



According to the Veterans Affairs' Office of General Counsel website, "VA Accreditation is for the sole purpose of providing representation services to claimants before VA".

Accreditation vs Certification

The Department of Veterans Affairs recognizes three types of individuals who have received certification (accreditation authority) from the Department of Veterans Affairs to assist with applications for veterans benefits.

- Accredited claims agents
- Accredited attorneys
- **Accredited service officers from veterans service organizations**

Anyone other than an attorney or a service officer with a VA recognized service organization must apply for accreditation authority as an "accredited agent."

Claims Agents

Just need to fill out an application, call the closest VA Regional Office to take a 28 question exam and do a background check. The whole process usually takes 6 months to 1 year. Then every year 3 hrs of continuing education is required.

NACVSO Accreditation

Members must attend a NACVSO Annual or Contract training initially that consists of 32 hours of veterans benefits education. Once accredited, then annually they must submit 16 hrs of continuing education to maintain their accreditation.

As a NACVO member, we cross-accredit with American Veterans (**AMVETS**), Disabled American Veterans (**DAV**), The Retired Enlisted Association (**TREA**), and Vietnam Veterans of America (**VVA**). A member simply must be accredited then apply to have these accreditations added.

Certification (Chapter Service Officer)

All Veteran Service Organizations are here to help veterans. The structure of that help differs from organization to organization. The DAV usually trains Chapter Service Officers during a 4 hour training at one of their conventions. Upon completion the attendee gets a "certificate". This certificate allows the CSO to assist veterans in filing claims at the local level or through the local DAV chapter. The CSO assists with the paperwork and then turns it into the National Service Officer at the VA Regional Office who is VA Accredited. Other organizations, simply accredit a County VSO because they already have accreditation through NACVSO. 38 C.F.R. 14.629 allows this.

Question: Is VA accreditation required to assist a veteran in preparing his or her claim?

Response: Yes. Accreditation means the authority granted by VA to assist claimants in the preparation, presentation, and prosecution of claims for benefits. 38 C.F.R. § 14.627(a). Unaccredited individuals may provide other services to veterans so long as they do not assist in the preparation, presentation, and prosecution of claims for benefits.

Who is NACVSO?

MISSION

A National Association of County Veterans Service Officers, which aggressively pursues all, benefits for veterans and eligible family members through education, training and our advocacy programs.

PURPOSE

Train & educate CVSOs and veterans advocates in preparation, submission and representation of claims with DVA. Also to advocate on behalf of veterans and eligible family members to receive the benefits in which they are rightfully earned.

VISION

To have NACVSO trained CVSOs, veteran's advocates in all 50 states.

OBJECTIVES

1. To seek diverse sources of funding for NACVSO.
2. Reliable source of communication with all members to disseminate association data.
3. Maintain communication efforts to identify veteran-related legislative issues.
4. Recruit and hire staffing to manage claims and administrative tasks.
5. Rewrite CVA and update education program.

GOALS

1. Provide appeal representation at the Board of Veterans Appeals (BVA), pending cases & beyond.
2. Create a sustainable Model for efficient operations.
3. Continue to grow education opportunities.
4. Continue to grow and collaboration efforts with VA and legislative efforts at all levels.
5. Create and publish a short and long-term strategic plan.

SHORT TERM GOALS

1. Continue promoting a progressive legislative platform.
2. Complete an education assessment of member states to tailor progressive training for the membership.
3. Use the member states DVA offices as an on-going training resource.
4. Provide outreach to states from NACVSO when requested
5. Continue the accreditation training program.
6. Develop a National Association "Education and Training Pamphlet".
7. Develop MOU's and cross-accreditation agreements with the various Veterans Service Organizations.

LONG TERM GOALS

1. Identify progressive steps taken by member states on behalf of veterans and their dependents and mirror those steps nationally when appropriate.
2. Identify job openings for County Veterans Service Officers through its newsletter.
3. Undertake a study to rate VA Regional Offices and VA Medical Centers with an emphasis on performance and services provided.
4. Continue work to expand the interactive computer network with the VA's current computer system.
5. Periodically assess member states' education programs to keep the NACVSO education program up-to-date.
6. Continue cross-accreditation agreements with the various Veterans Service Organizations.

