

# 2021 NLSVCC NATIONAL BOOT CAMP FOR CLINICS SERVING VETERANS

SEPTEMBER 17-18, 2021 | EASTERN TIME

*Each presentation will be recorded and made available on the NLSVCC website.*

**Friday, September 17**, Moderated by Michele Vollmer, Penn State Law

12:00–12:30 | Opening Remarks — U.S. Court of Appeals for Veterans Claims Judge Michael Allen

12:30–1:30 | Shaping the Narrative for Veterans: Developing the Theory of the Case in the Papers & Beyond  
*Meghan Brooks & Michael Wishnie, Yale Veterans Legal Services Clinic*

What is case theory? What narratives predominate in veterans' benefits cases, and how can we use them (or not) strategically on behalf of our clients? This session will introduce clinical students to key case theory concepts and their deployment across different modes of advocacy, including in the courts, before the VA, before legislative actors, and in the media.

1:30–1:40 Break

1:40–2:55 | Reviewing Veterans' Military and Medical Records & Creating Chronologies  
*Holly L. Christian, University of Detroit Mercy Veterans Law Clinic*  
*Matthew Wilcut, Sutton Snipes*

This session will introduce clinical students to the important skill of reviewing a veteran's records. Participants will gain new records reviewing skills culminating in the ability to create accurate chronologies and persuasive narratives for VA benefits and discharge upgrade cases. They will identify what information can be found in different records sources, learn commonly used military and medical terminology to aid their comprehension of records, and understand "best practices" for reviewing records in these types of cases.

2:55–3:00 Brief Wrap-Up

**Saturday, September 18**, Moderated by Jennifer Morrell, Delaware Law School

12:00–1:00 | Student Panel & Breakouts

*Facilitated by Jennifer Morrell, Delaware Law School Veterans Law Clinic*

This session will connect clinic student attendees with former and current clinic interns, who will provide feedback and answers to incoming clinic students' questions. The session will be interactive, with a brief panel overview followed by breakout rooms for more informal dialogue.

1:00–1:10 Break

1:10–2:00 | Ethical Issues in Veterans Law Practice, with Simulation & Breakout

*Facilitated by Margaret A. (Peggy) Costello, University of Detroit Mercy Veterans Law Clinic*

This session will focus on a scenario that presents numerous ethical issues that might confront a practitioner of Veterans Benefits Law. After presentation of the scenario, students will enter breakout rooms to identify and briefly discuss the various issues. They then will regroup, and Professor Costello will lead a debrief and discussion of the ethical issues involved.

2:00–2:55 | Military Sexual Trauma & Representing Survivors

*Samantha Kubek, Robert W. Entenmann Veterans Law Clinic, Maurice A. Deane School of Law at Hofstra University*

*Chesley Roberts, Women Veterans Legal Assistance Program at The Veterans Consortium*

This session will cover best practices for handling VA compensation claims related to military sexual trauma. In addition to gaining an understanding of the necessary steps for successfully obtaining compensation for survivors, participants will learn tips on how to address the cases through a trauma-informed lens.

2:55–3:00 Brief Wrap-Up

## ADDITIONAL RESOURCES

In addition to the program, video resources will be available on the NLSVCC Member Resources webpage. Video Topics include, but are not limited to, the following:

- **Military Discharge Upgrade, Basics and Best Practices**  
*Margaret Kuzma, Attorney, Veterans Legal Clinic Legal Services Center of Harvard Law School*
- **AMA Updates in VA Practice & Increasing the Disability Rating**  
*Jennifer Morrell, Delaware Law School Veterans Law Clinic*  
*Michele Vollmer, Penn State Law Veterans and Servicemembers Legal Clinic*
- **Advocating before the BVA on Remand**  
*Judy Clausen, UF Law Veterans and Servicemembers Legal Clinic*
- **Veteran Naturalization**  
*Nicqelle Godfrey, Veterans Naturalization Assistance Program, The Veterans Consortium*

## SPEAKER BIOGRAPHIES

### JUDGE MICHAEL ALLEN

*Opening Remarks*



Judge Michael Allen was nominated by the President of the United States in June 2017. He was confirmed by the United States Senate, and appointed a Judge of the United States Court of Appeals for Veterans Claims in August 2017. United States District Judge Elizabeth Kovachevich of the Middle District of Florida administered the judicial oath to Judge Allen on August 11, 2017.

