

MORGAN & MORGAN®

Veterans Disability and Death Benefits

A GUIDE

Attorney Advertising



All too often, the Department of Veterans Affairs wrongfully denies disability or death benefit claims for the brave men and women who served this country. If you're a veteran who is filing a claim, appealing a denial, or appealing an insufficient benefits award, our attorneys can guide you through this complex process to make sure you receive the benefits you need.

At Morgan & Morgan, more than 100 of our attorneys and staff have served in the military. So we understand where you're coming from and how frustrating it is to be denied. We also have a dedicated team of veterans benefits attorneys who specialize in exactly these kinds of cases. They have the resources, reputation, and experience to take on the VA and win.



**You served and
protected us.
We're here to return
the favor.**





VA Wrongfully Denies Tens of Millions of Dollars in Benefits

As too many veterans know, the Department of Veterans Affairs is quick to deny or underpay even valid benefits claims. A report by the Office of the Inspector General (OIG) found that over a six-month period, the VA denied \$53 million worth of legitimate benefits. That means that more than 17,000 veterans had to pay for emergency care out of their own pockets. Extrapolated over just five years, that amounts to \$530 million in unlawful denials. This is shameful and wrong.

In June 2020, the Veterans Benefits Administration (VBA) issued a memo stating that the VA had denied 20,000 claims due to “missed” examinations. The only problem? The VA had canceled these exams because of the COVID-19 pandemic. Then it alleged that veterans had failed to appear for appointments that no longer existed, and denied their claims citing that failure as evidence.

These are just two examples that illustrate that the VA is far from perfect. **Even if the VA denied or underpaid your claim, you can still obtain the benefits to which you’re entitled**

Frequently Asked Questions

WHO IS ELIGIBLE FOR VETERANS DISABILITY BENEFIT?

An applicant must meet four basic requirements to qualify for disability benefits from the VA:

- The applicant must be a veteran or the veteran's dependent or other qualifying surviving family member.
- There must be evidence of a current medical disability, or a disability that existed prior to the veteran's death.
- There must be evidence that the veteran sustained an in-service injury or occurrence of a disease, or an occurrence or aggravation of a previously existing disease or injury.
- There must be evidence linking the in-service occurrence or aggravation of a disease or injury to the veteran's current disability or death.

Obtaining disability benefits often hinges on whether a veteran can prove that their injury or condition was related to their service.



WHAT TYPES OF INJURIES QUALIFY FOR BENEFITS?

Our attorneys have experience recovering benefits for veterans with the following injuries and conditions (among others):



Amputations



Back and spinal injuries



Cancer



Gulf War syndrome



Gunshot and shrapnel wounds



Illnesses from exposure to toxic chemicals such as Agent Orange or consumption of contaminated water



Knee, leg, and arm injuries



Obstructive Sleep Apnea



Parkinson's Disease



Post-Traumatic Stress Disorder (PTSD) and other mental health disabilities



Traumatic brain injury



Tropical diseases such as dysentery and malaria

Please note that this is not an exhaustive list, and if your condition does not appear above, you could still be eligible for benefits.

HOW DO I PROVE THAT MY DISABILITY IS SERVICE-RELATED?

To show that a disability is service-related, a veteran must demonstrate the following:

- Medical diagnosis of a current disability
- Medical proof of the development or aggravation of a disease/injury during service
- Medical evidence of a connection between the in-service disease/injury and the current disability



HOW DO DISABILITY RATINGS WORK?

When reviewing an application, the VA issues a rating decision through the Regional Office (RO) where the application was filed. The total benefits a veteran receives are based on the VA's determination of how disabled they are, on a scale from 10 to 100%.

Veterans can receive anywhere from \$142 for 10%, to a possible max of over \$7,000 per month, depending on their disability rating and number and type of dependents. Benefits are tax-free, and individuals may receive both Social Security Disability (SSD, SSDI) and veteran's disability at the same time, with no offset.

Visit [this VA page](#) to see the compensation rate by disability rating, which may give you a better idea of the benefits you could be owed.

WHAT IF MY DISABILITY RATING IS TOO LOW?

The VA rates most disabilities as 20% or lower. **If a veteran believes their disability rating is too low, they can file an appeal.** This is crucial because a rating that's too low will amount to inadequate benefits for their injury. To prepare for this appeal, the veteran must visit the VA medical facility where they received their compensation and pension physical.

Unfortunately, the process for filing an appeal can be tedious and complicated, as well as filled with numerous opportunities for mistakes that could invalidate an appeal. This can make it difficult for a veteran embarking on this process on their own to achieve a successful reconsideration of their disability level.

