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What Law Schools and Lawyers Can Do for Veterans

Rachel Van Cleave, The Recorder

May 22, 2014

The mass shooting that left three dead and sixteen injured this year at Fort Hood is a stark reminder of the challenges and difficulties facing our service men and women. Within days of the tragedy, I attended two conferences in Washington, D.C. to discuss how the legal community may work to serve veterans. One was hosted by the U.S. Department of Veterans Affairs and the other by the Puller Clinic at William & Mary Law School.

At both, lawyers, law students, law school deans and professors, U.S. Department of Veterans Affairs leaders and mental health experts discussed how the legal community can collaborate to meet the pressing medical and legal needs of the women and men who served and continue to serve our country. I left these conferences ready to change my state of California for the better by closely collaborating with others in the region and state to serve the legal needs of our state's nearly two million veterans.

The value of such collaboration was emphasized at the V.A. conference. That gathering provided a great overview of veterans' benefits law as well as the administrative procedures necessary for assisting veterans. The general counsel, Will Gunn, emphasized the importance of the V.A.'s goal to end homelessness among veterans by 2015 and his belief that this could be accomplished with the assistance of those of us in attendance.

The National Conference on Law Clinics Serving Veterans, held just steps from the Capitol Building, was organized by the Lewis B. Puller Jr. Veterans Benefits Clinic at William & Mary Law School and generously hosted by McDermott Will & Emery. There, Admiral John Harvey noted that while the veterans of World War II have been lionized and the veterans of the Vietnam War have been largely ignored, the current generation of Iraq and Afghanistan veterans is simply "unknown." His words struck a chord with me because other than my grandfather serving in the Navy during World War II—which he almost never spoke—I have no direct connection with the military. Yet, I am a dean at a law school that has students and generations of alumni who have served. I and many of my colleagues at other law schools have met with veteran students and alumni to learn about how we may support them. What they most want, we have learned, is to serve other veterans.
Admiral Harvey’s words were a powerful reminder that it is essential to know our veterans community—to understand their backgrounds and needs—in order to effectively serve them. He challenged us to read "Fortunate Son: The Healing of a Vietnam Vet," by Lewis Puller Jr. Other powerful books are "Redeployment" by Phil Klay and "Thank You for Your Service" by David Finkel.

While those of us without military experience cannot possibly fully comprehend the military and war experience, it is imperative that we try. In addition to reading about the experiences of veterans, legal leaders have much to learn from the veterans in our workplaces—in my case, Golden Gate veteran students and alumni have been my greatest allies in devising the best ways to serve their community.

Given the gamut of legal and other needs, collaboration among agencies and organizations is essential. In addition to the need for assistance in filing claims for benefits, discharge status upgrades and medical needs, veterans often face challenges related to employment, housing, family law, immigration and more. Earlier this year, the Bar Association of San Francisco held a conference sponsored by Salesforce and Farella Braun + Martel to strengthen collaboration to serve veterans. One Justice, Golden Gate University School of Law and other organizations and regional law schools gathered with members of the local judiciary, public defenders and the district attorney to design an integrated hub for serving veterans that will draw on the program strengths of the various stakeholders.

The Puller Clinic conference, like the V.A. conference, focused on knowledge-sharing about law school veterans clinics. The founders of the Puller Clinic and other law school legal clinics including programs at John Marshall, Yale and George Mason generously shared their experiences in creating these programs. Indeed, the Puller Clinic even shared its playbook, an informative guide for law schools to get a veterans clinic up and running. A variety of models were presented, all focused on serving the comprehensive needs of veterans through well-orchestrated inter-agency collaboration.

Very few organizations are able to independently serve the "whole veteran." While Swords to Plowshares in San Francisco and the Connecticut Veterans Legal Center have enjoyed great success with this model, most who seek to serve the needs of veterans rely heavily on strong partnerships to meet veterans' needs. Many conference presenters spoke of the importance of getting to know and working closely with the V.A.'s regional Veterans Justice Outreach Specialist. Veterans Justice Outreach Specialists are responsible for direct outreach, assessment, and case management for justice-involved veterans in local courts and jails, and liaison with local justice system partners. Here in San Francisco, I have found our San Francisco VJO liaison Elizabeth Brett to be incredibly well connected and extremely helpful as Golden Gate Law builds out our veterans programs.

At the Puller Clinic conference, Senator Mark Warner, D-Virginia, a passionate champion of veterans legal clinics, delivered a keynote address. He issued two challenges to the conference attendees: create at least one law school legal clinic for veterans in every state and give him action items that he can craft into legislation to further support those initiatives.

In Southern California, Kyndra Rotunda leads an extremely effective clinic at Chapman University. Building upon the veterans benefits externship we launched last year, Golden Gate University School of Law is committed to establishing an equally effective clinic serving veterans in Northern
California. I invite my dean colleagues at other California law schools to join me in creating statewide support for serving our veterans.

I would love to see Governor Brown's California Interagency Council on Veterans commit, as Governor Cuomo and the state of New York have, to a statewide plan to support and utilize law schools in providing legal services to veterans. As for the second challenge, federal regulations should be amended to allow attorney fees to be paid not from a veteran's award, as it currently stands, but in addition to such awards as long as these fees are paid to a nonprofit organization assisting veterans. We at Golden Gate University School of Law will work with the Puller Clinic and others on language for such a change and propose that our California Senators forge a bipartisan coalition with Senator Warner to achieve this.

By collaborating with law school leaders to vigorously implement programs that provide effective, valuable service for veterans on the ground and working as part of a coalition to create and implement policies that make such services accessible for veterans, our California law schools—working with the judiciary, law firms, the Veterans Administration, the corporate sector and nonprofit advocates—can change California's landscape for the better, for veterans and for all of us who work to uphold the rule of law.