

Pro Bono News

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Why I Represent Veterans

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Before I started as an associate at Ropes & Gray, I worked as a fellow with the Iraq & Afghanistan Veterans of America (IAVA), the nation's first and largest non-profit organization for veterans of America's most recent conflicts. As the nephew of a Vietnam War veteran and the grandson of a World War II veteran, I have always cared deeply about veterans issues and had the utmost respect for their service. It was not until working with IAVA, however, that I understood how under-served veterans were by the legal community. While our government and society in general does a great job honoring veterans while they are serving and immediately upon their return, we need to recognize that some veterans and their families require lifelong physical, mental and emotional support to recover from the wounds of war. In many instances, this lifelong recovery process will present veterans and their families with legal issues, particularly with respect to the potentially winding and arduous veteran benefit claims process.

Even though I am a private investment funds attorney, I felt obligated to use my unique skill set to help these veterans and their families and I wanted to commit a part of my career to such service, so I contacted the Veterans Pro Bono Consortium Program in Washington, D.C. (the Consortium). Through the Consortium, I was able to attend a full day training class on representing veterans before the U.S. Court of Appeals for Veterans Claims ("USCVC"), which is an

Article I court created specifically for resolving appeals of veterans benefit cases. In exchange for the free training program, the Consortium will place attorneys with veterans benefit cases.

My latest case was the perfect example of how our nation's veterans require lifelong support to recover from the perils of war and how proper legal

representation can positively impact the course of the case. In this case, my veteran was seeking a disability pension because he suffered from a completely disabling condition. However, he was denied any benefits because his discharge papers from service contained an alleged typographical error. Tragically, this same error prevented the veteran from receiving educational benefits, which he thought he was promised by a military recruiter, over forty years earlier. Recently, through his own research and at his own expense, the veteran discovered a piece of evidence which he strongly believed would support his argument that the discharge papers were incorrect. However, he did not know how to connect this newfound evidence to the law in such a manner as to persuade the USCVC to overturn his case.

At this point, I volunteered to take his case and together we crafted the legal arguments that successfully persuaded the USCVC to remand

his case for a re-hearing at the lower tribunal due to the Department of Veterans Affairs failure to satisfy its statutory duty to assist. It was a very rewarding moment for us because this veteran has been waiting over forty years for another shot at receiving the benefits that he believes he deserves. As he told me many times through-

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out the representation, he really could use the additional financial support from the disability pension, but it was a "bucket list item" for him to simply win another day in court to have a fair hearing based on the new evidence.

In the years ahead, I look forward to many more rewarding experiences representing veterans before the USCVC. It will be a particularly poignant day for me when I have the opportunity to represent one of my peers who participated in our nation's most recent conflicts. While I chose a different path coming out of high school, many of my peers chose to serve at great costs to their families and to themselves. Now as the combat abroad recedes, I strongly believe that it is my time to serve them. I look forward to the challenges ahead and I hope to be able to be there for our nation's veterans throughout the rest of my career. I would strongly recommend such service to my fellow members of the New York State Bar Association.