MILITARY & VETERANS
LEGAL SERVICES NETWORK SUMMIT

BRIEFING BOOK

ORGANIZERS
American Bar Association
Army OneSource

VENUE
Jones Day

SPONSOR
BOB WOODRUFF FOUNDATION
Educating, collaborating, investing...healing the physical and hidden wounds of war.
The Summit Briefing Book outlines background information collected from various sources to assist you as you consider the gaps, barriers, capacity and capabilities needed to develop a legal Network that would improve outcomes and assure continuity of legal care for veterans, service members, their families, caregivers and survivors.

**Reviewing the briefing book prior to the Summit will help you be well prepared to participate in the work team sessions.**

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June 23, 2016

Dear Summit Conferees:

On behalf of the American Bar Association (ABA), welcome to Jones Day for the National Summit to Create a Military and Veterans Legal Network. You are joined by colleagues who have come to our nation’s capital from around the country, and they represent a broad cross-section of those involved with our efforts. Active duty military service members, veterans, their families, caregivers, and survivors hold a special place in the eyes of their fellow Americans. Yet far too often, they struggle to receive the legal protections, rights, benefits, and services they have earned. As a retired judge advocate in the United States Air Force, I know how the failure to resolve distracting legal issues can mean the difference between mission readiness and tragedy.

Military service can unintentionally tilt the scales of justice against those who serve and their families. And deployments sometimes have lasting and permanent consequences requiring care that, if not adequately provided, can place veterans at risk of poverty and homelessness. Veterans’ caregivers are often ineligible for assistance programs, and when a service member falls in the line of duty, their surviving spouse or parent is left to manage legal affairs while undergoing profound grief. Far too often, services supporting these Gold Star family members are deficient.

Summit participants perform commendable work as a national community of providers. While we have made progress, if the problems continue, we must face the reality that we are not resolving them. Doing better in this crucial area is an essential goal of this Summit.

Through the generous support of the Bob Woodruff Foundation, you are here to go beyond a traditional conference role, moving from conversation to planning for the changes you will help shape. Each breakout session will have a planning team comprised of a professional facilitator, a planning committee member, a veteran caregiver, and a rapporteur to assist you.

The ABA and Army OneSource have worked together for more than a year to help bring this Summit to reality, and many others have supported this effort; you will find a list in your materials. I would like to especially thank Jones Day for the contribution of its comfortable surroundings, the Military Spouse JD Network for their services to capture what transpires here, the Elizabeth Dole Foundation and the Tragedy Assistance Program for Survivors for their support to help bring program fellows to this Summit. And of course, I thank each of you for taking time to participate, to plan, and to make a very important difference.

Sincerely,

Jack L. Rives
Executive Director
American Bar Association
The Bob Woodruff Foundation stands up for heroes by finding, funding, and shaping innovative programs that help post-9/11 veterans, service members and their families to thrive. The Bob Woodruff Foundation was co-founded in 2006 by award-winning ABC News correspondent Bob Woodruff and his family after he sustained serious injuries while covering the Iraq War. Their experiences inspired them to help make sure our nation’s heroes have access to the high level of support and resources they deserve, for as long as they need it. Since its founding, the Bob Woodruff Foundation has invested more than $33 million in over 300 programs nationwide to support more than 2.5 million veterans, service members and their families. Learn more about the foundation by visiting www.bobwoodrufffoundation.org.

The American Bar Association is committed to ensuring that no person who wears or wore the military uniform has his or her rights and legal standing unduly diminished by virtue of answering the call to duty. This commitment by the ABA and legal community at-large is realized through four primary avenues of activity: advocacy, legal services at no cost to veterans in need, access to the courts, and education & training. These activities are carried out by several major groups within the ABA, and coordinated through the ABA Coordinating Committee on Veterans Benefits and Services (CCVBS). The goal of the CCVBS is to serve as a resource to the bench and bar, policy experts, lawmakers and the media. (See http://ambar.org/veterans)

Army OneSource (AOS) is a Secretary of the Army Initiative to provide comprehensive community support and service delivery for Service members and their Families regardless of component or geographic location. Through State Community Support Coordinators located throughout the US, AOS is raising awareness and generating support among the private sector to effectively serve the unique challenges of Military life, including the growing demand for behavioral health, financial, legal and faith-based services. Utilizing traditional establishments on Military Installations, a Web-based portal, and local community partners, AOS is helping empower Service members and their Family members to be strong, healthy and connected to the best resources wherever they may be. http://www.myarmyonesource.com
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<td>OPENING REMARKS&lt;br&gt;Mission of the National Planning Summit&lt;br&gt;Overview: Our Current System of National, State and Local Military Legal Assistance&lt;br&gt;Addressing Capacity and Connectivity&lt;br&gt;Work Team Objectives Day I</td>
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<td>WORK TEAM SESSION I&lt;br&gt;Rules of Engagement&lt;br&gt;Meeting the Legal Needs of Veterans, Service members, their Families, Caregivers and Survivors&lt;br&gt;Identify and Prioritize Gaps, Strengths and Opportunities</td>
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| 9:45am – 11:45am | WORK TEAM SESSION IV
Prepare Recommendations | 2nd Floor  |
| 11:45am – 1:00pm | LUNCH                                      | 7th Floor  |
| 1:00pm – 3:00pm | NETWORK STRATEGIES AND DESIGN
“Road Mapping” the Network
Next Steps and Post-Summit Action | 7th Floor  |
| 3:00pm        | ADJOURN                                     | 7th Floor  |
Mission

Mission of the Summit
To gather expertise and guidance from a diverse cross-sector of stakeholders in order to develop an informed report that outlines the development of a National Military and Veteran Legal Network.

Mission of the Network
The mission of the proposed Military and Veterans Legal Network is to improve legal outcomes for service members, veterans, their families, caregivers and survivors by increasing services capacity and connectivity at the local, state and national levels in administrative, civil and criminal law.

