Mission
The Board of Veterans' Appeals (Board) is a part of the Department of Veterans Affairs (VA), located in Washington, DC. The Board’s mission is to conduct hearings and decide appeals properly before the Board in a timely manner.

Key Functions and Activities

• All questions under 38 U.S.C. § 511(a) are subject to decision by the Secretary and shall be subject to one review on appeal to the Secretary. Final decisions on such appeals are made by the Board.

• The Board is the final appellate body within the Department and is responsible for resolving appeals on behalf of the Secretary arising out of VBA, VHA, NCA, and OGC.
Department Organization

Office of the Secretary

- Veterans Benefits Administration
- Veterans Health Administration
- National Cemetery Administration

* The Board reports directly to the Office of the Secretary.
The Appellate Landscape

- US Supreme Court
- US Court of Appeals for the Federal Circuit
- US Court of Appeals for Veterans Claims
- Board of Veterans’ Appeals
- Local VA Offices

Outside of VA

Within VA
New Decision Review Process

Veterans Benefits Administration

- **The Claim** (Establishes Effective Date)
  - Duty to assist

- **VBA Decision** (Improved Notice)

- **Higher-Level Review**
  - Same Evidence
  - 125-Day Avg. Goal
  - Duty to assist

- **Supplemental Claim**
  - New Evidence
  - 125-Day Avg. Goal

Board of Veterans’ Appeals

- **Appeal (NOD)**
  - 3 Options
  - 365-Day Avg. Direct Docket Goal
  - 120 Days

- **No SOC or VA Form 9**

Except for appeals to the Court, all filing deadlines are **one year**.

**Veterans Benefits Administration**

**Board of Veterans’ Appeals**

- **Choice and Control**

**Supplemental Claim**

**Court of Appeals for Veterans Claims**
### Which AOJ lane to choose?

<table>
<thead>
<tr>
<th>When to choose</th>
<th>Supplemental Claim</th>
<th>Higher Level Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>If your claim needs <strong>new evidence</strong>.</td>
<td>If you don’t need new evidence, but think a <strong>mistake</strong> was made.</td>
<td></td>
</tr>
<tr>
<td><strong>What will happen</strong></td>
<td>The Duty to Assist applies and <strong>VA will help</strong> you gather the evidence.</td>
<td><strong>A higher-trained</strong> AOJ reviewer will review your claim and make a new decision.</td>
</tr>
<tr>
<td>A new decision will be made looking at the new evidence.</td>
<td><strong>No new evidence</strong> will be added.</td>
<td></td>
</tr>
<tr>
<td><strong>How long</strong></td>
<td><strong>125 days</strong> (on average)</td>
<td><strong>125 days</strong> (on average)</td>
</tr>
</tbody>
</table>

*AOJ= Agency of Original Jurisdiction (VBA, VHA, or NCA)
### Which Board docket to choose?

<table>
<thead>
<tr>
<th></th>
<th>Direct</th>
<th>Evidence</th>
<th>Hearing</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>When to choose?</strong></td>
<td>If you think a <strong>mistake</strong> was made.</td>
<td>If you have <strong>new evidence</strong> you want a Judge to consider.</td>
<td>If you want a <strong>hearing</strong> before a Judge.</td>
</tr>
<tr>
<td><strong>What will happen?</strong></td>
<td>The Judge will review the same record and make a decision.</td>
<td>You will have <strong>90 days</strong> from your NOD to submit new evidence.</td>
<td>You will be placed on a list for a hearing before a Judge by videoconference (or in DC).</td>
</tr>
<tr>
<td></td>
<td><strong>No new evidence</strong> will be added.</td>
<td>The Judge will make a decision considering the evidence you provided.</td>
<td>After your hearing you will have <strong>90 days</strong> to submit new evidence.</td>
</tr>
<tr>
<td><strong>How long?</strong></td>
<td><strong>365 days</strong> (on average)</td>
<td><strong>Over 365 days</strong></td>
<td>Based on availability. Currently the Board has 98 Judges. There are approximately 67,000 Veterans waiting for hearings.</td>
</tr>
</tbody>
</table>
Fill out this form to appeal to the Board of Veterans' Appeals.

- If you want the Board to review your case as quickly as possible, choose Direct Review.
- If you have additional evidence for the Board to review, choose Evidence Submission.
- If you want a hearing with the Board, choose Hearing Request.
# Decision Review Request: Board Appeal

<table>
<thead>
<tr>
<th>How do I...?</th>
<th>When?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change review options at the Board</td>
<td>To change the lane elected at the Board, you have <strong>1 year</strong> from the date on the decision, <strong>or</strong> 60 days from the date that you submitted your Board Appeal, whichever is later.</td>
</tr>
<tr>
<td>Request different Board review options for different issues</td>
<td>You have <strong>1 year</strong> from the date on your decision to file an appeal at the Board.</td>
</tr>
<tr>
<td>Change review options from Board Appeal to Supplemental Claim or Higher-Level Review</td>
<td>You have <strong>1 year</strong> from the date on your decision to request to appeal. You need to withdraw your Board Appeal before you can request a different type of review.</td>
</tr>
</tbody>
</table>

- Fill out a new Board Appeal form. Make sure you check the box for the new review option, and list all of the issues.

- You can submit one Board Appeal form and attach additional pages to explain how you want your issues reviewed, **or** you can submit multiple Board Appeal forms – one for each review option.

- Tell the Board – in writing – that you wish to withdraw your Board Appeal. File a Supplemental Claim or Higher-Level Review with the local VA office that issued the last decision.
Opting Into the Modernized System

I want my legacy claim or appeal to be considered in the modernized (AMA) system. How do I opt in?

1. If you have not done so already, submit a timely legacy notice of disagreement (NOD) with the legacy rating decision on the issue(s) you want to appeal, using VA Form 21-0958.

2. Wait for the AOJ to send you a statement of the case (SOC) or supplemental statement of the case (SSOC) on the issue(s) on your legacy NOD.

3. After you receive an SOC or SSOC, you have 60 days or the remainder of the one-year period following the decision you appealed, whichever is later, to choose one of the three available review lanes (supplemental claim, higher-level review, or Board appeal) for each issue you wish to opt into the modernized system.

4. For information on the three decision review lanes and links to the forms you must use to opt in, visit https://www.va.gov/decision-reviews/.
Opting Into the Modernized System

To opt in, submit one of the below Decision Review Request forms. You may choose a different type of review for each issue.

**Supplemental Claim (VA Form 20-0995)**
Complete the form in full and check the SOC/SSOC Opt-in box (block #13)

**Higher-Level Review (VA Form 20-0996)**
Complete the form in full and check the SOC/SSOC Opt-in box (block #15)

**Board Appeal (VA Form 10182)**
Complete the form in full and check the SOC/SSOC Opt-in box (block #12)

These forms are available online at [https://www.va.gov/vaforms/](https://www.va.gov/vaforms/)
Useful Links

• Board’s webpage:
  https://www.bva.va.gov/

• Vets.gov appeals status tracker:
  www.va.gov