That's why so many vets decide to hire a lawyer who knows the appeals process inside and out. They can guide the claim to a successful resolution while the veteran focuses on managing their disability and spending time with their loved ones.

WHAT ABOUT RETROACTIVE AWARDS?

As you may know, the VA can take months or even years to approve a disability benefit claim. For that reason, they usually award benefits retroactively for the time period between when a veteran applied and when they were approved.

For example, if you applied for benefits in March 2019 but weren't approved until September 2019, you would be entitled to six months of backpay for that span, in addition to the monthly payments you would receive moving forward.

WHAT SURVIVOR BENEFITS DOES THE VA OFFER?

The VA offers a wide range of benefits and services for the spouses, dependent children, and dependent parents of deceased veterans. These benefits include the following:



Education Program
Refund



Civil Service
Preference



Commissary and
Exchange Privileges



Burial-Related
Benefits



Dependency and
Indemnity Compensation
(DIC)



Parents'
DIC



Death Pension



Education
and Training



Healthcare



Home Loan
Guarantee



Life Insurance
Proceeds

If you or a loved one was denied these benefits, you may want to speak with a veterans benefits attorney



WHY SHOULD I SPEAK TO A LAWYER?

If you're a veteran who has filed a disability claim, talking to an attorney could save you a massive amount of time and help you recover the maximum number of benefits that you need and deserve.

The VA frequently denies legitimate claims. They also award inadequate benefits because of mistakes made on application forms, or because a veteran failed to demonstrate the full extent of their injuries. Don't let that happen to you.

The VA appeals process is confusing and time-consuming. According to a report issued by the U.S. Government Accountability Office (GAO), the VA appeals process can take as long as 3-5 years to resolve. Wouldn't you do anything in your power to shorten that timeline?

An attorney can help you navigate the appeals process as quickly as possible and recover all the benefits you need to manage your disability or injury.

HOW MUCH DOES IT COST TO HIRE A LAWYER?

It costs nothing up front to hire a Morgan & Morgan veterans benefits attorney. We never charge by the hour, and we get paid only if we successfully resolve your case. That fee comes out of the money we recover from you, not your pocket.

If you don't win, we don't win. It's that simple.

Client Testimonials

I'm really grateful that Morgan & Morgan was there to help me, because these guys did what I couldn't do on my own.

Before I got with Morgan & Morgan, my disability rating through the VA was 20%. With the help of Morgan & Morgan, my disability rating now is up to 80%. They are For The People. They were there for me.

“ Lafayette Harris



I signed an agreement with Morgan & Morgan to have Stacey Clark represent me in my veteran disability claim... She demonstrated compassion and a thorough understanding of veterans' legal issues. Stacey and her team were responsive to my questions and soothing to my frustration with the VA. The favorable decision I received from the VA is a testament to Stacey's dedication and professionalism.

“ Gary Braun



It was the best service for virtually no money, and it was all about me. In their commercials they say they're For the People. They absolutely live up to that motto. And in my world, the world of the military, discipline and concern about doing the right thing—Morgan & Morgan exceeds that standard... Morgan & Morgan lays it out on the line, says what they're willing to do, and they do it. The follow-up, the customer response, and the concern and care is extraordinary.

“ Alan Bunting

“

We aim to give more people
a chance at justice.

John Morgan

I just wanted to take a moment to thank you and your staff for all that you do for our veterans who feel like they are at the end of their rope and no one cares. Your paralegal has been so patient with my husband and has answered every question with understanding and respect. We are so grateful for everything. My husband feels like he matters and has a voice, and that means so much to all veterans as well as all people out there. You are still working on helping him, and we have been told you will not stop until he is completely taken care of by the VA. It is our sincerest thanks from both me and my husband.

“ Rosalie and David Bice





About Us

John Morgan founded Morgan & Morgan in 1988. The firm's first office was located in Orlando, Florida, and was made up of three attorneys, two paralegals, and a receptionist. Over the past 30 years, we've been fortunate enough to hire more than 500 attorneys and open 50 offices across the country, empowering us to reach and help even more people. We have a support staff of about 3,000 employees. These paralegals, case managers, case evaluation specialists, receptionists, and more make sure that our clients are taken care of every step of the way.

Our attorneys are dedicated to fighting for the best possible outcome for those who trust us with their cases. **With that goal, we've won over \$7 billion for our clients.** These wins represent so much more than just a dollar amount, though. They represent the wellbeing of our clients, which is something we take deep pride in protecting.