*Invitations were extended to representatives from the following stakeholder groups:*

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Format

This invitation-only working summit will include 160 participants who will be assigned to 7 interdisciplinary Work Teams representing geographic and subject matter diversity. Each team will be comprised of diverse legal, military, veteran and caregiver perspectives. Much of the agenda will be dedicated to 4 Work Team Sessions that will be led by a facilitator, planning committee member and recorder who will track and record the discussion and recommendations.

The work sessions will focus on defining and envisioning all aspects of how a network might be developed including capacity, connectivity, and operations. Instruction about the work group tasks and work targets will be presented at the beginning of each session. The output of each team will be shared with all summit participants on Friday afternoon as we discuss “road mapping” the Network and next steps. Following the Summit, the information generated by the teams will be synthesized and integrated into a single, comprehensive report.

Thursday work sessions reporting elements:

• **Gaps, Strengths and Opportunities**
  • What does our current legal services system look like? (administrative, civil and criminal)
    • Local Level  • State Level  • National Level
  • What gaps must we address in order to develop a Network?
  • What strengths do we have that a Network could leverage and build upon?
  • Where do we have opportunities to close gaps with existing services?
  • What capacity would we need to develop?

Friday work session reporting elements:

• **Recommendations for next steps to establish a Network**
  • What criteria would we use to measure the success of the network?
  • How might the Network operate? What are the elements? (operating principles, scope of services, structure, entry points, intake, placement, evaluate effectiveness)
  • Who will make it happen? The stakeholders and tasks?
  • What would the local, state and national players do?
  • What are the critical resources and capacities?
  • How do we begin to establish the Network (operationalize)?
What is a Network?

A Network is a group or system of interconnected people or things.

- Once groups of people are connected to each other, the opportunity to coordinate resources and action increases exponentially. This might happen through an intentional process with central direction or a less structured and more opportunistic approach.

Weave social ties - connectivity
Access new and diverse perspectives
Openly build and share knowledge
Create infrastructure for widespread engagement
Coordinate resources and action

Network Approach

Networks:
- Are vehicles for motivating people to act and mobilize collective action on a large scale
- Create infrastructure for widespread engagement that enables people to connect with one another and with new opportunities
- Platforms catalyze widespread engagement
- Help to better understand the existing relationships, centers of power, intersecting issues and levers for change among all parties
- Mine what existing connections might be tapped, identify the influential players and engage those who should be added
- Operate with an awareness of the webs of relationships it touches
The Network Mindset

Your work at the Summit will require you to view the Network from the perspective of a client in need of help. Designing a Network is a structured but open-ended process that starts with the people you are designing for and ends with meaningful solutions that are tailor-made to suit their needs.

You will be working in pre-assigned, small teams for most of Thursday and part of Friday. Each work team will have a member of the Summit Planning Committee, a professional facilitator, and a recorder. The team will be comprised of diverse legal, military, veteran or caregiver perspectives.

Here are some tips for your onsite participation:

• Your active participation on both days is critically important.
• Consider the needs and challenges of service members, veterans, their families, caregivers and survivors.
• Look for connections between relationships, services, stakeholders, issues, service environments and opportunities.
• Identify where the Network can leverage services, entry points, assets, training, advocacy, data and any other design or operational elements.
• Cultivate a “shared” view of what can we do collectively, and how we can share decisions, control, continuous improvement, etc.
• Be optimistic about the potential.
• Please use the breaks and meal times to check your messages, text and make phone calls.
• Enjoy the process.
Here are some questions for you to consider in advance – you may want to discuss these questions with your colleagues so you can represent their perspective along with your own:

- What challenges (both for accessing and providing services) do we need to address?
- What are the legal services gaps?
- What are the strengths of the current legal services networks?
- What problems or patterns of gaps exist in the existing legal networks you are currently working with?
- How can we better prepare and support attorneys?
- How might we connect and leverage our pre-existing local, regional and national legal services?
- Should the Network serve all military populations or only certain ones?
- What types of legal services should we provide? All? Some?
- What meaningful services could we provide to service members, veterans, their families, caregivers and survivors regardless of income?
- What non-legal systems and service providers should we engage?
- What are my initial thoughts of what a national Network might look like? Key pieces and players, services, how the end-user would access it?
- What operating principles should we include?
- How would we govern and manage the Network?
- What might potential entry points to the Network look like?
- What systems for intake, screening and referral should we consider?
- What needed resources and capabilities would we need?
- What post-Summit steps would we need to consider in order to begin to establish the Network?
The legal needs of service members and veterans are represented by the inner circles and fall into three categories: Administrative, Civil and Criminal. Outside the circles are those organizations and systems involved in Military and Veteran Legal Support – particularly (and sometimes exclusively) for low-income clients. While the list of legal needs and services is not exhaustive, it illustrates the complex and comprehensive issues that must be considered when designing a Network aimed at meeting the legal needs of not only service members and veterans, but also their families, caregivers and survivors.

**Administrative**
- Adverse Military Administrative Actions
- Discharge Upgrades
- VA Benefits
- Security Clearance Revocations
- Correction of Military Records (awards, credit for prior enlistments, as examples)

**Criminal**
- Expungement of Criminal Records
- Driver’s License Revocations
- Outstanding Fines and Warrants
- Probation and/or Suspended Sentence Revocations
- Federal, State, Local Prosecutions
- Bond Hearing Revocations

**Civil**
- Employment (USERRA)
- Wills and Powers of Attorney
- Income Tax
- Name Change
- Housing
- Landlord/Tenant
- Assistance for pro se actions by the client
- Family Law—divorce, custody, child and spousal support, guardianships
- Consumer Protection

The National Resource Directory

- Veterans Affairs
- VJOs and VSOs
- Army OneSource
- Veterans Legal Aid Clinics
- Stateside Legal
- Military Legal Assistance Offices
- Law Schools
- National legal associations – Including the ABA: Pro Bono Project, Operation Home Front, Operation Stand By
- State Bar Associations and Military Law Committees
- Prosecutors
- Veterans Treatment Courts
- Public Defenders
- Legal Aid Organizations
- Local Bar Associations
- Community Partners in Housing, Homelessness, Transportation, Employment and Behavioral Health
Planning History

