

HELMETS TO HARDHATS JOINS JOHN MARSHALL IN HELPING RETURNING VETERANS FIND WORK

Helmets to Hardhats (H2H) is an organization dedicated to serving returning heroes as they navigate the transition from military service to being productive and integrated members of the community. H2H connects National Guard, reserve and transitioning active duty military members with quality career training and employment opportunities with the building and construction industry. Included in this effort is transitioning those veterans who served as experienced truck drivers in the military to driving commercial trucks for American companies.

H2H is working with a local affiliate of the International Brotherhood of Teamsters, a trade union that includes commercial truck drivers. H2H's presence in Illinois is concentrated in Chicago, where its representatives are working to advance the commercial drivers license issue (CDL) before the Illinois General Assembly and relevant Executive Branch offices. Initial language was crafted through The John Marshall Law School's Legal Writing Program, in a Legislative Drafting course taught by John Marshall alumnus, Adjunct Professor Kevin Hull (J.D. '00), former counsel to Illinois House Speaker Michael J. Madigan. In the class, students U.S. Marine 1st Lt. Nicholas Henry and Paul Hooper met with the H2H and Teamster representatives, then researched current law to draft proposed language to address the needs of the clients. As a part of the class, the students prepared a memorandum analyzing the issues presented and outlining the reasoning behind the proposed changes. Finally, they joined with John Marshall alumni and co-executive directors of the Veterans Legal Support Center (VLSC), Adjunct Professor Brian Clauss (J.D. '89) and Professor Joseph Butler (J.D. '95), to bring the relevant parties to the important issue.

While the General Assembly was caught in the RTA/CTA funding quagmire over the last months, H2H and Teamster advocates took the opportunity to discuss the proposal with agencies and groups to ensure their comments and concerns were included before the legislation was officially submitted.

A Brief Discussion of the Provisions Involved

The purpose of the change is to give credit to the professional training and expertise in transferable skills and vocations soldiers achieve during their military service. Soldiers re-enter civilian life as experts in their particular areas, including their proficiency as military police, hazardous material agents and into the trade professions, like electrical workers,

laborers and truck drivers. Unfortunately, in many instances these returning heroes must go through schooling or duplicative training to satisfy state regulations. In fact, these individuals are often far more qualified upon their discharge from the military than the regular graduates of those same programs. However, veterans don't have the thousands of dollars to enroll in these courses. Thus, after reviewing the needs and obstacles facing both the soldiers and the industries they seek to enter, H2H saw the CDL issue as the most important and timely to bring forward.

Under the proposal, soldiers who qualify through their official military forms, such as the Military to Civilian Occupation Translator (MOC), can have their military experience satisfy the Skills Test and simply take and pass the Written Test to get their CDL. Currently, the Secretary of State grants a CDL waiver for those active duty soldiers that are qualified under military training and code to operate commercial-sized trucks to drive on Illinois highways. Indeed, every military convoy you see on the roadways that includes these bigger trucks is operated by a military-trained soldier, driving the same truck in the military they seek to drive upon discharge from their service. Important to stress is how only those soldiers who have met the stringent qualifying factors may be eligible for the waiver. Thus, this legislation seeks to extend the waiver that exists for Active Duty members to our qualified veterans, and make their transition as direct and fair as possible.

Who Benefits and How?

After discussing this issue with both labor and management, it is clear the trucking industry in the United States is in dire need of qualified and dependable drivers. A good number of these drivers can be found in our own brothers and sisters, neighbors and friends coming out of their service in the military, eager to get back to their lives in our communities. Indeed, soldiers are in the best condition of their lives. They are drug-free and have a work ethic that every employer dreams to have helping their business. Factoring in the role trade associations like the Teamsters and groups like H2H have to further guide these veterans into the local working force, remaining is a transition program that truly serves those who risked their lives to serve us all. H2H is serving an important role in the lives of returning heroes. For more information, visit <http://helmetstohardhats.org>.



LETTER FROM THE DIRECTOR

As we begin the fall 2008 semester, I'd like to recap the events of the inaugural semester of the Veterans Legal Support Center & Clinic at The John Marshall Law School (VLSC). In the following pages of the first newsletter, we outline some of the most notable events and developments during the spring 2008 semester.

We officially opened our doors on January 14, 2008 in temporary offices. The law school is building out a new home for the clinic that will be fully accessible to people with disabilities. Look for the announcement of the opening of our new space in the near future.

Over the course of the spring semester, our clinical students, Lindsay Faulkenberg, Robin Ficke, Gavin Grimm, Daniel Lacy, Daniel Larson, Maria Metropulos, Michael Ruffu and Akeela Savage worked tirelessly to assist more than 150 veterans with their benefits claims. The clinic placed more than a dozen cases with attorneys in the pro bono network, and has many more cases in the development stage.