Practice Areas



Accidents



Birth Injuries



Brain Injuries



Breach of
Warranty



Burn & Fire
Injuries



Business
Litigation



Business
Interruption
Claims



Car, Truck and
Motorcycle



Child Sexual
Abuse



Civil Rights



Class Actions &
Mass Torts



Construction
Accidents



Deaf & Disability
Rights Unit



Dog Bites/
Animal Attacks



Employee Rights



FCRA



Medical
Malpractice



Mesothelioma



Negligent
Security/
Premises Liability



Nursing Home
Abuse



Product
Liability



Property & Life
Insurance and
AD&D



Sex
Trafficking



Slip & Fall



Social Security
Disability



Spinal Cord
Injuries



Train Accidents



Veterans'
Benefits



Whistleblower/
Qui Tam



Workers'
Compensation



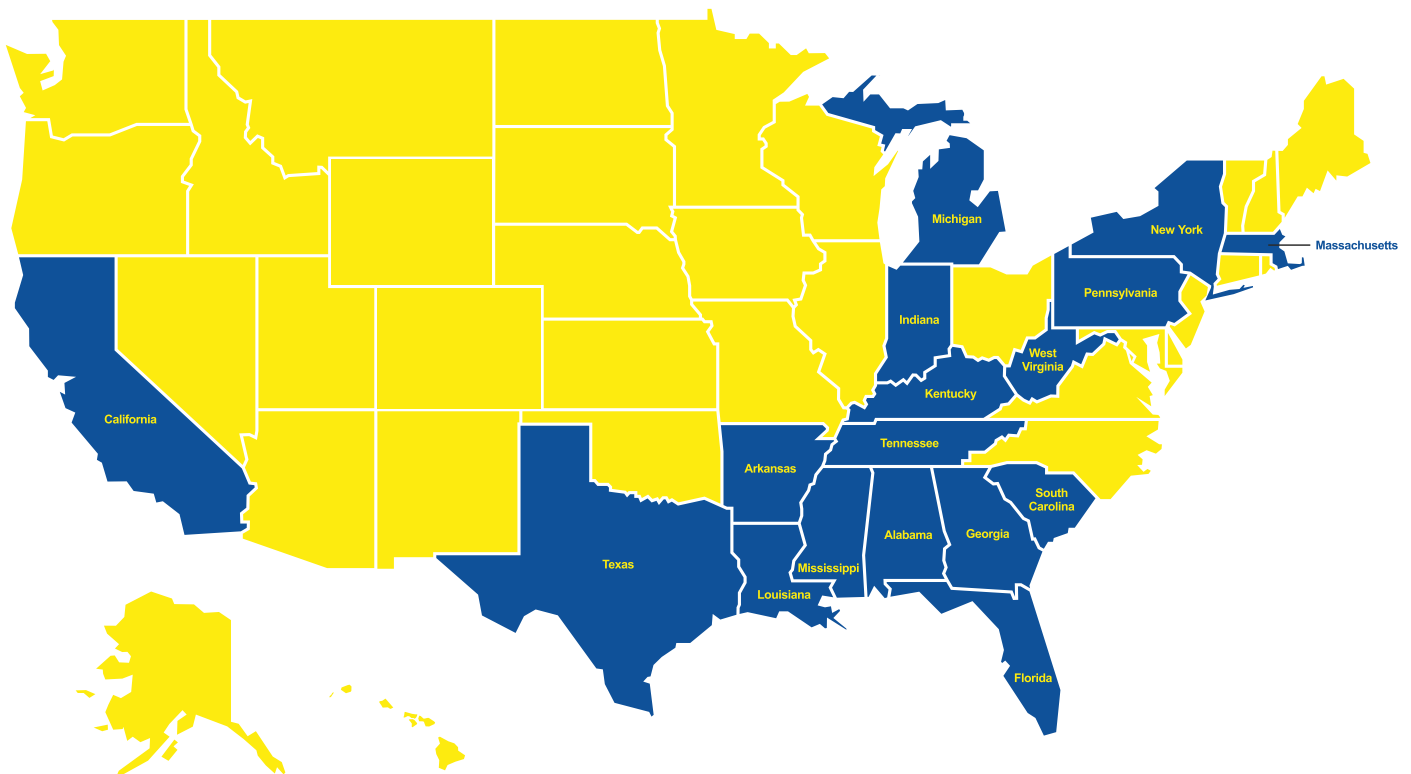
Wrongful Death



Office Locations

*Note: We handle cases nationally, working with local counsel in states without our physical presence.