5/2014
- Initial planning meeting with national legal associations, legal services providers, philanthropy and other organizations
- Developed consensus for the creation of four operational centers: Advocacy, Collaboration, Data, Clearinghouse

9/2014
- Planning meeting #2
- Defined the primary functions of the four operational centers for the Network

Winter 2015
- Concept paper written
- Concept paper and informational report shared with the ABA Board of Governors

7/2015
- The Bob Woodruff Foundation expresses intent to pursue a national convening to inform and guide the development of a National Military and Veteran Legal Services Network

Fall 2015 – June 2016
- Summit planning committee assembled
- Summit meetings convened to determine design and implementation
- Summit scheduled for June 23-24, 2016
Planning Notes
From 2014-2015 planning meetings

- Determine veteran and service member legal needs and trends (distinct subgroups and issues)
- Assess current local, state and national capacity and identify gaps (staffing, services and funding)
- Develop individualized data for local planning and services
- Identify high risk individuals and groups (unemployed, TBI/PTSD, incarcerated, homeless/at-risk)

- Contemporize federal policy
- Demonstrate the value of legal services for this population
- Promote changes and funding for effective practice
- Develop and maintain a digital CLE law library
- Build cultural competence for working with Veteran, Service member and family population
- Training on the complexities and competencies of serving military affiliated, their families and caregivers

- Maintain clearinghouse of local resources
- Triage and connect to appropriate local resources
- Connect lawyers with local counsel for interstate/multi-state issues
- Identify high risk individuals (unemployed, TBI/PTSD, homeless/at-risk)

- Engage the myriad existing legal services providers (both civil and criminal) in the development of the national Network
- Promote holistic models and best practices that work
- Improve “workflows” by modeling scalable solutions for 1) better access, 2) early engagement and 3) matching local legal resources to individual needs
- Build connectivity between active duty, transition support/planning and veteran’s programs
Advocacy: Key Issues to Consider

• Promoting Veterans Courts and diversion models to prevent criminalizing our returning heroes for the untreated wounds of war - otherwise they are consigned to unemployment, break-up of family, homelessness and debilitating depression and self-medication leading to addictive disorders
• Finding ways to promote a national process enabling returning combat veterans who receive unemployment benefits to convert their benefits into employment opportunities (maybe a voucher system)
• Identifying strategies and technology to sharply reduce the backlog of veterans benefits cases awaiting disposition
• VA benefits (not just limited to disability)
• Discharge upgrades
• SCRA enforcement/consumer protections
• Criminal justice involvement of combat veterans
• Access to financial and economic assistance and guidance including protection from payday and title loan scams at the state level
• Extension of the Caregiver Act of 2010 to cover all generations of veterans and provide appropriate health care.
• Quality training of advocates
• Improved awareness by veterans of advocacy resources available
• Legislative monitoring to insure veterans continue to be permitted to hire legal advocates
• Encourage community support for transitioning service members. As wars wind down and the military services shrink, there's an increased need to incorporate new veterans into their communities. Continued public service is a great way to support this community, and there are already stakeholders working on this. We could provide a legal component, and create a network of veterans in legal practice.
• Lobby national, state and local governments about best practices in supporting military veterans and active duty service members. Key in this effort is removing the LSC income restrictions for veterans and service members.
• Build awareness of military legal issues while de-mystifying military life. Being a part of the military is a unique experience, but it is not that different from a civilian life. Military members still struggle with the same issues as civilians, but those issues are amplified by their service.
Collaboration Tools: Key Issues to Consider

- Establishing a vision for collaboration before engaging stakeholders
- Determining what types of agreements need to be established
- What would the governance framework look like
- Building a foundation that is sustainable and can withstand leadership and other changes in conditions and circumstances
- Be comprehensive in what collaboration needs to included: agreements, data, sharing, responsibilities etc.
- Defining and addressing the barriers

Data Center Tools – Types of Data

- Population
- Locale
- No. of veterans diverted/liberated from incarceration through the Network support
- No. of veterans taken out of backlog due to Network intervention
- No. of homeless veterans who connected with housing opportunities
- Employment opportunities the Network helps to facilitate
- No. of unrepresented claimants at various stages of claim
- No. of trained advocates providing assistance
- No. of VA compensation claims pending/deciding/grants/all owed
- Military families data
- VA adjudication error rates at each stage
- Justice involved stats
- VA filings information by state/county; veteran represented by VSO, attorney or pro se, claims outcomes, time involved
- Same information (as VA above) re: NOD, BVQ, court of appeals filings
- Economic impact data- due to money spent on services to veterans as well as lack of legal services
- Those not being served – impact/outcomes
- Time sensitive requirements
Clearinghouse/Hotline: Defining Potential Scope of Services

- Provide information about resources without actually making a referral?
- Conduct preliminary intake—assessing all potential issues—and match to available resources?
- Connect lawyers with local counsel for interstate/multistate issues?
- Identify high-risk individuals (unemployed, TBI, PTSD, homeless/at-risk) for whom non-legal support may also be implicated (and for whom full representation and supportive services might be critical).
- Refer the caller to an attorney/legal resource?
- Partner with existing national call-in/hotline services?
- Develop and maintain call-in/hotline services? With referrals?
Assuring capacity to meeting the legal needs of military populations – topics may include:

- The number of available, qualified attorneys
- Ongoing training and education for legal professionals
- Relevant legal resources (case examples, templates, forms etc.)
- Expanding/leveraging existing effective legal service programs
- Effective outreach to military and veteran populations
- Administrative support requirements (software, staff)
- Intake, assessment and triage best practice
- Relevant population and legal needs data
- Funding
- Gaps in service delivery
- Create data resource for practice and planning
- Develop prevention strategies

Establishing connectivity between local, state and national programs and efforts – topics may include:

- Improving the attorney-to-client contact through information and referral systems, call centers, on-line access, etc.
- Addressing inter-jurisdictional cases and needs
- Capitalizing on, or building, interdisciplinary expertise inside and outside of the legal profession
- Effective case management
- Portability of case management
- Funding
- Technical assistance to providers, planners and policymakers
- Advocate for policy and resource actions that are aligned to improving outcomes
**Survey**

Legal Services Providers
Issued to a select number of Army OneSource Legal Alliance Members

Survey captured 25% response rate. Issued May 2016.

