

UNITED STATES
COURT OF APPEALS
FOR
VETERANS CLAIMS



UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS
625 Indiana Avenue, Suite 900, NW, Washington, DC 20004
www.uscourts.cavc.gov



Oral arguments generally are heard on the second and fourth weeks of each month in Washington, D.C. As part of its education outreach program, the Court has been hearing two or three appeals a year at law schools or federal courts throughout the Nation.

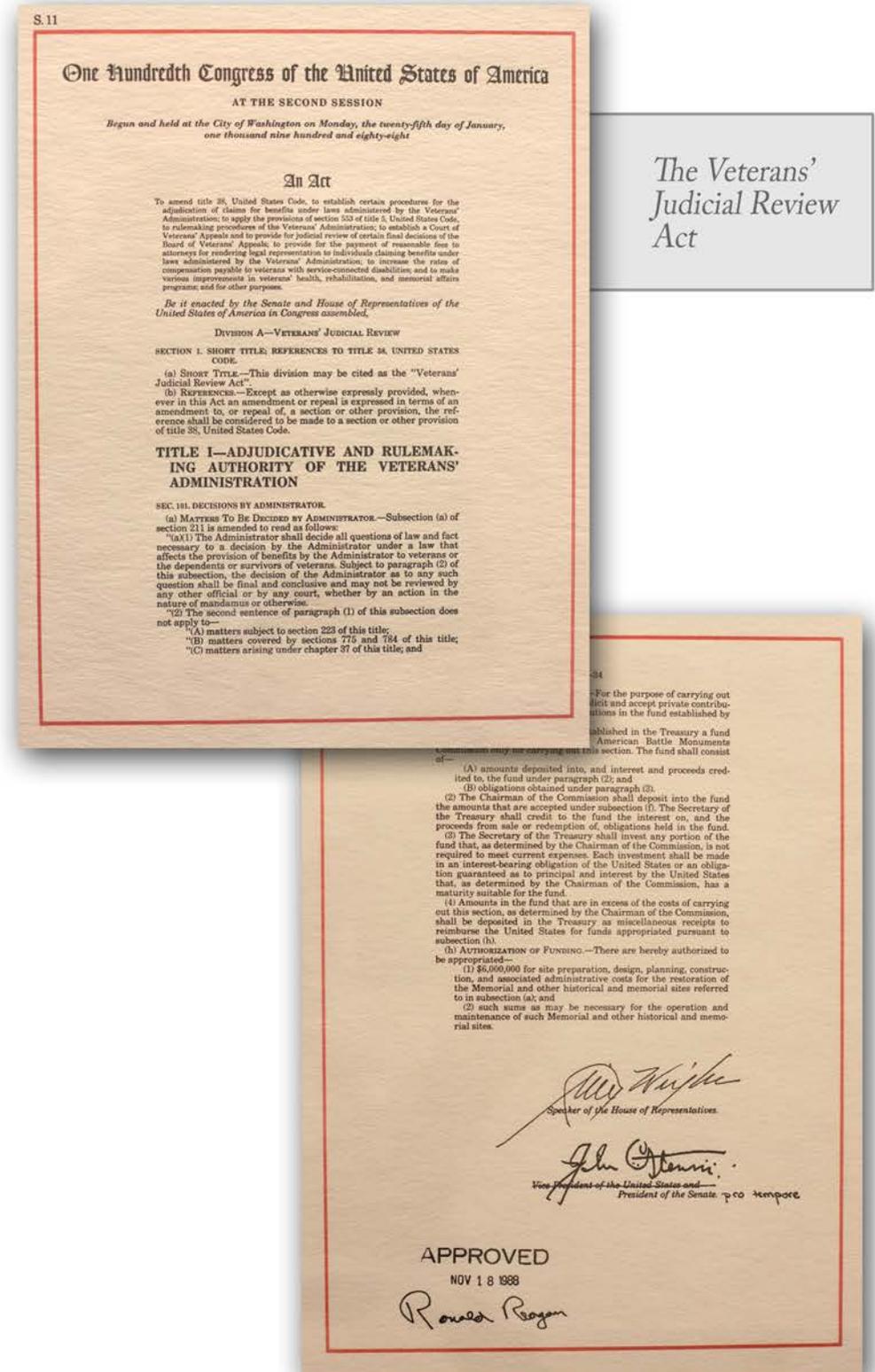
Generally, precedential opinions by the Court are published in West's Veterans Appeals Reporter Series. All opinions and decisions of the Court are available, as well, on the Court's Web site at <http://www.uscourts.cavc.gov> and through such online legal publishers as Westlaw® and LexisNexis®.



