

THIS  
ISSUE

**Do I Really Need a  
Lawyer to File a Claim  
or an Appeal?**

**Understanding VA  
Higher-Level Reviews**

**What's Cooking:  
Garlic Chicken Parmesan**

THE  
**JAN DILS**  
FOUNDATION

**VETERANS**  
**BENEFITS & BEYOND**

AUGUST 2024



**DO I REALLY NEED A  
LAWYER TO FILE A  
CLAIM OR AN APPEAL?**

**Y**ou waded through every page of the VA disability claim paperwork. You patiently compiled your service and medical records and answered every question completely and honestly. You even went to the C&P exam, answered their questions and took the tests they requested. Then several months later, your shaking hands open the envelope from the VA and you read their decision: *Denied*.

Now what? What are you (or your loved ones) supposed to do?

The good news is that an initial denial is not the end of the process, just the end of the first phase. Phase 2 — the appeals process — has much better odds of success, especially when you have an attorney.

Why should you appeal instead of giving up? Because the VA might have gotten it wrong. It happens more often than you might think. Fortunately, mistakes are usually fixable on appeal.

Why was your disability claim unsuccessful? Maybe you missed a deadline. Maybe you didn't include the right information. You might have missed some information or documentation that would support your claim, but you didn't realize it would. You are not an expert in navigating the bureaucracy of disability claims.

**The appeals process has much  
better odds of success, especially  
when you have an attorney.**

Because some claims are more complicated than others, and because you are not trained in the nuances of filing disability claims, it's likely that an experienced disability lawyer can bring more expertise to the problem that caused the denial — and fix it.

What you want is a law firm that has helped hundreds, even thousands, of other Veterans through the same disability appeals process you are going through. Expertise comes from years of experience, and handling lots of cases provides these specialized lawyers with a nuanced understanding of what is required for a successful appeal.

Jan Dils, Attorneys at Law, has been helping our Veterans get the benefits they deserve for more than 30 years. Put our expertise and experience to work for you. Give us a call today at **833.534.3577** or email us at **contact@JanDilsFoundation.org**. It won't cost you anything to see if we can help.

Source: <https://fight4vets.com>



## Letter From Jan

Summer is rapidly drawing to a close, and what a summer it has been! Our annual Freedom Fun Run 5K was a resounding success again this year, with a record 427 participants. Together with our participants and sponsors, we raised \$45,000 for our deserving local Veterans organizations: We Have Your Six, Operation Transportation, and the Jan Dils Foundation Scholarship for Veteran Recipients. Many thanks to all who participated.

Here's something I'll bet you didn't know: According to the Insurance Institute for Highway Safety (IIHS), 35,000 traffic deaths occur in the U.S. each year. Of that number, just 6% happen during snowy months like February. By the summer months of June and July, this figure has risen to 9% per month and peaks at 10% in August. Those figures are counterintuitive, to say the least. What is it about summer driving that makes it so hazardous?

Fact is, there are more drivers on the road during the summer than at any other time. More people on the roads increase the chance of an accident. Congested roads make driving more difficult and can lead to road rage.

Tourists may be unfamiliar with their surroundings, which can lead to more unpredictable and erratic driving.

AAA reports more tire blowouts during the summer than any other season. The hot weather can cause your tire treads to wear out much faster and cause blowouts as well. Be sure to check your tire pressure and tread depth before embarking on any long road trip.

Summer is also a great time to ride a bike or motorcycle. Please be aware of these riders and remember to share the road.

*Enjoy the rest of your summer and let's be careful out there.*

## Community Corner

### 2024 FREEDOM FUN RUN 5K SETS NEW RECORD

Our annual Freedom Fun Run 5K hit record numbers this year — which means we surpassed our fundraising goal!

We had a record number of participants in both the virtual and in-person events this year with 427. And with the help of race participants and our sponsors, as well as a generous donation from Jan Dils, we raised a total of \$45,000! All proceeds from the event will go to local organizations that support Veterans: We Have Your Six, Operation Transportation, and the Jan Dils Foundation Scholarship for Veteran Recipients.

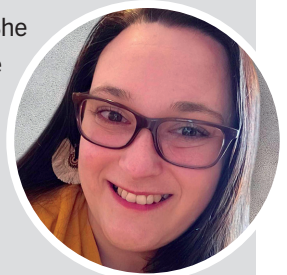
*We love supporting our Veterans!*



## Employee Spotlight

### Meet Jackie Burton

Jackie has been with the firm since March and was recently promoted from VA Support to VA Hearing Clerk. She says her favorite part of working here is the culture.



"Everyone is so nice, and it is like no job I have ever had. I love feeling like I belong!"

As a mother of two daughters and wife to a man she started dating in fourth grade, Jackie says her favorite thing to do is spend time with her family. Her bucket list contains visiting Australia, swimming with dolphins, and taking her kids to Disney again. Her "third child" is a teacup Chihuahua named Piper, who has a not-so-teacup-sized attitude.

Jackie has been a wonderful addition to our team. We're so happy to have her!



