

Obtain VA Attorney Accreditation

By Tammy M. Kudialis, Esq.

Main Checklist

Step 1: Understand when Veterans Administration (VA) accreditation is required.

In order to independently assist claimants in the preparation, presentation, and prosecution of claims for VA benefits, an individual must be accredited by the VA. An attorney's practice of advising veterans about VA benefits not involving a specific claim does not require accreditation. However, if an attorney advises clients regarding eligibility requirements, the attorney must be accredited. This advice constitutes preparation of a claim even if the attorney does not file the claim because it is given in regard to a specific application for benefits rather than general advice not related to a specific claim.

VA regulations allow interns and paralegals to *assist* in preparation, presentation, and prosecution of claims for VA benefits but only under the *direct supervision of the attorney of record and with the specific written consent of the claimant*. 38 CFR 14.629(c)(3).

VA attorney accreditation information can be found at <http://www4.va.gov/ogc/accreditation.asp>.

Step 2: Apply for accreditation.

You must fill out [VA Form 21a](#), Application for Accreditation as a Claims Agent or Attorney. Once completed, Form VA 21a may be submitted by facsimile to (202) 495-5457, by e-mail to OGCAccreditationMailbox@va.gov, or by regular mail to Department of Veterans Affairs, Office of General Counsel, 810 Vermont Ave, NW, Washington DC, 20420.

Attorney applicants are not required to take an examination administered by the VA as a prerequisite of accreditation, but they must be in good standing with a state bar association and complete a qualifying continuing legal education (CLE) during the first 12-month period following the date of initial accreditation by the VA. 38 CFR 14.629(b). The VA will generally accept a state bar's character and fitness determination as fitness to practice before the VA. 38 CFR 14.629(b)(ii).

Step 3: Wait for notification of accreditation.

The VA has a stated goal that it will make attorney accreditation determinations

on complete applications in less than 30 days. However, recent applicants have waited more than 60 days to receive approval. The VA will send a letter via U.S. mail notifying the applicant of their accreditation determination. Initial approval is based on attorney certification of membership in good standing of the bar of the highest court of a state or territory of the United States.

If the applicant obtains accreditation, his or her name can be found online at <http://www4.va.gov/ogc/apps/accreditation/index.asp>.

Step 4: Satisfy the CLE requirement.

VA regulations require completion of qualifying CLE during the first 12-month period following the date of initial accreditation by VA. 38 CFR 14.629(b). This regulation also requires an additional three hours of qualifying CLE for every subsequent two-year period. Pursuant to 38 CFR 14.629(b)(1)(iii) and (iv), a qualifying CLE course must be approved for a minimum of three hours of CLE credit by any state bar association.

VA regulations do not specify a particular form of proof for verifying attendance at qualifying CLE. Instead, regulations require that accredited agents and attorneys certify in writing to the VA's Office of the General Counsel that they have completed qualifying CLE. The certification must include the title of the CLE, the date and time of the CLE, and identification of the CLE provider. See http://www4.va.gov/ogc/accred_faqs.asp.

Use this kit when you plan to independently assist claimants in the preparation, presentation, or prosecution of claims for VA benefits. *Using these materials is not a substitute for the attorney's independent judgment, drafting, and research.*

Other Resources

[United States Department of Veterans Affairs](#)

[Department of Veterans Affairs Forms](#)

[Accreditation Frequently Asked Questions](#)