



Claim What's Yours: The Ultimate Guide to Securing Your VA Benefits

Filing for VA compensation can feel overwhelming, especially when you're focused on your health, family, and transitioning to civilian life. The process involves multiple steps, and while many claims are approved, some are denied, leading to frustration and discouragement. However, a denial is not the end of the road. You have the right to appeal, and there are strict deadlines to do so. Seeking legal assistance early can make all the difference in successfully securing the benefits you are entitled to.

This guide will walk you through the process of submitting a VA compensation claim and the available options if you need to appeal a denial.

Step 1: Preparing and Submitting Your Initial VA Compensation Claim

Veterans who have a service-connected disability may be eligible for VA disability compensation. To file an initial claim:

1. **Gather Supporting Documentation** – Collect all medical records, service treatment records, and any supporting statements from fellow service members or medical professionals.

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- **Choose Your Filing Method** – You can submit your claim:
 - Online through the VA.gov website
 - By mail using VA Form 21-526EZ
 - In person at a VA regional office
 - With the assistance of a Veterans Service Organization (VSO) or legal representative
- **Submit the Claim** – Ensure all required information is included to avoid unnecessary delays.
- **Wait for the VA's Decision** – The VA will review your application and issue a decision, which can take several months.

Step 2: Understanding the VA's Decision

After reviewing your claim, the VA will send you a Rating Decision Letter outlining whether your claim was approved or denied. If approved, the letter will include:

- Your disability rating (from 0% to 100%)
- Your monthly compensation amount
- The effective date of your benefits

If denied, the letter will explain the reasons for the denial. Many veterans assume a denial is final, but this is far from the truth. The VA provides multiple avenues to appeal, and seeking legal guidance can help you choose the best path forward.

Step 3: Appealing a Denied Claim

If your claim is denied or you disagree with the assigned rating, you have the right to appeal, but strict deadlines apply. Failing to act within the allotted time could mean starting the process over. There are three main appeal options:

- **Filing a Supplemental Claim (VA Form 20-0995)**
 - Best if: You have new and relevant evidence to support your case that was not previously considered.
 - Deadline: Must be submitted within one year of the VA's decision.
- **Requesting a Higher-Level Review (VA Form 20-0996)**
 - Best if: You believe the VA made an error in their decision and want a more experienced reviewer to reconsider your case.
 - Deadline: Must be filed within one year of the VA's decision.
 - *Important Note:* No new evidence is allowed in this review.
- **Filing a Board Appeal (VA Form 10182)**
 - Best if: You want a Veterans Law Judge (VLJ) at the Board of Veterans' Appeals (BVA) to review your case.
 - Deadline: Must be filed within one year of the VA's decision.
 - Options for Review:
 - Direct Review: No new evidence; fastest option.
 - Evidence Submission: Submit additional evidence within 90 days.
 - Hearing Request: This option allows you to present your case directly before a judge, offering the opportunity to provide personal testimony. While it is the longest process, our firm typically recommends this route because it gives the judge a chance to fully understand the individual behind the application, leading to a more thorough and fair evaluation.

Step 4: Further Appeals to the Court of Appeals for Veterans Claims (CAVC)

If the BVA denies your claim, you can appeal to the Court of Appeals for Veterans Claims (CAVC). This is a federal court that reviews VA decisions. Legal representation is crucial at this stage, as the process becomes more complex.

- **Deadline:** You must file an appeal within 120 days of the BVA's decision.
- **Legal Argument Required:** This appeal focuses on legal errors made in the VA's decision-making process.

Why Seeking Legal Help Early is Critical

The VA claims process is complex, and many veterans become discouraged after a denial. However, persistence and legal guidance can turn a denial into an approval. An experienced VA-accredited attorney can help by:

- Ensuring your initial application is strong and well-supported.
- Identifying errors or missing evidence in a denied claim.
- Crafting a strategic appeal based on your case's strengths.
- Representing you before the BVA and the CAVC if necessary.

Veterans who seek legal assistance early in the process often experience faster resolutions and better outcomes than those who navigate the system alone. Don't wait until it's too late— if your claim has been denied, take action before the appeal deadline expires.

Conclusion: You Deserve the Benefits You Earned

The VA disability claims process can be frustrating, but you don't have to go through it alone. If your claim was denied, it does not mean you are not entitled to benefits. Instead, it means there may be missing evidence, incorrect legal interpretations, or procedural errors that need to be corrected.

Take control of your case before time runs out. Contact our firm today to discuss your options and ensure you receive the benefits you have rightfully earned through your service.