● OFFICE LOCATIONS





Attorney Growth & Successes

2019

TOTAL AMOUNT RECOVERED:

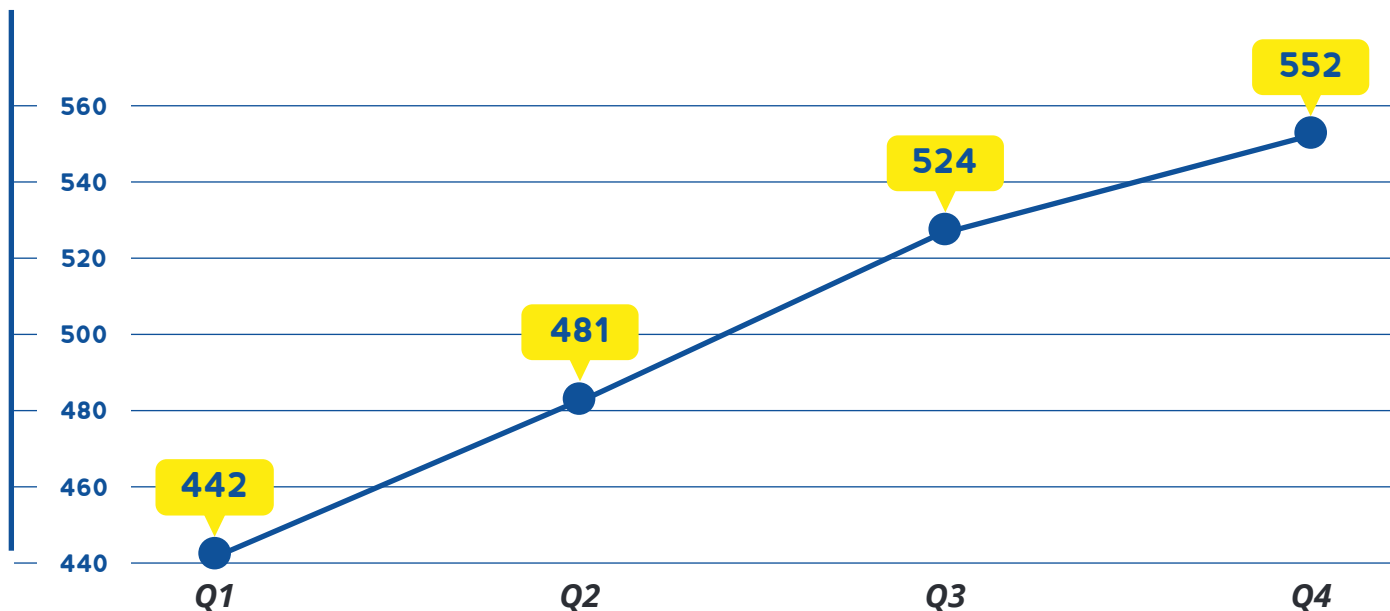
OVER \$1 BILLION

2019

TOTAL CASES RESOLVED:

50,000

Attorney Growth:



What People Say About Us

I was able to contact Morgan & Morgan via their online form from the emergency room on the day of my accident. Someone called me the next morning and set up rehab and therapy appointments right away. The following day they came to my home to begin my case. They are swift, professional and customer service-focused. After my accident, I was nervous about driving.

“ Z.A., ATLANTA, GA

I would just like to say that, regardless of my injuries and all that I am currently going through daily, my attorney was absolutely wonderful to me as far as listening to my concerns and thoughts and always asking if I needed anything. He made sure that he let me know that I could call him at any time for whatever I wanted to discuss regarding my case! He is a true God send and I simply love his attitude and the attention he gives to clients. From day one, this firm has gone above and beyond the call of duty making certain that I was reached out to in a very timely manner. You all ran circles and holes around the first firm! I would recommend you to family, friends, and complete strangers!

“ Alicia, JACKSON, MS

Unbelievably organized, responsive, and probably the most effective process-oriented group of people I've ever seen. Their preparation for mediation and trial is beyond comprehensive. Across two cases and three years, not once did anything fall between the cracks. Everyone I came into contact with exemplifies professionalism; they quickly resolved insurance issues and spent time educating me about everything affecting my cases. I trust Morgan & Morgan and I am grateful for everything they did for me. I recommend them without reservation and will miss working with them now that my civil suit is settled.

“ Jerri, JACKSONVILLE, FL

They are the most caring and personal attorneys you could ever have on your side. They genuinely make you feel like helping you in every way they can is their goal and main priority. I'd highly recommend this firm to anyone in need. They treat you as if you were a part of their family and are always seeking the best for the client.