What challenges do service members, Veterans, their Families, Care Givers and Survivors face when seeking legal assistance?

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<th>Lack of financial resources needed for service providers to do the job effectively. Families putting up their assets to hire attorneys – cannot afford attorney fees; Pro bono or sliding scale attorneys - difficult to find</th>
<th>Access to counsel for a myriad of reasons, from location from base to affordability. Limited, if any, access to civilian courts-most can't afford counsel</th>
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<tr>
<td>Don't know where they can turn for legal assistance; do not know about special programs available to them; resistance to asking for help, even in dire circumstances</td>
<td>Income guidelines which restrict access; Limitations of legal service program provided by JAG or on base.</td>
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<td>Bar associations, legal services organizations, and JAG officers should be meeting regularly to assess the needs and recruit a volunteer base in the areas of greatest demand and provide free legal clinics</td>
<td>Interstate issues - legal issues from a state other than the one in which they live –we lack a solid Network of attorneys to refer to</td>
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<td>Limitations on what kind of legal assistance can be provided – can cause a legal issue to drag on until it becomes a crisis. Especially for retirees who are legally incompetent due to age or illness</td>
<td>Educate all to the various veteran statutes that can be used in every criminal court room so more vets can be helped. Educate on who can provide criminal counsel</td>
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<tr>
<td>Confusion as to what resources are available; inability to pay for legal counsel; not informed regarding key penal code statutes that could effect the outcome of a criminal case, or the consequences</td>
<td>Service members are concerned that their careers will be adversely affected if their legal problems are brought to light.</td>
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<td>Family law--few non-profits offer full family law services – more child custody. Frequent moves creates huge issues with custody</td>
<td>Lack of attorneys who are well-versed in issues that are VA or DoD specific; Too few attorneys or organizations willing or available to provide services at low or no cost</td>
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<td>Landlord tenant, labor law, consumer law, student loans – big rip offs of GI bill etc. &quot;Sophisticated&quot; scams also reek havoc on the junior ranks when they choose not to or can't fight a bad deal</td>
<td>Locating contact information; Finding the right group to provide the needed services where they qualify; Retaining legal documents that need to be viewed; Communicating the most critical legal problem first</td>
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<tr>
<td>Criminal: public defenders are generally unaware of veterans alternative justice; Troubled veterans are not very good at follow through; DUI conviction they have no driver's license for a long time</td>
<td>Access: Availability and capacity of legal services to meet the needs; rural, no geographic access; challenge to establish systems to meet the legal needs in a geographically diverse state; low bono or pro bono legal services</td>
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<tr>
<td>Attorney education: most are not familiar with the types of legal issues present in the military population; challenge to provide adequate attorney education so they can meet the military population's needs</td>
<td>Attorney education: providing sufficient &quot;sensitivity training&quot; to volunteer attorneys to ensure they understand the frame of reference of military clients; familiarization with common mental health issues faced by the military population; lack of understanding regarding the impact of military service;</td>
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### What do service members and veterans need that they don’t have?

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<th>An online system, that filters this audience based on their financial level and area of need; Offline: needs to be ONE comprehensive list of legal organizations which details what services they CAN provide, their hours, and contact information</th>
<th>Someone who will be able to tell them exactly where to go, if they qualify, and what services are available</th>
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<tr>
<td>Stability: Low-income and modest means veterans, service members, and sometimes stability means resolving a legal issue - child support, expungement, driver’s license restoration, consumer issues, and housing issues. Sometimes without additional solutions (employment, for instance), the legal solution is merely a band-aid.</td>
<td>Education regarding legal statutes that apply to them; a class during the Transition Assistance Program while they are on active duty would be a great start</td>
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<tr>
<td>Basic estate planning: too much emphasis on obtaining a Last Will and Testament; hosting wills clinics where the military population is afforded an opportunity to have a simple estate plan drafted</td>
<td>Access: easier access to attorneys that are available to help and who are experienced in benefits appeals and discharge upgrades; Access to free or low cost civil legal aid</td>
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| 1. Documents  
2. Communication Skills  
3. Timeline of facts  
4. Life skills training | Counsel that understands their culture, and can talk to them under any circumstance, can speak their language as well as understand PTSD and other issues; Any written or electronic state specific guides to pro se and civil process |
| Many service members/veterans are looking for assistance with family law matters and there is a shortage of affordable or pro bono services in that area | Pro bono attorneys—including criminal defense. One-stop legal clinics to help with multiple legal issues. |
| Equal treatment of both female and male veterans within the jail system. Male veterans are being served by the Veteran Affairs at a higher rate than female veterans. Accessing the veterans while they are in custody is an excellent place to find them | Behavioral health: Legal difficulties are almost always compounded by other challenges including substance abuse, behavioral health issues that may or may not be related to service, relationship problems, or financial difficulties a well-developed legal assistance service will have way to help veterans and service members connect to other services |
What are the issues of connecting military populations to legal services that already exist?