Association History:

On September 21, 1989, County Veterans Service Officers from eight states, California, South Dakota, Minnesota, Wisconsin, Nebraska, Indiana, Iowa and Colorado, met at the Department of Veterans Affairs Regional Office at Fort Snelling, Minnesota; these CVSO's discussed the need to form a "National Association". Those present elected Jack Stewart, President, Pee Wee Douthit, Secretary, Harold Novotny, Treasurer, and Dea Thorton, Marty Durray, and Lew Schulz as Executive Board members and charged them with forming the association. These officers went to work on formalizing the National Association of County Veterans Service Officers and scheduled the inaugural organizational conference for the following June.

On June 27, 1990, 14 states, California, Florida, North Carolina, Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, New York, Ohio, South Dakota, Wisconsin, and Oregon, were represented at the conference. Twenty-three Service Officers met at the VA Medical Center in Minneapolis, Minnesota and wrote the association's Constitution and Bylaws thus creating the National Association of County Veterans Service Officers. At this meeting, goals and objectives emphasizing professional development of County Veterans Service Officers were written. With this objective in mind, a National Training and Business Conference was scheduled for the following year.

The 1st Annual NACVSO Training Conference and Business Meeting was held on June 26- 28, 1991, in Springfield, Ohio. It was here that professional development and continuing education became a reality. County Veterans Service Officers from 14 states were present and over 60 individuals took part in the training. The wide variations in state-to-state training levels quickly became apparent so the membership moved to create a National Education.

Committee to establish a training agenda equitable for all. Cohesiveness in the association began to blossom while membership nationwide increased dramatically.

With a firm education program in hand, the association directed itself to become fully accredited in the eyes of the U.S. Department of Veteran Affairs. In order to accomplish this goal, an Accreditation Committee was formed; committee members distinguished themselves during many presentations to the VA Central Office Staff, and gained National Accreditation in time for the next annual conference. This became a major turning point for NACVSO which now was recognized nationally as a truly professional and accredited organization.

At the 3rd Annual Training Conference, held in Peoria, Illinois in June 1993, with an established training program and approved accreditation tests, the association was honored by the attendance of U.S. Department of Veterans Affairs Deputy Secretary Hershel Gober who personally congratulated

attendees and distributed accreditation certificates. NACVSO's three-year struggle to gain national accreditation had been realized. At the end of the year, NACVSO had 605 members.

Three years later, in 1996 at San Diego, California, we were honored by the presence of Department of Veterans Affairs Secretary Jesse Brown, Deputy Secretary Hershel Gober, and General Counsel Mary Lou Keener. Secretary Brown taught a class on Special Monthly Compensation; we would come a long way.

The National Association of County Veterans Service Officers is an organization made up of local government employees. Our members are tasked with assisting veterans in developing and processing their claims. A vast amount of the claims presented to the Veterans Administration each year, originate in a county veterans service office. Our members sit across from those men and women who wish to file a claim each day. They are our friends and neighbors members of our communities whom we see often daily. We exist to serve veterans and collaborate with the National Service Organizations and the Department of Veterans Affairs to serve veterans. Our Association focuses on outreach, standardized quality training, and claims development and advocacy. We are extension or arm of government, not unlike the VA itself in service to the nation's veterans and their dependents.

Our workforce represents approximately 1,800 members from 36 states as well as Native American Tribes available to collaborate with the Department of Veterans Affairs to help speed the process of claims development and transition of our military personnel to civilian life.

- **Comprised of 36 States and Two Native American Tribes**
- **30 Member States**
- **2 Member Native American Tribes**
- **1,863 Members**
- **1,718 Accredited Reps**
- **200 est. State Service Officers**

***We are an accredited Veterans Service Organization/POA with the DVA.VA 38 C.F.R. 14.629

38 C.F.R. § 14.629 Requirements for accreditation of service organization

Representatives; agents; and attorneys.

