted in over \$50 million additional retroactive and prospective benefits to these class members. NVLSP's monitoring efforts are ongoing. In 2023, the VA reported to NVLSP that it had paid disability benefits to 6,922 Blue Water Navy Vietnam Veterans and their survivors in 2021-2022. The VA status reports documenting these payments were required by the U.S. District Court for Northern California to enforce the 34-year-old Nehmer Consent Decree.

NVLSP's pro bono program <u>Lawyers Serving Warriors®</u> (LSW) offers legal assistance to U.S. veterans and service members through a national network of volunteer attorneys. LSW attorneys leverage their expertise to train and mentor volunteer lawyers so they are prepared and qualified to handle LSW-referred pro bono cases before the DOD and in court. LSW also partners with pro bono lawyers on class action litigation involving systemic issues impacting these 4 DOD programs: Discharge Upgrades, Medical Retirement, Combat-Related Special Compensation (CRSC), and Servicemembers' Group Life Insurance Traumatic Injury Protection Program (TSGLI). In 2024, NVLSP placed 630 cases through the program. LSW partners with volunteer lawyers from over 100 national law firms and corporate legal departments to assist veterans and service members in securing the Department of Defence (DOD) benefits they have been wrongfully denied.

Through its training and educational programs, NVLSP leverages its expertise in veterans law to train thousands of advocates to better represent claimants seeking veterans benefits. NVLSP has:

- Trained thousands of service officers from national veterans service organizations, law firms and corporate legal departments.
- Authored the Veterans Benefits Manual (VBM), the nation's first treatise on veterans law.
- Created *The Basic Training Course in Veterans Benefits*, an online course designed to provide advocates new to veterans law with a working understanding of how to successfully navigate the VA benefits system.
- Developed a webinar training series: Each year, NVLSP conducts live training programs on several topics in veterans law for hundreds of veterans service officers, attorneys, and other individuals who are accredited to represent veterans before the VA.
- Created the VA Benefit Identifier App to help veterans and advocates determine the specific VA benefits a veteran is likely entitled to.
- In 2024, over 5,000 attorneys, veterans service officers, and other advocates were trained by NVLSP Training and Publications.

NVLSP works with state veterans agencies including: Alabama Department of Veterans Affairs, Alaska State Office of Veterans Affairs, Arizona Department of Veterans' Services, Arkansas Department of Veterans Affairs, Colorado Division of Veterans Affairs, Florida Department of Veterans' Affairs, Georgia Department of Veterans Service, Hawaii Office of Veterans' Services, Idaho Division of Veterans Services, Illinois Department of Veterans Affairs, Iowa Department of Veterans Affairs, Kentucky Department of Veterans Affairs, Louisiana Department of Veterans Affairs, Massachusetts Executive Office of Veterans Services, Michigan Veterans Affairs Agency, Minnesota Department of Veterans Affairs, Mississippi Veterans Affairs, Missouri Veterans Commission, Montana Veteran's Affairs Division, North Carolina Department of Military and Veteran Affairs, Nevada Department of Veterans Services, New Jersey Department of Military and Veterans Affairs, New York State Division of Veterans' Services, North Dakota Department of Veterans Affairs, Oklahoma Department of Veterans Affairs, Oregon Department of Veterans' Affairs, Rhode Island Office of Veterans Services, South Carolina Department of Veterans' Affairs, Tennessee Department of Veterans Services, Texas Veterans Commission, Utah Department of Veterans & Military Affairs, Vermont Veteran Affairs, Virginia Department of Veterans Services, Washington State Department of Veterans Affairs, Wisconsin Department of Veterans Affairs.









## 2024 NVLSP Highlights

\$33,000,000	NVLSP secured over \$33 million in past due benefits payments for veterans it has represented before the Court of Appeals for Veterans Claims since 2020.
800	Filed over 800 appeals in 2024 before the U.S. Court of Appeals for Veterans Claims. NVLSP averaged over a 95% win-rate at the Court.
5,400	Over 5,400 attorneys, veterans service officers, and other advocates were trained by NVLSP's Training and Publications staff in 2024.
600	Placed over 600 cases and over 1,000 file reviews with Lawyers Serving Warriors® volunteer attorneys across the country in 2024.
\$3,700,000	NVLSP forced the Department of Veterans Affairs (VA) to pay more than \$3.7 million in retroactive benefits to 113 disabled Vietnam veterans under the Nehmer Consent Decree.

### Milestones...

# **Veterans Win Landmark Class Action Settlement from the U.S. Navy for New Disabilities Ratings Including Contributing Conditions**

On March 23, 2024, the United States District Court for the District of Columbia entered a landmark order requiring the Navy to provide new disability ratings to thousands of Navy and Marine Corps veterans. The ruling stems from the class action lawsuit *Springs v. Del Toro*, which challenged the Navy's unlawful practice that denied military medical retirement benefits to more than 3,300 Navy and Marine Corps veterans for more than 15 years. The veterans were represented by pro bono counsel Dechert LLP, in coordination with NVLSP.

## Federal Circuit Unanimously Upholds the Right of Veterans and Caregivers to Challenge Decisions Related to VA Caregiver Benefits

On February 27, 2024, the United States Court of Appeals for the Federal Circuit unanimously upheld a lower court decision granting hundreds of thousands of veterans and their family caregivers the right to appeal decisions relating to the Department of Veterans' Affairs Program of Comprehensive Assistance for Family Caregivers (PCAFC). The affected class of veterans and caregivers, led by Jeremy and Maya Beaudette, were represented by pro bono class counsel at Paul Hastings LLP, Public Counsel, and NVLSP. In 2024, NVLSP launched its <a href="Family Assistance Caregiver Program">Family Assistance Caregiver Program</a> to help veterans and caregivers access VA's PCAFC program.