“ Janet, LOUISEVILLE, KY

I emailed my questions and concerns and had doubt that anyone would contact me in the next 24 hours. I emailed them around 8:30 pm. I received a call the very next morning and the representative explained that after I answered her questions she would turn it over to a lawyer and then they would contact me. She answered all my questions and concerns. She gave me hope that I did the right thing. She said I should hear something in the next few days after a lawyer has time to review. I will not have to pay anything unless they win a settlement. I will receive all the information soon as to what will happen next. It has been less than 24 hours and everything is set in motion.

“ Tammy, Orlando, FL

I couldn't be happier with the service and the professionalism of your staff I was very satisfied with the outcome of my case. The team always returned my telephone calls in a timely manner and shared valuable as well as valid information. They were very professional and maintained a positive attitude. I would definitely use your services again if I was faced with a situation that required an attorney or legal advice and I would also refer your agency to others. Although my situation was unfortunate, I was glad to have your team on my side to get me through the difficult times. Again, I say THANK YOU.

“ Kathy, MEMPHIS, TN

In the News

At Morgan & Morgan, everything we do — from the cases we take on to our wins in the courtroom — makes an impact. That's why in 2019, our legal actions, settlements, and verdicts were covered by premier national and international media outlets like The New York Times, The Washington Post, The Guardian, and CNN, as well as local media outlets.

Here are some of our cases that made headlines in 2019.



Restoring Basketball Glory

In 2018, the NCAA imposed a penalty on the men's basketball team at the University of Louisville (Kentucky) for alleged rules violations. They had their 2013 NCAA tournament win, 2012 Final Four appearance, and individual player statistics vacated and removed from the record.

With the help of John Morgan, our firm's founder, the team's players sued the NCAA and last year reached a confidential settlement. The players

had all their statistical achievements and personal honors restored.

Coverage appeared on ESPN, Fox Sports, and in the Associated Press, among others.

Morgan & Morgan Attorney Named Cybersecurity MVP

Morgan & Morgan's John Yanchunis was named a 2019 MVP by Law360 — the premier national legal news service — in recognition of his work protecting the rights of consumers harmed by data breaches.

Last year, John achieved a notable victory when he and his team reached a \$117 million settlement with web giant Yahoo after a data breach compromised billions of user accounts.

Major Settlement in MA Gas Explosions Case

In September 2018, a series of explosions ripped through the Merrimack Valley, Massachusetts, towns of Lawrence, Andover, and North Andover. These explosions were caused by excess gas pressure in poorly built, poorly installed, and poorly maintained natural gas lines owned and operated by Columbia Gas of Massachusetts.

More than 40 homes experienced explosions and fires as a result, which caused severe damage and injury, including one death. Morgan & Morgan's Frank Petosa took the lead in the lawsuit representing the victims, and in July 2019, a \$143 million settlement was reached.

Coverage appeared in The Washington Post and The Boston Globe, and was provided by the Associated Press.

Florida Powerhouse

Although we're a nationwide firm, Florida is still Morgan & Morgan's home base. This year, the firm was recognized for its achievements in the Sunshine State as a Law360 "Florida Powerhouse."

With over 350 attorneys in the state and more than two dozen offices, Morgan & Morgan has made an indelible name for itself there through litigation and impact.

Fighting for a Zipline Accident Victim

A 10-year-old boy from Lakeland, Florida, was seriously injured when his zipline harness disconnected and he fell 20 feet to the concrete below. On behalf of his family, Morgan & Morgan is pursuing legal action against the operators of the zipline facility, alleging employee error due to improper training and safety procedures.

Coverage appeared on the ABC, FOX, NBC, and CNN news channels, among others.

The New York Times

The Washington Post

WALL STREET JOURNAL

POLITICO

USA TODAY

AP Associated Press

billboard

Newsweek

THOMSON REUTERS

CNN

Forbes

abc

FOX

NBC

BUSINESS INSIDER

TODAY

ESPN



Contact Morgan & Morgan's Veterans Disability Attorneys

The VA doesn't make it easy for injured veterans to receive the benefits they need. At Morgan & Morgan, our attorneys can help you make a compelling case to improve your odds of qualifying for VA benefits early on in the multi-level appeals process.

For more than 30 years, we've fought for veterans and other injured Americans. Over that time, we've recovered \$7 billion for clients across all practice areas. Our track record speaks for itself — we're not afraid to go to battle, and we know how to win.

You served us. Let us serve you in return. Contact one of our veterans disability attorneys today to see how we can help you with your claim.

MORGAN & MORGAN®