(a) Service Organization Representatives. A recognized organization shall file with the Office of the General Counsel VA Form 21 (Application for Accreditation as Service Organization Representative) for each person it desires accredited as a representative of that organization. The form must be signed by the prospective representative and the organization's certifying official. For each of its accredited representatives, a recognized organization's certifying official shall complete, sign and file with the Office of the General Counsel, not later than five years after initial accreditation through that organization or the most recent recertification by that organization, VA Form 21 to certify that the representative continues to meet the criteria for accreditation specified in paragraph (a)(1), (2) and (3) of this section. In recommending a person, the organization shall certify that the designee:

- (1)** Is of good character and reputation and has demonstrated an ability to represent claimants before the VA;
- (2)** Is either a member in good standing or a paid employee of such organization working for it not less than 1,000 hours annually; is accredited and functioning as a representative of another recognized organization; or, in the case of a county veterans' service officer or tribal veterans' service officer recommended by a recognized State organization, meets the following criteria:
 - (i)** Is a paid employee of the county or tribal government working for it not less than 1,000 hours annually;
 - (ii)** Has successfully completed a course of training and an examination which have been approved by the appropriate District Chief Counsel; and
 - (iii)** Will receive either regular supervision and monitoring or annual training to assure continued qualification as a representative in the claim process; and
- (3)** Is not employed in any civil or military department or agency of the United States.

(Authority: 38 U.S.C. 501(a), 5902)

(b) Accreditation of Agents and Attorneys.

- (1)** No individual may assist claimants in the preparation, presentation, and prosecution of claims for VA benefits as an agent or attorney unless he or she has first been accredited by VA for such purpose.
 - (i)** For agents, the initial accreditation process consists of application to the Office of the General Counsel, self-certification of admission information concerning practice before any other court, bar, or State or Federal agency, an affirmative determination of character and fitness by VA, and a written examination.
 - (ii)** For attorneys, the initial accreditation process consists of application to the Office of the General Counsel, self-certification of admission information concerning practice before any other court, bar, or State or Federal agency, and a determination of character and fitness. The Office of the General Counsel will presume an attorney's character and fitness to practice before VA based on State bar membership in good standing unless the Office of the General Counsel receives credible information to the contrary.
 - (iii)** As a further condition of initial accreditation, both agents and attorneys are required to complete 3 hours of qualifying continuing legal education (CLE) during the first 12-month period following the date of initial accreditation by VA. To qualify under this subsection, a CLE course must be approved for a

minimum of 3 hours of CLE credit by any State bar association and, at a minimum, must cover the following topics: representation before VA, claims procedures, basic eligibility for VA benefits, right to appeal, disability compensation (38 U.S.C. Chapter 11), dependency and indemnity compensation (38 U.S.C. Chapter 13), and pension (38 U.S.C. Chapter 15). Upon completion of the initial CLE requirement, agents and attorneys shall certify to the Office of the General Counsel in writing that they have completed qualifying CLE. Such certification shall include the title of the CLE, date and time of the CLE, and identification of the CLE provider, and shall be submitted to VA as part of the annual certification prescribed by § 14.629(b)(4).

(iv) To maintain accreditation, agents and attorneys are required to complete an additional 3 hours of qualifying CLE on veterans benefits law and procedure not later than 3 years from the date of initial accreditation and every 2 years thereafter. To qualify under this subsection, a CLE course must be approved for a minimum of 3 hours of CLE credit by any State bar association. Agents and attorneys shall certify completion of the post-accreditation CLE requirement in the same manner as described in § 14.629(b)(1)(iii).

(2) An individual desiring accreditation as an agent or attorney must establish that he or she is of good character and reputation, is qualified to render valuable assistance to claimants, and is otherwise competent to advise and assist claimants in the preparation, presentation, and prosecution of their claim(s) before the Department. An individual desiring accreditation as an agent or attorney must file a completed application (VA Form 21a) with the Office of the General Counsel (022D), 810 Vermont Avenue, NW., Washington, DC 20420, on which the applicant submits the following:

(i) His or her full name and home and business addresses;

(ii) Information concerning the applicant's military and civilian employment history (including character of military discharge, if applicable);

(iii) Information concerning representation provided by the applicant before any department, agency, or bureau of the Federal government;

(iv) Information concerning any criminal background of the applicant;

(v) Information concerning whether the applicant has ever been determined mentally incompetent or hospitalized as a result of a mental disease or disability, or is currently under treatment for a mental disease or disability;

(vi) Information concerning whether the applicant was previously accredited as a representative of a veterans service organization and, if so, whether that accreditation was terminated or suspended by or at the request of that organization;

(vii) Information concerning the applicant's level of education and academic history;

(viii) The names, addresses, and phone numbers of three character references; and

(ix) Information relevant to whether the applicant for accreditation as an agent has any physical limitations that would interfere with the completion of a comprehensive written examination administered under the supervision of the appropriate District Chief Counsel (agents only); and

(x) Certification that the applicant has satisfied the qualifications and standards required for accreditation as prescribed by VA in this section, and that the applicant will abide by the standards of conduct prescribed by VA in § 14.632 of this part.

