The U.S. Court of Appeals for Veterans Claims

Washington, D.C. April 7-8, 2022

FIFTEENTH JUDICIAL CONFERENCE

NATIONAL PRESS CLUB

AN INVITATION

Chief Judge Margaret Bartley of the United States Court of Appeals for Veterans Claims (CAVC) summons the Judges of the Court, all persons admitted to practice before it, and all persons interested in the practice of veterans law to the CAVC's Fifteenth Judicial Conference. The Conference will be held April 7 and 8, 2022, at the National Press Club in Washington, D.C., and for the first time ever, attendees may choose to participate in person or virtually.

THE PROGRAM

JUDICIAL CONFERENCE

The program will focus on the changing landscape of veterans law and will offer sessions that appeal to all who practice or have an interest in veterans law.

Highlights include:

- Guest Speakers

  The Honorable Tammy Duckworth
  United States Senator for Illinois (D)

  The Honorable Denis McDonough
  Secretary, U.S. Department of Veterans Affairs

- Legal Trends

- Appeals Modernization Act

- Discussion with the U.S. Court of Appeals for Veterans Claims and the U.S. Department of Veterans Affairs, Board of Veterans' Appeals

- Ethics Presentation

JUDICIAL CONFERENCE PROGRAM COMMITTEE

The Judicial Conference Program Committee, an advisory group responsible for formulating the legal content of the Court's Conference, developed this year's program. The Committee is composed of representatives from all areas of veterans law practice. In addition to several members of the Court's staff, current Committee members include Amanda Haddock, representing the U.S. Department of Veterans Affairs, Office of General Counsel; Chantal Camille Wentworth-Mullin, representing the National Law School Veterans Clinic Consortium; Diane Boyd Rauber, representing the National Organization of Veterans' Advocates; Jenna Zellmer, representing the CAVC Bar Association; Judy Donegan, representing the CAVC Rules Advisory Committee and the private veterans law bar; and Veterans Law Judge Shereen M. Marcus, representing the Board of Veterans' Appeals. Three of the Court's Judges, the Honorable Coral Wong Pietsch, the Honorable Michael P. Allen, and the Honorable Grant C. Jaquith, co-chair the Committee.

CAVC BAR ASSOCIATION

Friday Program

The CAVC Bar Association will conduct a program on April 8, 2022, immediately following the conclusion of the Court's Judicial Conference. The session will feature an in-depth discussion on best practices in negotiating joint motions for remand after Rule 33 conferences.

GENERAL INFORMATION

LOCATION

National Press Club
529 14th Street, NW
13th Floor
Washington, D.C. 20045

REGISTRATION

Registration Fees

Early Bird Registration:
Through March 18 (Midnight)

Regular Registration:
March 19 through April 5 (Midnight)

IN-PERSON RATES

Student/Hardship rate throughout registration	$290
Early Bird rate for Government, Academics, and VSOs	$325
Regular rate for Government, Academics, and VSOs	$385
Early Bird rate for Practitioners	$385
Regular rate for Practitioners	$420
On-site registration, if available	$500

VIRTUAL RATES

Student/Hardship rate throughout registration	$190
Early Bird rate for Government, Academics, and VSOs	$250
Regular rate for Government, Academics, and VSOs	$300
Early Bird rate for Practitioners	$300
Regular rate for Practitioners	$360
Day-of registration, if available	$430

To register, please complete the Registration Form at: https://www.uscourts.cavc.gov/conference/regform.php.

CAVC BAR ASSOCIATION REGISTRATION

Registration for the Bar Association's component of the Judicial Conference is *free* to all *current* members. The cost for nonmembers is $95, which includes membership for the remainder of the membership year.

To register for the CAVC Bar Association program, please see the Judicial Conference Registration Form at: https://www.uscourts.cavc.gov/conference/regform.php

SEMINAR PREFERENCES

Please note the topics for the breakout seminars on pages 10 and 11 of this program. There will be time for each attendee to attend two breakout seminars, one in the morning and one in the afternoon. On your Registration Form, please select in order of preference the two seminars you wish to attend. Kindly also select your third and fourth choices. We will make every effort to accommodate your choices. Register early!

CLE ACCREDITATION

The Court will seek accreditation from any State requested by attendees. Please complete the appropriate section on the Registration Form.

