



**Department of Veterans Affairs (VA)**  
**Board of Veterans' Appeals**

**Annual Report**  
**Fiscal Year (FY) 2024**

## Table of Contents

<b>Chairman's Message .....</b>	<b>3</b>
<b>Board Senior Leadership .....</b>	<b>4</b>
<b>Veterans Law Judges .....</b>	<b>4</b>
<b>Background.....</b>	<b>5</b>
<b>Introduction.....</b>	<b>5</b>
<b>PART I The Board of Veterans' Appeals.....</b>	<b>7</b>
<b>Mission .....</b>	<b>7</b>
<b>Board Structure in FY 2024.....</b>	<b>7</b>
<b>Rapid Shift in AMA Adjudication Output Realized in FY 2024 .....</b>	<b>9</b>
Improved Access and Outcomes Under the AMA .....	15
<b>FY 2024 – Serving Veterans, their Families and Survivors .....</b>	<b>17</b>
Decisions .....	17
Quality Assurance (QA).....	20
Veteran Service Organization (VSO) Coordination.....	22
Eliminating the Board's Inventory of Pending Legacy System Appeals .....	23
Hearings.....	24
Virtual Tele-Hearing Technology .....	28
<b>FY 2024 – Focusing on Veteran Trust.....</b>	<b>28</b>
Veterans Choice.....	28
Increasing Veteran Trust Scores .....	30
<b>FY 2024 – Mission First, People Always .....</b>	<b>31</b>
Recruitment and Retention of Board Personnel .....	31
Military Spouse Friendly .....	33
Veterans Law Judges (VLJs) .....	33
New Employee Sponsor Program .....	33
Training.....	34
Employee Engagement .....	34
Inclusion and Diversity at the Board.....	35
<b>Strategic Plan and Priorities for FY 2025 and FY 2026.....</b>	<b>35</b>
Maximizing the Number of Veterans Served .....	35
<b>PART II Statistical Data .....</b>	<b>37</b>
FY 2024 Information as required by 38 U.S.C. § 7101(d)(2): .....	37
Legacy Appeals.....	39
AMA Appeals.....	40
Projections for FY 2025 and FY 2026 .....	43
VA Annual Performance Plan Measures.....	45
FY 2024 AMA Statistics .....	45
<b>ADDITIONAL INFORMATION .....</b>	<b>46</b>

# Chairman's Message

The opportunity to serve as the Chairman of the Board of Veterans' Appeals has been a highlight of my career. I thank the President and the Secretary for entrusting me to lead an incredible Team engaged in such a critical mission. I am very proud of what the Board has achieved during my tenure as Chairman: historic numbers of appeals decided; functionally eliminating pending Legacy hearings; reduced the number of original Legacy appeals by almost 98%; and implemented the Veteran-centric Appeals Modernization Act (AMA), which now accounts for 90% of appeals decided by the Board. This report shows the remarkable work done by the Board in FY 2024 and the basis for the Board to not only meet the AMA timeliness goals by FY 2026, but to surpass them, and decide all appeals in an average of less than a year by FY 2028.

This will be my final report due to my upcoming long-term military mobilization. I have served as an Army Judge Advocate Officer for almost 34 years. The Army has notified me that I will be mobilized to active duty for a 2-year tour. One key responsibility that goes with my role as a Citizen Soldier is to be available when duty calls, often on very short notice. Because these orders would take me away from my responsibilities as Chairman of the Board for such a significant period, I decided I should resign as Chairman so the President can nominate a new Chairman who could lead this awesome Board and Team full-time.

I want to thank all the Board Teammates and our partners for the superb work they each do every day to fulfill the promise to care for those who have served in the Armed Forces and for their families, caregivers, and survivors and to help ensure they get any care and benefits they have earned and so rightly deserve.

One Team!

**The Honorable Jaime A. Areizaga-Soto**  
Chairman  
Board of Veterans' Appeals

# Board Senior Leadership

(as of the end of FY 2024)

## Chairman

Jaime A. Areizaga-Soto

## Vice Chairman

Kenneth A. Arnold

## Deputy Vice Chairmen

Christopher A. Santoro

Robert C. Scharnberger   Thomas M. Rodrigues   Tracie Wesner\*   Evan Deichert\*  
(\*Acting)

## Chief Counsel

Veterans Law Judge John Jones (\*Acting)

## Executive Director

Nina Tann

## Veterans Law Judges



Adler, Steven  
Ames, Dorilyn  
Auer, Marjorie

Dawson, Tiffany  
Deichert, Evan  
DiLorenzo, Paula

Hyland, Marti  
Ishizawar, Amy  
Jaeger, Anne

Mitchell, Martin  
Moshiashwili, Victoria  
Mullins, Bobby

Slabbekorn, Ray  
Smart, Devon  
Smith, Martina Mills

Bardin, Jimmy L.	Doan, Nathaniel	Johnson, Dana	Neill, Steven	Smith, Tanya
Barnard, Lisa	Donnelly, William	Jones, John	Nichols, Jane	Sorathia, Sadia
Bisignani, Rachel	Donohue, Michael	Kane, Michelle	Norman, John	Sorisio, Mary
Blackwelder, Matthew	Doolittle, John	Keane, Stephen	O'Shay, Thomas	Sorisio, Paul
Bland, Ardie	English, Thomas L.	Kennerly, Karen	Pappas, Michael	Spector, Amanda
Brant, Jenna	Feinberg, Rebecca	Kessel, Ryan	Parakkal, Kalpana	Speranza, Shaun
Brenningmeyer, David	Fleming, Caroline	Kirby, Jennifer	Parker, Jeffrey	Stepanick, Laura
Bruce, Cynthia	Freeman, Josh	Knope, B. Thomas	Peters, Martin B.	Strommen, Gayle
Buck, Bethany	Fulton, Marcus	Kordich, Kelli	Picton, Cory	Tamlyn, Emily
Burton, Paulette Vance	Gallun, Eric	Kramer, Jonathan	Poulson, Rebecca N.	Tenner, Matthew
Bush, Sonnet	Glaser-Allen, Colleen M.	Krembs, Simone	Raymond, Teresa	Velez, Estela
Caracciolo, Angeline	Graham, Caryn	Lane, Michael	Rein, Lesley	Walker, Helena
Casey, Paul	Gratz, David	Larkin, Mary Ellen	Reiss, Steven	Ware, Dustin
Casey, Theophilos	Gunn, Kristi	Leboff, Eric	Reynolds, Tara	Wasik, Glenn
Caylor, Marissa	Hachey, Donnie	Mackenzie, Andrew	Riggs, William	Watson, Bryan
Chu, Lana	Haddock, Kristin	Mainelli, Anthony	Roberts, Harvey	Wesner, Tracie
Clementi, Vito	Hager, Jonathan	Mann, Melanie J.	Robertson, David H.	White, Jennifer
Collins, Laura	Harris, Leetra J.	Marcus, Shereen	Scire, Anthony	White, Yvette R.
Connor, Kelly	Heneks, Stacey	Martin, Michael	Seesel, Holly	Whitehead, DelYvonne
Cothrel, Tim	Herman, Michael	Mays, Simone	Seppanen, Christopher	Wight, David
Crawford, Cherry	Howell, Linda Anne	McCarron Paula B.	Simpson, Alexandra	Wilson, Michele-Ann
Crowley, John	Hutcheson, John	Minami, Ann	Skaltsounis, Michael	Yasui, Lynne
Cryan, Lauren	Hwa, Jennifer	Mincey, Danette	Skow, Cynthia	Zadora, Kristy
Daknis, Wendy				Zissimos, Jessica

## Background

The Board of Veterans' Appeals (Board) is the component of the Department of Veterans Affairs (VA) responsible for making the final decision in each appeal of a claim for entitlement to Veterans' benefits on behalf of the Secretary. The Board's mission, as codified in 38 U.S.C. § 7101(a), is "to conduct hearings and consider and dispose of appeals properly before the Board in a timely manner."

To accomplish this mission, the Board issues high quality decisions, in compliance with the requirements of the law, on all appeals for entitlement to Veterans' benefits and services from the three Administrations at VA – Veterans Benefits Administration (VBA), Veterans Health Administration (VHA), and National Cemetery Administration (NCA), as well as on appeals of decisions relating to attorney fees and accreditation issued by the Office of General Counsel (OGC). The Board's jurisdiction extends to all questions of law or fact in a matter involving a decision by the Secretary under the law that affects provision of benefits by the Secretary to Veterans, their dependents, or their survivors (38 U.S.C. § 511(a); 7104(a)). Final decisions on appeals are made by the Board based on the entire record in the proceeding and all applicable provisions of law and regulation (38 U.S.C. § 7104(a)).

## Introduction

After the end of each FY, the Chairman is required to prepare a report on the activities of the Board during that FY and the projected activities of the Board for the FY during which the report is prepared and the next FY. 38 U.S.C. § 7101(d)(1).

In FY 2024 the Board had another stellar year in supporting Veterans. The Board adjudicated and dispatched a historic 116,192 appeals in FY 2024, a 12.54% increase over the 103,245 decisions issued in FY 2023 and a 21.93% increase over the 95,294 decisions issued in FY 2022. Other critical achievements include:

- ▶ The percentage of Appeals Modernization Act (AMA) appeals decided monthly went up from 25% in October 2022, to 87% in September 2024.
- ▶ The number of original Legacy appeals pending was reduced from 40,994 in October 2022, to 1,056 in September 2024, a 97.4% reduction.
- ▶ The overall number of pending appeals at the Board went down from 208,155 to 200,805.
- ▶ The number of pending hearings at the end of FY 2024 was 69,652 – the third consecutive year that the Board reduced the hearing inventory.
- ▶ The Board's overall quality assurance rate remained strong for the fourth consecutive year, staying at 96% for the Legacy system and 94% for the AMA.
- ▶ The number of pending Legacy hearings was reduced to just 249 remaining at the end of FY 2024.
- ▶ The current Board of Veterans Law Judges (VLJ) is the most experienced in the history of the Board, including 57% women and 24% Veterans.
- ▶ The number of Board employees increased to 1,469 personnel, a 6.9% increase over FY 2023.
- ▶ The number of decision writing attorneys increased to 1060, a 24% increase over FY 2022.
- ▶ The attrition rate for all Board employees decreased for the fifth consecutive year from 13.4% in FY19 to 7.7% in FY 2024.

These achievements have positioned the Board to further increase the number of appeals decisions issued, further reduce the overall inventory, clear original Legacy cases, and to focus on and meet the timeliness goals of the AMA.

The Board is committed to the Department's core values of Integrity, **Commitment**, **Advocacy**, **Respect**, and **Excellence (I CARE)**. These values are integral to fulfilling our statutory mission to fully consider and resolve appeals raised by Veterans, their dependents, or their survivors.

The Board also remains dedicated to providing excellent customer service to Veterans, their dependents, or their survivors. This includes aligning strategic direction, improving business processes, making technology updates, and reviewing data to form a Veteran-centric, results-driven, and forward-thinking organization.



This Annual Report includes the following two parts:

- **Part I:** Provides a discussion of Board activities during FY 2024 and projected activities for FY 2025 and FY 2026; and
- **Part II:** Provides statistical information related to the Board's activities during FY 2024 and projected activities for FY 2025 and 2026.

# **PART I**

## **The Board of Veterans' Appeals**

### **Mission**

The Board was established through Executive Order 6230, issued by President Franklin Delano Roosevelt on July 28, 1933. The Board's mission, as set forth in 38 U.S.C. § 7101(a), is “to conduct hearings and dispose of appeals properly before the Board in a timely manner.”

## **Board Structure in FY 2024**

The Board is comprised of a Chairman, Vice Chairman, and such number of VLJs and Board members as are necessary to meet the Board's mission to conduct hearings and dispose of appeals properly before the Board in a timely manner (38 U.S.C. § 7101(a)). VLJs are recommended by the Chairman, approved by the President, and appointed by the Secretary of Veterans Affairs (38 U.S.C. § 7101A(a)(1)).

During FY 2024, the Board continued most operations in a virtual environment, increased Veteran-facing full time equivalent (FTE) staff and continued to improve application of the Veterans Appeals Improvement and Modernization Act of 2017 (AMA), which began to be implemented in FY 2019. As shown in Figure 1 on page 8, the Board's organizational structure in FY 2024 was comprised of four main components: the Office of the Chairman, the Office of Appellate Operations, the Office of the Chief Counsel, and the Office of Appellate Support.

The Office of the Chairman is led by the Chairman with the support of a Vice Chairman. The Chairman is appointed by the President for a statutory term of 6 years and is confirmed by the Senate. The Chairman is directly accountable to the Secretary (38 U.S.C. § 7101(a)). The Vice Chairman is a member of the Senior Executive Service (SES) who is designated by the Secretary and serves as the Board's Chief Operating Officer (38 U.S.C. § 7101(a)). The Chairman and Vice Chairman are Board Members.

The Vice Chairman oversees the Office of Appellate Operations, the Office of Chief Counsel, the Office of Appellate Support, the Chief of Staff, the Office of the Clerk of the

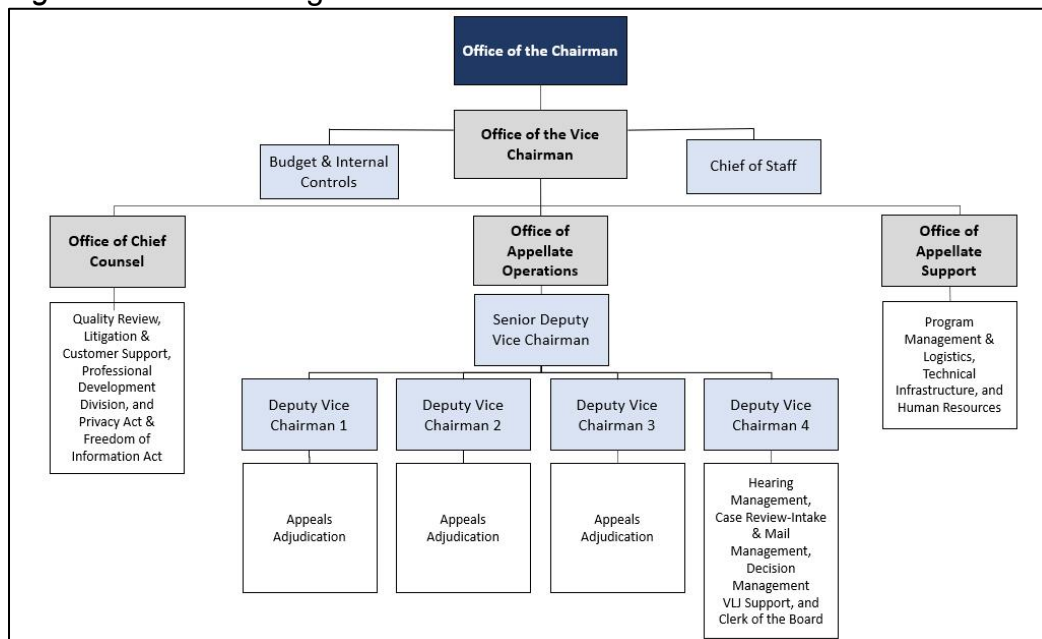
Board (currently led by the Senior Deputy Vice Chairman until a new SES position can be established) and the Office of Budget and Internal Controls.

The Office of Appellate Operations is overseen by a Senior Deputy Vice Chairman and split into three sections, with each section headed by a Deputy Vice Chairman (DVC), all of whom are members of the SES. Collectively, these three DVCs manage the appeals adjudication work accomplished by 132 VLJs and 1,060 attorneys supporting those judges at the end of FY 2024.

The Board's Chief Counsel is a position that was filled during FY 2024 in an acting capacity by a dual-hatted VLJ and subsequently by Ms. Rebecca Ausprung. The Chief Counsel oversees the Office of Assessment and Improvement (OAI), Office of Litigation and Customer Support, Professional Development Division (PDD), Privacy Act and Freedom of Information Act (FOIA) Office, and Office of Records Management.

The Board's Office of Appellate Support is managed by an SES Executive Director who leads the offices of Program Management and Logistics, Technical Infrastructure, and Human Resource Liaison.

*Figure 1. FY 2023 Organizational Structure*





The Board will continue to review and refine assignments on the organizational chart as additional staff onboard in FY 2025.

## **Rapid Shift in AMA Adjudication Output Realized in FY 2024**

For too long, Veterans and their families faced unacceptable delays during the VA's disability claims appeal process. VA's legacy appeals process was slow, complex, contained multiple processing steps, and split jurisdiction between VA's three administrations and the Board of Veterans' Appeals (Board). In addition, the process required continuous evidence-gathering and re-adjudication that frequently delayed the Department in reaching a final decision.

VA worked collaboratively with Veterans Service Organizations (VSO), advocacy groups, Congressional staff, and other key stakeholders to design a new claims and appeals process in order to improve the delivery of benefits and services to Veterans and their families. These efforts resulted in passage of the historic Veterans Appeals Improvement and Modernization Act (AMA) of 2017 which is the most significant statutory change to the VA appeals process in decades.

The new law overhauled the then current appeals process (Legacy system) to provide Veterans, their families, and their survivors with increased choice in handling disagreements with VA's decisions and safeguards to ensure claimants would receive the earliest possible effective date for their claims. The new process created three options, referred to as lanes, for claimants dissatisfied with the initial decisions on their benefits claim. Under the AMA, claimants may seek a higher-level review (HLR) of the original decision based on the same evidence presented to the initial claim processors; they may file a supplemental claim that includes the opportunity to submit additional evidence; or they may appeal directly to the Board. Choosing one lane does not preclude the claimant from selecting an additional lane if they are still dissatisfied with the outcome.

