



Lawyers Serving Warriors®

A Pro Bono Project of the National Veterans Legal Services Program

Free Legal Services

Discharge Upgrades, Medical Retirement, and Combat-Related Special Compensation cases
before the Department of Defense

WHAT IS LAWYERS SERVING WARRIORS® (“LSW”)?

LSW is the pro bono program of the National Veterans Legal Services Program (NVLSP). LSW mentors hundreds of cases at the Department of Defense (“DOD”) each year, with the assistance of law firm volunteer attorneys. Veterans are never charged for these services. LSW screens complete medical and personnel records to ensure each case meets our program requirements. LSW is not able to accept all applicants to our program. For each veteran LSW represents, LSW submits not only the DOD form, but also a legal brief with exhibits providing evidence in support of the claim.

WHAT TYPES OF DOD CASES DOES LSW HANDLE?

- (1) **Discharge Upgrades:** Veterans who did not receive an honorable discharge or had a negative narrative reason for separation on their DD Form 214 certificate of release or discharge from active duty may apply to DOD to have the discharge characterization upgraded or the narrative reason changed. Recently, DOD issued guidance calling for the careful consideration of petitions seeking to upgrade discharges based on post-traumatic stress disorder (“PTSD”) or other mental health conditions, traumatic brain injury (“TBI”), sexual orientation, or military sexual trauma (sexual assault or sexual harassment);
- (2) **Medical Retirement:** A medical retirement is issued when a service-connected medical condition(s) interferes with a service member’s reasonable performance of military duties and that condition(s) is given a disability rating of at least 30% or more by the Department of Veterans Affairs (VA);
- (3) **Combat-Related Special Compensation (“CRSC”):** CRSC compensates retired veterans for combat-related disabilities. CRSC is a tax-free entitlement in addition to any retirement or VA disability pay.

HOW DO VETERANS APPLY TO LSW?

Veterans apply online for LSW’s services at www.nvlsp.org/what-we-do/Lawyers-serving-warriors/.

Veterans may also call **202.265.8305 ext. 152** or e-mail info@nvlsp.org. LSW will request that the veterans sign releases so that LSW can get their medical and personnel records.

SHOULD VETERANS APPLY ON THEIR OWN FIRST?

Veterans may weaken their case by applying on their own without a detailed legal brief and exhibits. LSW does not require veterans to apply on their own prior to requesting assistance.

CAN LSW ACCESS VBMS?

NVLSP accredited representatives can access veterans’ VA medical records through VBMS for veterans who have a POA with a State Department of Veterans Affairs that has an MOA with NVLSP. This will facilitate a quicker screening process.

WHO IS THE POINT OF CONTACT FOR LSW?

Veterans should contact info@nvlsp.org. Veterans Service Officers at a State Department of Veterans Affairs that has an MOA with NVLSP are welcome to contact the Director of LSW, Rochelle Bobroff, via e-mail at Rochelle@nvlsp.org. When referring a veteran to LSW, e-mail Rochelle@nvlsp.org and info@nvlsp.org to let LSW know that the State Department of Veterans Affairs holds the POA for the veteran.