(3) Evidence showing lack of good character and reputation includes, but is not limited to, one or more of the following: Conviction of a felony, conviction of a misdemeanor involving fraud, bribery, deceit, theft, or

misappropriation; suspension or disbarment from a court, bar, or Federal or State agency on ethical grounds; or resignation from admission to a court, bar, or Federal or State agency while under investigation to avoid sanction.

(4) As a further condition of initial accreditation and annually thereafter, each person seeking accreditation as an agent or attorney shall submit to VA information about any court, bar, or Federal or State agency to which the agent or attorney is admitted to practice or otherwise authorized to appear. Applicants shall provide identification numbers and membership information for each jurisdiction in which the applicant is admitted and a certification that the agent or attorney is in good standing in every jurisdiction in which admitted. After accreditation, agents and attorneys must notify VA within 30 days of any change in their status in any jurisdiction in which they are admitted to appear.

(5) VA will not accredit an individual as an agent or attorney if the individual has been suspended by any court, bar, or Federal or State agency in which the individual was previously admitted and not subsequently reinstated. However, if an individual remains suspended in a jurisdiction on grounds solely derivative of suspension or disbarment in another jurisdiction to which he or she has been subsequently reinstated, the Chief Counsel with subject-matter jurisdiction may evaluate the facts and grant or reinstate accreditation as appropriate.

(6) After an affirmative determination of character and fitness for practice before the Department, applicants for accreditation as a claims agent must achieve a score of 75 percent or more on a written examination administered by VA as a prerequisite to accreditation. No applicant shall be allowed to sit for the examination more than twice in any 6-month period.

(c) *Representation by Attorneys, Law Firms, Law Students and Paralegals.*

(1) After accreditation by the Office of the General Counsel, an attorney may represent a claimant upon submission of a VA Form 21-22a, "Appointment of Attorney or Agent as Claimant's Representative."

(2) If the claimant consents in writing, an attorney associated or affiliated with the claimant's attorney of record or employed by the same legal services office as the attorney of record may assist in the representation of the claimant.

(3) A legal intern, law student, or paralegal may not be independently accredited to represent claimants under this paragraph. A legal intern, law student, or certified paralegal may assist in the preparation, presentation, or prosecution of a claim, under the direct supervision of an attorney of record designated under § 14.631(a), if the claimant's written consent is furnished to VA. Such consent must specifically state that participation in all aspects of the claim by a legal intern, law student, or paralegal furnishing written authorization from the attorney of record is authorized. In addition, suitable authorization for access to the claimant's records must be provided in order for such an individual to participate. The supervising attorney must be present at any hearing in which a legal intern, law student, or paralegal participates. The written consent must include the name of the veteran, or the name of the appellant if other than the veteran (e.g., a veteran's survivor, a guardian, or a fiduciary appointed to receive VA benefits on an individual's behalf); the applicable VA file number; the name of the attorney-at-law; the consent of the appellant for the use of the services of legal interns, law students, or paralegals and for such individuals to have access to applicable VA records; and the names of the legal interns, law students, or paralegals who will be assisting in the case. The signed consent must be submitted to the agency of original jurisdiction and maintained in the claimant's file. In the case of appeals before the Board in Washington, DC, the signed consent must be submitted to: Director, Office of Management, Planning and Analysis (014), Board of Veterans' Appeals, P.O. Box 27063, Washington, DC 20038. In the case of hearings before a Member or Members of the Board at VA field facilities, the consent must be presented to the presiding Member of the hearing.

(4) Unless revoked by the claimant, consent provided under paragraph (c)(2) or paragraph (c)(3) of this section shall remain effective in the event the claimant's original attorney is replaced as attorney of record by another member of the same law firm or an attorney employed by the same legal services office.

