

In The
UNITED STATES COURT OF APPEALS
FOR VETERANS CLAIMS

Douglas J. Rosinski,)	
Petitioner,)	
)	No. 17-1117
)	
v.)	<i>Solze</i> Notice of Potentially
)	Relevant Information
David J. Shulkin, M.D.,)	
Secretary of Veterans Affairs,)	
<u>Respondent.</u>)	

Pursuant to the Court’s holding in *Solze v. Shinseki*, 26 Vet. App. 299, 301 (2013), Petitioner Douglas J. Rosinski informs the Court of the Secretary’s News Release dated December 12, 2017 pertaining to his Decision Ready Claims (DRC) process. *See* Ex. 1 (News Release – Office of Public Affairs Media Relations).

This document is relevant to the issues before the Court because, as provided in the release, “[t]o file under DRC, Veterans must work with an accredited Veteran Service Organization (VSO) representative.” Thus, the DRC process is another example of the Secretary’s growing disparate treatment of attorneys and other non-VSO claim representatives, this time denying attorney-represented claimants and appellants *any* access to VA’s “ongoing efforts to modernize and improve Veterans’ experience with the disability claims process.” Ex. 1. In particular, attorney-represented claimants and

appellants will *not* “now be able to file certain claims for direct service connection, presumptive service connection and secondary service connection” and obtain the “quick decision” afforded to VSO-represented individuals. *Id.*

Moreover, the exclusion of attorneys from this process is inconsistent with the expressed purpose of the DRC program and, thus, raises questions regarding the true basis for the barrier to attorney participation. The stated purpose for requiring veterans to “work with an accredited Veteran Service Organization (VSO) representative” is to “ensure all supporting evidence . . . is included with the claim submission. This advance preparation by the VSOs allows claims to be assigned immediately to claims processors for a quick decision.” *Id.* There is no reasonable argument that attorneys are not at least as educated, trained, and capable of performing such “advance preparation” to “ensure all supporting evidence” is provided in a DRC submittal as VSOs.

The attached document, therefore, is relevant to the issues before the Court regarding the true motivation for the Secretary’s (growing) exclusion of attorneys from information and adjudicatory processes directly impacting their clients’ ability to obtain fair adjudication of their claims and appeals.

Pursuant to Rule 27, undersigned contacted the Secretary's counsel and is authorized to state that the Secretary reserves the right to respond to this filing.

Respectfully submitted,

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December 14, 2017