<table>
<thead>
<tr>
<th>Access: outlying counties where there are few attorneys; transportation to get to a legal clinic too many different groups, too many different criteria; access to the Internet</th>
<th>Have one person who &quot;bulldogs&quot; the veteran's issues, until all or most barriers to stability are addressed; Because of this, there are certain organizations that I refer veterans to because I know that the organization will ensure this</th>
</tr>
</thead>
<tbody>
<tr>
<td>Referral system from military legal assistance offices: when MLA offices cannot take a case, provide a roster of local attorneys who might take cases for pro bono or reduced fees; address the need for how legal assistance can be provided when a request is made to MLA office knowing JAG office must focus on military justice operations and priorities</td>
<td>Capacity: pro bono legal providers are understaffed; demand for pro bono legal services for veterans is great and causes providers to triage so that many less urgent, more complex matters often go unresolved; doubt pro bono services will ever fill the gap; civilian counsel cannot make payroll, satisfy overhead, existing pro bono resources currently find themselves busy trying to meet the needs of the non-military affiliated members of their respective communities</td>
</tr>
<tr>
<td>1. Dissemination of information: available communication options i.e. internet 2. Clear guidelines on what areas are covered and what is necessary to qualify for services 3. Assistance in sorting out the legal issues</td>
<td>Many attorneys are not knowledgeable re: military culture; Many veterans we deal with have PTST or TBI, so we need to train our volunteers on how to handle those issues</td>
</tr>
<tr>
<td>Lack of a local database documenting available services for veterans Fear &amp; uncertainty Lack of money to pay attorneys Discharge status</td>
<td>Many of them make too much income for free legal aid, and not enough for market rate legal services. If they could find a free attorney, it would be unlikely that the attorney is familiar with the specific issues faced by military populations</td>
</tr>
</tbody>
</table>
What are the issues of connecting military populations trying to connect to services that don’t exist?

<table>
<thead>
<tr>
<th>More veterans courts for criminal issues</th>
<th>Funding is the major issue: some issues and problems where no grant money is available; funding for family law programs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal fees/costs: no funding for these fees/costs e.g. if bankruptcy is the best solution for the veteran, the veteran needs to come up with the filing fee. Or for a veteran trying to expunge an old criminal record so that they can become employed, they must pay all of the past fines and fees before the records can be expunged</td>
<td>When a veteran attempts to connect to a non-existent service it foreseeable causes frustration and may create greater problems for the veteran and his or her family</td>
</tr>
</tbody>
</table>
| 1. Limited or no support for problem-solving to utilize all available resources to help address or mitigate their need for legal assistance.  
2. Few systems track the demand for unmet needs which makes it difficult to advocate for expanded services. | Complete lack of knowledge and intimidation by the legal system. Throw in that many feel like outsiders in the civilian town near the local base or station and throw in possibly real animus by locals and you have a recipe for disengagement, distrust and problems |
| Finding an attorney: They spend time searching for an attorney and never find one. | Jail programs targeted for women veterans - that is completely being overlooked |
### What problems or patterns of gaps exist in the legal Networks you are working with?

<table>
<thead>
<tr>
<th>Capacity/Cost: too many in need and not enough attorneys to help; more low bono/pro bono; not enough attorneys willing to offer reduce fee for those with modest means; lack of pro bono services; “Modest means” Network of attorneys who are willing to offer a sliding fee scale would really help our veterans, service members, and their families</th>
<th>Lack of Funding: family law services and veteran benefits expertise and trainings; designated funding that will cover staff dedicated for veterans issues</th>
</tr>
</thead>
</table>
| 1. Inadequate areas of coverage of service members unless they are being deployed  
2. Nonexistent coverage of service members if it is a contested matter  
3. One stop shop for referrals  
4. Difficulty in working with homeless populations or populations that may move between more than one state | 1. Inconsistent training and use of veteran courts across jurisdictions  
2. Limited access to other supportive services such as substance abuse treatment, counseling, financial education, that are needed for service members to complete veterans treatment court requirements  
3. Limited/inconsistent availability of legal services, especially for veterans with other than honorable discharge status |
| Lawyers don’t feel qualified to take on a case and new attorneys are just trying to learn their regular jobs. The bureaucracy never helps, both the civilian legal system as well as the military | 1. Availability of limited scope representation, short term representation, and general legal advice (non-representation)  
2. Many veterans and military members need only basic guidance, or answers to a few questions. There is no resource for this. Also, many veterans and military members have the ability to pay a moderate amount for legal services, but not the full going rate. Thus, a resource offering modest means legal services is needed to fill this gap. |
| Frustration with public defenders. | One group may handle such and such a claim but not family law; one group may have very strict income requirements; one group may advertise that they can help, but not really be able to |
| Lack of on-base services, lack of free services, lack of attorneys familiar with military family law issues. This gap could be filled by training and/or funding free attorneys (either through legal aid or pro bono programs) to handle and take military family law issues | Women's detention facilities: Finding the women when they are in jail, oftentimes at a rock bottom, is key to getting them connected to benefits. Additionally, finding them in jail allows an opportunity to educate them on different penal codes that effect their case |
i. Introduction

Tim served three tours of duty - one in Iraq and two in Afghanistan. He is a decorated veteran whose personal life first began to unravel while he was deployed. Facing a divorce, custody battle, and suffering from undiagnosed post-traumatic stress disorder, Tim was unable to keep a job and meet his financial obligations.

When he finally sought legal help, Tim was bounced from one well-meaning information or referral system to another, each one having strict guidelines on whom they could help and for what kinds of matters. Tim made several appointments with different legal offices, leaving some matters like his out-of-state custody matter unresolved until a lawyer in the other state could be found. Despite his best efforts, the complexity of his family law, financial and health issues left him stressed, overwhelmed and hopeless. Tim’s self-treatment of his PTSD with alcohol eventually spiraled out of control until he was living on the streets where his unresolved PTSD temper soon landed him in jail.

This story is a composite example of how unresolved legal difficulties escalate, destabilizing a person’s life. For service members and veterans, this means distraction from mission, non-deployability, and failure to receive necessary treatment and services. While hypothetical, the elements of the story are common challenges for these men and women, every day. With early intervention and the right legal help, Tim and others like him, can have better, happier outcomes through a coordinated effort to strengthening existing legal assistance opportunities, seeding new ones, and connecting them, nationally.