View from the bench, at the U.S. Court of Appeals for Veterans Claims courtroom.

Questions of law decided by the Court may be appealed to the U.S. Court of Appeals for the Federal Circuit and then to the U.S. Supreme Court.

The Chief Judge of the Court generally conducts a judicial conference every two years. The focus of the conference is the improvement of the administration of justice within the Court's jurisdiction. The conference involves the active participation of distinguished members of the legal community and attorneys and practitioners admitted to practice before the Court.



The Veterans' Judicial Review Act

APPROVED

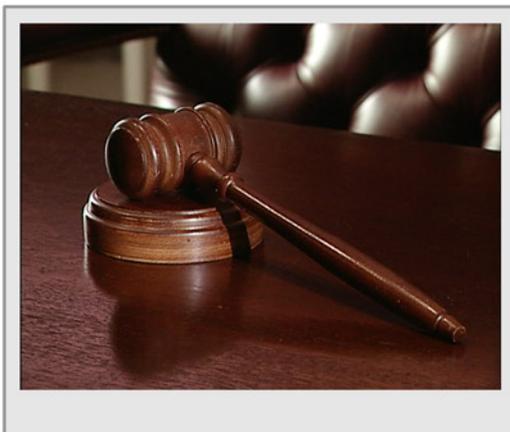
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Ronald Reagan

The Court was created with the signing of the Veterans' Judicial Review Act (now codified in chapter 72 of title 38, United States Code) by President Ronald Reagan on November 18, 1988. This heralded a sea change by providing veterans and their dependents, for the first time, the right to judicial review of adverse rulings on claims for VA benefits by the Board of Veterans' Appeals (Board), an administrative review board within VA.

For over a century, veterans who were denied claims for VA benefits or who disagreed with the findings of the Board of Veterans' Appeals could pursue their legal claims no further. There was no independent judicial review of the adverse decisions of the Board.

The United States Court of Appeals for Veterans Claims has exclusive jurisdiction to judicially review final decisions by the Board of Veterans' Appeals. The Court is located in Washington, D.C., but it is a national court and may hear cases anywhere in the United States. In addition to its review authority, the Court has contempt authority, as well as the authority to compel action by the Secretary of Veterans Affairs or to grant a petition for extraordinary relief, under the All Writs Act, 28 U.S.C. § 1651.



Appeals to the Court are frequently brought by the veteran or family member on his or her own behalf, with paid legal representation, or with free representation provided through a pro bono consortium. The Secretary of Veterans Affairs, who is the appellee or respondent in each case, is represented by the VA general counsel and staff of attorneys.

The Court's Rules of Practice and Procedure, including its e-filing rules and Internal Operating Procedures, provide guidance on its procedures.

The Court has adopted a federal case management electronic case filing system to optimize the timely and efficient processing of its cases. Electronic filing procedures, which in general apply to appeals in which the appellant has legal representation, provide automatic service of documents filed with the Court and permit documents to be readily available to the parties.

Motions and pleadings by appellants with legal representation are required, with a few exceptions, to be electronically filed with the Clerk of the Court. As an appeal proceeds, the Court's central legal staff screens the case. Active mediation procedures are initiated in represented cases to facilitate a joint resolution of the appeal before it is considered by a judge. If the appeal continues to judicial review, it may be considered by a single judge, whose decision is non-precedential, or by a randomly selected panel of three judges, which renders a precedential opinion. Occasionally, an appeal will be considered and decided by the full court (en banc).

