



VA Benefits 101 Training

Live and via Webinar

May 15, 2018, 1:00 p.m.– 4:15 p.m. Eastern

Holland & Knight, 800 17th St NW, Washington, D.C. 20006

This free program will prepare attorney attendees to assist with the development of VA benefits claims for veterans. During the three-hour training, speakers will address topics including how to navigate the VA structure, the elements to establish a claim, supporting claims through medical evidence, and strategies to best advocate for the veteran client. Attorneys will leave with the practical knowledge, specific skills, and cultural competency necessary to effectively represent veterans in presenting their claims to the VA.

Speakers:

Rick Spataro, *Director of Training and Publications, National Veterans Legal Services Program, D.C.*

Bart Stichman, *Executive Director, National Veterans Legal Services Program, D.C.*

Daniel Sylvester, *Associate, Veterans Group National Director, Holland & Knight LLP, Chicago, IL*

Jenny Tang, *Appellate Litigation Attorney, Bergmann and Moore, LLC, D.C.*

Jason T. Vail, *Chief Counsel, Division for Legal Services, American Bar Association, Chicago, IL*

Bernadette Valdellon, *Staff Attorney, National Veterans Legal Services Program, D.C.*

This program will qualify for VA attorney accreditation. Attorneys in the Washington, D.C. area may attend the program live at Holland & Knight, but attorneys located anywhere may attend via webinar. To see the full program information visit www.ABAVCAN.org or [REGISTER HERE](#).

VA Accreditation and CLE Information: After receiving your initial accreditation from the U.S. Department of Veterans Affairs (VA), you must complete continuing legal education (CLE) within the required timeline as a condition of initial accreditation. Find further information on http://www.va.gov/ogc/accred_faqs.asp.

This program meets requirements under 38 CFR 14.629(b)(iii) for the three hours of CLE for qualifying VA accreditation. This program will also satisfy the training and requirements for attorneys wishing to volunteer for the ABA Veterans Claims Assistance Network (VCAN). The ABA has applied for 3.0 hours of MCLE credit for the live program and the webinar (see below for more details).

For more information, visit www.ABAVCAN.org or contact Holly L. Christian, Director of Veterans Legal Services Initiative, American Bar Association, at Holly.Christian@AmericanBar.org.

CLE CREDIT: The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, ME, MN, MS, MO, MP, MT, NH, NJ, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 3.0 CLE credit hours in 60-minute states, and 3.6 credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit http://www.americanbar.org/publications/cle/mandatory_cle.html, or contact Marcia Yarbrough at 312-988-5763 for assistance. Please contact Jason Vail at Jason.Vail@americanbar.org for scholarship information.

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Agenda

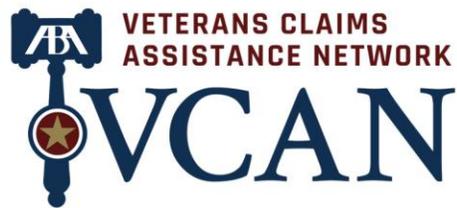
- I. Service Connected Disability Compensation
- II. Military Sexual Trauma Claims
- III. Establishing the Appropriate Disability Rating Percentage
- BREAK
- IV. Dependency and Indemnity Compensation and Non-Service-Connected Disability Pension
- V. VA Claims Process
- a. Attorney Accreditation and Representation Before the VA
- b. Initiating a Claim and the RO Decision
- VI. Appeal Process–Notice of Disagreement through Judicial Review
- VII. Questions and Answers

Speaker Information

Richard V. Spataro

Richard V. Spataro is the Director of Training and Publications for the National Veterans Legal Services Program (NVLSP). He joined NVLSP as a law clerk in 2004 and accepted a position as a staff attorney upon his graduation from law school in 2005. He was promoted to the position of senior staff attorney in 2013. Rick has represented nearly 400 veterans and survivors of veterans before the U.S. Court of Appeals for Veterans Claims and has also represented veterans and survivors of veterans before the U.S. Court of Appeals for the Federal Circuit, the Board of Veterans' Appeals, and VA Regional Offices. He has developed, conducted, and coordinated training seminars in veterans benefits law for organizations including The American Legion, Military Order of the Purple Heart, Vietnam Veterans of America, Military Officers Association of America, Texas Veterans Commission, Oregon Department of Veterans' Affairs, Iowa Department of Veterans Affairs, and Ohio State Association of County Veterans Service Officers. He has also created and conducted several webinar trainings on various topics in veterans law for veterans service officers and attorneys. He is an editor and co-author of the *Veterans Benefits Manual*, a 2,100-page treatise on veterans benefits law.