The vital importance of the connection between access to timely legal services and improved outcomes and transitions to civilian life cannot be overstated. Just like mental health issues, untreated or unresolved problems tend to only worse over time until a breaking point—often at rock bottom. Yet, lawyers and other service providers empowered with the right Network can break these cycles, tackle the complexity legal and logistical crises, and resolve problems holistically.

Since 9/11, there has been strong interest and growing support from community organizations engaged in supporting veterans. This national dynamic is noted in the recent white paper “After the Sea of Goodwill” issued by General Martin E. Dempsey the Chairman of the Joint Chiefs of Staff. The white paper highlights how our communities have responded to support the needs of returning service members, veterans and their families, and elevates the need for improved national strategy across the public and private sectors. A successful national strategy requires a holistic approach characterized by cooperation, collaboration and integration of services that meet veteran, Servicemember and family needs. The paper also notes that the overall patchwork of community support is insufficient, unconnected and declining as needs continue.
“In fact, recent empirical evidence suggests the sea of goodwill has already begun to wane. The need remains, however for substantive long-term efforts to assist veterans and their family members as they transition out of uniform and reintegrate into their civilian communities.”

As we reintegrate more than 2 million service members from post-9/11 military operations, and bring US ground forces to their lowest level since before World War II, we face significant gaps in our capacity to support reintegration from military to civilian life. Without an integrated Network of services that provide access to information and legal representation, these men and women will continue to struggle to have their legal needs resolved, leaving them vulnerable to escalating problems that leave their families, income and health at risk, not to mention the ability for those in transition to successfully reintegrate back into civilian life.

ii. Purpose Statement
The purpose of the National Military and Veteran Legal Network is to develop a system of accessible and integrated services that address the legal needs of veterans, service members and their families so they can achieve, maintain and strengthen self-sufficiency and successfully reintegrate into civilian life.

By combining and leveraging the strengths and resources of national, state and local legal services providers, the Network will build capacity across the country to allow veterans, service members and their families to access the services they need regardless of their geographical location. The Network will also advance leadership and training within the legal profession and develop its capacity as a collaborative partner with other systems of support including housing, employment, financial, education, medical and behavioral health services and military benefits.

iii. Background
Veterans, service members and their families are routinely confronted with a myriad of legal issues. They can be administrative in nature and the key to unlocking the benefits they have earned, or they may be civil issues related to family, housing, consumer fraud, employment or finance. They can also be criminal, ranging from minor infractions to felony convictions. Ultimately, many legal issues serve as barriers to employment and housing.

Each legal arena - administrative, civil and criminal - has a different process and compliance concerns to navigate, making professional representation vital if not necessary. Addressing the broad range of legal issues facing our service members, veterans and their families will require us to recognize the varying factors that go into building legal services capacity, developing cross-sector partnerships, providing supportive data and technology, and working closely with military and veteran organizations to encourage the system’s seamless utilization.
Key Legal Issues Facing service members and veterans

Veteran Homelessness
In its most recent survey of homeless veterans and their healthcare providers (The CHALLENG Survey), the VA revealed that veteran homelessness is often triggered by an unaddressed legal problem. The survey reported that three of the top ten needs of homeless veterans were for legal assistance – to prevent housing eviction/foreclosures, to assist with child support issues that garnish wages, and military discharges issues that prevent employment. Homeless veterans also reported that in order to remove legal barriers to housing, employment and treatment, they needed legal help to access their benefits, secure guardians or fiduciaries, address outstanding warrants and fines, clear up bad credit, and expunge outdated criminal records.

Incarceration and Criminal Misbehavior
No one knows the precise number of veterans already in prison, although studies consistently reflect they comprise nearly 10% of the population in the nation’s jails and prisons. In its 2006 report, The Justice Department estimated the number at 223,000, most of them Vietnam-era veterans. Incarcerated veterans are more likely than nonveterans to be first-time offenders, and on average receive longer sentences than nonveterans (among property and public-order offenders, veterans’ sentences averaged nearly two years longer than nonveterans). Court systems know there are more veterans coming into courts and jails that are already at capacity.

Iraq and Afghanistan war veterans who struggle with the anger and emotional outbursts of combat trauma are more than twice as likely as other veterans to be arrested for criminal misbehavior, new research has confirmed. The study, published in the Journal of Consulting and Clinical Psychology, for the first time draws a direct correlation between combat post-traumatic stress disorder (PTSD), the anger it can cause and criminal misbehavior. Several studies conclude that between 30% to 40% of the approximately 1.6 million vets of Iraq and Afghanistan will "face serious mental-health injuries" like Post Traumatic Stress Disorder and problems from traumatic brain injuries. Experts in the field report both those conditions are linked to anti-social and criminal behavior.

Consumer Fraud and Identify Theft
Veterans are targeted by predatory lenders and are more vulnerable to financial problems than the rest of the population. This is especially true for those returning from active duty.
Concept Paper

Congress, the Department of Defense, Federal Trade Commission (FTC), and Consumer Financial Protection Bureau, among others, have documented and warned of abusive, usurious, and predatory financial schemes targeting veterans and service members for their guaranteed paychecks, benefits, and pensions. Examples include fraudulent or abusive loan products and terms resulting in interest and fees equaling 400-900% of the original loan; education “mills” designed only to drain veteran education benefits, and identity theft.

The FTC reports that Identity theft complaints from active U.S. military and veterans are twice the number reported by the general U.S. population. In fact, 30 percent of active military and veterans place identity theft as their No. 1 complaint, compared with 14 percent of the general U.S. population. The non-profit Privacy Rights Clearinghouse reports that since 2005, nearly 700 government and military data breaches have occurred, with 45 million veterans and active-duty military personnel ID records compromised. Identity theft can result in severe amounts of illicit debt, ruined credit, and can make it virtually impossible to obtain personal loans, mortgages or even jobs. Lawyers can help restore a person’s identity, reputation, clear fraudulent debts, discharge others, enforce state and federal protections, and return a life to normal.

