

Demanding More for Our Disabled Veterans

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The New York City Bar Justice Center's Veterans Assistance Project recently presented William Fassuliotis with their [2021 Outstanding Pro Bono Service Award](#). In this post, Will explains how difficult the disability claims process has become for veterans.

A [recent statement](#) by the U.S. Department of Veterans Affairs (VA) announced that it is hiring 2,000 new employees to help with processing disability claims, which is welcome news given that the current backlog of claims pending for more than 125 days now exceeds [200,000 cases](#). In the past year, I have worked with three different veterans across various stages of the claims process, including submitting the initial claim, higher-level reviews, and appeals to the Board of Veterans Appeals. While it has truly been rewarding work on a personal and professional level, the claims process has been, to say the least, a source of great frustration. Especially as Veterans Day approaches, Americans should demand more for our disabled veterans. The claims process is slow, cumbersome, and prone to errors. Here are just a few examples:

- Once a claim for disability benefits is first submitted to the VA, it can take anywhere from a few months to a year or more for a decision. Too often the wait is intolerable, especially for those veterans whose service-related injuries prevent them from working, forcing them to rely on benefits as their last line of defense against poverty, hunger, and homelessness. Making matters worse, we sometimes learn of a decision only after contacting the VA. Informing veterans of decisions in a timely fashion is more than a courtesy because it can have ramifications on taking an appeal.
- It is often difficult for veterans to get information about their cases through the VA Hotline. Before speaking with a person, one has to navigate a labyrinthine call center. It begins with waiting through minutes of disclaimers and announcements. Eventually, it will prompt you to dial one for "this", two for "that", and so forth. If you are too slow with the information or misdial a number, the call will disconnect and force you to start over. That being said, once you reach an actual human, I have found the call center is filled with wonderful and compassionate people who do the best they can to help.

- Too often the first disability decision is simply wrong. We have seen claims denied because of the purported lack of a certain type of evidence when the evidence was in fact clearly included in our initial submission. The [high success rate](#) for veterans pursuing an appeal strongly indicates that not enough care by the VA is devoted to the initial application for benefits. That is of great significance because, to the extent a veteran appeals a decision, this added step only compounds the delay.

The claims process is supposed to be non-adversarial, but too often that concept is lost in the slow and difficult system disabled veterans have to endure to receive the benefits they are entitled to under the law. Individuals who have sacrificed so much to serve all of us deserve a better system.