Mr. Spataro is also the Deputy Director of Pro Bono Volunteer Training and Support for The Veterans Consortium Pro Bono Program. In his role with The Veterans Consortium, he organizes and performs training at day-long training seminars for volunteer attorneys and prepares training materials for their continuing support. He also mentors, and manages attorneys who mentor, Veterans Consortium Pro Bono Program volunteers.



From November 2010 to August 2015, Mr. Spataro was the managing attorney of NVLSP's *Nehmer* Lawsuit Division. During that time, he and his team of attorneys assisted thousands of veterans and their survivors obtain over \$37 million of erroneously withheld retroactive VA benefits for herbicide-related disabilities under the court orders in the class action *Nehmer v. U.S. Dept. of Veterans Affairs*.

Mr. Spataro has testified before the U.S. House Committee on Veterans' Affairs about the VA's disability claim process as related to Gulf War Illness. He was also a panelist for the "Challenges of Blast Injury Claims: TBI" breakout sessions at the Thirteenth Judicial Conference of the U.S. Court of Appeals for Veterans Claims.

Mr. Spataro is a member of the Virginia and the District of Columbia Bars. From 2010 to 2013, he served as a Vice Chair of the Veterans Affairs Committee of the Section of Administrative Law and Regulatory Practice of the American Bar Association.

Before embarking on his legal career, Mr. Spataro served as a Surface Warfare Officer in the United States Navy. He earned his commission through the Naval Reserve Officers Training Corps program at Duke University. He spent four years on active duty, serving first as the Auxiliaries Officer of the USS Vella Gulf and then as the Navigator of the USS Mount Whitney.

Mr. Spataro originally hails from Malone, New York. He is a graduate of Duke University (B.A., History, 1998) and American University, Washington College of Law (J.D., *cum laude*, 2005). He, his wife Jessica, and their two young children live in Springfield, Virginia.

Barton F. Stichman

Barton F. Stichman is the executive director of the National Veterans Legal Services Program ("NVLSP"), a non-profit veterans service organization that he helped found in 1980. After earning law degrees from New York University School of Law (J.D. 1974) and Georgetown University Law Center (L.L.M. 1975), he has devoted his entire professional legal career to assisting veterans and their families receive the federal veterans benefits to which they are entitled.

Over the last 41 years, Mr. Stichman has represented veterans and their families before U.S. district courts, U.S. courts of appeals, the U.S. Court of Appeals for Veterans Claims, the Department of Veterans Affairs, and military department discharge review boards and boards for correction of military records, and supervised attorneys practicing in these venues. His litigation efforts over the years have resulted in payment of more than \$4 billion to more than 100,000 veterans and their survivors.

A major part of NVLSP's mission is to increase the pool of effective advocates available to represent veterans and their family members by training lawyers and non-lawyers and providing them with educational publications in veterans benefits law. Over his career, Mr. Stichman has trained thousands of lawyers, law students, and non-lawyer accredited veterans service officers in this area of law. Mr. Stichman helped organize and currently serves as a trainer for The Veterans Consortium Pro Bono Program, a federally funded organization which has recruited and trained more than 2,000 volunteer attorneys over the last 25



years to represent those who have appealed to the U.S. Court of Appeals for Veterans Claims without a representative.

Mr. Stichman is a co-author and editor of the Veterans Benefits Manual, NVLSP's 2,100-page treatise on veterans benefits law that is published annually by LexisNexis and has been distributed to thousands of lawyers and veterans service officers. He is also a co-author of "Not Reasonably Debatable": The Problems with Single-Judge Decisions of the Court of Appeals for Veterans Claims, 27 STANFORD LAW & POLICY REVIEW 1 (2016); The Rights of Military Personnel, and NVLSP's Military Discharge Upgrade Manual. He has written articles on veterans benefits law appearing in the Administrative Law Review, The American University Law Review, The Federal Bar News and Journal, Clearinghouse Review, and the Legal Times.

Mr. Stichman served as a co-chair of the Veterans Affairs Committee of the Section on Administrative Law and Regulatory Practice of the American Bar Association from 2004 to 2009, and he served as president of the U.S. Court of Appeals for Veterans Claims Bar Association from 2004-2005. He is also a recipient of the Hart T. Mankin Award presented by the U.S. Court of Appeals for Veterans Claims.