Following passage of the AMA, VA began an 18-month sprint to implementation of the new process in February 2019 when all requests for review of VA decisions would be processed under the new, multi-lane process. As part of the AMA implementation plan, VA had to deal with the pending inventory of Legacy system appeals. The Board's plan included a pilot program during the implementation period, the Rapid Appeals Modernization Program (RAMP), which provided eligible Veterans with pending disability compensation appeals the voluntary option to participate in the new process. At its conclusion in July 2022, over 73,000 Veterans with 88,594 appeals had elected to participate in the RAMP and opt their Legacy system appeal into the AMA. The RAMP initiative was designed to allow participants the option to have their decisions reviewed in the higher-level or supplemental claim review lanes outlined in the new law. To encourage participation in the RAMP initiative, the Board also released an "average days to complete" (ADC) timeliness goal of 365 days for the AMA Direct Docket.

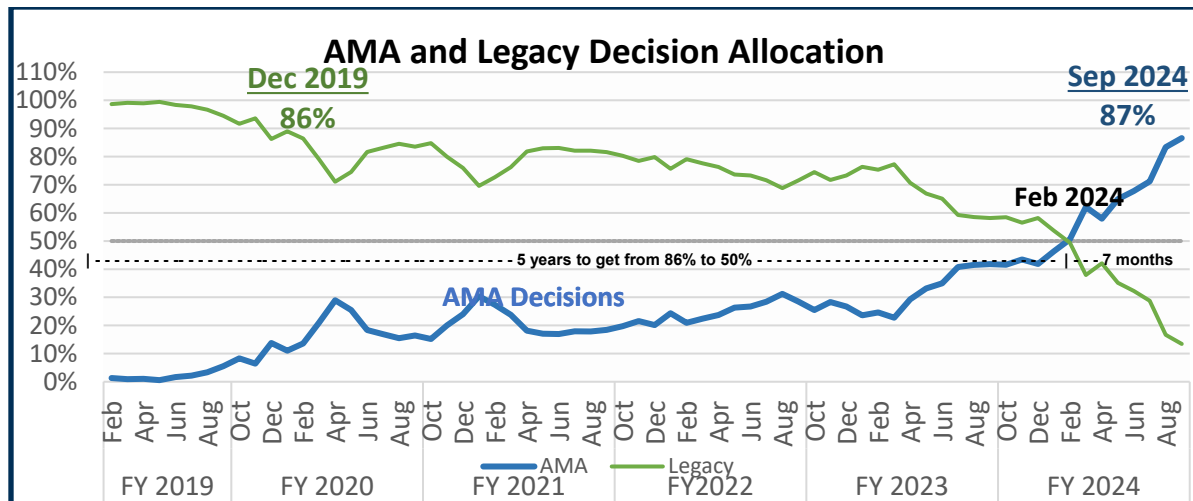
VA also introduced a Department-wide Legacy Appeals Resolution Plan that included a prioritized reduction of Legacy appeals advised by continuous stakeholder engagement and project management practices. The Resolution Plan has resulted in a marked reduction in the number of pending Legacy appeals before the Board and in all three Administrations: VBA, VHA and NCA. Despite the significant 91% reduction in overall pending Legacy appeals during the past 5 years, there is still a higher-than-expected number of original Legacy appeals pending across VA than projected. The initial drawdown plan, released on October 29, 2019, has been updated several times since, with each iteration incorporating historical actuals and updated assumptions to include the changing environment, workload projections, Board resources, hiring plans and various other factors that influence outcomes. At the end of FY 2024 there were still 38,824 Legacy system appeals pending Department-wide.

In FY 2021, the Board released timeliness goals for its two remaining AMA dockets (Evidence Submission and Hearing). With long-term targets of 365 ADC for Direct, 550 ADC for Evidence and 730 ADC for Hearing docket appeals, the Board now has timeliness goals for all AMA dockets. Establishing these goals satisfied an open U.S. Government Accountability Office (GAO) High Risk List recommendation (GAO-18-352) and they have been monitored and reported monthly since.

Due to the magnitude and scope of the statutory change, the Board reported in the Chairman's FY 2022 Annual Report that FY 2024 would be the first year in which the number of AMA decisions will be roughly equal to the number of Legacy decisions. Further, the Board noted that as it adjudicates a higher proportion and number of AMA appeals, the likely result will be completion of the AMA appeals that have been pending the longest, and for a period of time will likely increase the average days to complete appeals to levels that exceed the stated timeliness goals.

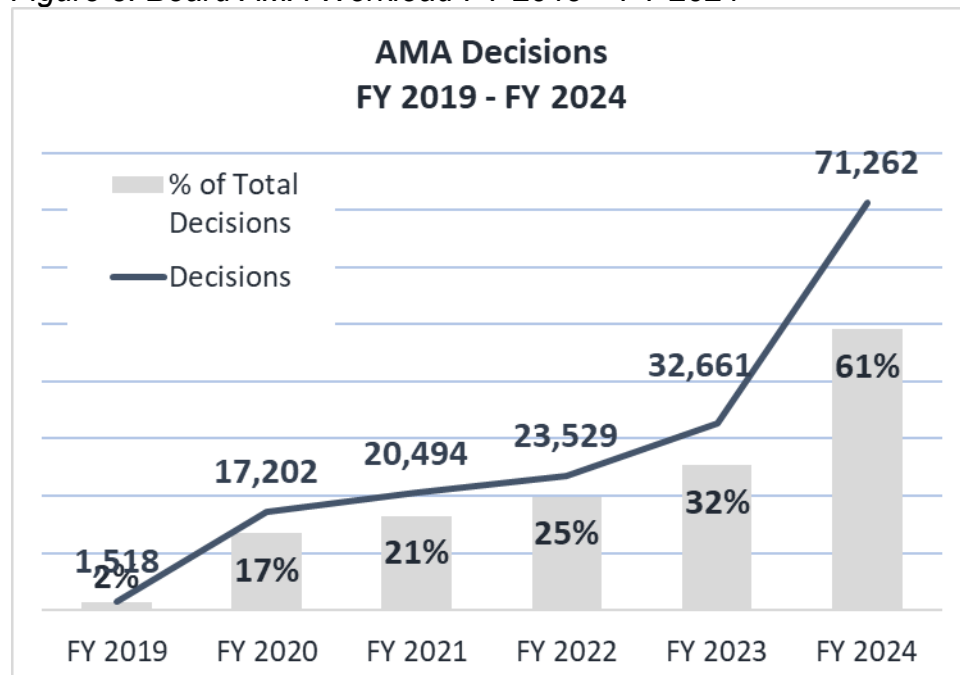
The Board is pleased to report that although it took 5 years post AMA implementation, as shown in Figure 2 below, the ratio of AMA to Legacy system appeals decision output finally reached 50%/50% in February 2024. More importantly, Figure 2 also shows it has only taken 7 months for AMA output to increase to 87% of the Board's monthly FY 2024 workload.

Figure 2: *AMA/Legacy System Decision Allocation*



As the Board continues resolution of pending Legacy system appeals, an exponential increase in AMA appeals decisions was observed in FY 2024. The Board issued 71,262 AMA decisions in FY 2024 compared to 32,661 in FY 2023. This is a 118% increase in AMA decision output during FY 2024. Figure 3 below shows the exponential growth in the Board's AMA workload that started in FY 2023 and more than doubled during FY 2024.

Figure 3. Board AMA Workload FY 2019 – FY 2024



The Chairman's FY 2023 Annual Report noted these emerging workload trends address stakeholder concerns about AMA timeliness. When the Board established the ADC timeliness goals for AMA cases, as published in the Chairman's FY 2021 Annual Report 3 years ago, the Board transparently addressed the challenges it would encounter to initially meet those established goals. Specifically, the Board identified the backlog of

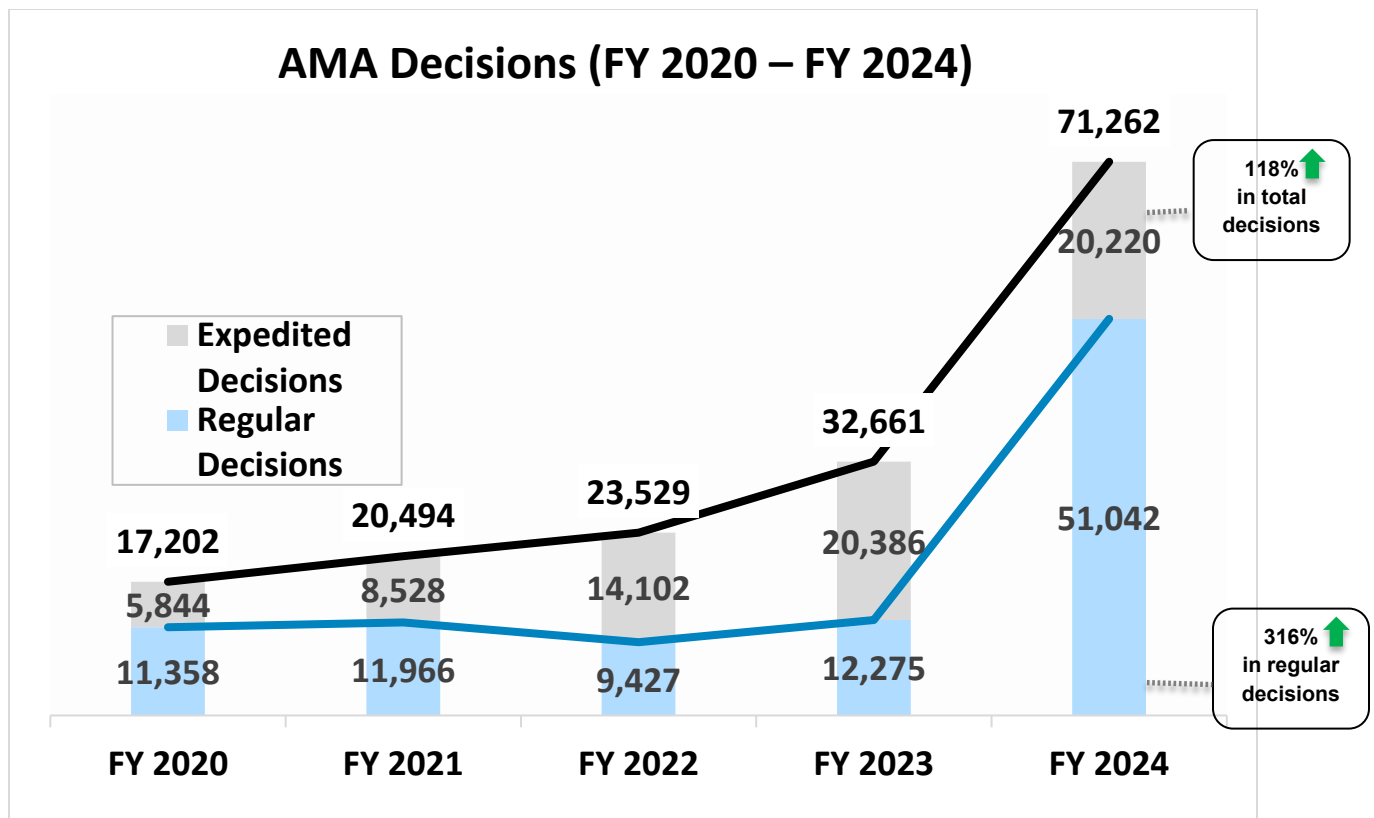
pending Legacy appeals, Advance on Docket (AOD) cases, and Court remand cases that would continuously prevent Board adjudication of pending non-priority AMA cases. The Board's public website was updated in September 2022, with graphical trend data and explanations for all Veterans, VSOs, and all other stakeholders. Those explanations included the following statement:

**“Therefore, the Board expects the average days to complete AMA appeals will exceed established timeliness goals for a period of time before cresting and then settling back to within published goals.”** (Bold added).

Despite the Board's best efforts to educate stakeholders about those AMA timeliness goals, they continue to be misunderstood by many. When the Board initially established its aspirational AMA timeliness goals of average days to complete (ADC) for each of the AMA dockets, some mistakenly believed the Board would adjudicate all the cases within those goals, which are: Direct Docket ADC – 365 days; Evidence Docket ADC – 550 days; Hearing Docket ADC – 730 days. However, the Board's commitment was to complete Direct Docket AMA appeals in an average of 365 days, which means some Veterans will get a decision faster than 365 days – maybe substantially faster – because the case may have been advanced on the docket due to reasons of serious illness, severe financial hardship, or advanced age. However, other Veterans may wait longer than 365 days. Again, the commitment has been to complete cases in an average of 365 days for Direct Docket appeals.

With the significant reduction in pending Legacy system appeals from 2017 to 2023, the Board was finally able to focus resources and attention on the longest pending AMA cases, those regular appeals that are not expedited through the Board. As shown in Figure 4 below, not only did the Board increase output for total AMA decisions by 118% over FY 2023, the Board increased output of regular AMA decisions by 316%.

Figure 4: Significant Increase in AMA Regular Decision Output



Understanding these emerging workload trends are important to address stakeholder concerns about AMA timeliness. After the AMA was implemented, the Average Days Pending (ADP) for those cases continued to consistently climb as the Board was required to focus on Legacy system appeals and AOD workloads. Once the Board was able to focus more resources to adjudicating higher numbers of AMA cases, especially the larger percentage of non-AOD AMA appeals which were pending the longest, the ADC metrics started to rapidly climb because the Board was adjudicating mostly older cases.

It is important to understand the relationship between the Board's reported metrics of Average Days Pending (ADP) and Average Days to Complete (ADC) for each of the Board's dockets. The ADC is simply an average of how long it took the Board to adjudicate a group of cases decided during a specific period time. In other words, the ADC is a measure of how long it took to decide a group of appeals during the past week, or month, or year. It is not a measure of how long the average appeal has been waiting, which is the ADP for all those appeals not yet decided.

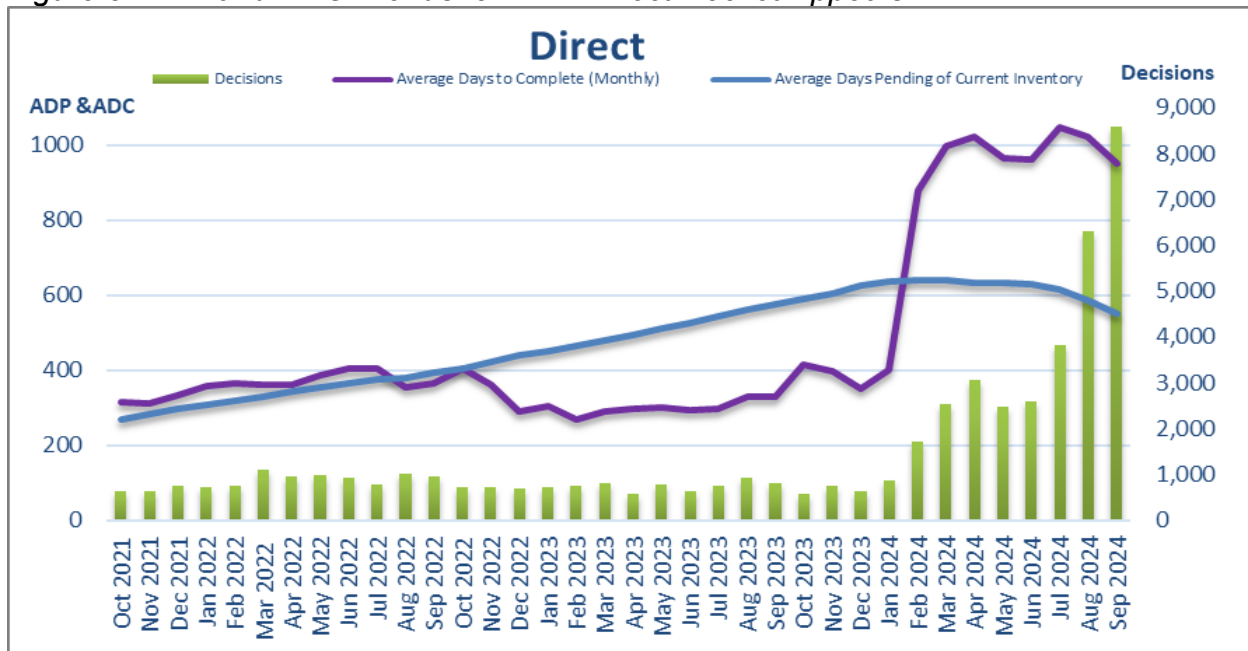
The ADC numbers can vary drastically, especially because the Board is currently adjudicating the oldest pending non-AOD cases under AMA at a very accelerated rate. For example, the fiscal year to date ADC for AMA Direct Docket cases was around 390 days in January 2024, then rose very rapidly over the next 6 months...up to 902 days through July 2024. Of course, the Board didn't get 500 days slower in adjudicating cases during that 180-day period, but it understandably might appear that way to someone reviewing a table of publicly-reported ADC numbers. Figure 6 on page 14

shows a 3-year trend for ADP and ADC Direct Docket appeals that began to rapidly change during February 2024 as the Board was able to begin adjudicating much higher numbers of AMA Direct Docket appeals, starting with those that had been waiting the longest.

Trend changes in the ADP numbers are a leading indicator that the Board is successfully reducing the number of non-priority AMA cases, starting with the ones waiting the longest. In other words, the ADP falls as the Board adjudicates all the non-priority AMA cases that have been pending the longest. The ADC belatedly follows the same pattern, as newer cases are being worked after the older cases are adjudicated.

FY 2024 data as shown in Figure 5, on page 14, illustrates how the ADC for AMA Direct Docket cases has crested and started to significantly fall in just a short time. During FY 2024, the ADP for pending Direct docket appeals peaked at about 640 days in March 2024, and steadily fell during Q4 of FY 2024. By year end, the ADP for the Direct Docket was 551 days – an improvement over FY 2023. This drop is especially significant based on how many of the oldest AMA Direct Docket cases the Board was adjudicating during the last half of FY 2024. Again, the Board adjudicated nearly 40,000 additional AMA decisions in FY 2024 than in FY 2023, and most of those were the cases that had been pending the longest at the Board. The fact that 88% of the Board's weekly workload were AMA appeals in the final 2 weeks in FY 2024, up from only 32% of workload during FY 2023, is proof the ADP for AMA cases in the Direct Docket will continue to significantly decrease Veteran wait times during FY 2025.