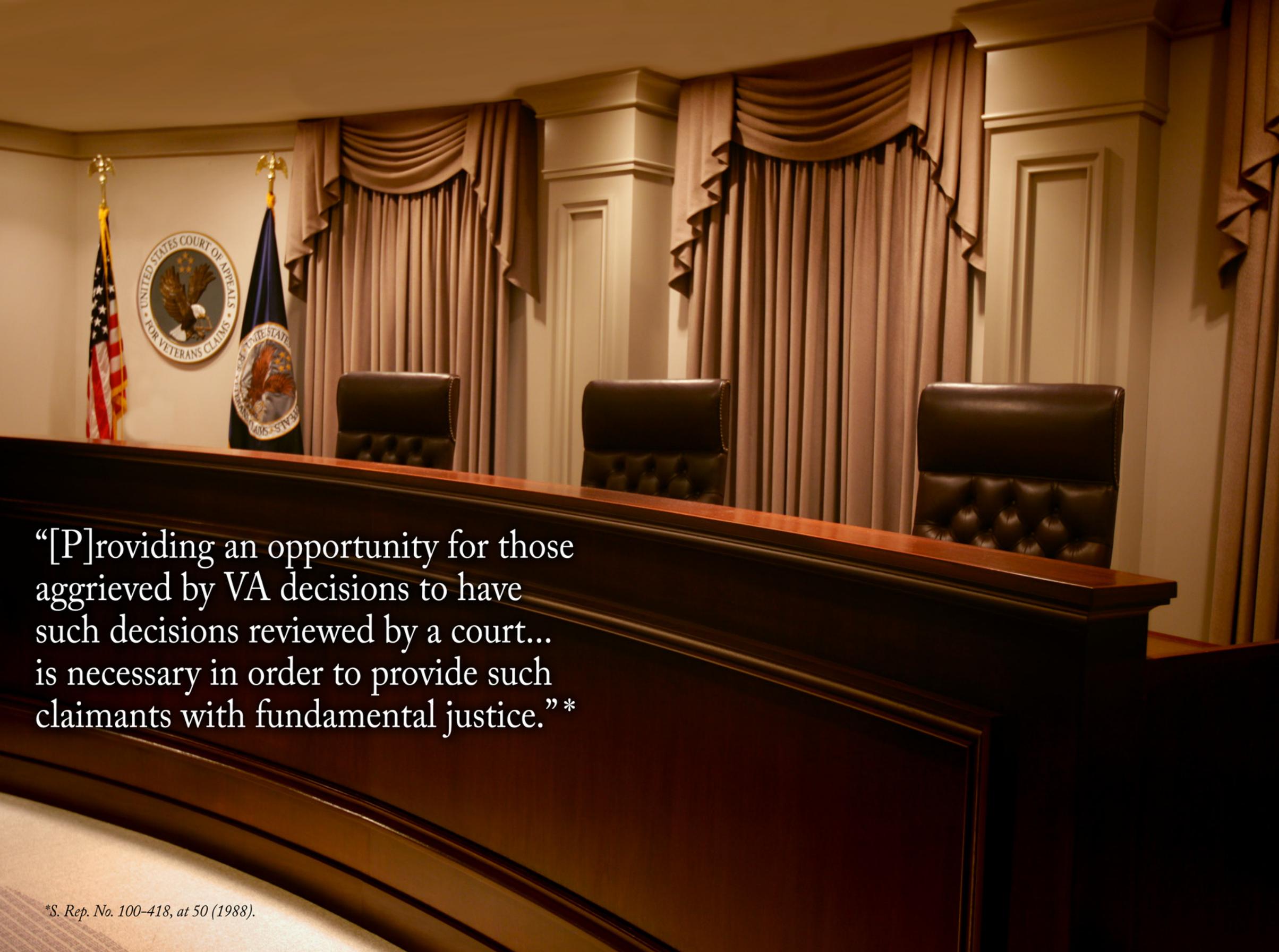
The judges of the Court are appointed by the President with the advice and consent of the Senate. Currently, there are eight active judges and six senior judges.



Judges of the U.S. Court of Appeals for Veterans Claims 2015.

To obtain review by the Court, an appellant is required to file a Notice of Appeal within 120 days after the date on which the notice of the final decision by the Board of Veterans' Appeals is mailed.

Issues raised before the Court include a wide range of VA disability, educational assistance, survivor benefit, and pension benefit claims. An appeal by a veteran or family member may involve, for example, a denial of an initial claim for disability benefits, a decreased disability rating that results in reduced disability compensation, or a termination of disability benefits.