Daniel Sylvester

Daniel Sylvester is an associate in Holland & Knight's Chicago office and a member of the firm's Financial Services Team. Mr. Sylvester's practice focuses on the representation of borrowers and lenders in senior secured credit facilities, second-lien credit facilities, real estate finance and syndicated credit facilities. Mr. Sylvester has represented lenders, agents and borrowers in nearly 100 club or syndicated facilities across a myriad of industries.

Mr. Sylvester is a member of Holland & Knight's Diversity Counsel and serves as national chair of the firm's Veterans Group. In 2016, he was appointed by the president of the American Bar Association (ABA) to serve a three-year term on the ABA's Standing Committee on Legal Assistance for Military Personnel and also serves on the association's Veterans Legal Service Initiative.

Prior to joining Holland & Knight, Mr. Sylvester spent 10 years in the executive search industry, where he focused his search efforts for companies at senior level management (directors to C-level) in the functional areas of operations, manufacturing, supply chain, finance and human resources.

Mr. Sylvester began his career by serving more than 10 years as an army officer. A highly decorated veteran, he was stationed in Germany, Italy and Croatia. Mr. Sylvester also served on the U.S. humanitarian operations into Bosnia and the Dayton Peace Accord's multinational NATO logistics command for the former Yugoslavia.



Jenny J. Tang

Jenny J. Tang serves as an Appellate Litigation Attorney at Bergmann & Moore, LLC, Washington, D.C. She represents veterans in their claims on appeal against the U.S. Dept. of Veterans Affairs (VA), before the U.S. Court of Appeals for Veterans Claims. She also participates in the firm's other veterans law initiatives, including training The American Legion on representing veterans before VA.

Bergmann & Moore is one of the largest law firms in the country focusing solely on veterans' benefits appeals. The firm has helped thousands of veterans and their families in all 50 states and around the world successfully navigate the veterans appeals system. Bergmann & Moore is managed by former VA litigators, and it offers representation at all levels of the appeals process: before the VA Regional Offices, the VA Board of Veterans' Appeals, the U.S. Court of Appeals for Veterans Claims, and the U.S. Court of Appeals for the Federal Circuit.

Ms. Tang serves on the Court of Appeals for Veterans Claims Bar Association's Board of Governors and has done so in various positions since 2015. She speaks at veterans law panels and programs across the country, and has published law reviews and articles on various veterans law topics in the *Veterans Law Review*, the *Federal Circuit Bar Journal*, and the *Veterans Law Journal*.

Prior to joining Bergmann & Moore, Ms. Tang served as Associate Counsel at the VA Board of Veterans' Appeals, Office of Appellate Operations, Washington, D.C. There, she adjudicated 630 veterans' cases on appeal, including issuing decisions in claims for a wide variety of veterans benefits. Ms. Tang also trained Veterans Law Judges and VA attorneys, and led government programs for the improvement of veterans services and policy.

Ms. Tang received her B.A. from The University of Tennessee, Knoxville, and her J.D. from The University of Tennessee College of Law in 2012. She lives in Washington, D.C.

Jason T. Vail

Jason T. Vail is a Senior Attorney in the American Bar Association Division for Legal Services and serves as Chief Counsel to the Standing Committee on Legal Assistance for Military Personnel, working to enhance the scope and availability of civil legal services for military personnel and their families. Initiatives include creation of ABA Home Front, an online legal resource; ABA Military Pro Bono Project, a first-of-its-kind national pro bono program for active-duty military; and ABA Veterans' Claims Assistance Network, a pro bono project assisting veterans with disability claims. Jason received his J.D. *cum laude* from Gonzaga University School of Law.

Bernadette E. Valdellon

Bernadette E. Valdellon is a Staff Attorney at the National Veterans Legal Services Program (NVLSP). She assists veterans with obtaining disability benefits related to their military service through NVLSP's Lawyers Serving Warriors (LSW) program. She heads LSW's Military Sexual Trauma project,



helping veterans with claims for VA disability benefits for mental conditions related to military sexual trauma.

Prior to joining NVLSP, Ms. Valdellon worked in the Middle East with military contingents from different countries to monitor peace treaty compliance. While earning her J.D. at Santa Clara University School of Law (2013, Certificate of International Law with Honors), she interned at the Extraordinary

Chambers in the Courts of Cambodia and the United Nations Educational, Scientific and Cultural Organization. She received her B.A. from the University of California, Berkeley (2007, Graduation with Distinction in General Scholarship). Ms. Valdellon is a member of the California and District of Columbia Bars.