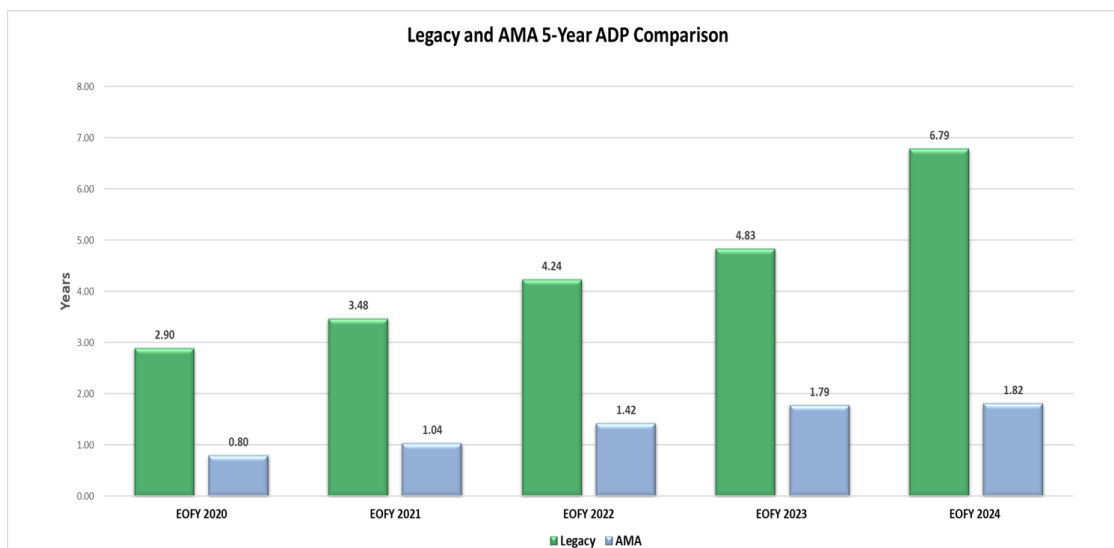
*Figure 5. ADP and ADC Trends for AMA Direct Docket Appeals*





These trends are encouraging signs that VA continues to achieve ever-faster resolutions of AMA appeals compared to the much slower resolution rates for the older Legacy system appeals. Figure 6 below compares the Average Days Pending (ADP) for AMA appeals and Legacy system appeals. As shown, Veteran wait times under the AMA system are 5 years faster than wait times for Legacy system appeals. This gap will continue to widen as the pace of AMA adjudication at the Board continues to accelerate into FY 2025.

*Figure 6. ADP Comparison of AMA vs. Legacy System Appeals*



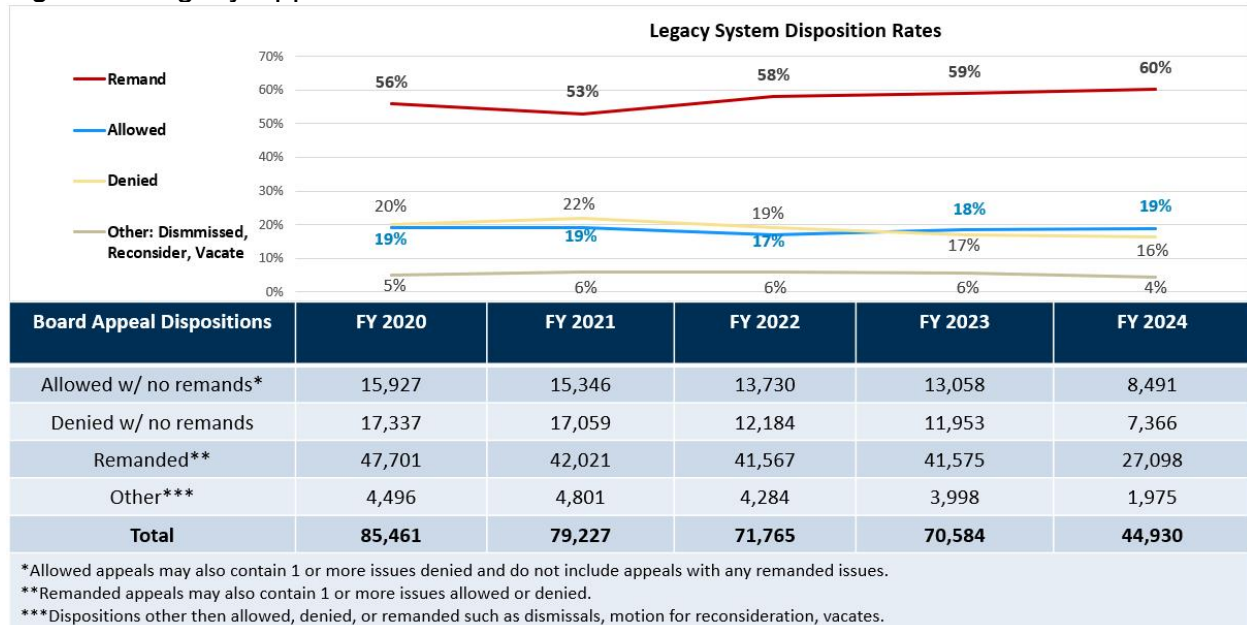
## Improved Access and Outcomes Under the AMA

Under the AMA, Veterans not only get a faster resolution of their issues on appeal, but they also experience a decrease in the percentage of cases being remanded by the Board to regional offices for development and an increase in the percentage of grants. Figure 7, below, and Figure 8, on page 16, show remand rates are nearly 21% lower under the AMA appeals process compared to the Legacy appeals system. Figures 8 and 9 also show grant/allowed rates are consistently about 8% to 10% higher under the AMA appeals process. Appeals in these figures are counted as remands if any issues had to be remanded, even if there were grants and/or denials as part of the same decision. Appeals are counted as granted or “allowed” when the Veteran received at least some relief and there was no need for any issues to be remanded. The denial rate under both the Legacy appeals system and the AMA appeals system is statistically the same at just under 20%. “Denial” refers to appeals where none of the relief sought was granted.

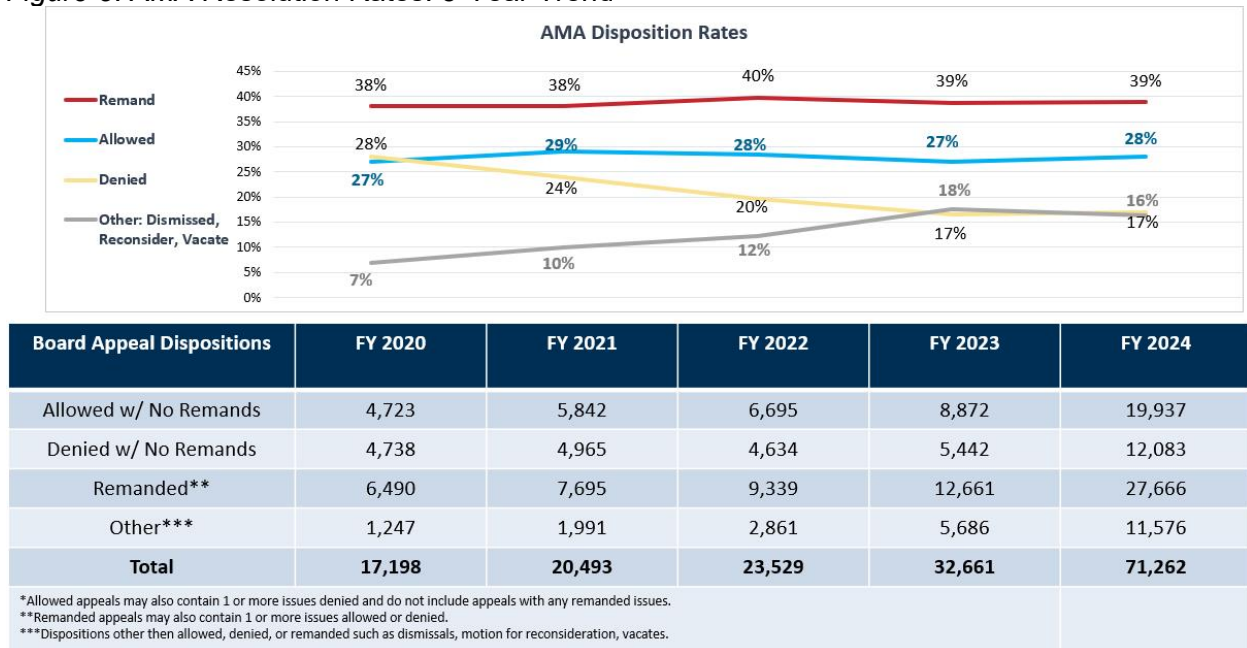
The Board continues to closely monitor and analyze resolution rate trends under both the Legacy and AMA systems during the past 5 years so stakeholders can better compare the two systems and overall merits and effectiveness of the AMA system compared to the Legacy system in providing more timely and effective final resolution

for Veterans. Figures 7 and 8 show that remand rates under the Legacy appeals system have remained relatively stable, with roughly 56% to 60% of all appeal decisions being remanded, while remand rates under the AMA system have consistently been much lower – 15 to 21% better than Veterans experience under the Legacy system.

**Figure 7: Legacy Appeals Resolution Rates: 5-Year Trend**



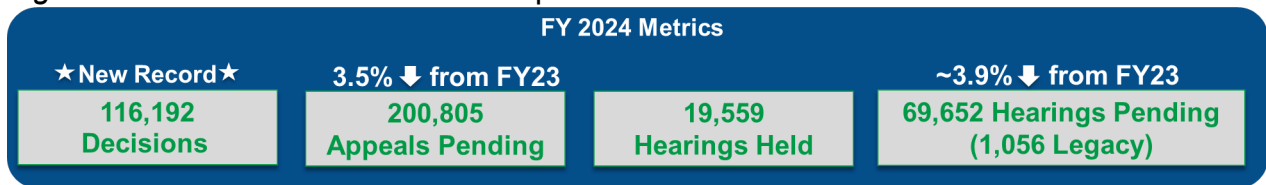
**Figure 8: AMA Resolution Rates: 5-Year Trend**



# FY 2024 – Serving Veterans, their Families and Survivors

Mission success for the Board is often simplified into the number of appellate decisions issued, the number of hearings held during a fiscal year, and the number of appeals and hearings that remain pending at the end of the fiscal year as noted in Figure 9 below. However, the Board maintains that mission success is much more complex and needs to include the Veteran experience.

Figure 9. Board Metrics FY 2024 Snapshot



During FY 2024 the Board adjudicated and dispatched a record 116,192 appeals, a 12.5% increase over the previous record of 103,245 appeals dispatched in FY 2023. Last year was the sixth consecutive year in which the Board issued more than 95,000 decisions. At the same time, the Board held 19,559 Hearings and reduced the number of pending hearings by 3.9% from 72,465 at the beginning of FY 2024 to 69,652 at the end of FY 2024. It is the third consecutive year the Board has reduced the pending hearing inventory. This also includes a 76% decrease in pending legacy appeal system hearings during FY 2024 from 1,054 to 249.

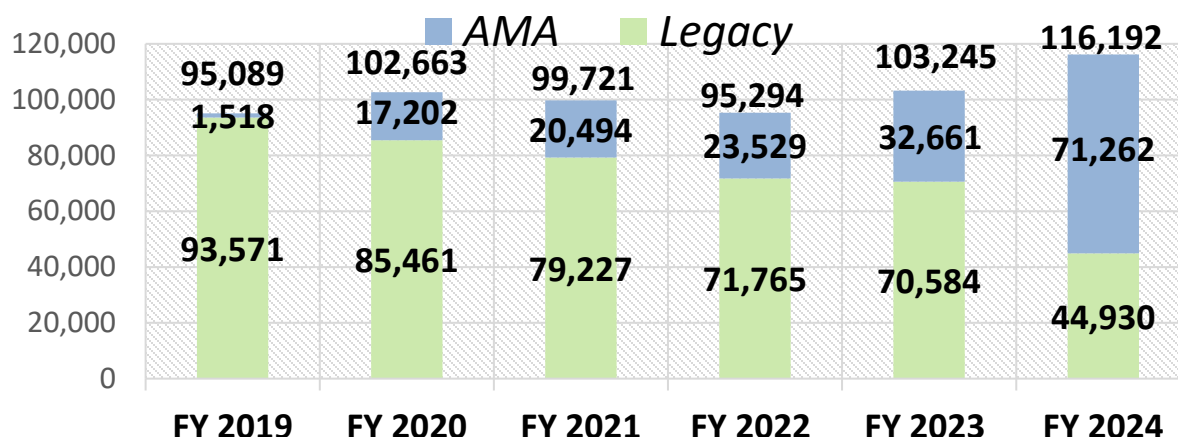
The Board remains focused on the Veteran experience during the entire appeals process. Data continues to show impressive results, with a sharp rise in Veteran trust scores from the time they initially file their appeal to receipt of a Board decision, and especially high scores based on their personal experiences with VLJs during hearings. These achievements were realized as the number of newer AMA appeals, which have shown consistently 20% lower remand rates and a steady grant rate of 10% higher than Legacy system appeals, an ever-increasing percentage of the Board's workload.

## Decisions

As reported above, the Board dispatched a new historical record of 116,192 decisions for Veterans and their families. This is the sixth consecutive year the Board has issued over 95,000 decisions, as shown in Figure 10 below, with more than 612,200 decisions issued since FY 2019.

In FY 2024, the Board's workload was 44,930 (39%) Legacy system appeals and 71,262 (61%) AMA appeals. Figure 10 below shows the 5-year trend in appeals adjudicated by the Board, clearly identifying the transition from Legacy to AMA dominant workload.

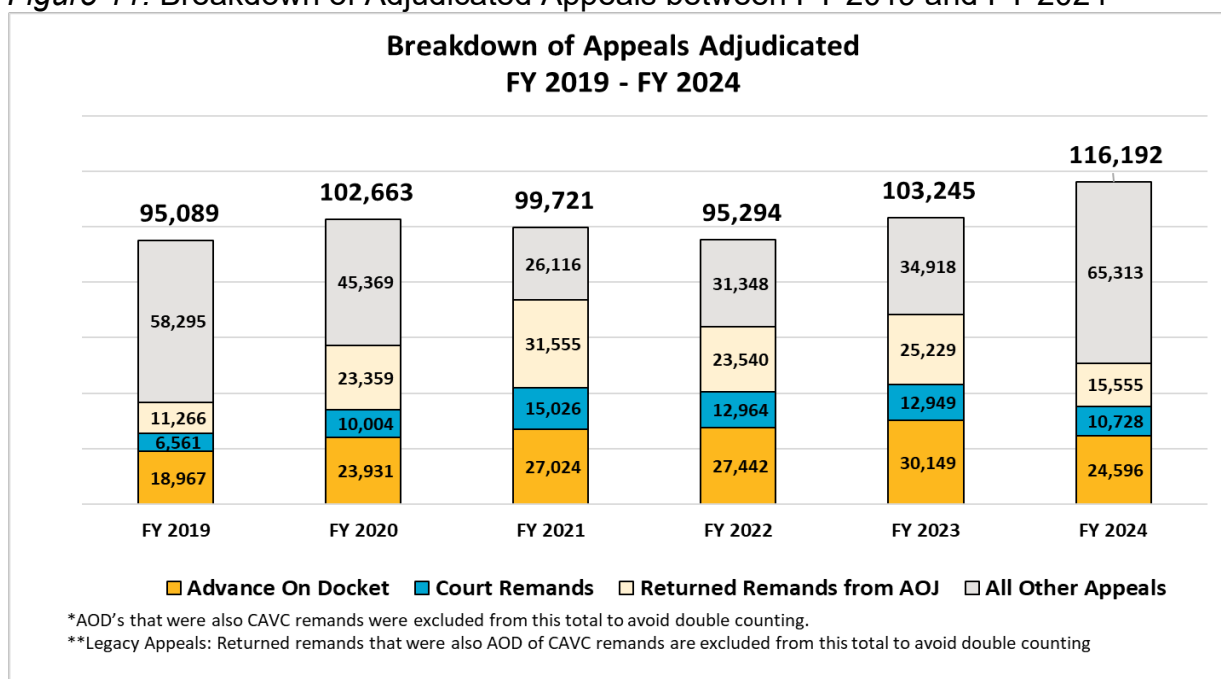
Figure 10. Total Board Decisions, FY 2019 – FY 2024



Since implementation of the AMA in February 2019, Board leadership has closely monitored and assessed resources and reallocated those resources as necessary to meet performance goals while using best practices to improve efficiency. The Government Accountability Office (GAO) highlighted the Board's success in implementing the AMA by closing all remaining GAO High Risk List items from their 2017 and 2018 reports on challenges around implementing the AMA.

By law, the Board must generally decide appeals in the order docketed (initially filed) with the Board, with some exceptions. Those exceptions include cases advanced on the docket (AOD) and cases remanded back to the Board by the United States Court of Appeals for Veterans Claims (Court). Additionally, Legacy appeals that have been returned to the Board from the agency of original jurisdiction (AOJ) (for example, VBA and VHA) following remand maintain their original place in docket order. The Board applies the relevant statutes and regulations to guide its determinations on motions for AOD to ensure those appellants most in need of an expedited decision receive priority processing. As shown in Figure 11 below, cases with AOD status comprised approximately 22% of the Board's FY 2024 decision output. Another 9% were Court remands, and 13% of the Board's workload were remands returned from the AOJ. The remaining 56% of the Board's FY 2024 output represents appeals for Veterans patiently waiting in line, including the remaining pending original Legacy appeals.