The spring semester was also the first time a class has been taught at John Marshall on veterans benefits. The nineteen students who enrolled in the Veterans Advocacy Course not only learned about veterans benefits law, but also had the opportunity to interact with incredible guest speakers, including Lt. Governor of Illinois Pat Quinn, U.S.A. F Maj. Gen. Robert Duignan, Former President and CEO of the Rehabilitation Institute of Chicago Henry Betts. The course is being offered again in the fall semester, and I continue to teach the course with VLSC Executive Director and Adjunct Professor Brian Clauss.

We were busy this summer as well. As co-founders Mike Barnicle and Nick Henry were busy studying for the bar exam, other John Marshall students stepped into the breach to ensure that our program continued to serve veterans. We also welcomed three visiting clinical interns: Matt Gran from Southern Illinois University School of Law,

Kris Sobczak from Loyola University Chicago Law School and Sven Sommers from Michigan State University Law School. It is our hope that they will take what they have learned here to their home institutions.

Perhaps the most exciting news is the renewal of our state grant from the Illinois Department of Veterans Affairs (IDVA), headed by Director Tammy Duckworth. The \$100,000 grant is financed by the Veterans Cash fund, launched by Gov. Rod Blagojevich, Lt. Governor Pat Quinn and Illinois Lottery in February 2006. Veterans Cash is the Illinois Lottery's first lottery ticket where 100 percent of proceeds go to support Illinois veterans.

We have many more activities planned for this school year. Plans are being finalized for a National Veterans Conference, scheduled for November 7th and 8th, 2008, in observance of Veterans Day. The general topic of this year's conference is the legal and medical issues facing veterans, and how legal and medical professionals, working together, can solve many of these problems.

For information on this, and other upcoming events, please visit our website at www.jmls.edu/veterans.

Please remember, we are always looking for more attorneys to strengthen our pro bono network. If you or an attorney you know is interested in assisting our veterans please contact us at vlsc@jmls.edu.

Sincerely,

Joseph Butler

Director, Veterans Legal Support Center & Clinic



JOSEPH BUTLER



ALUMNUS RETURNS TO JOHN MARSHALL TO CHAMPION VETERANS ADVOCACY EFFORTS

John Marshall alumnus Brian Morris (J.D. '98) has joined The John Marshall Law School Veterans Legal Support Center & Clinic (VLSC) as a staff attorney, instructing and mentoring students in the clinic.

Morris, who is a major in the U.S. Army Reserve, recognized veterans' needs for legal help after many years of navigating the system himself, as well as through second-hand experience "watching others dealing with the bureaucracy."

As an 18-year veteran of the United States Army and Army Reserve JAG Corps, his assignments have included service as a legal assistance attorney for the 4th Infantry Division, tort claims defense attorney for III Corps and Fort Hood; an administrative law attorney with United States Medical Research Command at Fort Detrick in Maryland; a command judge advocate with Task Force Eagle in Bosnia; a military prosecutor with CJTF-7 in Iraq; and a legal assistance attorney for Multi-national Security Command in Iraq. He also has worked on classified activities for the Department of Defense during his tenure as a technical advisor at the Counterintelligence Field Activity, Washington, D.C., supporting operations throughout the world, including the Middle East, Europe, and North Africa.

Morris joined John Marshall after nearly 10 years as a litigator with various firms throughout the United States, including MZM, Inc. in Washington D.C.; Wal-Mart Stores, Inc. in Bentonville, Ark.; O'Hagan, Smith & Admundsen in Chicago; and Sanchez, Daniels and Hoffman, LLC in Chicago.



BRIAN MORRIS



NICHOLAS HENRY



MICHAEL BARNICLE

Morris says that his goal for the VLSC since joining last month is primarily "to help students develop their analytical skills as future lawyers."

"I'd like to help them become better advocates for veterans," he added.

He also plans to continue to develop the pro bono network of attorneys. Though many of the cases that come to the attention of the clinic are handled by outside attorneys in the network, Morris said some will be handled "in-house."

"If we see a case with good teaching points that can be handled in-house, we will take them on," he said. "We are also willing to work on cases that no outside attorney wants," he added. "We don't want any veteran without representation, if the case should be reviewed."

Also on continuing status are student co-founders Nicholas Henry (J.D. '08) working as administrative director and Michael Barnicle (J.D.'08) serving as special projects coordinator. Henry will be beginning his training with the U.S. Marine JAG Corps and Barnicle with the Army JAG Corps in the spring 2009 semester.

NOVEMBER CONFERENCE ADDRESSES VETERANS' MEDICAL AND LEGAL ISSUES

Some of the veterans of our current conflicts are among the most severely disabled people who have ever lived. Due to advancements in medicine, both on the battlefield and at home, service members have survived injuries that even a decade ago would have been fatal. Consequently, they will require extraordinary future care, both in rehabilitation and medical services. As many of those wounded may live another fifty years, it is imperative that their needs be addressed, in terms of treatment and benefits.

