

# Module 2 – Understanding the Authority for Representation before VA

## Topics Covered in This Module

- Your Obligations As an Accredited Representative
- Fees for Assistance after a Notice of Decision
- Fees for Prefiling Consultations
- Fees for Services and Products
- Fees for Opinions and Research



# Reference and Support Material that Comes with This CLE Course



- A textbook for a college-equivalent course providing comprehensive how-to-apply information for all veterans disability claims – 548 pages + Appendix
- This book is totally unique from all other books on veterans benefits by providing you the nuts and bolts, step-by-step instructions and strategies to file successful claims for disability income benefits offered by the Department of Veterans Affairs.
- A Claim Support Disc containing over 240 forms and documents as well as thousands of pages of reference material to support the claim system in the textbook – also online at [www.supportdisc.com](http://www.supportdisc.com)

Claims Questions?

Call us at 801-292-1872 [www.seniorvets.org](http://www.seniorvets.org)

# Charging Fees for Assistance with Claims

- 38 CFR §14.636 Payment of fees for representation by agents and attorneys in proceedings before Agencies of Original Jurisdiction and before the Board of Veterans' Appeals.
- 38 CFR §14.637 Payment of the expenses of agents and attorneys in proceedings before Agencies of Original Jurisdiction and before the Board of Veterans' Appeals.
- For more information on charging fees go to the Claim Support Disc, the folder “7 Appendix” and open the file, “Legally Charging Fees for Assistance with Claims.” Also available online at [www.supportdisc.com](http://www.supportdisc.com)



# Understanding the Prohibition on Charging Fees

- The prohibition has been upheld by the US Supreme Court
- Many people in charge, including members of Congress, leaders of VSOs and even the Office of General Counsel believe the prohibition applies to any individual
- The prohibition on charging fees applies only to individuals who have been accredited through the Department of Veterans Affairs
- The history of Title 38 USC § 5905 as the source of the original prohibition on charging fees
- For detail on subsequent discussions of various ways to charge fees , go to the Claim Support Disc either on the DVD that you receive with the textbook or online at [www.supportdisc.com](http://www.supportdisc.com) and refer to the folder **"7 Appendix"** and the file **"1 Legally Charging Fees for Assistance with Claims"**



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