“[P]roviding an opportunity for those aggrieved by VA decisions to have such decisions reviewed by a court... is necessary in order to provide such claimants with fundamental justice.”*

**S. Rep. No. 100-418, at 50 (1988).*

The United States Court of Appeals for Veterans Claims is a federal court of record established by Congress to review adverse rulings on claims for veterans benefits issued by the Department of Veterans Affairs (VA), an agency which had been sheltered from judicial review prior to 1988.

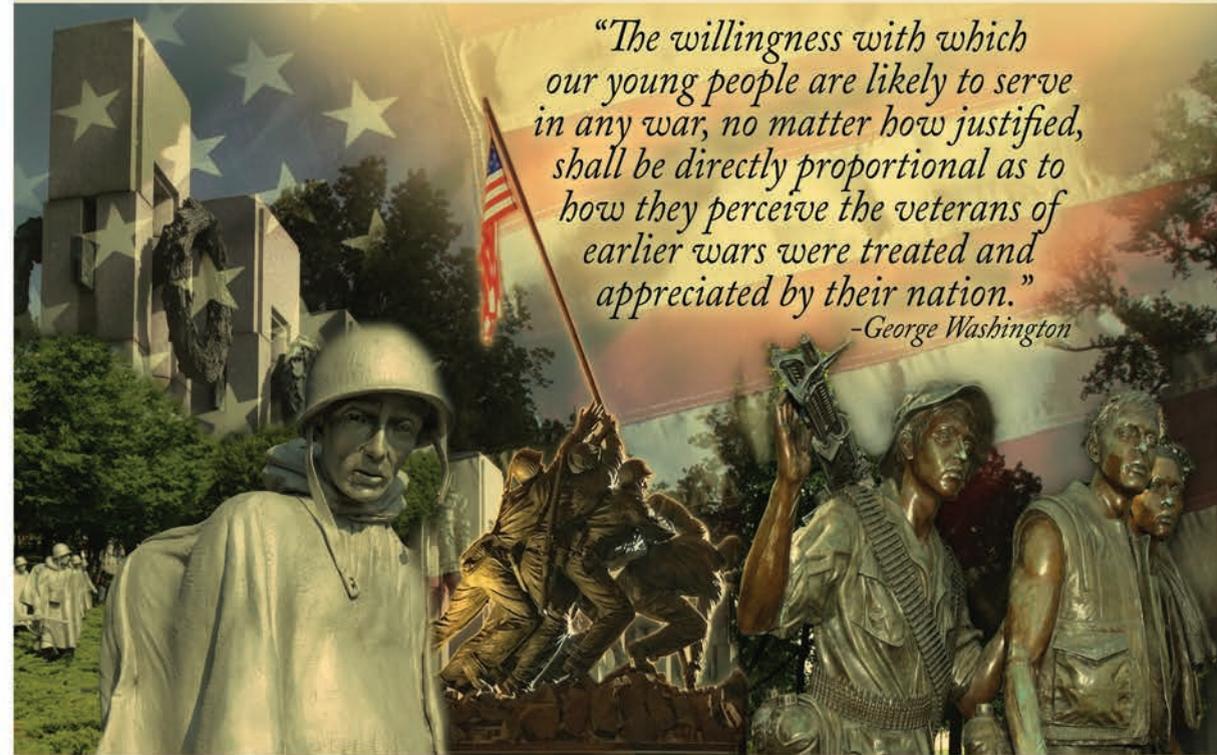


"[J]udicial review, by opening the decisions of the VA to court scrutiny, will have a salutary effect on such decisions and on the VA decisionmaking process in general by involving the judiciary as a check on agency actions."*



The courtroom at the U. S. Court of Appeals for Veterans Claims.

*S. Rep. No. 100-418, at 50 (1988).



The office of the Clerk is open during business hours, from 9:00 a.m. to 4:00 p.m., on all days except Saturdays, Sundays, and legal holidays.

For additional information about the United States Court of Appeals for Veterans Claims please check the Court's Web site at: <http://www.uscourts.cavc.gov> or call (202)501-5970 ext. 1010.