## UNDERSTANDING VA HIGHER-LEVEL REVIEWS

**N**avigating the complexities of VA disability claims can be daunting, but Veterans seeking justice for denied or underrated claims have a powerful tool at their disposal: the VA Higher-Level Review (HLR). Unlike traditional appeals, this process allows a senior VA claims adjudicator to reassess your case without the need for new evidence, focusing solely on the original documents. You have one year from the date on your decision letter to request a Higher-Level Review.

This means your appeal could be resolved faster and more efficiently, relying on the expertise of seasoned adjudicators to spot errors or oversight in the initial review. The streamlined

**Unlike traditional appeals, this process allows a senior VA claims adjudicator to reassess your case without the need for new evidence.**

nature of the HLR means decisions are typically made more quickly than traditional appeals, often within 125 days.

### What happens during a Higher-Level Review?

Once you submit your request for an HLR, the VA assigns a senior claims

adjudicator to reexamine your case. Here's what that process typically involves:

- **Senior reviewer assessment:** The adjudicator reviews all the evidence presented in your initial claim. They do not consider the conclusions of the original decision-maker but look at the evidence with fresh eyes.
- **No new evidence:** The review is restricted to the evidence already on file. If you have new evidence, a supplemental claim would be a better route.
- **Informal conference (optional):** You have the option to request a phone conference during the HLR process. This can be beneficial to clarify points and directly address any potential misunderstandings or errors with the reviewer.
- **Decision notification:** Once the review is complete, the VA will notify you of the decision. The notification will detail the adjudicator's findings and, if favorable, will update your disability rating and benefits accordingly.

### Tips for a successful HLR

- **Prepare thoroughly.** Before filing for an HLR, review your initial decision letter carefully. Understand where the VA's conclusions may have been

*Continues on back page >>*



## GARLIC CHICKEN PARMESAN

This one is from **Joe Fortuno**, VA Case Management Team Leader.



### INGREDIENTS

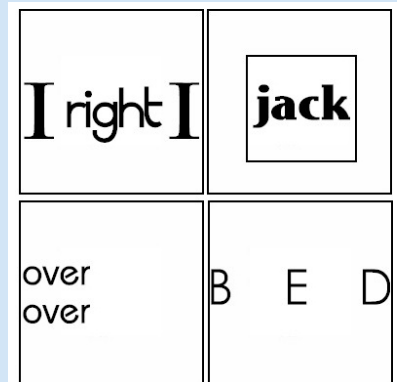
Chicken breasts  
 Parmesan cheese, shredded or grated  
 Italian breadcrumbs  
 Lawry's Garlic Salt with parsley flakes

Black pepper  
 Beaten egg  
 Unsalted butter

**DIRECTIONS:** Preheat oven to 350 degrees. For the dry mix: For each chicken breast, mix 1 cup Parmesan cheese, 1 cup Italian breadcrumbs, 1 Tbsp. garlic salt and 2 tsp. black pepper. Butterfly the chicken breasts, coat in the beaten egg, then coat in the dry mix. Sauté the coated chicken in melted butter until golden brown and the chicken is sealed in the coating. Place the sauteed chicken breasts in a casserole dish and bake in preheated oven 5-10 minutes or until the juices run clear.

## It's Game Time

What's a Bamboozable? A bamboozable is a saying/phrase that is made up of a display of words, in an interesting way. The object is to try to figure out the well-known saying, person, place, or thing that each bamboozable is meant to represent.



*Answers: 1. Right between the eyes 2. Jack in the Box 3. Left Overs 4. Bedsprad*

AUGUST 2024

P.O. Box 112  
Parkersburg, WV 26102

PERSONAL INJURY | VETERANS DISABILITY | SOCIAL SECURITY DISABILITY

Want to keep up with all the latest news or get to know us better? Like us on Facebook!



Connect with us on our social networks!



*Continued from inside article >>*

flawed or where additional clarification might change the outcome.

- **Organize your evidence.** Even though new evidence isn't considered in an HLR, having your existing evidence well-organized and clearly linked to your arguments can help the senior adjudicator better understand your case.
- **Opt for an informal conference.** If available, use the informal conference to directly communicate with the adjudicator. This is your chance to point out specific errors or provide explanations that could influence their decision. Note that you can have only one informal conference for each HLR, so make sure you have the information you want to discuss with the reviewer at hand.
- **Follow up.** Keep track of your HLR status and maintain communication with the VA office handling your

review. You can prevent delays by responding promptly to any questions the reviewer might have.

---

**A VA-accredited attorney can provide strategic advice tailored to your specific situation.**

---

**What if I don't agree with their decision?**

Even with a thorough review, not all HLRs will result in a favorable outcome. If you find yourself still dissatisfied with the decision, you have options:

- **File a Supplemental Claim.** If you have new and relevant evidence that was not included in your original

claim or the HLR, you can file a Supplemental Claim. This allows another review where the new evidence will be considered.

- **Appeal to the Board of Veterans' Appeals.** You can formally appeal to the BVA — where different options, including hearings, are available.
- **Get an attorney.** Navigating the complexities of the VA claims and appeals process requires professional guidance. A VA-accredited attorney can provide strategic advice tailored to your specific situation. Call the experienced Veterans disability team at the Jan Dils Foundation at **833.534.3577** or email us at **contact@JanDilsFoundation.org**. It won't cost anything to see if we can help.

Source: <https://www.va.gov/decision-reviews/higher-level-review/>