



April 3, 2020
Appeals Progress Tracker

Mission:

The American Legion Department of Ohio, Department Service Officers provide our veterans with expert knowledge of Veterans Affairs benefits, and legal knowledge when filing and representing during the appeal process. The American Legion Department of Ohio's DSO's provide support for all 88 Counties and aid at the Cleveland VARO, Wade Park VAMC, Columbus VAMC, Cincinnati VAMC and the Dayton VAMC. The four Department Service Officer located at the Cleveland VARO handles all Decision Review Officer Hearings and Board of Veterans Affairs Hearings for the State of Ohio.

Decision Review Officer Hearings:

Referred to as DRO hearings, these hearings are the veterans first chance in the appellate cycle. DRO hearings are conducted at the Cleveland VARO with Decision Review Officers employed by the Department of Veterans Affairs with the veteran and the Department Service officer. Decision Review Officers are bound solely to the 38 C.F.R. and the M-21-1.

Board of Veterans Affairs Hearings:

Referred to as BVA hearings, which are held via video conference between Washington D.C. and the Cleveland VARO. The veterans attend these hearings with the assistance of the Department Service Officer. BVA Judges can utilize case law and previous court cases to render a decision in favor of the veteran.

COVID-19 Update impacting Veterans

During the current COVID-19 pandemic the VA has taken measures to reduce the risk of spreading the virus. Beginning April 1, 2020 all Cleveland VA employees are currently working from home. All Decision Review Officer hearings and BVA hearings have been postponed to be rescheduled. Veterans do have the option for a telephonic hearing but the representative and the veteran must have an iPhone or laptop with web camera to conduct this type of hearing. All veterans represented by the American Legion Department of Ohio have been contacted and advised of this change.

County Veteran Service Commissions are currently closed to the public. Most are still assisting veterans via phone, email and service window at the VSC.

Ohio Department of Veterans Services is no longer conducting walk-ins at the Anthony J. Celebreeze Federal Building in Cleveland.

Department Service Officers

Department Service Officers are continuing to assist our veterans throughout this COVID-19 Pandemic. All DSO's are working from home and have the following capabilities. Each DSO can call into their voicemail at the office and retrieve calls from our veterans. All faxes sent to the Cleveland VA Regional Office are being rerouted to email and being placed in the DSO Fax folder, further being distributed to the respective DSO for completion. A new policy letter has been drafted to inform the

County Veteran Service Commissions, that all submittals and Courtesy copies are to be faxed to the Cleveland VA Regional Office until further notification is given. Reviews of Courtesy Copies are being verified in VBMS and annotated according in VetraSpec as verified. DSO are currently preparing BVA and DRO hearing arguments, 41 hearings have been postponed due to COVID-19, by preparing the hearings now it ensures when the VA begins to schedule DRO and BVA hearings that the DSO's are prepared and ready for a potential excess of scheduled hearings. The VA is still sending out VA Form 646, Statement of Accredited Representative (Legal brief prior to certification to the BVA).

The DSO's will implement the following schedule to ensure that our greatest asset in protected our veterans:

0800-1100 Checking voicemails/Emails and returning calls to the veterans
 1100-1200 Lunch
 1200-1500 Hearing Prep, 646 Completion and Case Reviews
 1500-1600 Check voicemails and Email follow ups

Appeals Data By Year:

Event	2020	2019	2018	2017	2016
BVA HELD	6	44	62	124	53
BVA WON	5	33	50	99	29
WIN %	83%	75%	81%	80%	55%
AWARD \$	\$11,273.55	\$666,203.39	\$1,393,012.51	\$4,670,492.29	\$820,214.66
DRO HELD	8	20	58	33	34
DRO WON	5	11	32	23	22
WIN %	63%	55%	55%	70%	65%
AWARD \$	\$0.00	\$57,847.41	\$357,921.44	\$595,319.73	\$247,553.96
OVERALL WIN%	71%	69%	68%	78%	59%
REMAND \$	\$0.00	\$57,930.20	\$285,118.84	\$1,024,610.60	\$0.00
COMBINED AWARD \$	\$11,273.55	\$781,981.00	\$2,036,052.79	\$6,290,422.62	\$1,067,768.62

The American Legion Department of Ohio, Department Service Officers Production:

DRO Hearings

Conducted: 153
 Won: 93
 Success Rate: 61%

Money obtained for the Veteran

DRO: \$1,258,642.54
 BVA: \$7,561,196.40
 BVA Remand: \$1,367,659.64

BVA Hearings

Conducted: 289
 Won: 216
 Success Rate: 75%

Total: \$10,187,498.60

** This does not reflect pending Remands or Appeals that have not had a decision rendered. Partial Grants are shown as a win. 100% accuracy is hard to maintain die to veterans changing POA's.

Combined

Conducted: 442
 Won: 309
 Success Rate: 70%

VA Workload Data as of March 30, 2020

National Numbers	# Pending	# Pending > 125 Days	% Pending > 125 Days
Decision Review Request	68,451	12,172	17.8%
Blue Water Navy Claims	19,870	0	0%
Initial Entitlement for Service-Connection	115,762	31,035	26.8%
Initial Entitlement of Pension	6,458	828	12.8%
Initial Entitlement of Surviving Spouse:	10,966	2,345	21.4%
Increase request or requesting new condition	173,826	27,988	16.1%

**This chart reflects the Veterans Affairs as a whole.

Cleveland VA Regional Office and the State of Ohio

Cleveland VARO	# Pending	# Pending > 125 Days	% Pending > 125 Days
Compensation & Pension Claims (325)	2,706	622	23%
Compensation & Pension (Ohio)	12,844	2,370	18.5%
Compensation & Pension (NWQ) 325	263	81	30.8%
Compensation & Pension (NWQ) Ohio	12,844	2,370	18.5%
Notice of Disagreements Pending 325	1,628	ADP 416.6	
VA Form 9	161	ADP 22.8	
Remands Pending Action	655	ADP 345.4	
Remands ready for Travel Board	2		
Total Pending Remand	2,446	ADP 371.6	
AMC Remands Pending	1,231	ADP 237.7	

**This chart reflects the Cleveland VA Regional Office and the State of Ohio, as not all Ohioans claims are decided by the Cleveland VA Regional Office.

American Legion Appeals Nationwide

(this reflects only Legacy appeals) AMA Appeals are currently not tracked by the VA Regional Office.

Notice of Disagreements Pending 4,458 ADP 611.8
 SOC Pending 5,164 ADP in stage 42 ADP from NOD 602.4
 Form 9 Pending 2,375 ADP in stage 182.9 ADP from NOD 728.8

Certified to BVA	481	ADP in stage 293.6	ADP from NOD 828.8
BVA Pending	11,321	ADP in stage 254.7	ADP from NOD 1,517.50
Remand (RO)	2,599	ADP 500 in stage	ADP from NOD 2,366.8
Remands returned to BVA	143	ADP 120.7	ADP from NOD 2,968.50

Legend:

NWQ = National Work Que
325 = Cleveland VA Regional Office
ADP = Average Days Pending
AMC = Appeals Management Center
AMA = Appeals Modernization Act
SOC = Statement of the Case
RO = Regional Office

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