Figure 11. Breakdown of Adjudicated Appeals between FY 2019 and FY 2024



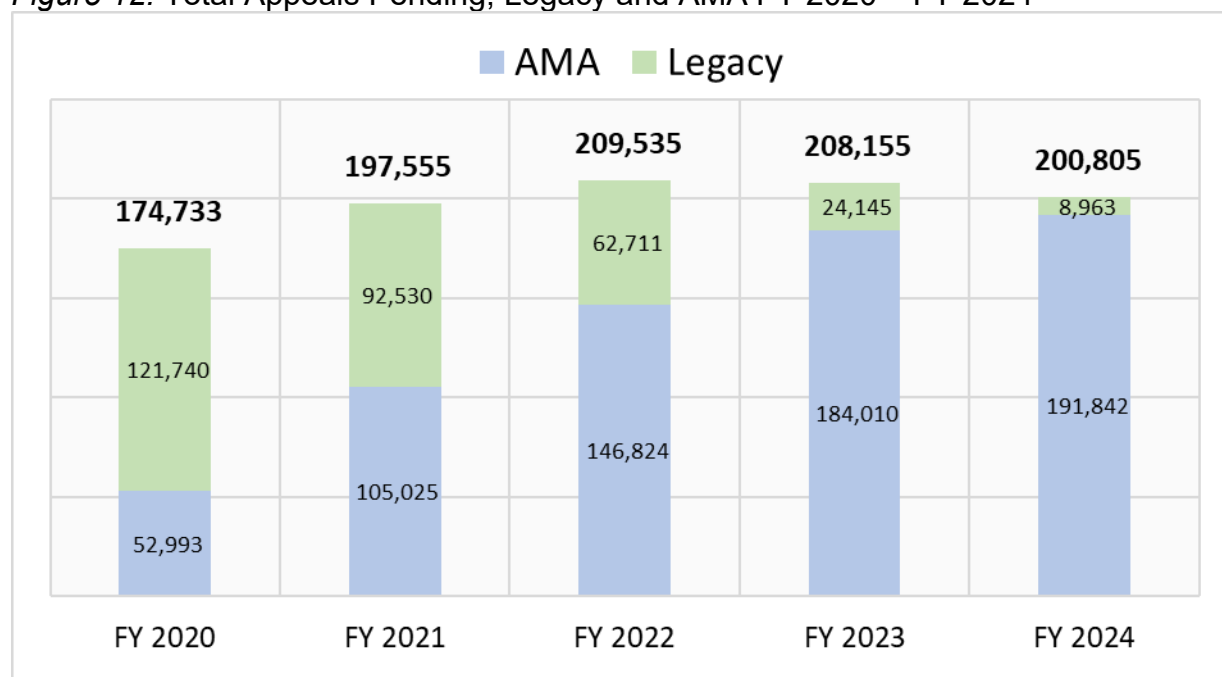
As shown above, many Legacy cases have been remanded to the Board from the Court or returned to the Board by the AOJ after a prior remand from the Board. Because those Legacy remands maintain their original place in line when returned to the Board, the order of cases pending can fluctuate greatly. In other words, previously adjudicated Legacy appeals that were remanded and returned to the Board generally must be re-adjudicated ahead of original appeals not previously seen by a judge.

To provide a better understanding of how this impacts how old a case may be and how that in turn impacts the priority for adjudication, roughly 15% of these remanded cases have been remanded 4 times or more and over 9% have been remanded 5 times or more. Despite this challenge, the Board remains committed to deciding the remaining Legacy appeals as expeditiously as possible.

However, the Board has added considerably more Veterans Law Judges, decision-drafting attorneys, and other staff to its rolls to adjudicate higher numbers of AMA decisions that were being displaced by older Legacy system appeals that were moving to the head of the line after previous remands. **The most significant impact is nearly half of the Board's annual decisions are cases that did not require prioritized treatment, up from only about 30% in the years prior to FY 2024.**

Figure 12 below shows the total number of appeals pending at the Board from FY 2020 to FY 2024 and indicates which legal system (Legacy or AMA) they are in.

Figure 12. Total Appeals Pending, Legacy and AMA FY 2020 – FY 2024



**It is important to note that the Veteran-related AMA appeals pending at the Board is much lower than shown above for FY 2024.** During FY 2024, there was a significant rise in Board appeals pending because a high number of VHA third-party contract provider appeals were moved from the pre-docket queue to the Board's docket, primarily impacting the AMA Direct Docket and AMA Evidence Submission Docket. While generically labeled as "medical reimbursement" appeals in data reporting systems, the overwhelming majority of these non-rating VHA appeals concern non-Veteran health care providers seeking contract reimbursement from VHA. Currently, there are approximately 20,000 pending AMA appeals from VHA that are not related to Veterans or their dependents seeking relief at the Board. Therefore, the Board is taking care to ensure these non-Veteran Third Party contract-related VHA appeals in the AMA dockets are appropriately distinguished from other VHA appeals filed by Veterans, dependents, and other beneficiaries.

### Quality Assurance (QA)

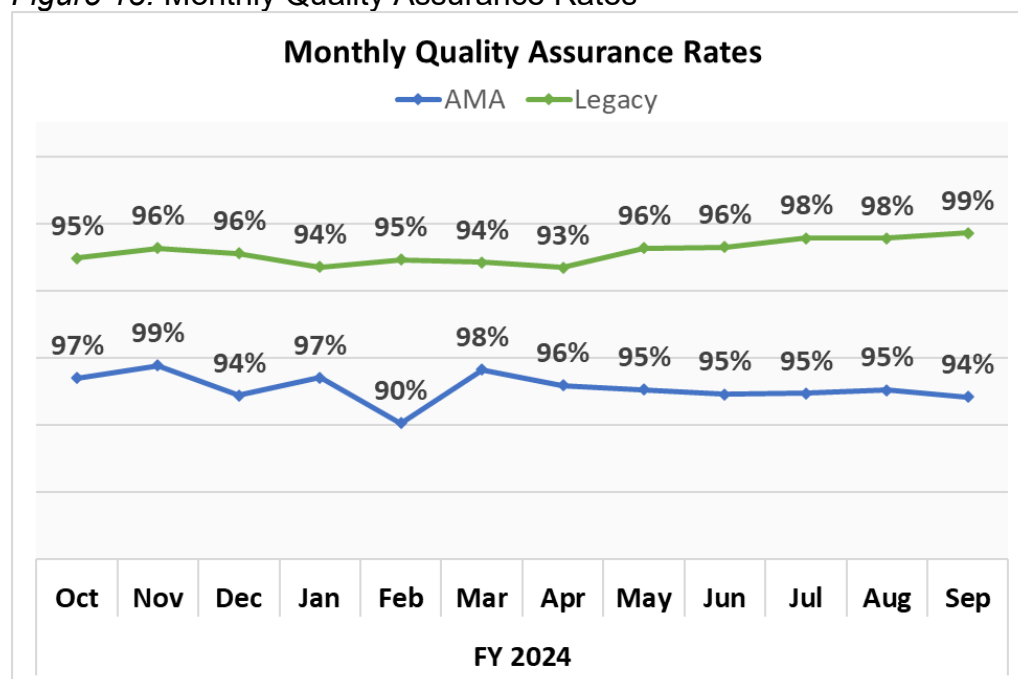
The Board remains committed to ensuring every appeal is decided as efficiently as possible, with a high degree of confidence that the VLJs are appropriately resolving appeals in accordance with the law. The Office of Assessment and Improvement (OAI) has specially trained attorneys who meticulously review thousands of decisions issued each year before those decisions are released to the Veterans. These attorneys identify procedural issues or other potential flaws in those decisions even though the identified issues do not amount to a basis for a different decision on entitlement to the benefit. For example, OAI attorneys can identify and prevent unnecessary remands in instances where a VLJ attempts to remand an AMA case for additional development of evidence based on a duty to assist error occurring after the record closed. While this is not



prejudicial to the Veteran's case, this "error" is still flagged. Potential issues or errors identified during the QA review process are raised with the VLJ who signed the decision, providing them the opportunity to address the error or revise the decision.

Virtually all errors discovered during the QA review are process or procedural errors. The Board's quality review process almost never finds an error that would cause a case to be overturned on appeal. Figure 13 below illustrates the percent of reviewed decisions where no flaws can be found with the judge's written decision. The Board's annual goal is to achieve 92% quality assurance rates in both the Legacy and AMA appeals systems. The Board is pleased to report the FY 2024 annual QA rates exceeded that goal in both the Legacy and AMA systems during FY 2024.

*Figure 13. Monthly Quality Assurance Rates*



During FY 2024, the Board continued to oversample the proportion of AMA cases reviewed to ensure judges and counsel are correctly addressing the different procedural requirements under the AMA appeals system. Of the more than 3,500 cases sampled during FY 2024, statistical analysis showed a QA rate of approximately 95.8% for Legacy appeals decisions and approximately 95.5% for AMA appeals decisions.

The Board reiterates the position that the discovery of an "error" in a decision does not mean the Board's decision was "wrong." There are three QA error categories – customer service errors, procedural process errors, and clear and unmistakable errors. For example, customer service errors, such as including personally identifiable information in the decision, or failing to address explicitly raised theories or contentions, can negatively impact the Veteran's experience with the Board. In FY 2024, the Board reviewed 3,598 decisions and identified a total of 159 (69 Legacy and 90 AMA) "errors". Approximately 14.6% of errors identified in the Board's QA process were based on a need for the Board to fully address all raised contentions and theories of entitlement.

OAI also monitors and evaluates the outcome of appeals taken to the Court of Appeals for Veterans Claims (CAVC) and the United States Court of Appeals for the Federal Circuit (Federal Circuit). Each year, approximately 8% to 9% of the Board's decisions are appealed to the CAVC. Of that percentage, most appeals return to the Board for rework pursuant to a Joint Motion for Remand (JMR), which is reviewed by the Clerk of the Court and not a CAVC Judge. A JMR remands the appeal from the Court back to the Board and includes instructions for VA to follow. OAI monitors these JMRs and other Court trends to identify areas for improvement. In FY 2024, the Board received approximately 5,310 JMRs from the CAVC.

As noted above, the Board has issued more than 95,000 decisions in each of the past 6 years. Data indicates the Board grants relief on approximately 20-30% of the issues that come before it, while remanding tens of thousands of cases for further development based on VA's duty to assist. Generally, more than 40,000 Board decisions, those where full relief was not granted, are eligible for appeal each year. Of that number, reports indicate approximately 20% (between 8,000-9,000) are appealed to the Court each year. Even as the number of Board decisions has increased, the percentage of cases appealed to the Court has remained consistent. Annual reports show the Court reverses very few Board decisions for being "clearly erroneous." More often, VA Office of General Counsel attorneys agree to jointly remand select issues from appealed cases back to the Board so the judge can provide further explanation for the reasons and basis supporting the judge's denial. This is not an "error" that will typically impact the outcome, but rather, the parties attempt to ensure the rationale supporting the Board's decision is more fully articulated to the Veteran and their counsel.

Under the AMA, Veterans and appellants have an additional option – they can file a supplemental claim with new and relevant evidence to obtain a readjudication after a Board decision rather than appealing to the Court. As long as the appeal is continuously pursued within the allotted time, if eventually granted, the effective date can go back to the date of the initial claim.

### **Veteran Service Organization (VSO) Coordination**

Throughout FY 2024, the Board continued outreach, training, and coordination efforts with VSO partners and external stakeholders. The Chairman attended several national conventions and special events with external stakeholders, where he provided Board updates to our VSO partners and directly engaged with Veterans, many of whom shared their own appeals journey. Additionally, the Chairman met quarterly with senior leadership from national VSOs to learn about their organizational-specific concerns.

Finally, the Board continued to engage service officers through a quarterly virtual VSO meeting.

In Fiscal Year 2024, in response to concerns raised by Members of Congress and the VSOs, the Board convened a Board-wide Letter Review Project Tiger Team, recruiting more than 20 representatives from stakeholders across the Board to identify and revise the Board's entire suite of letters. VA's Veterans Experience Office (VEO) also

participated. Drawing on its expertise with customer service and focus on putting Veterans first, VEO convened two town halls with VSOs and other stakeholders to ensure their perspectives were considered in the revision process. Under the Board's Office of the Clerk of the Board, this Tiger Team systematically conducts multi-level review of all the Board's letters, focusing on ease of comprehension, Veteran-centric writing, and legal and technical accuracy. VEO conducted field research tests of letter revisions with Veterans and other stakeholders, which provided feedback to the Tiger Team in order to implement needed revisions as they were identified in the field. To date, the Board has completed review and revision of nearly 20 letters, including all letters used by the Hearing Division.

## Eliminating the Board's Inventory of Pending Legacy System Appeals

VA's Legacy Appeals Resolution Plan includes a prioritized reduction of Legacy appeals, informed by continuous stakeholder engagement. The Resolution Plan has resulted in a marked reduction in the number of pending Legacy appeals before the Board and in all three Administrations: VBA, VHA and NCA. As a result of efforts undertaken for the Legacy Appeals Resolution Plan, VA's total Legacy appeals inventory decreased almost 58% in the last 2 years, and by more than 91% in the last 6 years, from a high of 472,066 in November 2017, to 38,505 at the end of FY 2024.

Table 1 below shows VA's progress reducing the total number of pending Legacy appeals during FY 2024 by approximately 35% Department-wide from 59,364 to 38,505 during FY 2024.

*Table 1. Pending Legacy Appeals by VA Office FY 2023 – FY 2024*

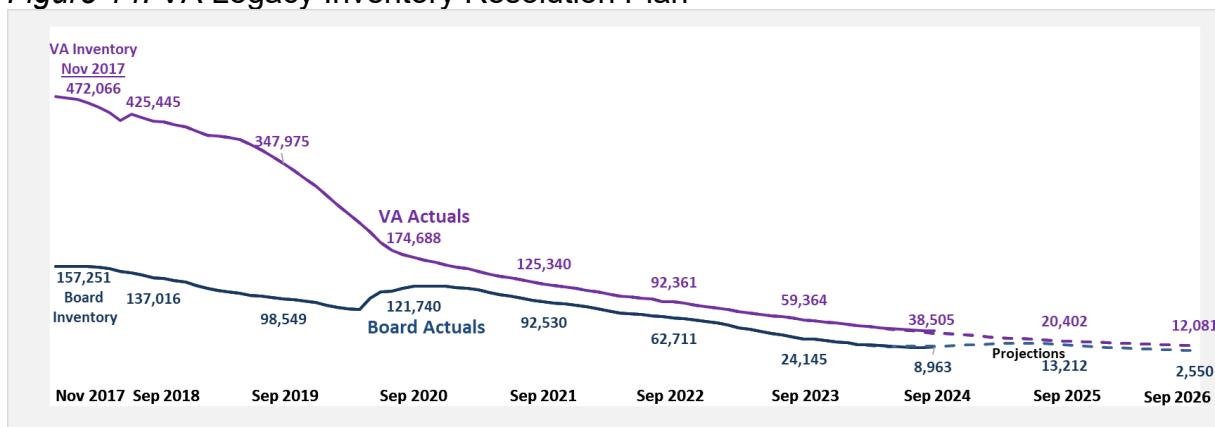
	FY 2023				FY 2024			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
<b>VBA</b>	25,098	28,488	31,041	33,446	32,859	32,595	31,086	28,483
<b>VHA</b>	2,319	2,051	2,187	1,951	1,835	1,396	1,426	1,223
<b>NCA</b>	0	0	0	0	0	0	0	2
<b>Board*</b>	56,646	43,940	33,995	23,967	18,729	12,732	9,187	8,797
<b>Total:</b>	<b>84,063</b>	<b>74,479</b>	<b>67,223</b>	<b>59,364</b>	<b>53,423</b>	<b>46,723</b>	<b>41,699</b>	<b>38,505</b>

\*Data source for Board inventory totals in this table are from VBA and vary slightly from the Board's total reported throughout this document. Differences are attributed to the timing of when each report is generated.

Note: Starting in Q4 FY 2024, VBA and VHA totals exclude statements of the case (SOCs) pending at the agency of original jurisdiction.

Figure 14 on page 23 outlines the reduction of pending Legacy appeals Department-wide, with a breakout of specific reduction efforts at the Board. The Board finished 2024 with 8,963 pending Legacy appeals. However, the Board notes this number is likely to fluctuate as VA works through the remaining Legacy system appeals.

Figure 14. VA Legacy Inventory Resolution Plan



Despite the 91% reduction in overall pending Legacy appeals enterprise-wide during the past 6 years, there is still a higher-than-expected number of pending Legacy appeals than were originally projected. The initial drawdown plan, developed prior to COVID, was shared on October 29, 2019. The resolution plan has been updated several times since, with each iteration incorporating historical actuals and updated assumptions to include the changing environment, workload projections, Board resources, hiring plans, and various other factors that influence outcomes.

## Hearings

The Board scheduled a total of 29,753 hearings and held 19,559 hearings in FY 2024. As shown in Figure 15, on page 23, approximately 6,450 (22%) of the scheduled hearings were canceled/withdrawn by the Veteran. An additional 8% of the remaining scheduled hearings were postponed, and the appellant failed to appear in almost 5% of the scheduled hearings. This resulted in a total of 26,014 (87%) scheduled hearings being resolved. The hearings held rate in FY 2024 was approximately 66%, an increase of 3% over FY 2023.