Divorce

According to a September 2013, study by the Rand Corporation, the wars in Iraq and Afghanistan have been hard on military marriages, with the risk of divorce rising directly in relation to the length of deployment to combat zones. According to researchers, 97% of divorces have occurred after a return from deployment.

When a military family goes through a divorce, they face unique legal issues. Relocation during military service often times involves more than one state. Determining settlement, child support and custody, and division of military pensions requires an attorney trained in the specialized issues of a military divorce. Being in the military also presents special child custody issues. Military parents risk losing child custody when deployed, and may have to temporarily give up custody. When they return home they could face difficult custody battles.

The American Bar Association Military Pro Bono Project works in cooperation with the Legal Assistance Chiefs of each Service, providing a referral Network to low-income military for matters on-base legal assistance is not able to address. Since its inception in 2008, 70% of referred legal matters are family law related (20% financial).
Child Support
In examining the greatest legal challenges homeless veterans face, the Department of Veterans Affairs, joined by service providers on every level, identified child support at the top of the list. For homeless veterans, arrearages often result in substantial portion of their benefits going to help satisfy the obligation rather than treatment for the veteran, and the veteran goes back onto the street. At the request of the VA and the Department of Health and Human Services Office of Child Support Enforcement, the ABA joined in a new partnership launched in nine cities to address the problem. The project connects all stakeholders to ensure the obligations are addressed and veteran’s treatment and services are preserved. The successful partnership is expected to soon go national.

Military Benefits
Benefits for veterans include disability compensation, pension programs, free or low-cost medical care, education assistance, survivor benefits, and post-traumatic stress disorder (PTSD) support. When access to these benefits is denied, legal assistance may be needed for a resolution.

Reintegration
Legal issues can add complications and delay or prevent reintegration into civilian life. Additional issues face veterans as they transition from their military careers into their communities. A substantial number of legal problems today’s veterans face initially arose during active-duty. In addition to responding to legal crises, lawyers help prevent them. Today, lawyers work with service members to begin creating, compiling and correcting medical and personnel records that will help prevent legal crises in years to come.

Employment
With the drawdown of troops, many veterans are given 30 to 60 days' notice to leave the military and start a new life. The emotional, physical, and behavioral challenges for veterans are unique and amid any personal tumult must now also navigate the job market. It can be difficult for veterans to translate their military background or technical training into civilian jobs that require comparable expertise, and for Guard and Reserve, they often return to find their previous jobs and businesses gone in violation of their rights. According to the Department of Labor VETS program that enforces such rights, nearly two-thirds of claims to enforce those rights are erroneous or deficient in how they claim the violation. Lawyers help veterans write valid claims to enforce their rights.
Substance Use Disorders and Depression

A Department of Veteran Affairs study on reintegration problems and treatment suggests that mental disorders and symptoms, including posttraumatic stress disorder (PTSD), substance use disorders, and depression, is high among service members within the first year of returning from deployment. These men and women are disproportionately vulnerable arrest or convictions for offenses arising from their service or efforts to self-medicate. Justice involvement often separates them from the very benefits they will need to return to self-sufficiency. Lawyers understand this, and working with the VA’s Veteran Justice Outreach coordinators, often through veteran treatment courts, help veterans connect to necessary treatment and services.

Interstate Issues

Often, even exceptional lawyers are limited in what they can do for veterans who have legal matters arising in other states. Foreclosures, child custody disputes or support, and other matters arising in a different state leave some lawyers without options, and lawyer referral Networks in other states provide no assurances as to the expertise of services provided or experience in working with veterans. Without a reliable means for referral to another state, lawyers are left to cold calling, depending on their personal Networks or the bar’s relationship to another jurisdiction for successful resolution.

iv. Project Description

The American Bar Association (ABA) is a nationally recognized leader in addressing the legal needs of military service members and veterans. For years, it has worked with law firms, legal aid providers, law schools, courts, state and local bar associations, and others, over how to address and prevent the legal needs these men and women face. The ABA does not itself provide legal services, and it cannot do the work alone.

Over the past year, the ABA has convened a national partnership of shared stakeholders to develop a collaborative vision for overcoming chronic challenges service members and veterans face in resolving their legal needs. The result has been a conceptual plan for a National Military & Veteran Legal Network, which can bridge historical gaps and barriers and ensure continuity of legal care and improved outcomes for the men and women who wear or wore the military uniform. The Network will build a better-coordinated system on the national, state and local levels and will benefit the already over-burdened service providers through a national hotline which will quickly connect veterans and service members to the legal services they need.
Delivering Better Outcomes
Let’s revisit Tim’s story, and present a different outcome. In this version, Tim reaches out for legal help by placing a call to the National Military & Veterans Legal Network. The person who answers the call at the Network Hotline verifies he is a veteran, thanks him for his service and assures him that the information he gives her during the call will be kept in the strictest confidence. She explains that she will not be representing him, but will seek to identify attorneys who can help.

She listens to his story, the problems he is facing, and asks him questions to search for possible additional legal issues that he may not be aware of and enters Tim’s information on a Hotline intake form. She politely asks questions designed to screen for latent issues like PTSD and makes a follow up note for the attorney file. She also offers guidance provided by the VA on where veterans who may have PTSD can go for help. Based on his information, she looks at law school clinics, legal aid programs, pro bono military programs, and private lawyers who are a part of the Network. Working with legal services in and near Tim’s community, she identifies an experienced family attorney and an estate law attorney who can help. She also identifies a lawyer for the out-of-state custody order and provides Tim with a list of information he should pull together for his conversations with the lawyers.