For 16 years before his judicial appointment, Judge Allen was a tenured full professor of law at Stetson University College of Law in Gulfport, Florida. He was also the director of Stetson's Veterans Law Institute, and he spent 4 years as the College of Law's associate dean. Judge Allen also served as a visiting professor of law at the University of Illinois College of Law. Before entering teaching, Judge Allen practiced law for 9 years in the litigation department of the Boston-based international law firm Ropes & Gray.

Judge Allen graduated summa cum laude from the University of Rochester, earning bachelor's degrees in American history and political science. He received his juris doctor from Columbia Law School, where he was a Harlan Fiske Stone Scholar during his final 2 years.

As a professor, Judge Allen taught courses in constitutional law, civil procedure, federal courts, remedies, and veterans benefits law. He has been a prolific author, cowriting 2 books and more than 25 articles and essays. Judge Allen also received numerous awards for his scholarship and teaching, including the Stetson University Award for Excellence in Scholarship, the Brown-Dickerson Award for Excellence in Scholarship, the Stetson University Award for Excellence in Teaching, and the Stetson University Award for Excellence in Professionalism and Career Development. He also received the Stetson's Golden Apple Award for teaching and was twice named the best all-around professor.

Judge Allen was also a frequent speaker at community and professional groups while in legal education. Among his speaking engagements were featured roles at the judicial conferences of the Court of Appeals for Veterans Claims and the United States Court of Appeals for the Federal Circuit. In addition, Judge Allen testified before the Veterans' Affairs Committees of both the United States Senate and the United States House of Representatives.

Before taking the bench, Judge Allen was active in professional associations. He served on the Board of Trustees of the Southeastern Association of Law Schools and was the Chair of the American Association of Law Schools' sections on Remedies and New Law Teachers.

**MEGHAN BROOKS**

*Shaping the Narrative for Veterans*

Meghan Brooks is a Clinical Lecturer in Law, Associate Research Scholar in Law, and Robert M. Cover Clinical Teaching Fellow at Yale Law School. Previously, she was a Justice Catalyst Fellow in the Special Litigation Unit and Public Benefits Unit's Veterans Practice at New York Legal Assistance Group, where she handled veterans benefits appeals and worked to advance pro-veteran policy. Brooks earned her J.D. from Yale Law School in 2019, where she was a law student intern in the Veterans Legal Services Clinic.



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**MICHAEL J. WISHNIE**

*Shaping the Narrative for Veterans*

Michael J. Wishnie is the William O. Douglas Clinical Professor of Law and Counselor to the Dean at Yale Law School. Wishnie's teaching, scholarship, and law practice have focused on veterans law, immigration, labor and employment, habeas corpus, civil rights, government transparency, and voting rights. For years, Wishnie and his students have represented veterans, servicemembers, low-wage workers, immigrants, and voters in federal, state, and administrative litigation. He and his students have also represented veterans' groups, unions, churches, and grassroots organizations in a range of legislative, media, and community education matters.



Wishnie's recent publications include "Call Air Traffic Control! Confronting Crisis as Lawyers and Teachers" (with Muneer Ahmad), in Ray Brescia & Eric K. Stern, eds., *Crisis Lawyering: Effective Legal Advocacy in Emergency Situations* (NYU Press: 2021) and "'A Boy Gets Into Trouble': Service Members, Civil Rights, and Veterans' Law Exceptionalism", 97 B.U. L. REV. 1709 (2017).