Figure 15. National Hearing Show Rates

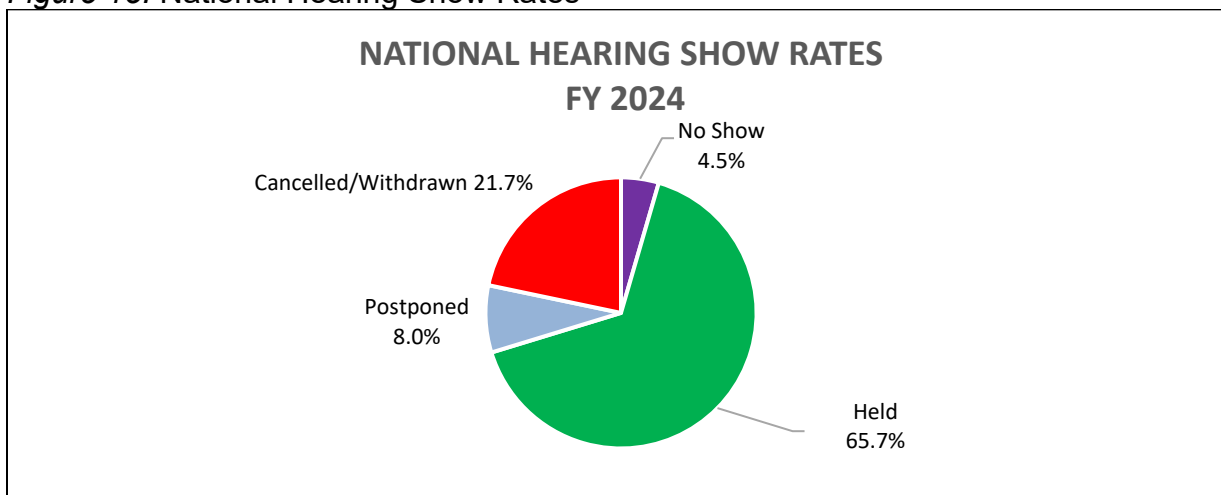
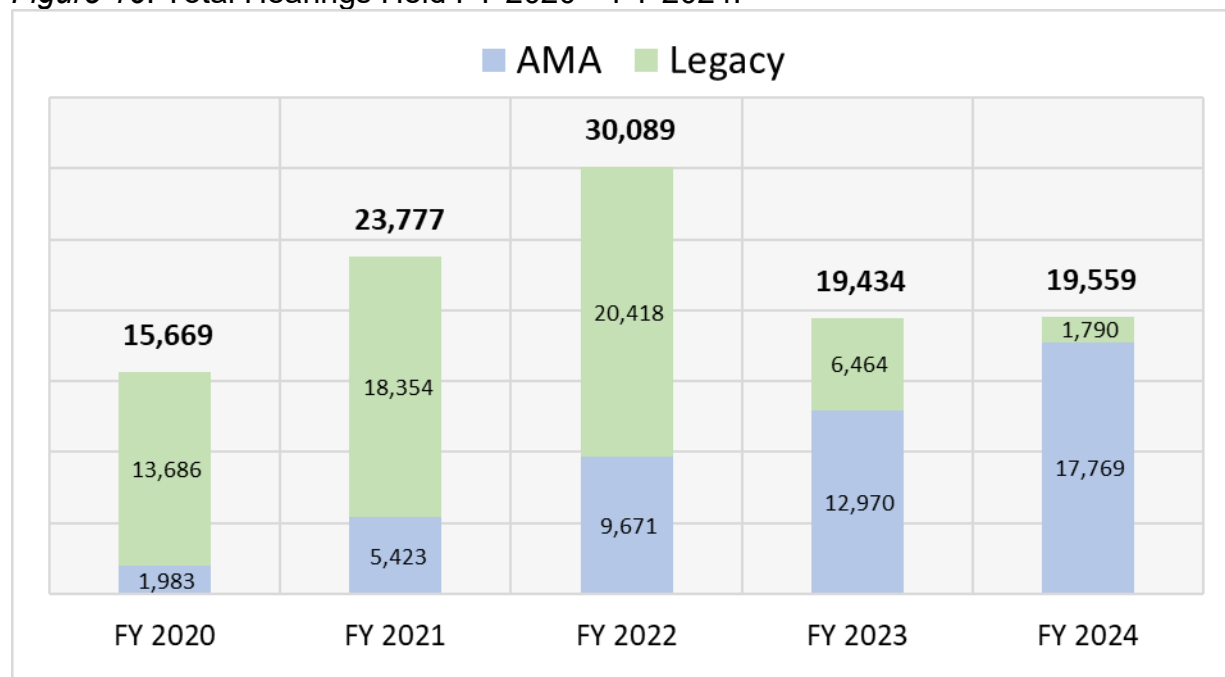


Figure 16 below shows the Board has held more than 108,500 hearings between FY 2020 through FY 2024. As reported above, the Board held 19,559 hearings during FY 2024, averaging 1,630 hearings per month. This is a slight increase in the number of hearings held over FY 2023.

*Figure 16. Total Hearings Held FY 2020 – FY 2024.*



Note: COVID-19 impacted hearing operations in FY 2020, which had been on pace to reach over 24,000 hearings that year.

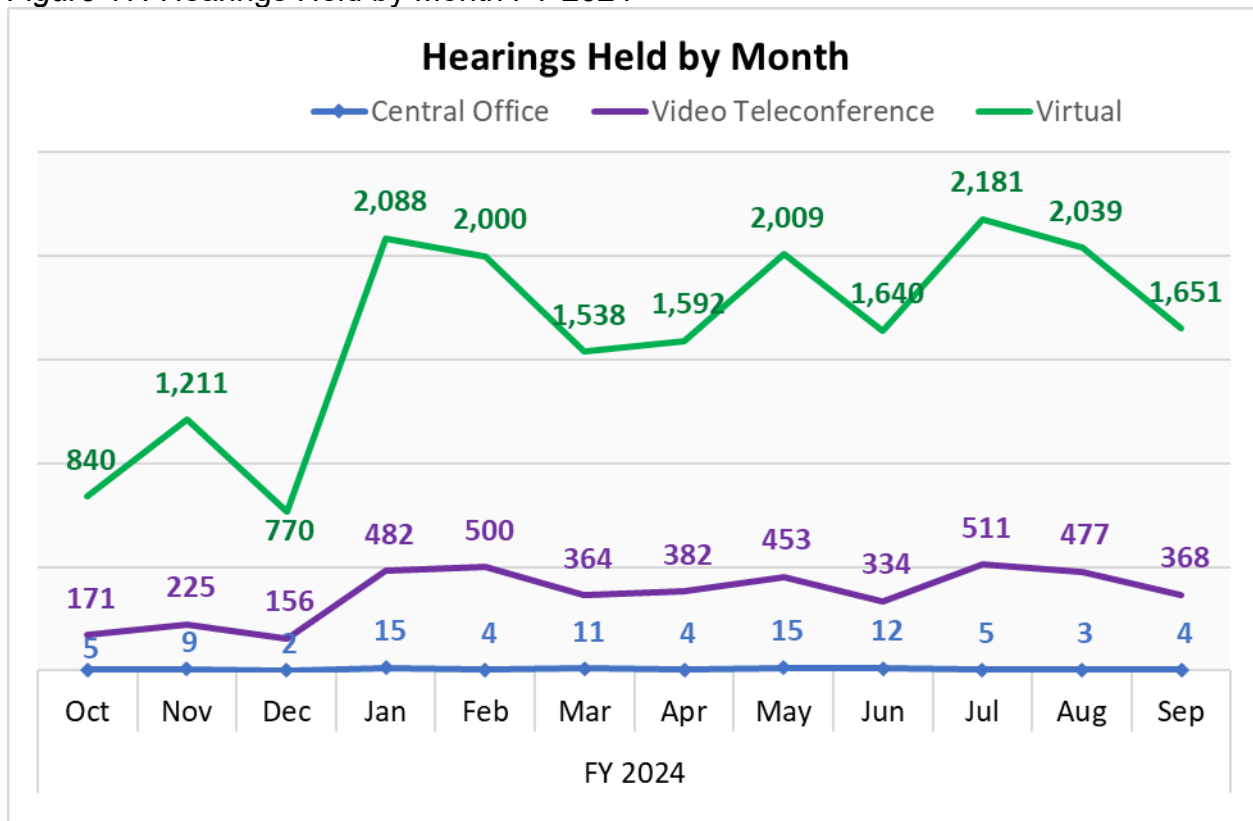
As previously reported, the Board has steadily increased utilization of virtual tele-hearing technologies since passage of the VA Tele-Hearing Modernization Act (P.L. 116-137) in April 2020. Virtual hearings allow Veterans and their representatives to appear before VLJs over a video link from separate locations, eliminating the need for Veterans to travel and meet in-person with their representative at a Regional Office facility before getting on a two-way video teleconference with a VLJ. During FY 2024, the Board conducted 76.9% of the hearings held using virtual technologies. The increased use of virtual hearings has been a game-changer, making the entire hearing process less burdensome and more convenient for Veterans, especially with the physical and health challenges many Veterans face.

Notwithstanding the flexibility created using virtual hearing technology, the Board continues to track significant concerns, specifically, that a significant number of the scheduled hearings that are ultimately cancelled or withdrawn are done so with insufficient time for the Board to fill the empty slot with another Veteran. In these cases, the Board's judges have spent time reviewing case files and preparing for hearings not held, which could have been utilized reviewing, editing, and signing draft decisions to resolve appeals for other waiting Veterans.

Forum of choice data shown in Figure 17 below demonstrates that Veterans have embraced and are overwhelmingly electing to use the virtual tele-hearing capability.

Figure 17 shows the breakdown of hearings held per month during FY 2024 by each hearing venue. The overwhelming majority of hearings currently held by the Board are virtual tele-hearings. Use of this technology is not only the most convenient and Veteran-centric option, but also the fastest way to have a hearing as Video Teleconference hearings and Central Office hearings take significantly longer to schedule than a virtual tele-hearing.

Figure 17. Hearings Held by Month FY 2024



The transition to AMA can also be clearly observed in Figure 18 below, which shows the number of appeals with a pending hearing requests from FY 2020 to FY 2024. As shown, the Board has successfully reduced the number of pending Legacy hearing requests during FY 2024 by 76%, from 1,054 to 249 and anticipates all Legacy appeals with a pending hearing request will have been addressed by the end of FY 2025. At the same time, the Board finished FY 2024 with 69,403 pending AMA appeals with a hearing request, a decrease of 2,008 (around 3%) from FY 2023. That said, a review of the data demonstrates that the percentage of AMA appeals being filed at the Board where the Veteran also requests a hearing has steadily declined since implementation of the AMA.



Figure 18. Pending Hearing Requests FY 2020 – FY 2024

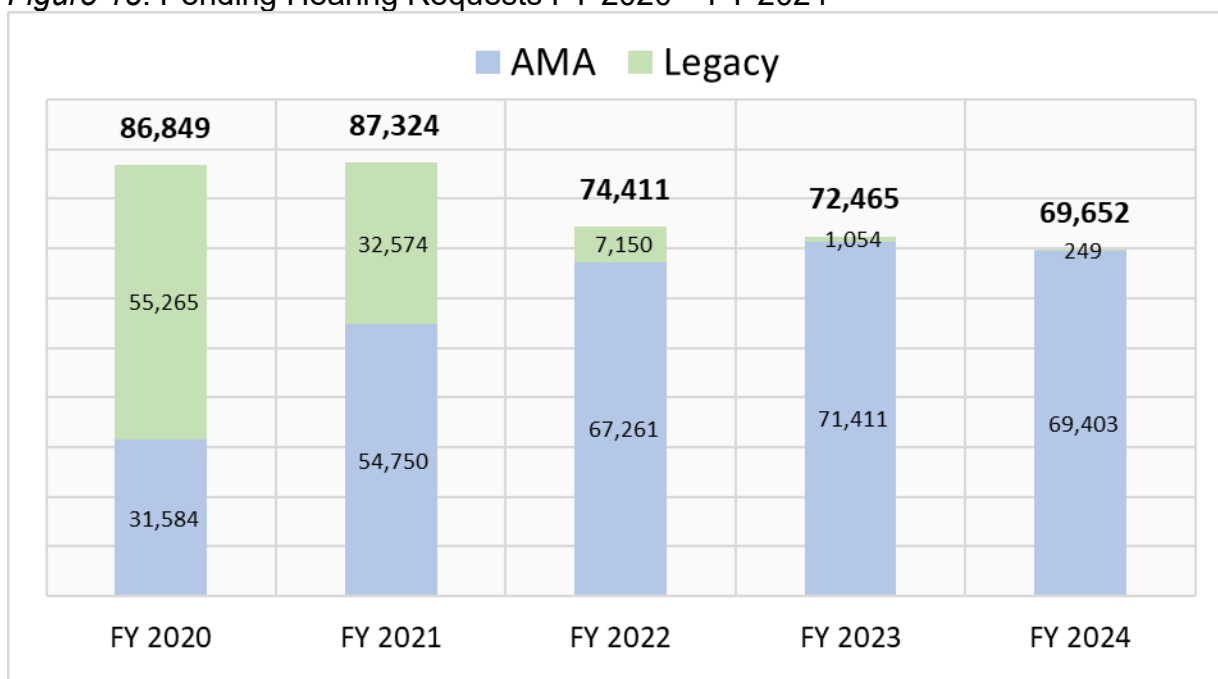


Table 2, on page 27, shows the percentage breakdown of net AMA case receipts for FYs 2021-2024. Data trends indicate changes in Veterans choice when selecting appeals with hearings versus other review options. In FY 2021, Veterans initially requested Hearings 41% of the time and Direct Review 38% of the time; by FY 2024 Veteran choice had flipped with more than 45% now electing the Direct Review option. Meanwhile, the percentage of Veterans selecting the Evidence Submission docket has remained flat at 21%. The data confirms Veterans are increasingly choosing the AMA Direct Review over the Hearing docket.

Table 2. AMA Net Case Receipts

AMA Net Case Receipts				
	FY 2021	FY 2022	FY 2023	FY 2024
Direct Review	38%	42%	45%	46%
Evidence Submission	21%	19%	20%	21%
Hearing	41%	39%	35%	33%

## Virtual Tele-Hearing Technology

As noted above, virtual hearing technology supported 76.9% of all Board held hearings in FY 2024. Over the course of the past year, the Board has observed a slight drop in three-point virtual tele-hearings with a corresponding increase in two-point video teleconference hearings. One trend the Board continues to monitor is the monthly percentage of hearings held that were accomplished using virtual tele-hearings versus video teleconferencing where, in the latter case, the Veteran is required to travel to a Regional Office to meet with their representative in-person to appear before a VLJ who has connected via video. Metrics comparing virtual hearings scheduled and held over both years are shown in Table 3 below.

*Table 3. Comparison of Virtual Hearing Scheduled and Held*

Total FY 2024 Virtual Hearings Scheduled	<b>20,974</b>
Total FY 2024 Virtual Hearings Held	<b>15,040</b>
Total FY 2023 Virtual Hearings Scheduled	<b>21,248</b>
Total FY 2023 Virtual Hearings Held	<b>15,041</b>

## FY 2024 – Focusing on Veteran Trust

The numbers of decisions issued and hearings held are important metrics to track. However, the Board continues to consider Veteran trust to be the key metric to measure the Board's mission success. Veteran trust is a barometer of organizational reliability and quality. This is an indicator of Veterans' experience in their interactions with the Board. The factors that influence Veteran trust will be discussed below.

### Veterans Choice

A hallmark of the AMA is increased Veteran choice regarding the type of review selected when they disagree with a VA decision denying a benefit. The AMA provides more Veteran choice by creating three initial review options. Claimants may seek a higher-level review of the decision based on the same evidence presented to the initial claims processors; they may file a supplemental claim that includes the opportunity to submit additional evidence; or they may file an appeal to the Board.

Veterans appealing to the Board may in turn elect one of three appellate review options, referred to as dockets: 1) a direct review of the same evidence considered by the Agency of Original Jurisdiction (AOJ); 2) an opportunity to submit additional evidence without a hearing; or 3) an opportunity to have a hearing before a VLJ, which also includes the opportunity to submit additional evidence. Figure 17 below explains the AMA options Veterans can choose from.

A review of the data shows many Veterans are choosing the VBA options (Higher-Level Reviews (HLR) and supplemental claims) for a second review after their initial VBA decision. As shown in Figure 19 below, the percentage of Veterans choosing to appeal to VBA appears to be increasing each year. Since AMA implementation through the end of FY 2024, the Board has received approximately 343,707 (14%) appeals, compared to 2,110,045 (86%) HLR or supplemental claims at VBA. While the number of VBA's HLRs and supplemental claims have increased during the past 5 years, the average number of docketed AMA appeals at the Board have remained constant during this same period (an average of 65-73,000 per year). Of note, the number of AMA claims received by VBA increased 44% in FY 2023, compared to an AMA appeals receipt increase at the Board of 7%.