(d) Decisions on applications for accreditation. The Chief Counsel with subject-matter jurisdiction will conduct an inquiry and make an initial determination regarding any question relating to the qualifications of a prospective service organization representative, agent, or attorney.

(1) If the Chief Counsel determines that the prospective service organization representative, agent, or attorney meets the requirements for accreditation in paragraph (a) or (b) of this section, notification of accreditation will be issued by the Chief Counsel and will constitute authority to prepare, present, and prosecute claims before an agency of original jurisdiction or the Board of Veterans' Appeals.

(2)

(i) If the Chief Counsel determines that the prospective representative, agent, or attorney does not meet the requirements for accreditation, notification will be issued by the Chief Counsel concerning the reasons for disapproval, an opportunity to submit additional information, and any restrictions on further application for accreditation. If an applicant submits additional evidence, the Chief Counsel will consider such evidence and provide further notice concerning his or her final decision.

(ii) The determination of the Chief Counsel regarding the qualifications of a prospective service organization representative, agent, or attorney is a final adjudicative determination of an agency of original jurisdiction that may only be appealed to the Board of Veterans' Appeals.

NOTE TO § 14.629:

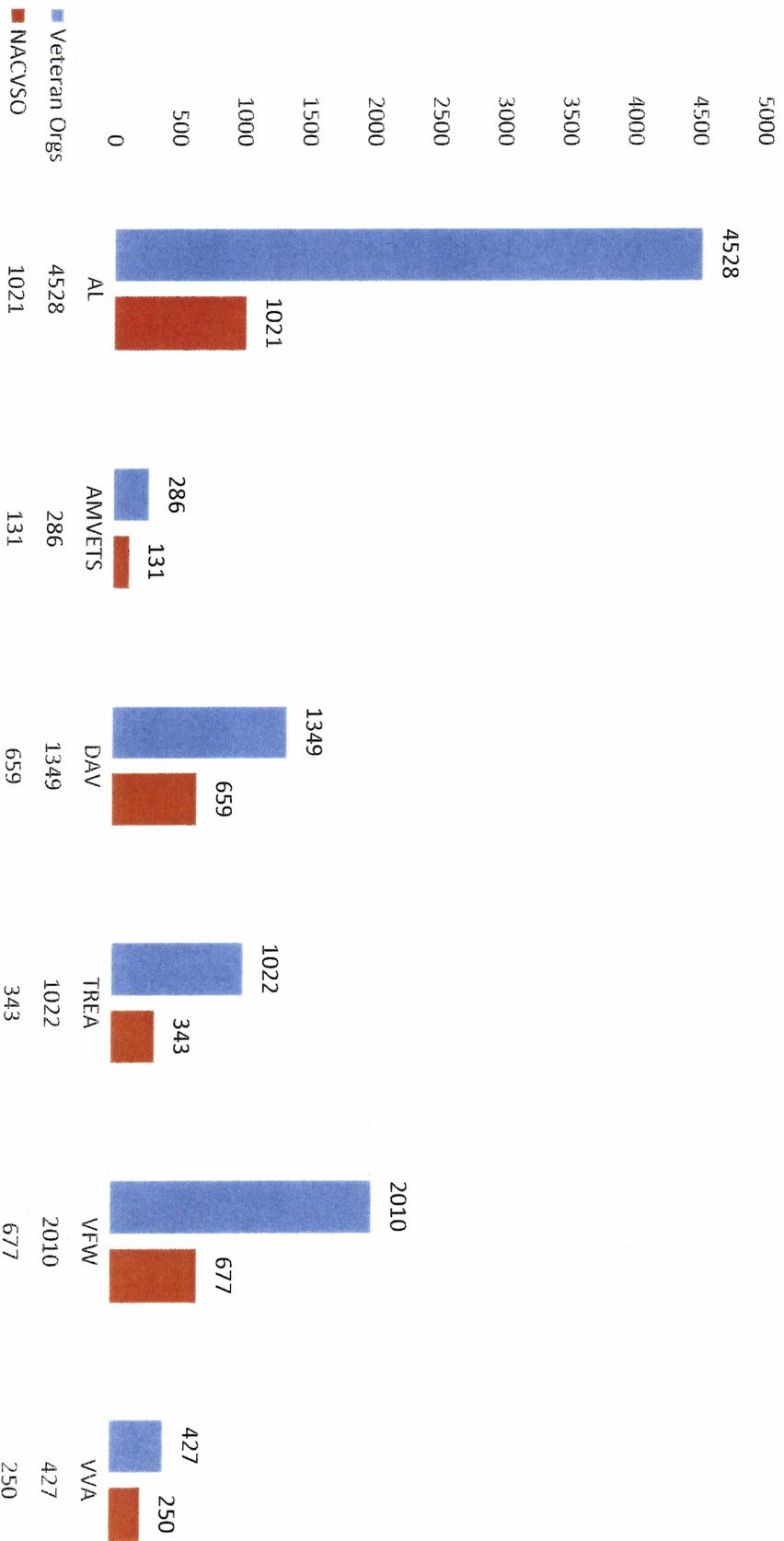
A legal intern, law student, paralegal, or veterans service organization support-staff person, working under the supervision of an individual designated under § 14.631(a) as the claimant's representative, attorney, or agent, may qualify for read-only access to pertinent Veterans Benefits Administration automated claims records as described in §§ 1.600 through 1.603 in part 1 of this chapter.

