



# Dispatch from the Front Lines

The National Clearinghouse for Veterans Treatment Courts at the National Association of Drug Court Professionals

## The VBA in Veterans Treatment Courts: Accessing the Full Range of Support

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It is critical that Veterans Treatment Courts utilize the Veterans Benefits Administration in order to connect veterans to the many services they have earned. This Dispatch provides practitioners with a guide to partnering with the Veterans Benefit Administration.

The U.S. Department of Veterans Affairs (VA) is divided into three administrations, the Veterans Health Administration (VHA), Veterans Benefit Administration (VBA) and National Cemetery Administration (NCA). Veterans of the United States Armed Forces may be eligible for a broad range of programs and services provided by the VBA, as legislated in Title 38 of the United States Code. Veterans may also be eligible for specific programs and/or benefits through their State Department/Commission of Veterans Affairs.

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### Examples of VBA Access Through Veterans Treatment Courts

In our first true story, a Gulf War Army combat veteran entered a Veterans Treatment Court suffering from alcohol dependency and Post-Traumatic Stress Disorder (PTSD). The veteran was suicidal, unemployed, and was not receiving any services from the VA at the time of arrest.

With the help of a VBA court liaison, the veteran filed for disability compensation and was awarded a disability rating of 50 percent. As a result, the veteran began to receive \$849 per month to help pay for housing and other living expenses. The veteran then applied and qualified for VA's Vocational Rehabilitation and Employment (VR&E) and enrolled in college. Finally, the veteran utilized his disability rating for state veterans services such as

<sup>1</sup> U.S. Department of Veterans Affairs. *Department of Veterans Affairs, Statistics at a Glance* (2011), available at [http://www.va.gov/vetdata/docs/Quickfacts/Stats\\_at\\_a\\_glance\\_FINAL.pdf](http://www.va.gov/vetdata/docs/Quickfacts/Stats_at_a_glance_FINAL.pdf)

employment preference points towards a part-time job. Today, the veteran is a graduate of the Veterans Treatment Court, college-educated and working full-time while supporting his son.

In another example, a Marine combat veteran (one-tour Afghanistan/one-tour Iraq) entered a Veterans Treatment Court after becoming addicted to prescription drugs to cope with PTSD and Traumatic Brain Injury (TBI). The veteran was unemployed and unaware of the VA services that were available to him.

While participating in Veterans Treatment Court, the veteran was connected to the Post 9-11 GI Bill at his local community college. After completing the prerequisites, he enrolled in a state university and earned an undergraduate degree. The veteran also received a 100 percent service-connection disability rating from the VA and utilized the income to pay for living expenses. After graduating from the Veterans Treatment Court, this veteran is now working towards a masters degree in substance abuse counseling while educating other veterans at the local VA Hospital on the benefits and services for which they qualify.

## VA Disability Compensation

### *Connecting Disabled Veterans with the Benefits they have Earned*

A majority of veterans entering Veterans Treatment Courts do so because of service-related health conditions that make them eligible for disability compensation. The VBA provides disability compensation for injuries and/or conditions that occurred while in service or were worsened by military service.

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For example, a justice-involved veteran being treated for PTSD will likely qualify for a disability rating from the VBA and, in return, receive monthly payments which are tax-free. In many cases, these payments are a major source of income to veterans. The amount of compensation a veteran is eligible to receive depends on the severity of his or her disability. Eligible disabilities include both physical and mental.<sup>2</sup>

VA Disability Compensation Rates for Veterans	
Veteran's Monthly Rating	Monthly Rate Paid to Veterans
10%	\$127.00
20%	\$251.00
30%	\$389.00
40%	\$560.00
50%	\$797.00
60%	\$1,009.00
70%	\$1,272.00
80%	\$1,478.00
90%	\$1,661.00
100%	\$2,769.00