DIETARY RESTRICTIONS

Lunch will be served on both days of the Conference. There are meal options for those with dietary restrictions. Please see the appropriate section on the Registration Form to note restrictions.

EVALUATIONS

Evaluation forms for all sessions and for the overall conference experience will be available electronically. Please take the time to let us know your feedback on this Judicial Conference.

FOR MORE INFORMATION

Visit the Court's website at https://www.uscourts.cavc.gov/conference/judicial_conference.php or call Diane Fulton at (571) 233-6941.

PROGRAM

APRIL 7, 2022

7:00 a.m. **REGISTRATION / CONTINENTAL BREAKFAST**

8:15 a.m. **CALL TO ORDER**
Judges Coral Wong Pietsch, Michael P. Allen, and Grant C. Jaquith
Judicial Conference Co-Chairs
U.S. Court of Appeals for Veterans Claims

PRESENTATION OF THE COLORS
Military District of Washington
Joint Service Color Guard

NATIONAL ANTHEM
Ashley Varga, Esq.
U.S. Court of Appeals for Veterans Claims

8:30 a.m. **WELCOMING REMARKS AND STATE OF THE COURT**
Chief Judge Margaret Bartley
U.S. Court of Appeals for Veterans Claims

9:00 a.m. (90 mins) **LEGAL TRENDS**

PANELISTS: **Professor Yelena Duterte, Esq.**
Veterans Legal Clinic Director
University of Illinois Chicago School of Law

Sarah W. Fusina, Esq.
Deputy Chief Counsel
U.S. Department of Veterans Affairs
Office of General Counsel

John D. Niles, Esq.
Carpenter Chartered

MODERATOR: **Amy B. Kretkowski, Esq.**
Veterans Law Office of Amy B. Kretkowski

10:45 a.m. (60 mins) **BREAKOUT SEMINARS**

PROGRAM Continued

11:45 a.m. **LUNCHEON**

12:15 p.m. **AWARDS PRESENTATION**
Frank Q. Nebeker and Hart T. Mankin Awards

1:00 p.m. (60 mins) **BREAKOUT SEMINARS**

2:15 p.m. (45 mins) **A CONVERSATION WITH THE HONORABLE TAMMY DUCKWORTH AND THE HONORABLE GRANT C. JAQUITH**

The Honorable Tammy Duckworth
United States Senator for Illinois (D)

Judge Grant C. Jaquith
U.S. Court of Appeals for Veterans Claims

3:15 p.m. (75 mins) **APPEALS MODERNIZATION ACT**

SPEAKERS:

Maura Jean Black, Esq.
Chisholm Chisholm & Kilpatrick

Veterans Law Judge Caroline B. Fleming
Board of Veterans' Appeals

Jonathan Scruggs, Esq.
Senior Appellant Counsel
U.S. Department of Veterans Affairs
Office of General Counsel

MODERATOR:

Dan Smith, Esq.
Bosley & Bratch

4:45 p.m. (60 mins) **DISCUSSION WITH THE U.S. COURT OF APPEALS FOR VETERANS CLAIMS AND THE U.S DEPARTMENT OF VETERANS AFFAIRS, BOARD OF VETERANS' APPEALS**

CAVC PANELISTS:

Chief Judge Margaret Bartley
Judge William S. Greenberg
Judge Scott J. Laurer
U.S. Court of Appeals for Veterans Claims

PROGRAM Continued

BOARD PANELISTS: **The Honorable Cheryl L. Mason**, Chairman,
Veterans Law Judge Jonathan Hager
Veterans Law Judge Jane K. Nichols
Veterans Law Judge Estela Velez
Board of Veterans' Appeals

MODERATORS: **Robert V. Chisholm, Esq.**
Chisholm Chisholm & Kilpatrick

Mary A. Flynn, Esq.
Chief Counsel
U.S. Department of Veterans Affairs
Office of General Counsel

5:45 p.m. **RECEPTION**

APRIL 8, 2022

7:00 a.m. **CONTINENTAL BREAKFAST**

8:00 a.m. **CALL TO ORDER**

8:10 a.m. (80 mins) **EMERGING PRESUMPTIVE CONDITIONS BASED ON MILITARY AND ENVIRONMENTAL EXPOSURE**

SPEAKERS: **Kerry Baker**
Hill & Ponton

James Cho, Esq.
Counsel
U.S. Senate Committee on Veterans' Affairs

Chris Diaz
Acting Chief of Staff, White House Liaison
Office of the Secretary of VA

