

Bill Smith Homeless Veterans Project

I. The Problem to be Addressed

On the one hand, a third to 40% of the adult homeless population are veterans, and many more live in cheap hotels, overcrowded or substandard housing. Forty-five percent of homeless veterans suffer from mental illness and over 70% (with a good deal of overlap) suffer from drug or alcohol abuse.

On the other hand, there is a wealth of benefits offered by the Veterans Administration, including:

- *disability pensions for vets found to be disabled because of non-service related medical conditions,
- *disability compensation for vets with service related disabilities,
- *vocational rehab,
- *job funding,
- *preference for referral for government employment for disabled vets,
- *compensated work therapy programs,
- *domiciliary care for homeless vets,
- *health care for homeless vets,
- *permanent housing through section 8 vouchers.

The fact that on any given night over 250,000 veterans are homeless in the U.S. indicates that a serious obstacle prevents homeless veterans from accessing the benefits that should be available to them.

II. The Cause of the Problem

One reason for the disconnect between veterans and benefits is that the VA has an insufficient number of veterans benefits counselors and facilities. Although the VA has some comprehensive homeless centers (CHC), they are few and far between. There are only 12 benefits counselors staffing the CHC's for the entire United States homeless veteran population. Additionally, the CHC's are not always situated in areas that are easily accessible to the homeless. For example, the Los Angeles CHC is located in West Los Angeles.

Beyond the obvious access problems created by the shortage of benefits counselors and facilities and the attendant lack of outreach, lies an even greater problem: lack of quality representation to help homeless vets navigate the difficult application process. According to veterans attorney Dan Wedemeyer, "...most homeless vets do not have the acumen, patience or resources to obtain the necessary evidence or make the necessary arguments unless he/she has a competent representative helping them at every step." VA representatives will only provide limited assistance to Vets who come to the regional office to file a claim. Veterans' organizations, such as the American Legion, Vietnam Veterans

of America and the California Department of Veterans Affairs do not provide consistently competent help in adjudicating claims and often do not collect the necessary documentation to develop the case for awarding benefits.

III. Addressing the Problem

We would like to set up a program in conjunction with Inner City Law Center and a veterans attorney, Dan Wedemeyer, that would allow us to identify homeless veterans, do a needs assessment in order to determine which benefits or VA program is appropriate (or if none, help them apply for SSI or rehab) and then shepherd them through the process of obtaining benefits. The goal is to secure benefits that would qualitatively change the lives of homeless veterans by giving them the means to obtain treatment for their disabilities, adequate food and clothing and permanent housing. Such a project would help to fill an unmet need for a population that is often overlooked. According to Sherrill Martin of Mental Health Advocacy, the only work in L.A. with regard to helping veterans access VA/SSA benefits is that the SSA office in Westwood takes the claims of veterans referred by the VA, i. e. vets who are already connected to the VA.

The initial phase would, of necessity, involve cataloguing the array of veteran's benefits and making contact with VA representatives in Los Angeles. Additionally, some outreach might be necessary, though our plan is to house the project at Inner City Law Center, which has a substantial clientele of homeless, including veterans. There is a VA outpatient clinic at the Weingarten Center, very close to ICLC, where we could find homeless veterans.

IV. The Model

A paralegal housed at Inner City Law Center would interview the vets and assess the type of assistance necessary (e.g. to apply for VA benefits or services, or a combination of VA/SSA benefits, SSI, rehab, etc.). For those clients who appeared to qualify for VA benefits, the paralegal under the supervision of an experienced veterans' attorney, would prepare an initial claim.

Preparation would include a number of steps: since the medical record is key in pursuing a disability claim successfully, the first step would be collecting medical records or finding a doctor to conduct an exam. VA clinics provide free services to veterans, but we might have to help the veterans establish their eligibility. If it were the veteran's first claim, his/her service records would have to be obtained from the National Personnel Records Center in St. Louis.

The attorney would review the medical exam for possible edits, prepare written arguments, and, if it would be helpful to the claim, appear with the vet at a Veterans' Administration Regional Office (VARO) hearing. Because at least 50% of claims are denied by the VAROs, we would also help the vets with appealing to the Board of Veterans' Appeals (BVA) in Washington, D.C. The

appeal process can be conducted with written arguments and the actual hearing can be conducted by video-conferencing at a VARO.

Once we built up our number of clients, we could recruit volunteer private attorneys to handle some of the cases. They would be trained and mentored by the veterans attorney. In the first year of this project, we hope to help _____clients prepare and file claims or otherwise access benefits and services.

V. Timeline

Dec. 1-early January:

Set up project: hire paralegal, catalogue benefits, make contacts with VA (especially with clinics for handling medical exams), begin outreach, training of paralegal by attorney

Early January through Nov. 30 (and hopefully beyond)

See clients

Timeline of a typical case

Interview/assessment

Obtain necessary records and/or medical exams—one month minimum, more like _____months

Prepare written arguments, submit claim

Initial hearing—will have to wait an average of _____months

If claim rejected, prepare appeal

Appeal before BVA—will have to wait at least 1 year, though written arguments can be submitted prior to hearing and case could be resolved

VI. Budget