She explains to Tim that she will provide the information to the lawyers. Later, when the lawyers have both reviewed the file and agreed to represent Tim, she connects them all together and provides them with the names of lawyers willing to advise them on certain specialized legal matters Tim is facing. With the support and advice he’s given, Tim’s life stabilizes with a financial plan he is able to stick to because he is also now receiving treatment for his PTSD and it seems to be working. His wife sees this and considers not divorcing. Things are not perfect, but they are improving and he feels empowered and supported, and never pays a dime—all because there was the Network.

The Network would be designed to close gaps and strengthen centers in legal services including:

a. Access to legal services
Establish a National Military and Veteran Legal Hotline that can effectively triage and provide access to legal counsel for veterans, service members and their families or caregivers.
b. Capacity of local legal service providers
Support local legal aid organizations, nonprofit agencies, state bar and bar associations, law schools and pro bono legal programs in increasing their capacity to effectively meet the legal needs of military populations living in their communities. Provide promising practices, and access to education and training about military populations.

c. Collaborative leadership and planning
Increase the Network’s impact and champion its objectives. Leverage resources and build efficiencies of scale and support with advocacy tools, and data. Engage cross-sector alliances to support increased access to legal services and successful reintegration into civilian life.

d. National Military and Veteran Legal Network Core functions
e. Key Network Partners

American Bar Association
Army OneSource
Council on Foundations
Department of Defense
Department of Veterans Affairs
Equal Justice Works
Federal Bar Association
Justice for Vets
Law Schools
Legal Services Corporation
Military Spouse JD Network
National Coalition for Military Caregivers
National Coalition for Homeless Veterans
National Legal Aid & Defender Association
National Organization for Veterans Advocates
National Veterans Legal Services Program
State & Local Bar Associations
Stateside Legal
Tragedy Assistance Program for Survivors
USA 2-1-1 Veterans Work Group
Veterans Consortium Pro Bono Program
Veterans of Foreign Wars
Veterans Service Organizations
Note: Many of these problems interfere with the ability to obtain or retain permanent housing and would be eligible services under the SSVF grant. Others may qualify for legal services for different reasons. Please read the list of problems. If you are having one or more of these problems, check the box and ask your case manager to assist you in getting help from a local legal aid provider or other advocacy service.

Please check any problems on the list below that you are having:

- Victim of a scam (including bad checks, email and phone offers)
- Identity theft or other credit problems
- Debt collection (including court hearings and/or phone harassment
- Bankruptcy
- Getting phones/heat/electric installed or disconnected
- Consumer purchase/sales agreement that didn’t work out as you expected
- Problems with an auto purchase or repair
- School services for your child (including discipline or special education)
- Bullying/harassment of your child at school
- Job problems (hiring, firing, getting paid the right amount or on times, etc.)
- Federal or State taxes (filing or getting the earned income credit or refund check)
- Child visitation, custody or child support
- Enforcing or changing a court order related to family issues (Inc. child support)
- Dealing with guardianship over a family member
- Dealing with the death of a family member or relative, including wills and estates
- Abuse, dating violence or stalking (yourself or a family member)
- Getting needed medical services for yourself or a family member
- Living in unsafe housing
- Foreclosure on your house or the building in which you rent
- Paying property taxes on your home
- Problems with your landlord
- Eviction (threatened or pending)
- Need for reasonable accommodation in housing (including modifications, service animals, ramps, etc.)
- Discrimination in housing (based on race, gender, disability etc.)
- Problems with military or veteran’s benefits
- Problems with work-related injury and/or workers compensation
- Being sued by someone
- Other

Provided by Stateside Legal  http://statesidelegal.org
Army OneSource Data Sources

- Army OneSource Resource Center provides data from the Defense Department Manpower Data Center (DMDC) to help inform planning, decision making, resource allocation and to better predict future service needs. Available data is listed in the chart below. Data is presented by state, county, and zip of the most current reported home mailing address.

- Go to: www.aosresourcecenter.com  user: legal2016 password: Summit

<table>
<thead>
<tr>
<th>Active Duty</th>
<th>Deployment</th>
<th>Estimated Time of Separation</th>
<th>Behavioral Health</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Active Duty, Guard and Reserve Component as of 8/31/2015</td>
<td>service members deployed between 9/11/2001 and 5/31/2015</td>
<td>Number of estimates separations from service of enlisted between 4/01/2015 and 1/31/2017</td>
<td>Estimated prevalence of Post-Traumatic Stress Disorder / service members deployed between 9/11/2001 and 5/31/2015</td>
</tr>
<tr>
<td></td>
<td>service members deployed more than once between 9/11/2001 and 5/31/2015</td>
<td></td>
<td>Suicide Ideation / service members deployed between 9/11/2001 and 5/31/2015</td>
</tr>
</tbody>
</table>
Sources
Partial List

American Bar Association
Coordinating Committee on Veterans Benefits & Services
http://www.americanbar.org/groups/committees/veterans_benefits.html

ABA Home Front

ABA Consumers’ Guide to Legal Help
http://apps.americanbar.org/legalservices/findlegalhelp/home.cfm

Bureau of Labor Statistics
http://www.bls.gov/news.release/vet.t06A.htm
http://www.jec.senate.gov/public/index.cfm/democrats/statebystateresport/

Justice for Vets – Veterans Treatment Court Locations
http://justiceforvets.org/veterans-treatment-court-locations

National Association of Counties
http://www.nachc.org/research-data.cfm

National Center for Veteran Analysis and Statistics

RAND Military Caregivers Study
http://www.rand.org/health/projects/military-caregivers.html
Sources
Partial List

SAMSHA Data Center

http://www.samhsa.gov/data/topics-a-z-index/reports-by-topic?topic=90


Stateside Legal
http://statesidelegal.org

The U.S. Census Bureau
http://www.census.gov/search-results.html?q=veterans+by+state&page=1&stateGeo=none&searchtype=web&cssp=Typeahead

U.S. Department of Veteran’s Affairs – Legal Help for Veterans
http://www.va.gov/OGC/LegalServices.asp

Veterans Justice Outreach
http://www.va.gov/HOMELESS/VJO.asp