Figure 19: AMA Receipts – Claims (VBA) & Appeals (Board)

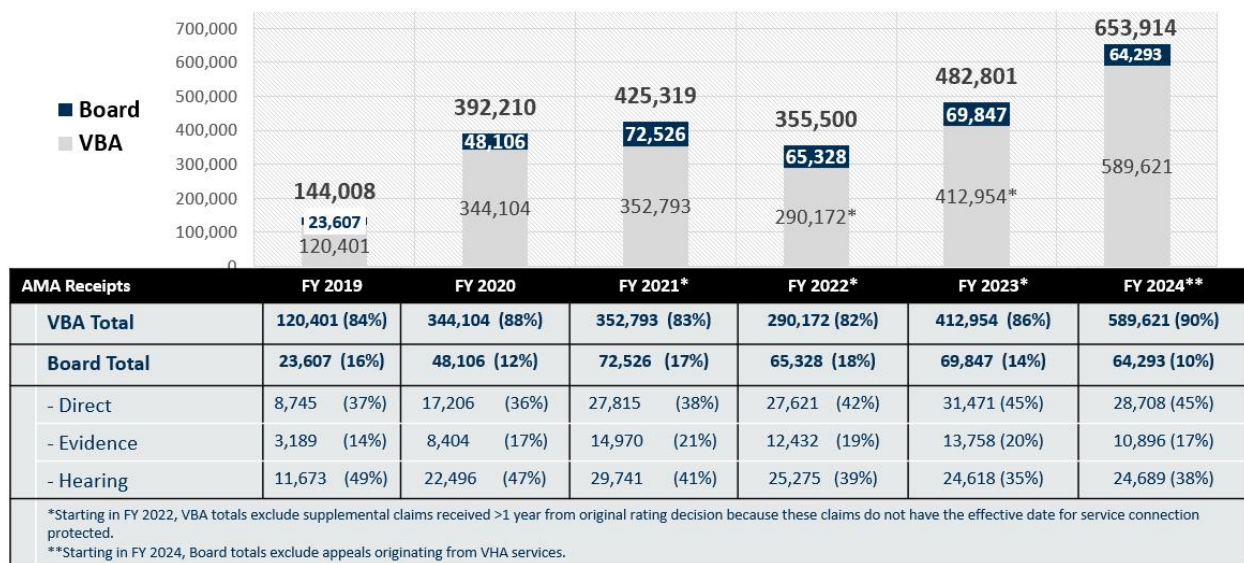


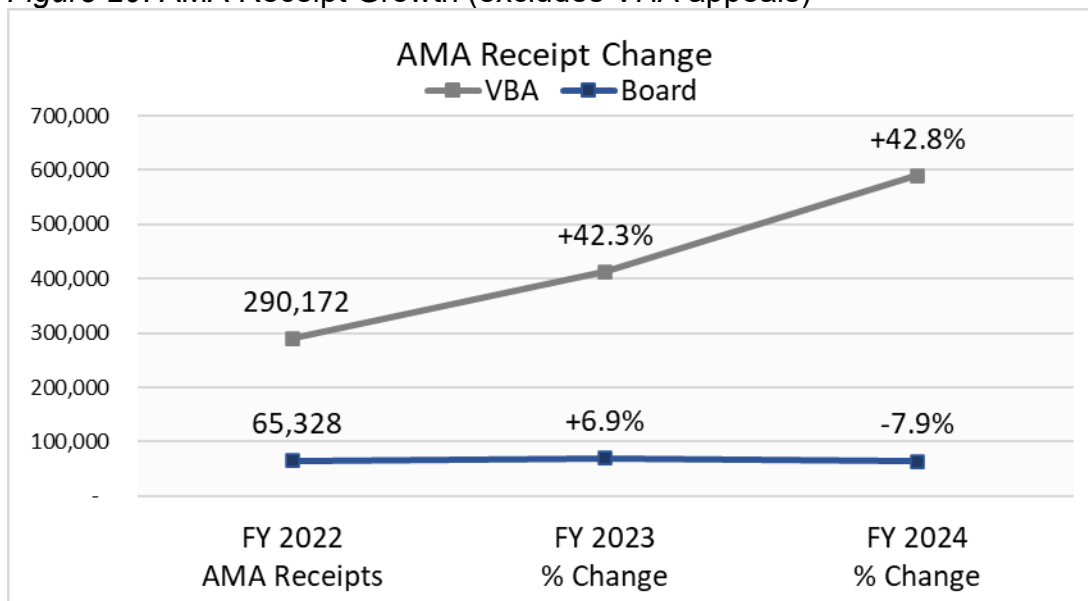
Table 4, on page 29, shows the increasing percentage of Veterans who have taken advantage of the AMA option to file their AMA claim at VBA, as opposed to filing an appeal to the Board.

Table 4: Appeal Receipt Percentage Comparison Board/VBA

Fiscal Year End	Month of September		Fiscal Year Total		Cumulative Total	
	VBA	Board	VBA	Board	VBA	Board
<b>FY 2019</b>	70%	30%	84%	16%	84%	16%
<b>FY 2020</b>	85%	15%	88%	12%	87%	13%
<b>FY 2021</b>	86%	14%	83%	17%	85%	15%
<b>FY 2022</b>	80%	20%	82%	18%	84%	16%
<b>FY 2023</b>	87%	13%	86%	14%	85%	15%
<b>FY 2024</b>	88%	12%	90%	10%	86%	14%

These stark variations between different AMA workloads at the Board and VBA have resulted in unique capacity building models for each organization. As shown in Figure 20 below, HLR and supplemental claim workloads at VBA are rising at a rate of approximately 42% per year versus only a 7% rise in AMA appeals to the Board in FY 2023, and an almost 8% decrease in FY 2024. While some have suggested the Board should be hiring personnel at the same rate as VBA, this graph demonstrates why that is unnecessary.

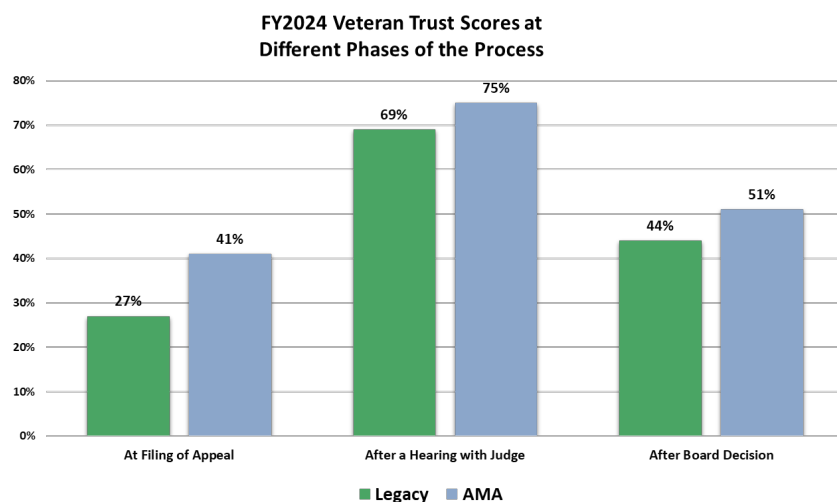
*Figure 20: AMA Receipt Growth (excludes VHA appeals)*



### Increasing Veteran Trust Scores

The Board continues to collaborate with the Veterans Experience Office (VEO) to administer Veterans Signals (VSignals), a customer experience survey for Veterans who have an active appeal at the Board. These surveys provide valuable insight into Veteran experiences at various stages of the appeals process in both the Legacy and AMA systems. The survey data is used by the Board to measure Veteran understanding and improve the hearing experience, as well as to revise letters and decisions to provide better information and clarity to Veterans. Figure 21 below shows Veteran trust with the Board continues to increase throughout the lifecycle of their appeal.

Figure 21: Veteran Trust Scores



Reporting Date of the Data is based on when feedback was received

The survey data demonstrates that the Veteran experience during the appeal process is generally positive, with overall trust scores rising approximately 10-11 percentage points from the time they first file with the Board until after they receive the Board's decision. As shown below, Veteran trust in VA's commitment to them is fairly low when they file appeals. This is unsurprising considering Veterans are appealing a "no" decision from VA with respect to their claim for benefits and services. However, the score dramatically increases after a hearing with a Board Veterans Law Judge, which is often the first opportunity for many Veterans to hear a first-hand explanation from the judge as to why the initial claim was denied and what evidence is needed to support the benefits or services sought.

It is important to reiterate how Veteran trust scores have been impacted under both the Legacy appeals system and AMA system, especially after a Veteran receives a Board final decision. While only about half of Veterans agree they "trust" the Board after getting their final decisions, that is far higher than the percentage of those same Veterans who received a "grant" on one or more issues in their appeals, which is about a third of Veterans receiving a decision on their appeal. Under both the Legacy and AMA appeal systems, Figure 21 above demonstrates Veteran trust scores increase 10-11% from the time they initially file an appeal through the time they receive a decision. The Board attributes this to increased Veteran understanding based on experiences with Board Veterans Law Judges during hearings and based on the clarity of the Board decisions, especially in explaining why certain issues cannot be granted. Interestingly, Veteran trust scores are higher at each stage of the appeal process under the AMA than Veteran experiences in the Legacy system.

## **FY 2024 – Mission First, People Always**

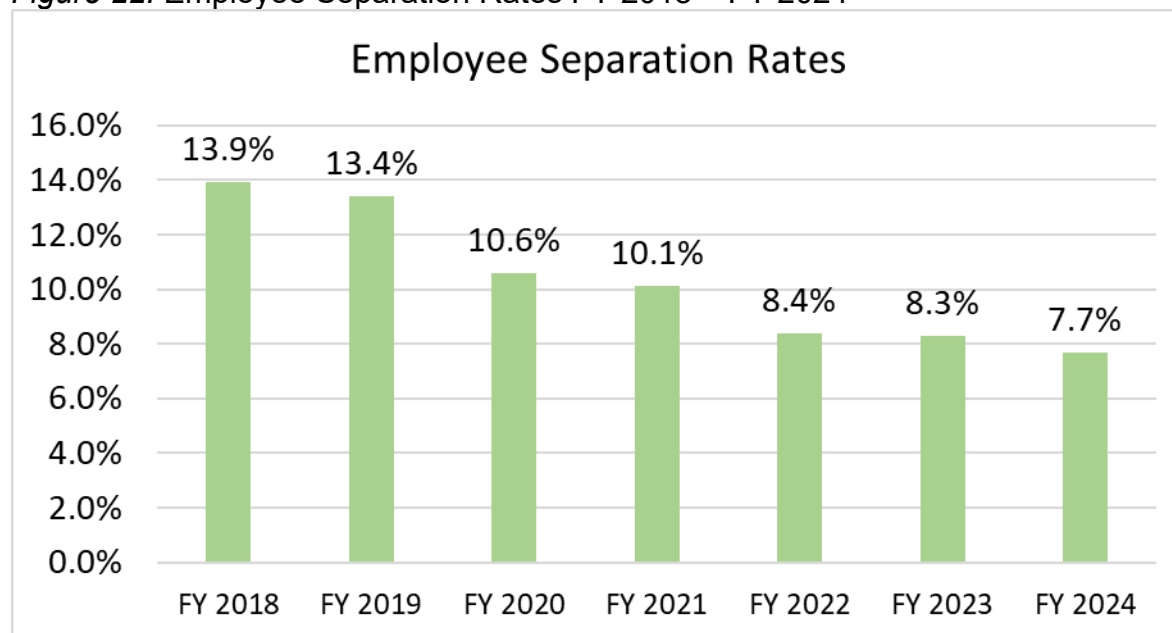
### **Recruitment and Retention of Board Personnel**

The Board concluded a phenomenal 2-year period of growth thanks to continued

investment by the Department and Congress. No new VLJs were added to the Board during FY 2024, however the Board continued recruiting and hiring decision writing attorneys and administrative employees in FY 2024. The Board started FY 2024 with fewer FTEs on-board than originally planned and revised its FY 2024 cumulative FTE goal to 1,470. To meet this goal, the Board started an aggressive hiring plan which resulted in the on-boarding of approximately 150 new decision writing attorneys and 25 administrative professionals.

As the Board increases its staffing, it continues to monitor attrition rate trends. Figure 22 below shows the Board's annual attrition rate decreased from approximately 13.9% in FY 2018 to 8.3% in FY 2024. The Board continues to monitor attrition rates closely and believes the declining attrition rate can be attributed in part to the Board's commitment to continuously improving its organizational culture and work climate. The Board's employment benefits, workplace flexibilities, rapid promotion schedule for attorneys and mission-related work provide powerful incentives to join and remain with the Board of Veterans' Appeals. This includes a program instituted in FY 2022 to reimburse attorney bar dues and related fee payments required by their respective State Bar licensing authorities for those attorneys to maintain good standing to practice law. In FY 2023, the Board removed the maximum cap for reimbursement of dues and related fee payment for a single bar. In FY 2019, fewer than a third of Board attorneys were at the GS-14 level and that number increased to 59% in FY 2024.

*Figure 22. Employee Separation Rates FY 2018 – FY 2024*



Most Board employees continued to work remotely or via telework during FY 2024. This was responsive to employees' requests for improved work/life balance, and utilized capacities developed during the pandemic to ensure ongoing operational success. In addition, the Board's robust remote/telework policies resulted in stronger recruitment actions and enabled the Board to reduce its physical workspace. Telework and remote programs have also improved recruitment and retention of VLJs, encouraged more



competitive and diverse applicants to apply for attorney and administrative positions (including Veterans and military spouses), and helped the Board deliver exceptional service to Veterans and other stakeholders. The Board plans to continue offering extensive remote and telework options to support its staff. This strategy aims to expand potential recruitment areas, while reducing the Board's leased office space.

The Board received delegation of authority in FY 2024 to establish an internal human resources (HR) operation. As VA's second-largest staff office, this authority will allow the Board to improve the quality of HR services provided to its 1,470-member workforce and the agility to tailor services to better meet mission demands. The Board is executing a multi-phased approach to realize the goal of internal HR services. Phase 1 will likely be accomplished in October 2024, through migration of HR services from VHA to the VA Central Office Human Resources Service Center (HRSC). The Board is now partnering with HRSC to initiate recruitment and training for an HR staff of approximately 25 FTE. HR professionals will be on-boarded throughout FY 2025 with the goal of full operational capability of internal HR operations by the end of the next fiscal year.

These collective efforts have allowed the Board to maintain a record level of production and provide Board hearings throughout FY 2024 and properly positioned the Board for future success.

### **Military Spouse Friendly**

The Board remains committed to being the most military spouse friendly employer in the Federal Government. The Board continues the hiring, development, and retention of military spouses who face frequent relocations, which can be highly disruptive to employment. Within the Board's remote operations, military spouses can easily relocate across the 56 states, commonwealths, territories, and the District of Columbia.

### **Veterans Law Judges (VLJs)**

In April 2024, the Board held a second consecutive 1-week judicial training conference for all VLJs, something which had never happened before. The 1-week in-person event allowed for excellent training and critical interaction among the Board's VLJs. To meet statutory mandates, the Judges received training related to Military Sexual Trauma to better prepare them to deal with those issues in hearings and written decisions.

### **New Employee Sponsor Program**

The Board launched its own program to connect new employees with current employees to help support the transition phase of joining the organization. The program was entirely voluntary, administered by the Board Ombuds, and rebranded as the New Employee Sponsor (NES) Program. 72 new employees were matched during FY 2024. The role of the "sponsor" was to help answer questions, connect new employees with established networks/groups, and support them as they learned their way around the organization.

While the program runs for 90 days, many pairs continue the relationship at the end of the program. A new employee recently remarked: “I really enjoyed my weekly NES meetings. My sponsor was full of helpful information and provided a lot of additional training resources. Additionally, I enjoyed that we could also have great conversations about topics that were not work related.”

## **Training**

The Board’s Professional Development Division (PDD) continues to facilitate training and professional development programming opportunities for all Board employees. Current and ongoing training programs administered or facilitated by PDD in conjunction with the Office of Appellate Operations include the new attorney training program (NATP). The NATP is a highly intensive and interactive 20-week program with training in substantive and procedural law in both the Legacy and modernized systems. The program includes multiple levels of feedback and support such as large-group information sessions; cohort (small group) discussion sessions; and evidentiary review and decision drafting. During this program, all new attorneys are paired with a training acting VLJ experienced in adjudicating appeals under both the Legacy and modernized systems.

PDD also partners with the Office of Assessment and Improvement (OAI) to provide Board-wide trainings that address application of the AMA, all precedential decisions issued by the Court and the Federal Circuit during the FY, the PACT Act, and remand trends in Court decisions and JMRs. OAI also issued monthly quality tips and prepared a detailed monthly digest addressing all errors identified in sampled decisions.

## **Employee Engagement**

During FY 2024 the Board’s employee engagement initiatives had a two-pronged approach. Certain actions were taken at the organizational level, but equal emphasis was on each leader developing a plan to address employee concerns at the team level in response to the data derived from the All-Employee Survey results. Every supervisor was required to submit an action plan with one or two initiatives developed as a team to prioritize concerns from workload to growth to coworker relationships.

At the organizational level, Board leadership immediately implemented several recommendations from the employee lead Communication Review Group (CRG). These included adding a monthly operational email from the Chairman to Board employees to provide more transparency on upper management activities as well as quarterly divisional town halls to provide more specific information and a smaller forum for question-and-answer sessions. The CRG was also retained to continue efforts to implement additional recommendations. Finally, the Chairman directed a greater emphasis on employee wellness to address burnout concerns across the organization which resulted in additional training and programming initiatives.

## **Inclusion and Diversity at the Board**

Board management encourages employees to connect beyond workgroups as way to support and strengthen the culture and cohesion of the organization particularly in a posture with employees spread across the country. There are variety of employee led groups that focus on a common interest from reading to food to mindfulness to Historically Black Colleges and Universities outreach. There are also groups focused on commonly held traits such as Military Spouses and Parents at Law group that sponsor events to discuss topics of common interest.

Regularly occurring events sponsored by the Veterans Service Forum, to help educate non-Veteran employees are held to better understand our external customer base as well as our Leadership Initiative that seeks to develop and foster leaders at the Board. Additionally, the Diversity and Inclusion Caucus facilitates monthly discussions and events to encourage dialogue and help employees view other perspectives and points of view. In all the Board has 11 different groups one of which was recently approved and will launch in FY 2025 to provide national networking of Board employees who are geographically located in proximity to one another.

## **Strategic Plan and Priorities for FY 2025 and FY 2026**

After successive, record-setting years of performance in the number of decisions issued by the Board while maintaining a consistent number of hearings held, Chairman Areizaga-Soto initiated a careful review to identify how to best position Board operations for continued success under the AMA. Despite the phenomenal success in drawing down the number of pending Legacy appeals during the previous 5 years, resolution of the remaining Legacy system appeals still pending with the Board has taken longer than most expected after the implementation of the newer AMA system. As noted above nearly 40% of the Board's annual decision output in FY 2024 was re-adjudication of previously remanded cases the Board had adjudicated at least once. Solutions to this challenge will require enterprise-wide efforts – both internal and external to VA, because root causes extend beyond the Board and VA.

### **Maximizing the Number of Veterans Served**

The Board's goals for FY 2025 and FY 2026 are to adjudicate at least 118,000 appeals for Veterans and fully resolve the pending Legacy system appeals. The Board intends to meet these goals through continued innovation, maintained resources, and improvements to processes and technology. Over the past 2 years the Board has hired and on-boarded approximately 350 new decision writing attorneys, allowing the Board to fully staff each VLJ and maximize the number of decisions issued.

In FY 2025 and beyond, the Board will focus on the following: (1) continued resolution of Legacy appeals, especially original Legacy appeals; (2) root causes related to remands, both from the Court and by the Board; (3) dramatically increasing the overall number of

AMA appeals decided; (4) achieving timeliness goals set for AMA decisions; (5) refining the Board's Quality Assurance program; and (6) supporting PACT Act implementation. Below is a breakdown of priorities and a brief description of the challenges and strategic approaches the Board will take to leverage existing resources toward accomplishing them:

► **Increasing Appeals Decided:** After a successful 2-year focus on capacity building, the Board increased the number of decision drafting attorneys to 1,060. By Quarter (Q) 2 FY 2025, all newly hired attorneys will be on production standards. The Board is hoping for even higher dividends during FY 2025 as those attorneys become fully trained to support their judges with high-quality draft decisions ready for final review and signature.