Patricia R. Hastings, MD
Chief Consultant, Health Outcomes Military Exposures
Veterans Health Administration

PROGRAM Continued

MODERATOR:	**Veterans Law Judge Nathaniel J. Doan** Board of Veterans' Appeals
9:30 a.m. (20 mins)	**COMMITTEE REPORTS**
SPEAKERS:	**Stephen E. Castlen, Esq.** Chair, Committee on Admission and Practice
	Amy B. Kretkowski, Esq. Chair, Rules Advisory Committee
MODERATOR:	**Gregory O. Block,** Clerk of the Court U.S. Court of Appeals for Veterans Claims Chair, Judicial Advisory Committee
10:00 a.m. (45 mins)	**GUEST SPEAKER** **The Honorable Denis McDonough** Secretary U.S. Department of Veterans Affairs
10:50 a.m. (120 mins)	**RENEWING YOUR ETHICAL AWARENESS BEFORE THE CAVC**
PANELISTS:	**Glenn R. Bergmann, Esq.** Bergmann and Moore
	Heather C. Bupp, Esq. Deputy Chief Counsel U.S. Department of Veterans Affairs Office of General Counsel
MODERATOR:	**Professor Alexander Scherr, Esq.** Veterans Legal Clinic Director University of Georgia School of Law
12:50 p.m.	**LUNCHEON**
1:30 p.m.	**CLOSING REMARKS**

BAR ASSOCIATION PROGRAM

2:00 p.m. (120 mins) **NEGOTIATING JOINT MOTIONS FOR REMAND AFTER RULE 33 CONFERENCES: A PANEL DISCUSSION**

PANELISTS:

Timothy R. Franklin, Esq.
Law Office of Sean Kendall PC

Ronen Z. Morris, Esq.
Senior Appellate Counsel
U.S. Department of Veterans Affairs
Office of General Counsel

Abigail Schopick, Esq.
Senior Appellate Attorney
U.S. Department of Veterans Affairs
Office of General Counsel

Jennifer Zajac, Esq.
Associate General Counsel, Veterans Litigation
Paralyzed Veterans of America

MODERATOR:

Jenna Zellmer, Esq.
Chisholm Chisholm & Kilpatrick

BREAKOUT SEMINARS

Navigating Under the New Musculoskeletal Rating Schedule

PANELISTS:

Veterans Law Judge Evan M. Deichert
Board of Veterans' Appeals

Olumayowa Famakinwa
Acting Assistant Director
VA Schedule for Rating Disabilities Program
Veterans Benefits Administration

Gary J. Reynolds, MD
Medical Officer/Regulation Writer
VA Schedule for Rating Disabilities Program
Veterans Benefits Administration

John V. Tucker, Esq.
Tucker Law Group

MODERATOR:

Julie Glover, Esq.
GloverLuck, LLP

Rule 33 Conferences: Best Practices and the Court Pilot

PANELISTS:

Lori M. Jemison, Esq.
Senior Appellate Counsel
U.S. Department of Veterans Affairs
Office of General Counsel

Sean Kendall, Esq.
Sean Kendall Attorney at Law

Andrew Parler Reynolds, Esq.
Staff Attorney, Central Legal Staff
U.S. Court of Appeals for Veterans Claims

MODERATOR:

Diane J. O'Brien-Holcomb, Esq.
Deputy Chief Staff Attorney, Central Legal Staff
U.S. Court of Appeals for Veterans Claims

What Is Constructive Possession After *Lang* and *Euzebio*?

PANELISTS:

Kenneth Dojaquez, Esq.
Carpenter Chartered

April Donahower, Esq.
Chisholm Chisholm & Kilpatrick

Megan C. Kral, Esq.
Deputy Chief Counsel
U.S. Department of Veterans Affairs
Office of General Counsel

MODERATOR:

Zachary Stolz, Esq.
Chisholm Chisholm & Kilpatrick

The Scope of a VA Claim

PANELISTS:

Veterans Law Judge Kristin Haddock
Board of Veterans' Appeals

Christian McTarnaghan, Esq.
Chisholm Chisholm & Kilpatrick

Derek Scadden, Esq.
Staff Attorney
U.S. Department of Veterans Affairs
Office of General Counsel

MODERATOR:

Bart Stichman, Esq.
Special Counsel
National Veterans Legal Services Program