From 1998-2006, Wishnie taught at New York University School of Law. Previously, he worked at the American Civil Liberties Union Immigrants' Rights Project as a Skadden Fellow; in the Brooklyn Neighborhood Office of The Legal Aid Society; as a law clerk to Judge H. Lee Sarokin of the District Court of New Jersey and U.S. Court of Appeals for the Third Circuit; and as a clerk for Justice Harry A. Blackmun, retired, working in the chambers of Associate Justice Stephen G. Breyer of the Supreme Court of the United States. Before earning his J.D. from Yale Law School in 1993, Wishnie spent two years teaching in the People's Republic of China.

## HOLLY CHRISTIAN

### *Reviewing Veterans' Military and Medical Records & Creating Chronologies*



Holly Christian graduated from the University of Dayton with a French and Political Science Degree before attending DePaul College of Law. Since becoming barred in Illinois, she has provided legal services to individuals and children with disabilities in contested special education and adult guardianship matters. She has also represented low income and homeless veterans in VA benefits claims and Military Records Corrections. She has provided pro bono program management, volunteer mentoring, and training while employed at the ABA and Swords to Plowshares. Holly joined Detroit Mercy Law in 2021 as the first Toni Wisne Sabina Foundation Veterans Clinic Fellow.

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## MATTHEW WILCUT

### *Reviewing Veterans' Military and Medical Records & Creating Chronologies*



Matthew Wilcut is a partner in the law firm of Sutton Snipes. He received his JD from Elon University in 2013. Matt became an accredited VA attorney in 2014. He has a passion for VA law and has represented over 500 clients at the VA. He is current President of the NLSVCC Board.

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## JENNIFER MORRELL

### *Student Panel with Breakouts; AMA Updates; Moderator*



Jennifer R. Morrell is an Assistant Professor of Law and Director of the Veterans Law Clinic at Widener University Delaware Law School. Professor Morrell joined the Delaware Law School in 2010 and has worked as a Staff Attorney and Director of the Veterans Law Clinic. Professor Morrell received a B.A. in English Language and Literature from Salisbury University in 1994 and a J.D. from Temple University's James E. Beasley School of Law in 2004.

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## MARGARET A. (PEGGY) COSTELLO

### *Ethical Issues in Veterans Law Practice*

Margaret A. (“Peggy”) Costello is the Associate Professor and Director of the Veterans Law Clinic, University of Detroit Mercy School of Law Detroit, Michigan. She was instrumental in the establishment of the highly acclaimed Veterans Law Clinic and Project Salute at the University of Detroit Mercy School of Law in 2007. To date, the Clinic has obtained approximately three million dollars in retroactive benefits for its clients. Since 2007, Prof. Costello has directed the Veterans Law Clinic and taught various courses, including Professional Responsibility at Detroit Mercy Law. She has presented numerous training seminars in veterans’ benefits law in Michigan and throughout the U.S.



An experienced litigator and mediator, Ms. Costello previously was a member of the law firm of Dykema Gossett, where she was resident in the Detroit office for more than 20 years and chaired the firm’s Pro Bono and Diversity Committees. A graduate of Penn State University (a proud Nittany Lion) and summa cum laude graduate of the Detroit College of Law, she also is a licensed psychologist and frequent lecturer and trainer on topics related to litigation and dispute resolution, as well as Veterans Law.

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## SAMANTHA KUBEK

### *Military Sexual Trauma & Representing Survivors*

In August 2021, Samantha joined the faculty of the Maurice A. Deane School of Law at Hofstra University as a Visiting Assistant Clinical Professor of Law and the Attorney-in-Charge of the Robert W. Entenmann Veterans Law Clinic. The Clinic assists veterans in obtaining veterans benefits and discharge upgrades.