► **Meeting AMA Appeals Decision Time Goals:** After setting long-term targets of 365 average days to complete (ADC) Direct docket appeals, 550 ADC for the Evidence docket, and 730 ADC for Hearing docket appeals, the Board formally committed to achieve these goals as it transitions to a docket where the AMA system applies to an ever-increasing number of decisions issued each year. In FY 2024, the Board increase AMA decision output by 118% over FY 2023. FY 2025 goals include having AMA decision output be the majority of all cases decided and move into a posture where at least 80% of annual output in FY 2025 will be AMA appeals. In the FY 2023 annual report, the Board was careful to note the average days to adjudicate AMA appeals was expected to increase during FY 2024, but the Board expected the average days to drop quickly once Legacy appeals were reduced because of the overall yearly decision output becoming more heavily focused on AMA decisional output during the following 2 years. That projection appears to be on track going into FY 2025.

► **Quality Assurance:** The Board has been collaborating closely with GAO during the past 3 years to evaluate areas for continued improvement in the Board's Quality Assurance program and GAO issued its report and recommendations on November 29, 2023. The findings and recommendations included evaluating potential root causes for declining, but continuing, trends related to unnecessary or improper remands under the AMA that the Board's Quality Assurance program was consistently identifying. The Board continues to monitor the outcomes in cases appealed to CAVC and the United States Court of Appeals for the Federal Circuit to identify any potential trends may help enhance the Board's Quality Assurance program. The Board will continue its collaboration with VA's OGC and other partners to provide targeted trainings to VLJs based on trends seen in these court cases.

► **Resolving Legacy System Appeals:** Despite the significant 87% reduction in pending Legacy appeals during the past 5 years, there is still a higher-than-expected number of original Legacy appeals pending an initial decision by the Board and the number of pending Legacy appeals across VA remains higher than previously projected. The initial drawdown plan was developed prior to COVID and was shared October 29, 2019. The resolution plan has been updated

several times since with each iteration incorporating historical actuals and updated assumptions to include the changing environment, workload projections, Board resources, hiring plans, and various other factors that influence outcomes. The most recent update of the plan included with this report shows the same challenges of very long resolution times under the Legacy appeals system that resulted in the passage of AMA still persist. Accordingly, the corresponding challenges with continuing to operate in two appeals systems is lasting far longer than anyone originally projected.

Remands remain very high when compared to AMA because the ever-changing evidentiary records mean Legacy cases often must be re-adjudicated multiple times before full resolution can occur. These re-adjudications consistently displace Veterans with original Legacy appeals awaiting first-time adjudication and those Veterans waiting for their AMA appeals to be decided.

► **Understanding Root Causes for Remands:** As a Veteran-centric system of appeals, we need enterprise-wide recognition that remands provide Veterans no final answers on their appeals, and this is frustrating for many of them. Legacy system remand rates continue to climb from both the Board and the Court. While the overwhelming majority of remands from the Court have instructions for the Board to provide additional “reasons and bases” for its denial decision, the Board and VBA assembled a tiger team to evaluate root causes and ways to reduce remands from the Board to VBA. Though remands under AMA have consistently been 20% lower than under the Legacy system, the Board is collaborating with VBA to identify and address trends at the development stage to determine whether AMA remand rates might be lowered even more.

## ART II

# Statistical Data

Beginning with the FY 2019 Annual Report, the Board’s statistical data includes appeals governed by the AMA, enacted on August 23, 2017, and effective on February 19, 2019. With AMA implementation, the Board receives both Legacy system and AMA appeals and manages those dockets separately, with cases decided in docket order as required by law.

Unless otherwise noted, all data reported is inclusive of all dockets as discussed above.

### **FY 2024 Information as required by 38 U.S.C. § 7101(d)(2):**

#### **38 U.S.C. § 7101(d)(2)(A)**

Number of Legacy net cases received:	<b>29,748</b>
--------------------------------------	---------------

Number of AMA net cases received:	<b>79,094</b>
-----------------------------------	---------------

**38 U.S.C. § 7101(d)(2)(B)**

Cases pending (certified) before the Board at the start of FY 2024: **208,155**

Cases pending (certified) before the Board at the end of FY 2024: **200,805**

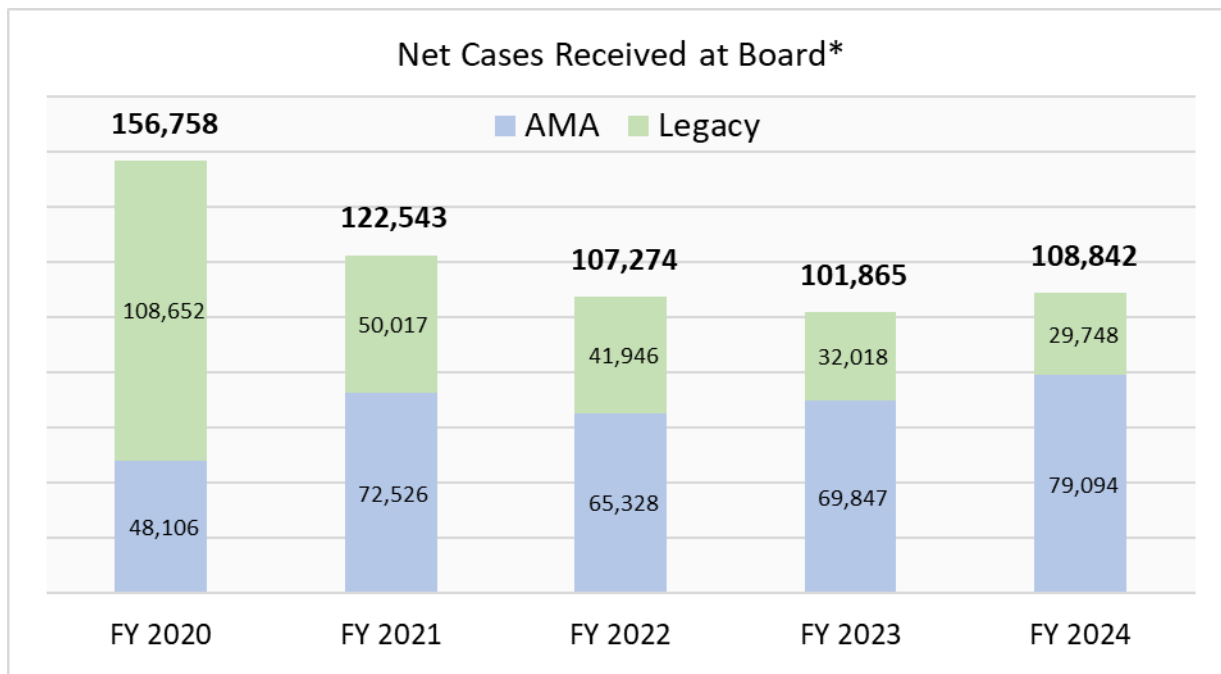
**38 U.S.C. § 7101(d)(2)(C)**

Number of Substantive Appeals (VA Form 9) filed at the AOJ and cases received at the Board during FY 2024 and each of the 36 preceding months as depicted in the chart below as follows:

Substantive Legacy Appeals (VA Form 9) Filed*					Net Cases Received at Board**			
Month	FY 2021	FY 2022	FY 2023	FY 2024	FY 2021	FY 2022	FY 2023	FY 2024
October	325	46	43	24	10,446	8,451	9,462	8,837
November	239	38	40	20	9,124	8,232	9,049	8,706
December	175	53	48	14	10,474	7,028	8,807	6,966
January	143	40	33	22	12,022	7,568	9,705	9,906
February	117	44	40	21	13,143	6,764	8,191	7,530
March	121	59	38	17	14,778	9,765	9,169	8,280
April	99	40	23	27	9,562	7,444	7,505	10,094
May	38	54	25	25	7,288	9,708	8,605	10,789
June	43	51	34	16	9,727	10,209	7,617	8,882
July	63	26	19	12	8,624	10,417	7,846	9,540
August	53	34	16	16	8,305	11,673	8,022	10,094
September	34	22	5	6	9,050	10,015	7,887	9,218
<b>FY Total</b>	<b>1,450</b>	<b>507</b>	<b>364</b>	<b>220</b>	<b>122,543</b>	<b>107,274</b>	<b>101,865</b>	<b>108,842</b>

\* The data is based on when the Form 9 was filed.

\*\* Case receipts include original appeals, post-Board Legacy remands, non-VBA receipts and cases returned by the CAVC. The totals for cases received at the Board include both legacy and AMA appeals.



\* Net case receipts include original appeals, remands, non-VBA receipts, cases returned by the CAVC, AMA.

The AMA was intended to offer Veterans greater choice in their appeal options by offering either a Higher-Level Review or Supplemental Claim option at VBA or appeal directly to the Board. Since the first full fiscal year post AMA implementation (FY 2020) through the end of FY 2024, approximately 26% of Veterans have contested their original claims decisions, of which, 86% have chosen to request further review at VBA for a quicker resolution and 14% have that choose to file an appeal to the Board. In FY 2024, an increasing percentage of Veterans chose a VBA AMA lane, with 90% choosing VBA compared to 10% choosing a Board docket.

### **38 U.S.C. § 7101(d)(2)(D)**

#### **Legacy Appeals**

For Legacy appeals decided in FY 2024, the average length of time between the filing of an appeal (that is, Substantive Appeal (VA Form 9)) at the AOJ and the Board's disposition of the appeal was approximately 2,180 days (6 years), an increase of 98 days from FY 2023. This total includes decisions in all types of claims (original, supplemental, post remand, reconsideration, vacates, de novo, court remand, and so forth). This average accounts for the original VA Form 9 date for all decisions regardless of the number of times the appeal was remanded to the AOJ for additional evidentiary requirements. As the percentage of original appeals pending in the inventory declines, leaving a majority of remanded appeals, it is possible the average processing time could increase in the future.

The chart below provides a snapshot of the average processing time within the multi-step Legacy appeals process. For example, the average time between when a Legacy certified appeal was docketed at the Board to disposition was approximately 476 days in



FY 2024. Note the figures below cannot be aggregated, as some of the steps include only the time associated with original appeals.

Legacy Appeals Time Interval	Responsible Party	Average Elapsed Processing Time	
Notice of Disagreement Receipt to Statement of the Case*	VBA**	619 days	AOJ
Statement of the Case Issuance to Substantive Appeal (VA Form 9) Receipt*	Appellant	51 days	
Substantive Appeal (VA Form 9) Receipt to Certification of Appeal*	VBA**	152 days	
<b>From Board Receipt of Certified Appeal to Board Docketing of Appeal*</b>	<b>Board</b>	<b>143 days</b>	Board
<b>Docketing of Certified Appeal to Issuance of Board Decision</b>	<b>Board</b>	<b>476 days</b>	
Average Remand Time Factor	VBA**	336 days	AOJ

\* These figures include original appeals only.

\*\* The clear majority of appeals considered by the Board involve claims for disability compensation, and VBA is the responsible party when these appeals are located at the AOJ. However, appeals may also originate with VHA, NCA or OGC.

## AMA Appeals

For AMA appeals, by type of review options Veterans chose, the average days to complete those appeals from Notice of Disagreement are included in the table below.

	Direct Review	Evidence	Hearing	Responsible Party
<b>Average Days to Complete AMA Decision from Notice of Disagreement</b>	937	1,028	1,091	Board

As the Board continues resolution of Legacy appeals in the Department, a gradual increase in resources available to adjudicate AMA appeals is anticipated. As the Board adjudicates a higher proportion and number of AMA appeals, this will likely result in completing those AMA appeals which have been pending the longest and increase the average days to complete appeals to levels which exceed the prescribed timeliness

goals. This trend will likely continue until resource levels and annual decision output exceeds the number of new appeals and inventory levels are reduced.

**38 U.S.C. § 7101(d)(2)(E)**

Number of members of the Board at the end of FY 2024\*: **138**

Number of professional, administrative, clerical, and other personnel employed by the Board in terms of FTE at the end of FY 2024: **1,307**  
(not including Board members)

\*Numbers include VLJs on-board, DVCs, Chairman, Vice Chairman and Chief Counsel.

**38 U.S.C. § 7101(d)(2)(F)**

Number of acting members of the Board during FY 2024: **30**

Number of cases in which acting members participated\*: **8,516**

**38 U.S.C. § 7101(d)(2)(G) – Virtual Hearings**

Number of virtual hearings scheduled under such section 7107 (c)(2)(C): **20,974**

Statistical difference in outcomes between cases heard under section 7107(c)(2)(C) (virtual tele-hearings) and those held at the principal location of the Board (central office) or by picture and voice transmission at a facility of the Department (video tele-conference):

Difference in FY 2024 Case Disposition Outcomes for Cases Upon Which a Hearing Had Been Held*					
Hearing Venue	Allowed	Denied	Remand	Other	Total Cases
Central Office	32%	18%	46%	4%	497
Video Tele-Conference (RO)	42%	15%	38%	5%	6,844
Virtual Tele-Hearing	48%	13%	36%	3%	23,009

\* The historical reporting system for Board decisions with multiple issues identifies the disposition of an appeal based on the

following hierarchy: allowance, remand, denial, or other (that is, dismissals). When there is more than one disposition involved in a multiple issue appeal, the "reported disposition" for Board Statistical Reports will be categorized based on the disposition hierarchy noted above.

### **38 U.S.C. § 7101(c)(2)**

The Number of acting members of the Board in terms of FTE employees:

**16.324\***

\* For this report, the number of cases in which acting members participated is defined as the number of dispositions issued by the designated acting members for FY 2024.

Derived from the number of days worked by acting members throughout the year (4,081 days) divided by the number of working days (excluding holidays) in the year (250).

According to 38 U.S.C. § 7101(c)(1), the Chairman of the Board of Veterans' Appeals has the authority to designate employees of the Department as acting members of the Board. This includes attorneys who may be designated as Acting Veterans Law Judges (AVLJ) to sign decisions when needed. It is at the discretion of the Chairman to designate such employees, based on the needs of the organization. Acting members of the Board may serve no more than 270 days per year (no more than 90 days at a time) and may not exceed 20% of the total number of Board members and acting Board members combined. Additionally, as the Board continues to implement AMA, the Chairman will assess the Board's needs and adjust the number of AVLJs accordingly.

### **Projections for FY 2025 and FY 2026**

The Board continued to prioritize resources to address pending Legacy appeals and AMA inventories in FY 2024 and issued 116,192 decisions for Veterans, which was 5,192 over the goal of 110,000 decisions. For the sixth consecutive year, the Board has achieved over 95,000 decisions and has issued a goal of deciding over 118,000 in FY 2025 as it continues to strive to meet Veteran expectations on timeliness.

The Board completed FY 2024 with 200,805 appeals pending adjudication, of which 8,963 were Legacy and 191,842 were AMA appeals. The Board has collaborated with VBA and VHA to determine projected claims and subsequent appeals rates in FY 2025 and FY 2026. Based on recent estimates, the Board could receive as many as 109,578 appeals (Legacy and AMA) in FY 2025 and 92,890 in FY 2026.

With a high number of Legacy appeal decisions which continue to be remanded to the area of original jurisdiction (AOJ) for additional case development (such as missing exams and documentation), it is projected the Board will continue to receive future Legacy appeals returned for final decision beyond FY 2025. Just over 44% of the Board's legacy decisions in FY 2024 required a remand to the AOJ for additional development. Estimates from VBA coupled with projected Court remands show the Board could receive approximately 30,323 Legacy cases in FY 2025 and approximately 8,088 in FY 2026.

### **38 U.S.C. § 7101(d)(3)(A)**

The following information is required by 38 U.S.C. § 7101(d)(3):

### **Estimated number of cases that will be appealed to the Board:**

**FY 2025:** Cases appealed to the Board: **31,090 - Legacy**  
**80,108 - AMA**

**FY 2026:** Cases appealed to the Board: **11,905 - Legacy**  
**76,559 - AMA**

**Note:** Legacy appeal receipts are contingent upon the rate of certification and transfer of cases by VBA and other AOJs to the Board, as well as Veteran preference for AMA appeals. Legacy appeal total also includes remanded cases which are recertified back to the Board for decision.

Projections include a variety of factors and assumptions which could affect forecasts. The variable assumptions involved in forecasting include refile rate, Board remand rate and production. Any trends identified in these assumptions that lead to changes in the model can affect what is currently being forecasted.

### **38 U.S.C. § 7101(d)(3)(B)**

Evaluation of the ability of the Board (based on existing and projected personnel levels) to ensure timely disposition of such appeals as required by 38 U.S.C. § 7101(a):

The indicator used by the Board to forecast its future timeliness of service delivery is the Board's "response time" for appeals. By considering the Board's most recent appeals processing rate and the number of appeals currently pending before the Board, the Board response time projects the average time which will be required to render decisions on that group of pending appeals. For response time computation, the term "appeals pending before the Board" includes appeals at the Board (Legacy and AMA) and those that have been certified for Board review.

### **The following categories are calculated as follows:**

FY 2024 decisions (116,192) (divided by) = **464.8 decisions per workday**  
250 workdays

Cases pending end of FY 2024 (200,805) = **312,003 total workload in FY 2025**  
+ New cases expected in FY 2025 (111,198)

Total workload (312,003) (divided by) = **671.3 workdays**  
Decisions per workday (464.8)

Workload days (671.3) (divided by) = **2.7 years**  
250 workdays per year

Workload years (2.7) x 12 (months) = **32 months\***

\* 32 months represents the amount of time it would take the Board to decide all appeals (Legacy, AMA) in its projected FY 2025 working inventory (current inventory plus projected receipts in FY 2025).

## VA Annual Performance Plan Measures

VA's annual Agency Performance Plan (APP), submitted to the President, the Congress, and the American public, describe progress the Department is making toward the achievement of its long-term strategic goals and set forth performance targets for future year. The following chart represents the Board's performance for APP metric performance in FY 2024, apart from its quality assurance, discussed in Section 1.