On Nov. 7 and 8 2008, The John Marshall Law School Veterans Legal Services Center & Clinic is hosting a conference focusing on how the legal and medical professions can work together to better serve our nation's veterans. The conference is sponsored by a generous donation by the McCormick Foundation, and will begin with an overview of the treatment wounded service members receive from the minute they are injured through being evacuated back home. The conference also will include discussions of unique problems faced by veterans of our current conflicts, particularly traumatic brain injury; emerging legal and medical issues, and differing law school clinical programs designed to serve veterans. For more information, visit our website at www.jmls.edu/veterans.



CITY OF CHICAGO RECOGNIZES VLSC THROUGH RESOLUTION

This summer, Chicago Mayor Richard Daley and The City Council of the City of Chicago Illinois adopted a resolution, presented by Ald. Ariel E. Reboyras that congratulated former student co-founders Nicholas Henry (J.D. '08), Ryan Coward (J.D. '07) and Michael Barnicle (J.D. '08), and co-executive directors Professor Joseph Butler (J.D. '95) and Brian Clauss (J.D. '89), as well as the Veterans Legal Support Center & Clinic (VLSC) "on their dedication in providing quality legal service and aid to the men and women who serve (the) country."

The resolution further acknowledged the VLSC as one of the first law school clinics dedicated solely to addressing the legal needs of veterans seeking benefits from the United States Department of Veterans Affairs, and Henry, Coward and Barnicle's efforts in initiating the clinic.



Chicago Mayor Richard M. Daley (ninth from left) congratulated the Veterans Legal Services Center & Clinic (VLSC) as they were honored with a resolution. Joining in the festivities were (from left) Margaret Thomas formerly of the IL Attorney General, Veterans Bureau; Michael Barnicle, of VLSC; Nicholas Henry of VLSC; Brian Clauss of VLSC; Alderman Ariel E. Reboyras of the 30th Ward, a John Marshall graduate; Joseph Butler of VLSC; Alderman Freddrenna M. Lyle of the 6th Ward, a John Marshall graduate; John Marshall Dean John E. Corkery; William K. Beach, a consultant to The John Marshall Law School Foundation; Leonard Amari, president of The John Marshall Law School Board of Trustees; Kevin Hull, a John Marshall graduate; Giacomo (Jack) A. Pecoraro, a member of The John Marshall Law School Board of Trustees; Akeela Savage, a John Marshall graduate; and Cal Shummon, a client of the VLSC.

SERIES OF SUCCESSES

A United States Navy veteran who served honorably in Vietnam was totally and permanently disabled due to aneurisms suffered while overseas. When he filed claims pro se with the United States Department of Veterans Affairs (VA), he received a 30 percent disability rating due to his conditions which resulted in benefits of \$315 per month. All subsequent pro se claims were denied by the VA in 2005 and 2006.

The veteran found assistance through The Veterans Legal Support Center & Clinic (VLSC) in April 2008, when the VLSC staff put him in touch with pro bono attorney, Joann Dinneen, a member of the network of attorneys trained by the VLSC. Dinneen, a solo practitioner, said that, with her help, the veteran service-connected disability was increased from 30 to 60 percent which increases his monthly payment to \$921 per month. The veteran also received a back payment of over \$18,500.

The VLSC sends a special thanks to Joann Dinneen for her continued service to veterans as she continues to fight to assure this veteran receives all the benefits that are due him because of his service.

A veteran suffering from a severe case of Post Traumatic Stress Disorder (PTSD) found it very difficult to make ends meet, especially when he was originally only receiving 40 percent compensation for a totally incapacitating disability.

After attorneys in the pro bono network, Mike Summerhill (J.D. '98) and Tracey Holtshirley (J.D. '06), with Katten Muchin Rosenman LLP stepped in, the VA adjusted the compensation in line with his disability. They have recently provided the veteran with a lump sum back pay for the past two years at a 100 percent compensation level, determining that their previous rating was "a clear and unmistakable error." This victory was only the beginning as these attorneys continue to seek retroactive compensation from a period when he first submitted his claim and had been diagnosed 100 percent disabled due to a severe case of PTSD.

The VLSC sends a special thanks to Mike Summerhill and Tracey Holtshirley at Katten Muchin Rosenman LLP for their continued service to veterans as they continue to fight to assure this veteran receives all the benefits that are due him because of his service.

Although many of the VLSC's successes are measured monetarily, no increase in benefits equivalent to the happiness brought to a veteran who was previously being withheld visitation from his daughter. Julie Neubauer, a member of the pro bono network, quickly removed an erroneous Order of Protection against the Veteran.

The VLSC sends a special thanks to Julie Neubauer at Downs Law Offices, P.C. who was able to take this case on short notice and make a big difference for a veteran father.