Prior to starting at Hofstra, Samantha was the Coordinating Attorney for the Veterans Initiative in the LegalHealth Division of the New York Legal Assistance Group. In February 2020, Samantha testified before United States House of Representatives Veterans Affairs Committee’s Subcommittee on Oversight and Investigations regarding the VA’s failed response to military sexual trauma survivors. In March 2021, she testified before the Subcommittee on Disability Assistance and Memorial Affairs regarding Compensation & Pension examinations, with particular focus on examinations in cases involving military sexual trauma.



## CHESLEY ROBERTS

### *Military Sexual Trauma & Representing Survivors*



Chesley Roberts began working at The Veterans Consortium Pro Bono Program (TVC) in 2020. She is currently an Equal Justice Works Fellow sponsored by Lockheed Martin Corporation. Chesley manages TVC's Women Veterans Legal Assistance Program. Under this program, she manages the Free Advice and Referral Clinic for Women Veterans and focuses on the unique legal issues women veterans face.

Chesley is a graduate of Florida State University (B.S. 2017) and Stetson University College of Law (J.D. 2020). While in law school, Chesley worked at Stetson's Veteran Advocacy Clinic in St. Petersburg, Florida. She assisted veterans who were appealing decisions denying Veterans

Administration disability benefits.

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## MARGARET KUZMA

### *Military Discharge Upgrade, Basics & Best Practices*



Margaret Kuzma is an Attorney in the Veterans Legal Clinic at the Legal Services Center of Harvard Law School and a lead author of the Military Discharge Upgrade Legal Practice Manual (ABA, 2021). Previously, she directed the Veterans Inclusion Project and the Discharge Upgrade Practice at the Connecticut Veterans Legal Center. She has been a Visiting Clinical Lecturer with the Veterans Legal Services Clinic at Yale Law School, and she co-founded the Veterans Law Project at Quinnipiac University School of Law. Prior to becoming a public interest attorney, Ms. Kuzma ran the Sexual Assault Prevention and Response program for Fort Benning and U.S. Army Garrison Baumholder.

## JUDY CLAUSEN

### *Advocating before the BVA on Remand*



Professor Judy Clausen serves as Legal Skills Professor and Supervising Attorney for the Veterans and Servicemembers Legal Clinic at UF Law. In the clinic, she teaches and supervises students who assist in representing veterans in appeals to the U.S. Court of Appeals for Veterans Claims and the Board of Veterans' Appeals, as well as in discharge upgrades and Department of Veterans Affairs (VA) character of discharge determinations. Students also deliver Know Your Rights presentations to veterans and ROTC cadets, prepare legal memoranda for judge advocates, draft wills and advance directives for veterans, and assist veterans with claims for disability compensation with the VA. Judy began her legal career active-duty Army in the Pentagon where she served in the Honors

Program as an Assistant to the General Counsel of the Department of the Army.



## NICQELLE GODFREY

### *Veteran Naturalization*

Nicqelle Godfrey graduated from Georgetown University Law Center in June of 2020 and joined the California Bar in March 2021. In October 2020, Nicqelle started the Veterans Naturalization Assistance Program (VNAP) as an Equal Justice Works Fellow serving non-citizen US veterans applying for US citizenship. In May 2021, Nicqelle hosted a virtual naturalization clinic, and has conducted twenty-seven trainings on veteran naturalization this year. Thanks to the success of the first clinic, Nicqelle is planning VNAP's second naturalization clinic for October 22 and continues offering trainings on this important topic. Nicqelle is passionate about this project as the granddaughter of both a Korean War Veteran and an immigrant to the United States. Nicqelle is excited to be sharing this training with you and invites you to reach out directly at [vnap@vetsprobono.org](mailto:vnap@vetsprobono.org) if you have any questions.

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## MICHELE VOLLMER

### *AMA Updates; Moderator*

Michele Vollmer is director of Penn State Law's Veterans and Servicemembers Legal Clinic and Associate Dean for Clinics and Experiential Learning. She was a litigator in practice for 18 years before joining Penn State Law, including 11 years with the U.S. Securities and Exchange Commission.