\*Veterans with disability ratings of at least 30 percent are eligible for additional allowances for dependents, including spouses, minor children, children between the ages of 18 and 23 who are attending school, children who are permanently incapable of self-support because of a disability arising before age 18, and dependent parents. The additional amount depends on the disability rating and the number of dependents.<sup>3</sup>

<sup>2</sup> [VA. Disability Compensation](http://www.vba.va.gov/bln/21/compensation/index.htm). U.S. Department of Veterans Affairs. 2011. Veterans Benefit Administration. 6 Feb. 2012

<sup>3</sup> U.S. Department of Veterans Affairs. Federal Benefits for Veterans, Dependents and Survivors. Washington D.C.: U.S. Government Printing Office, 2010. Print.

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*Besides being financially compensated, a disability rating opens the door to many other local, state and federal benefits.*

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## **How a Disability Rating From the VBA Can Help Non-Financially**

### ***Beyond the Compensation***

Besides being financially compensated, a disability rating opens the door to many other local, state and federal benefits.

For example, the U.S. Department of Labor offers training and employment services and many state agencies offer a number of benefits based on a veteran's disability rating from the VA. Depending on the disability rating, some states waive sales tax, property tax, offer home loans, reduced automobile registration, emergency grants, employment services and hiring preference points.

## **Vocational Rehabilitation and Employment**

### ***Training Veterans for the Workforce***

Some veterans suffer from service-connected conditions that prevent them from seeking or gaining employment. The mission of the Vocational Rehabilitation and Employment (VR&E) is to help veterans with service-connected disabilities with a rating of at least 10 percent (or a memorandum rating of at least 20 percent) to prepare for, find and keep suitable employment. On-the-job training, apprenticeships, college, vocational, technical or business schools are paid for while veterans receive supportive rehabilitation services such as case management and counseling.<sup>3</sup>

## **VA Education Benefits**

### ***Putting Veterans Back in School***

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Participants in Veterans Treatment Courts may be eligible to receive the following benefits based on their time and length in service: the Montgomery GI Bill Active Duty (Chapter 30), Post 9/11 GI Bill (Chapter 33), Yellow Ribbon Program under the Post 9/11 GI Bill, Montgomery GI Bill Selective Reserve (Chapter 1606), Reserve Educational Assistance Program (REAP) (Chapter 1607) and the Veterans Educational Assistance Program (VEAP) (Chapter 32).

In addition, some states offer education benefits in addition to VA education benefits. For example, in Texas, the Hazelwood Act provides veterans with an education benefit of up to 150 hours of tuition and fee exemptions at state-supported colleges and universities.<sup>4</sup>

## **Guidelines for Veterans Treatment Courts: Working With the VBA**

### ***Procedures of the VBA Court Liaison in Veterans Treatment Court***

1. The Veterans Treatment Court Coordinator notifies the VBA court liaison of any new Participants who are potentially eligible for VBA benefits.
2. The Veterans Treatment Court team conducts weekly staff meetings to review the progress of all Participants and discuss eligibility status of incoming veterans for VA benefits and services. The VBA court liaison reviews the VA system to determine if the veterans have previously filed for any disability compensation claim through the VA.

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<sup>3</sup> Vocational Rehabilitation and Employment Service. U.S. Department of Veterans Affairs. 2011. Veterans Benefit Administration. 6 Feb. 2012 <<http://www.vba.va.gov/bln/vre/index.htm>>

<sup>4</sup> Hazelwood Texas Veterans Commission. 2012. 6 Feb. 2012 <<http://texas-veterans.com/education/hazlewood>>

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***VSO Service Officers and the VBA court liaison determine if Participants have potential barriers to employment due to service-connected disabilities. If so, they request that VA Vocational Rehabilitation and Employment (VR&E) services be administered to Participants.***

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3. The VBA court liaison communicates with Veterans Service Organization (VSO) Service Officers to distribute updated status reports and to aid new VTC Participants in contacting a VSO Service Officer to assist with establishing a claim, whether initial or reopened.
4. The VBA court liaison and VSO Service Officers meet with Participants to assess their needs and determine if any have valid claims for compensation or changes to existing compensation due to increased severity of their conditions. Additionally, VSO Service Officers and the VBA court liaison determine if Participants have potential barriers to employment due to service-connected disabilities. If so, they request that VA Vocational Rehabilitation and Employment (VR&E) services be administered to Participants.
5. VSO Service Officers present the Participants' claim to the VBA court liaison for clarity and processing.
6. The VBA court liaison forwards the claim to the VA Regional Office for completion.

