

## BOARD OF VETERANS' APPEALS VIRTUAL HEARING OPTION

### WHAT ARE VIRTUAL HEARINGS?

The Board of Veterans' Appeals (Board) has launched a new virtual hearing option, providing Veterans with the flexibility, convenience, and access of attending Board hearings with Veterans Law Judges (VLJs) and Veteran representatives from a personal computer or mobile device. Virtual hearings are just like video hearings, except the Veteran can participate from their phone, tablet, or computer. NO TRAVEL NEEDED!

### WHERE CAN VETERANS HAVE A VIRTUAL HEARING?

**Anywhere with a Wifi connection—it is entirely up to the Veteran!** The Tele-hearing Modernization Act, signed by President Trump on April 10, 2020, gives Veterans the choice of location for their hearing. For example, the Veteran can be in their home with their VSO/representative in a separate location, or both the Veteran and the /representative can be together. Veterans can also have those around them such as family members or caregivers assist them in this user-friendly process, whether it's helping set up the iPad/computer, or supporting access to a cell phone. Veterans should feel comfortable participating in their Board hearing, and VA is here to help.

"This is a major step forward on the Board's part, in settling legacy appeals. Both judges did an outstanding job, not to mention your schedulers, IT guys, and tech support. This method of truly expediting the appeal process is the first real step that I have seen VA take in regard to dealing with a somewhat overburdened system."

- John Dorrity, Veteran Representative

### HOW DO VETERANS REQUEST A BOARD VIRTUAL HEARING?

Veterans will request a virtual hearing the same way they would request other Board hearing options.

1. When filling out the Board Appeals form ([VA form 10182](#))/Notice of Disagreement, select the choice "**11C**" under **Part II** of the form, "Hearing with a Veterans Law Judge..."
2. Once the Notice of Disagreement is filed, Veterans will receive a letter from the Board informing them of the available hearing options. In their response to the correspondence, Veterans can elect to have a virtual hearing. *Please note that the Board schedules hearings in docket order (the order in which they receive appeals).*

### WHAT HAPPENS BEFORE THE VIRTUAL HEARING?

1. Veterans will receive a notice in the mail at least 30 days before the hearing is scheduled. The email will provide Veterans with the date, time, and location of their hearing, along with a link for accessing the Board Hearing online platform.
2. If a Veteran is representing themselves, they can retain a Veterans Service Organization (VSO), attorney, or accredited VA claims agent to assist in the hearing. The full list of

VSOs, attorneys, and claims agents can be found at [www.va.gov/ogc/apps/accreditation/index.asp](http://www.va.gov/ogc/apps/accreditation/index.asp).

## WHAT HAPPENS DURING THE VIRTUAL HEARING?

During the virtual hearing, the VLJ will swear Veterans in, asking that Veterans take an oath to tell the truth during the hearing. The judge will listen to the Veteran's testimony and may ask a few questions. The Veteran representative, if available, may assist at the hearing.

### Internet/ Device Requirements

- It is recommended virtual hearing users use a personal computer or laptop with a secure WIFI or ethernet connection in a *private setting* (e.g. office, within a home). Users may use an Android or Apple Mobile Devices in a *private setting*, with a secure and reliable WIFI connection or cellular service.
  - The preferred browser, and the one that works best, for both personal computers, laptops and Android devices is Google Chrome. If access to Google Chrome is not available, Internet Explorer is a comparable alternative browser.
  - Apple devices require the [VA Video Connect](#) application (“app”). Learn more about VA Video connect on the [VA mobile website](#).
  - All devices must have a camera and microphone for video/audio capabilities.
  - Android devices require no application as the session will launch automatically in a web browser after the session link is selected from the email invitation.
- The Board hearing team members are available to support and assist.

### Trouble-Shooting the Virtual Hearing System

- The virtual hearing room will have a chat box function at the bottom of the screen for reporting connection issues or off-the-record requests.
- To address technical problems with the virtual hearing platform, please contact the National Telehealth Technology Help Desk (NTTHD) at **(855) 519-7116**.

## WHAT HAPPENS AFTER THE VIRTUAL HEARING?

Following the virtual hearing just like other Board hearings, Veterans and their representatives may request a transcript of the hearing. **There will be no video recording.**

## MORE INFORMATION ON VIRTUAL HEARINGS

### Rescheduling or Withdrawing a Board Hearing Request

- To reschedule, send a written request to the Board—at least **two weeks** before the hearing— providing good cause to reschedule the hearing. Include the Veteran's name, the VA file number, and the reason why a new hearing date is needed.
- If the hearing is less than two weeks away, Veterans will need to file a motion explaining the need to reschedule.
- To withdraw:



- Send a written request to the Board at least **two weeks** before the hearing and include the Veteran's name, the VA file number for the appeal, and the reason why a withdrawal is needed.
- Veterans still have the option to submit new evidence to the Board within 90 days of withdrawing the hearing request.

#### Additional Resources

- For more information, please visit the Board's website at [www.bva.va.gov](http://www.bva.va.gov). Additional virtual hearing information and resources will be available on the Board's website.
- For any questions for an already scheduled hearing, please reach out to the appropriate Regional Office hearing coordinator at [www.bva.va.gov/docs/RO\\_Coordinator\\_Assignments.pdf](http://www.bva.va.gov/docs/RO_Coordinator_Assignments.pdf).
- To mail or fax a written request to reschedule, withdraw a Board hearing, or submit new evidence for the judge to review (within 90 days of the hearing):
  - Mail to: **Board of Veterans' Appeals, PO Box 27063, Washington, DC 20038**
  - Or, fax the request to **(844) 678-8979**.