Here are the eight steps you can take to improve your VA claim.

- 1. The veteran has to "see the solution." The VA may be the problem, but Congress isn't the solution. The VA isn't the solution. You are the solution. When you realize that you have more power in Your VA claim than you think you do, you have taken the first step in improving your VA disability claim. Start this step by reading about the "5 Reasons that the VA Keeps Screwing Up Your VA Disability Claim."
- **2. Get your VA C-file.** The C-file is the <u>most important document in your entire VA disability claim.</u> Often times, the reason that the VA is denying your disability claim is in your C-file.

Find more information on <u>collecting your C-file here</u>.

3. Learn the law. You don't need to become a lawyer, but you do need to understand some of the basic laws of a VA disability claim or appeal. There are ten <u>cases that I think every veteran should know</u> to help your VA disability claim.

If you have a <u>total disability individual unemployability claim</u>, understanding how the VA looks at evidence and arguments in these claims can change how the VA treats your claim.

4. Build the four pillars. Four pillars need to be built in nearly every VA disability claim for service connection. These are: eligibility, service connection, impairment rating, and effective date. The most important pillar is service connection.

The pattern that I saw most frequently in failed VA disability claims was that the veteran did not know the <u>five paths to service connection</u>, which is the way that veterans prove their current disability is related to their military service. Far too many veterans relied on just one of the legal theories of service-connection, when there are many paths that they can follow for the same condition.

5. Use five-star evidence. Next to not getting a C-file, using bad evidence or the wrong evidence is the single worst thing you can do in your VA disability claim. Most veterans who had problems with the VA treated evidence like this: they hid the evidence in a haystack, and then griped at the VA for not finding the needle. I believe that to successfully prove your claim, you will need to learn, and use, <u>five-star evidence</u>, or evidence that is material, probative, relevant, competent and credible.

Veterans need two types of evidence to prevail: lay evidence and medical evidence. <u>Lay evidence is the bullet</u>, and <u>medical evidence</u> is the rifle.

6. Choose the battlefield. Many veterans think of the VA claims process as a "hamster wheel" — an endless circle of claims, denials, and remands that never really gets them anywhere. (In this eBook, I try to explain how the process is better thought of as a ladder.)

When we better understand the VA claims process, we can choose our battlefield. Certain battles, like effective dates and many impairment rating issues, cannot be easily won at the VA regional office. They are often more easily won at the Board of Veterans Appeals.

Other battles <u>need to be fought at the veterans court</u>. By understanding the <u>VA claims process</u> better, we can choose to stop fighting the wrong level of the VA, and push our claim into the forum where it is most likely to get granted.

7. Get help. Not everyone likes to change their own oil. And for some folks, removing and cleaning the carburetor on a motorcycle is an impossible task.

When you are in over your head, seek out help:

- From the Veterans Law Blog, where we post every weekday on VA disability claims topics.
- From other veterans, on sites like Hadit.com, and the Asknod blog.
- From veterans law eBooks published on this site at the <u>Veterans University</u>.
- From attorneys who are accredited to represent veterans in their VA disability claims. (Here is a <u>free eBook</u> to help you figure out how to find and choose the attorney that is best for you in your VA claim or appeal.)

I have to tell you: no blog, no veterans message board, no Facebook group of veterans, and no veterans law book can take the place of good legal advice from an accredited VA attorney.

The VA is very fond of telling veterans that they don't need to hire an attorney — and I'm not telling you that you do need to hire one. But when you get in over your head, get help. And make sure you get help from someone who knows what they are doing.

8. Protect your survivors and dependents. One out of every three cases that my firm handles are for the surviving spouses of veterans who died while their claim was pending at the VA. There are some things that veterans need to do to protect their surviving spouses and dependents in the event that they die while their VA disability claim is pending.

Preparing your claim for your survivor's <u>dependency and indemnity compensation claim</u> or <u>accrued benefits claim</u> is something that you can start doing now. Believe me, it will make it much easier for your surviving spouse to recover compensation or benefits if the VA does not grant your claim before you pass away.

The sooner you start using these steps, the sooner you can change the way you experience the VA claims process.