Board of Veterans' Appeals Veterans Affairs Operations Board Productivity Measure – FY 2024				
Measure	Appeals Decided	Timely AMA Post-Hearing Decisions	Comparison in Timeliness (Fully Resolved Appeals) of AMA vs Legacy Decision	AMA Trust measure
Definition on Measure	The number of adjudicated appeals dispatched by the Board FYTD	% of AMA Hearing Decisions with a disposition of held will be decided within 180 days of the date of the hearing	The different in the time to resolve AMA appeals (e.g., no remanded issues) versus a final Legacy appeal.	The Board's AMA Veteran confidence/trust scores will be at least 5% higher than the historical legacy trust average of ~46%.
1st Quarter	23,802	81%	3.4 years faster	52% 1% over goal
2nd Quarter	52,322	77%	3.3 years faster	53% 2% over goal
3rd Quarter	83,120	80%	3.2 years faster	53% 2% over goal
<b>Year End</b>	<b>116,192</b>	<b>83%</b>	<b>3.4 years faster</b>	<b>53% 2% over goal</b>

## FY 2024 AMA Statistics

	Direct Review	Evidence Submission	Hearing	Total
AMA Net Case Receipts	36,690	16,549	25,855	79,094
Pending Inventory of AMA Cases (at end of FY 2024)	69,470	37,970	84,402	191,842
AMA Decisions Dispatched	33,939	14,787	22,536	71,262
Average Days to Complete AMA Decision (from Notice of Disagreement)	937	1,028	1,091	
Number of AMA Issues Decided				
Allowed	18,154	10,713	16,520	45,387
Denied	22,637	12,004	12,646	47,287
Remanded	24,936	13,435	19,362	57,733
Other	9,682	4,935	12,795	27,412
Total	75,409	41,087	61,323	177,819

# ADDITIONAL INFORMATION

## Legacy Dispositions by Representation FY 2024

REPRESENTATION	ALLOWED		REMANDED		DENIED		OTHER		TOTAL	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent of Total
Agent	408	37.5%	469	43.1%	171	15.7%	39	3.6%	1,087	2.4%
American Legion	1,821	32.0%	2,797	49.1%	866	15.2%	213	3.7%	5,697	12.7%
AMVETS	44	34.9%	46	36.5%	31	24.6%	5	4.0%	126	0.3%
Attorney	6,191	42.7%	5,699	39.3%	1,843	12.7%	767	5.3%	14,500	32.3%
Disabled American Veterans	2,107	31.7%	3,054	46.0%	1,250	18.8%	231	3.5%	6,642	14.8%
Military Order of the Purple Heart	0	0.0%	2	100.0%	0	0.0%	0	0.0%	2	0.0%
No Representation	1,350	29.7%	1,955	43.0%	963	21.2%	276	6.1%	4,544	10.1%
Other	235	36.0%	291	44.6%	99	15.2%	27	4.1%	652	1.5%
Paralyzed Veterans of America	63	31.5%	101	50.5%	26	13.0%	10	5.0%	200	0.4%
State Service Organizations	2,170	31.5%	3,202	46.5%	1,293	18.8%	218	3.2%	6,883	15.3%
Veterans of Foreign Wars	999	30.7%	1,538	47.3%	602	18.5%	115	3.5%	3,254	7.2%
Vietnam Veterans of America	344	30.9%	524	47.1%	178	16.0%	66	5.9%	1,112	2.5%
Wounded Warrior Project	64	27.7%	115	49.8%	44	19.0%	8	3.5%	231	0.5%
GRAND TOTAL	15,796	35.2%	19,793	44.1%	7,366	16.4%	1,975	4.4%	44,930	100.0%

## Legacy Dispositions by VA Program FY 2024

REPRESENTATION	ALLOWED		REMANDED		DENIED		OTHER		TOTAL	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent of Total
BVA Original Jurisdiction	3	6.7%	0	0.0%	25	55.6%	17	37.8%	45	0.1%
Compensation	15,502	35.5%	19,370	44.3%	6,982	16.0%	1,823	4.2%	43,677	97.2%
Education	46	20.4%	91	40.3%	76	33.6%	13	5.8%	226	0.5%
Fiduciary	0	0.0%	0	0.0%	0	0.0%	1	100.0%	1	0.0%
Insurance	1	50.0%	0	0.0%	0	0.0%	1	50.0%	2	0.0%
Loan Guaranty	2	16.7%	2	16.7%	8	66.7%	0	0.0%	12	0.0%
Medical	52	26.1%	63	31.7%	41	20.6%	43	21.6%	199	0.4%
Multiple Program Areas	146	46.8%	121	38.8%	33	10.6%	12	3.8%	312	0.7%
NCA Burial Benefits	1	12.5%	2	25.0%	5	62.5%	0	0.0%	8	0.0%
Other Program	12	16.4%	36	49.3%	19	26.0%	6	8.2%	73	0.2%
Pension	27	9.1%	88	29.6%	135	45.5%	47	15.8%	297	0.7%
Unspecified Program Area	1	5.9%	2	11.8%	8	47.1%	6	35.3%	17	0.0%
VBA Burial Benefits	0	0.0%	4	12.1%	27	81.8%	2	6.1%	33	0.1%
VR&E	3	10.7%	14	50.0%	7	25.0%	4	14.3%	28	0.1%
GRAND TOTAL	15,796	35.2%	19,793	44.1%	7,366	16.4%	1,975	4.4%	44,930	100.0%



## AMA Dispositions by VA Program FY 2024

REPRESENTATION	ALLOWED		REMANDED		DENIED		OTHER		TOTAL	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent of Total
Compensation	26,589	40.8%	18,416	28.2%	11,019	16.9%	9,221	14.1%	65,245	91.6%
Education	40	11.8%	91	26.9%	140	41.4%	67	19.8%	338	0.5%
Fiduciary	2	5.1%	17	43.6%	2	5.1%	18	46.2%	39	0.1%
Insurance	0	0.0%	5	31.3%	9	56.3%	2	12.5%	16	0.0%
Loan Guaranty	9	16.7%	18	33.3%	16	29.6%	11	20.4%	54	0.1%
Multiple Program Areas	79	45.4%	55	31.6%	21	12.1%	19	10.9%	174	0.2%
NCA Burial Benefits	6	20.7%	9	31.0%	11	37.9%	3	10.3%	29	0.0%
Pension	428	25.3%	510	30.2%	517	30.6%	236	14.0%	1,691	2.4%
VR&E	8	11.1%	18	25.0%	25	34.7%	21	29.2%	72	0.1%
VHA	179	5.0%	1,126	31.2%	321	8.9%	1,978	54.9%	3,604	5.1%
<b>GRAND TOTAL</b>	<b>27,340</b>	<b>38.4%</b>	<b>20,265</b>	<b>28.4%</b>	<b>12,081</b>	<b>17.0%</b>	<b>11,576</b>	<b>16.2%</b>	<b>71,262</b>	<b>100.0%</b>

### Legacy Decisions\*

Fiscal Year	Decisions	Allowed	Remanded	Denied	Other
2021	79,227	32.0%	40.4%	21.5%	6.1%
2020	85,461	33.8%	40.6%	20.3%	5.3%
2023	70,584	33.6%	43.8%	16.9%	5.7%
2024	44,930	35.2%	44.0%	16.4%	4.4%

### AMA Decisions\*

Fiscal Year	Decisions	Allowed	Remanded	Denied	Other
2021	20,494	38.1%	27.9%	24.2%	9.7%
2022	23,529	38.9%	29.2%	19.7%	12.2%
2023	32,661	37.9%	28.0%	16.7%	17.4%
2024	71,262	38.4%	28.4%	16.0%	16.2%

\* The historical reporting system for Board decisions with multiple issues identifies the disposition of an appeal based on the following hierarchy: allowance, remand, denial or other (dismissals). When there is more than one disposition involved in a multiple issue appeal, the "reported disposition" for Board Statistical Reports will be categorized based on the disposition hierarchy noted above. In other words, if only one issue is allowed and all others are not, it still is reported in the "allowed" category because the Veteran got at least some relief. Recently published trends in Board grants/allowances, remands, and denials of appealed issues under both the AMA and Legacy systems show consistently higher grant rates and lower remand rates under the AMA system, with denial rates being statistically the same. As explained in Figures 7 and 8 of this report, those trends are comparing cases where the Veteran received at least some relief with no remanded issues, no relief with all issues denied, or appeals where any portion of the appeal remained unresolved and had to be remanded, even if there were also issues either granted or denied. That is why the figures differ from the statistics in this historical hierarchy methodology table above.

### Legacy Decisions: Revised Decision Hierarchy

The Board has historically used a hierarchy to report Legacy appeals decided that identified the disposition of an appeal as either an allowance, remand, denial or "other" (that is, a dismissal), based on that hierarchy. This method of reporting did not capture every appeal containing a remanded issue, because those Legacy appeals with one or more allowed issue and one or more remanded issue would be counted as an

allowance, rather than a remand. The revised method shown below is more precise. One of the reasons statutory reform of the VA appeals process was necessary was due to the continuation of appeals in the system. The open record, ongoing duty to assist, and governing case law often results in appeals being remanded from the Board to the AOJ several times and over the course of many years.

Legacy Decisions – Revised Hierarchy							
Fiscal Year	Decisions	Allowed	Allowed (no remanded issue)	Allowed (with at least one remanded issue)	Remanded	Denied	Other
2024	44,930	15,796	8,491	7,305	19,793	7,366	1,975
Percent		35.2%	18.9%	16.3%	44.1%	16.4%	4.4%

Legacy Issues - Decided						
Fiscal Year	Legacy Issues Decided	Allowed (not new & material)	Allowed (new & material)	Remanded	Denied	Other
2024	149,991	25,273	5,006	73,639	36,607	9,466
Percent	100%	16.8%	3.3	49.1%	24.5%	6.3

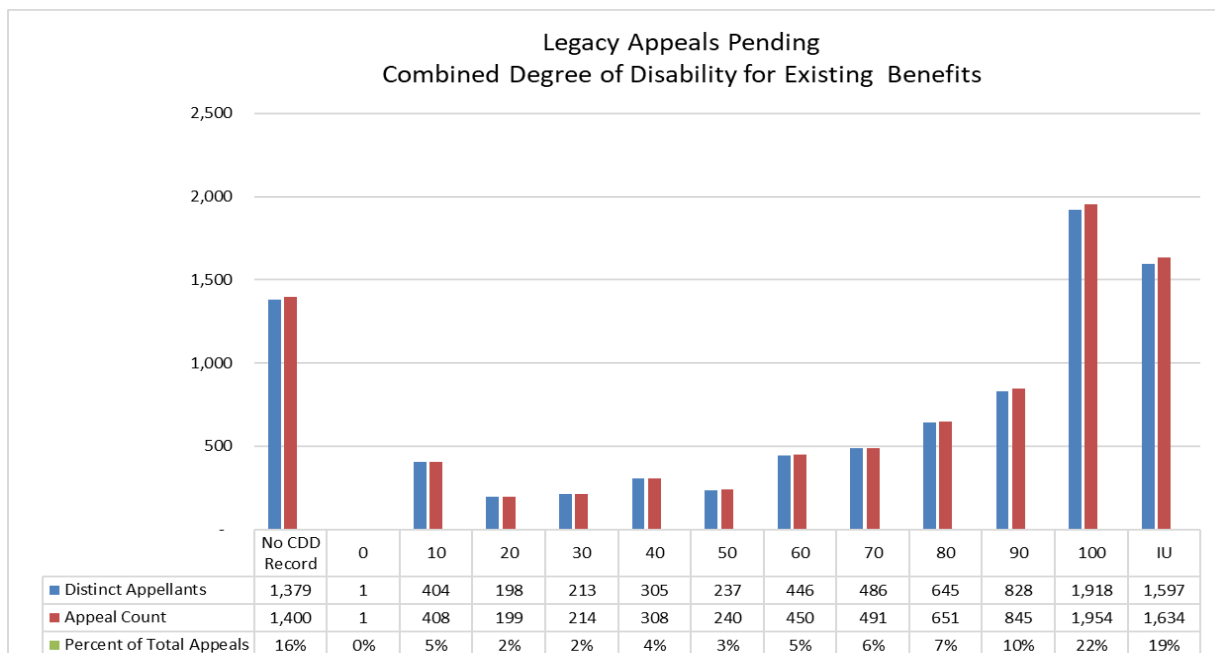
In FY 2024, the Board dispatched 44,930 Legacy appeal decisions. Of those Legacy decisions, 8,491 were allowances with no remanded issues, 7,366 were denials, and 1,975 were “other” dispositions, such as dismissals, for a total of 17,832 Legacy appeals decided with no remanded issues. There were 35,589 Legacy appeals decided with at least one remanded issue (7,305 allowances with at least one remanded issue and 19,793 remands). The number of Legacy appeals with at least one remanded issue (27,098), divided by the total number of appeals decided (44,930), results in approximately 60% of cases being remanded to the agency of original jurisdiction.

#### **Combined Degree of Disability for Existing Benefits\***

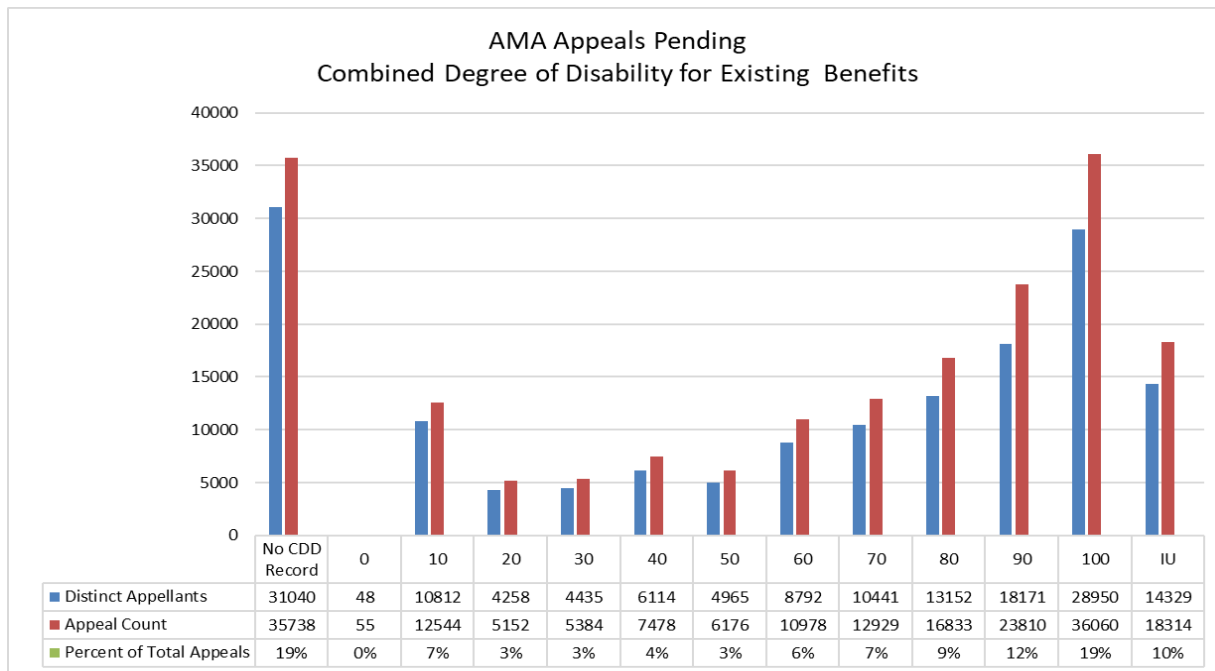
Veterans may receive disability compensation ratings ranging from 0% to 100%. This information in the graph on page 48 reflects, at the end of FY 2024, the combined disability rating for Veterans with appeals pending at the Board. As of September 30, 2024, the Board’s inventory of Legacy appeals contained 8,657 total distinct appellants and 8,795 appeals. For AMA appeals, the Board’s inventory contained 155,507 total distinct appellants and 191,451 appeals.

This inventory of appeals only counts certified appeals in advanced status, Board active appeals, and remands returned not activated. It does not include action types such as motions for reconsideration, vacates, or Board clear and unmistakable error motions.

Below is a breakdown of these two figures by combined degree of disability for Legacy and AMA appeals.



Note: Nearly 51% of the returned Legacy remands (Post Remand & CAVC) pending at the Board at the end of FY 2024 have been remanded by the Board to the agency of original jurisdiction two or more times.



Note: Board of Veterans' Appeals pending inventory as of September 30, 2024. Includes appeals: certified in advance status; activated at the Board; and remands returned to the Board.

## Board Operating Statistics

	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Decisions</b>	99,721	95,294	103,245	116,192
<b>Legacy cases formally appealed to the Board (Substantive Appeal (VA Form 9 filed))</b>	1,450	507	364	220
<b>Net Cases Received at Board/Certified to the Board**</b>	122,543	107,274	101,865	108,842
<b>Cases Pending*</b>	197,555	209,535	208,155	200,805
<b>Legacy Hearings Held</b>	18,354	20,418	6,464	1,790
<b>AMA Hearings Held</b>	5,423	9,671	12,970	17,769
<b>Total Hearings Held</b>	23,777	30,089	19,434	19,559
<b>Decisions per FTE</b>	84.37	80.62	82.93	84.94
<b>Board FTE</b>	1,182	1,182	1,245	1,368
<b>Board Cycle Time (Legacy decisions)***</b>	297	439	559	478
<b>Cost per Case</b>	\$2,025	\$2,311	\$2,351	\$2,405

\* Case receipts include original appeals, remands, CAVC, non-VBA receipts and AMA appeals.

\*\* Pending figures include Legacy appeals certified to the Board and docketed AMA appeals.

\*\*\* The Board's cycle time measures the average time from the date an appeal is certified (VA Form 8) to the Board until a decision is dispatched and excludes the time the case is with a VSO representative for the review and preparation of a written argument.