(Authority: 38 U.S.C. 501(a), 5904)

(The Office of Management and Budget has approved the information collection requirements in this section under control numbers 2900-0018 and 2900-0605)

[53 FR 52421, Dec. 28, 1988, as amended at 55 FR 38057, Sept. 17, 1990; 68 FR 8545, Feb. 24, 2003; 71 FR 28586, May 17, 2006; 72 FR 58012, Oct. 12, 2007; 73 FR 29871, May 22, 2008; 73 FR 29871, May 22, 2008; 81 FR 32649, May 24, 2016; 82 F

Cross Accreditation vs NACVSO members



VA ACCREDITATION PROGRAM

The standards of conduct in 38 C.F.R. § 14.632 establish the appropriate behavior for VA-accredited attorneys, agents, and representatives.

VA-accredited individuals providing VA claims assistance *shall*:

- Faithfully execute their duties on behalf of a VA claimant;
- Be truthful in their dealings with claimants and VA;
- Provide claimants with competent representation before VA; and
- Act with reasonable diligence and promptness in representing claimants.

See 38 C.F.R. §§ 14.632 (a) & (b).

VA-accredited individuals shall *not*:

- (1) Violate the standards of conduct as described in 38 C.F.R. § 14.632.
- (2) Circumvent the rules of conduct through the actions of another.
- (3) Engage in conduct involving fraud, deceit, misrepresentation, or dishonesty.
- (4) Violate one or more of the provisions of title 38, United States Code, or title 38, Code of Federal Regulations.
- (5) Enter into an agreement for, charge, solicit, or receive a fee that is clearly unreasonable or otherwise prohibited by law or regulation.
- (6) Solicit, receive, or enter into agreements for gifts related to representation provided before an agency of original jurisdiction has issued a decision on a claim or claims and a Notice of Disagreement has been filed with respect to that decision.
- (7) Delay, without good cause, the processing of a claim at any stage of the administrative process.
- (8) Mislead, threaten, coerce, or deceive a claimant regarding benefits or other rights under programs administered by VA.
- (9) Engage in, or counsel or advise a claimant to engage in, acts or behavior prejudicial to the fair and orderly conduct of administrative proceedings before VA.
- (10) Disclose, without the claimant's authorization, any information provided by VA for purposes of representation.
- (11) Engage in any other unlawful or unethical conduct.

*In addition, in providing representation to a claimant before VA, VA-accredited attorneys shall not engage in behavior or activities prohibited by the rules of professional conduct of any jurisdiction in which they are licensed to practice law.

See 38 C.F.R. § 14.632(c) & (d).

If I violate a standard of conduct or engage in any other unlawful or unethical conduct, what will happen? If VA determines that you have violated the standards of conduct, VA may suspend or cancel your accreditation. VA is authorized to report the suspension or cancellation to any bar association, court, or agency to which you are admitted. In addition, VA may collaborate with State and Federal enforcement authorities if it is suspected that your actions may have implications under State or other Federal laws.

For More Information: Visit the VA Office of the General Counsel website at: <http://www.va.gov/ogc/accreditation.asp>