### **Duties of the VBA Veterans Treatment Court Liaison**

1. Inform Participants of VA education benefits such as the Post 9-11 GI Bill, Montgomery GI Bill, training programs such as Vocational Rehabilitation and Employment (VR&E) and local, state and/or federal benefits that are available to veterans and dependents.
2. Act as liaison between the Participants and the Veterans Benefit Administration, Veterans Health Administration and the Veterans Treatment Court.
3. Aid the Participants and their VSO Service Officers with completing claims and appeals of denied claims.

4. Attend Veterans Treatment Court staff meetings as scheduled.
5. Attend all Veterans Treatment Court, court sessions when scheduled with a VA laptop computer able to access information for the veteran and relay it to the court when necessary.
6. Provide updated information to the Veterans Treatment Court team on the federal benefits that are available to Participants as changes occur at the national and/or state level.

### **For Veterans Treatment Courts**

To utilize the Veterans Benefit Administration, go to [www.va.gov](http://www.va.gov) and locate the VA Regional Office closest to your Veterans Treatment Court. After identifying the Regional Office, call the number given and ask for the "Homeless and Incarcerated Veterans Outreach Coordinator." If the VA Regional Office is unclear of their duties regarding Veterans Treatment Courts, ask the Regional Office to contact Justice For Vets Director Matt Stiner at [mstiner@justiceforvets.org](mailto:mstiner@justiceforvets.org) or 571-384-1858.

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***To learn more about Veterans Treatment Courts and the benefits and services offered by the VBA, visit [www.JusticeForVets.org](http://www.JusticeForVets.org).***

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### **About Justice For Vets**

In 2009, the National Association of Drug Court Professionals launched Justice For Vets: The National Clearinghouse for Veterans Treatment Courts. Justice For Vets is exclusively committed to ensuring that veterans involved in the criminal justice system have access to Veterans Treatment Courts and the benefits, services and treatment they have earned. Since Justice For Vets was launched, the number of operational Veterans Treatment Courts has grown to over 90. Justice For Vets activities include advocating for Veterans Treatment Court funding, assisting with state legislation, training and technical assistance, public awareness, and building coalitions within the criminal justice, business, and Veterans Service Organization communities. Visit Justice For Vets online at [www.JusticeForVets.org](http://www.JusticeForVets.org).

## About National Association of Drug Court Professionals (NADCP)

Since 1994, NADCP, a non-profit organization 501(c)(3) representing over 27,000 multi-disciplinary justice professionals and community leaders, has worked tirelessly at the national, state and local level to create and enhance Drug Courts. NADCP is recognized as the experts in the field

of addiction and its intersection with the criminal justice system. In 1998, NADCP launched the National Drug Court Institute (NDCI). To date, NDCI has directly trained 65,440 Drug Court professionals from all fifty states and U.S. territories as well as sixteen other countries. Because of the breadth, quality and impact of NADCP, the Drug Court field has grown from fourteen programs in 1994 to 2,800 Drug Courts currently in operation. Visit NADCP online at [www.AllRise.org](http://www.AllRise.org).

### About Matt Stiner

Matt Stiner is the Director of Justice For Vets at NADCP. After receiving the Combat Action Ribbon for service in Iraq as a Marine, Stiner used VA Education benefits and the Harry S. Truman Scholarship to obtain a Masters in Public Administration from the University of Oklahoma. Stiner began his career in public service in the Tulsa Mayor's Office and then worked in the Tulsa Veterans Treatment Court.

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