



## Board of Veterans' Appeals (BVA) Hearing Preparation Episode

### 1. What can I expect?

- a. In Person?
  - i. Travel Board? Or Video?
- b. Via Virtual Video Hearing
  - i. At your house with your computer
  - ii. At my office – socially distancing
  - iii. Judge will be at his/her office or house

### 2. What will we discuss at the Hearing?

- a. **If you are trying to get a disability Service-Connected:**
  - i. In Service Event
  - ii. Current Diagnosis
  - iii. Medical Nexus
- b. **If you are re-opening a Claim:**
  - i. What is the New and Relevant Evidence (New and Material Evidence) that has been submitted since the previous decision?
- c. **If you are asking for an increase:**
  - i. Why should your rating be increased?
  - ii. Testimony as to why you are not being compensated fairly
  - iii. Point to the medical evidence showing your condition(s) demonstrate a higher rating is warranted

### 3. Can I submit new evidence?

- a. Yes, if under LEGACY – you can request up to 90 days after the hearing
- b. Yes, if under AMA – you automatically have 90 days to submit any new evidence you want them to consider

### 4. Will the Judge announce his/her decision?

- a. Written Transcript – can take as long as 30-120 days
- b. Once the written transcript has been added to your file, your case goes back in front of the Judge who held your hearing
- c. The judge will issue a written decision 30-60 days thereafter (generally)

### 5. What are the Judge's options?

- a. (1) Remand, (2) Grant, (3) Deny

### 6. If I win, when will I get paid?

- a. After the BVA makes their decision, your claim goes back to the local regional officer where they will implement the BVA Decision.
- b. This process can take weeks to months – the longest I have seen is 12 months, but that is the outlier. This is the exception, not the rule.

### 7. Next steps

- a. You will meet with your attorney/Veterans Advocate to
  - i. Discuss the specifics of your case.