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## Law Students Try To Help Veterans In Benefits Battles

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By [KAREN BRANCH-BRIOSO](#) of The Tampa Tribune

Published: March 13, 2008

TAMPA - As a projectionist for the Army Air Forces in World War II, Ella Robitaille played training films for troops heading to battle.

"I showed the fellows how to take care of themselves with diseases and stuff," said Robitaille, 83, of Apollo Beach.

Wednesday, it was her turn to learn how to help herself. In a darkened room, students and a professor from the University of Detroit Mercy School of Law projected slide after slide onto a wall at South Tampa's American Legion Post 5 with details on benefits available to veterans.

The mobile law school is in town today, too, to provide free legal assistance to veterans such as Robitaille and to educate them about federal benefits. Tampa is the sixth city on the nationwide tour of Project SALUTE, which helps veterans and trains local lawyers to follow up with those with federal benefits needs.

Failing health and failing pocketbooks brought many of the veterans to the Tampa leg of the tour.

Robitaille, a six-time cancer survivor who takes 10 prescriptions, long relied on free prescriptions and no-fee doctors' visits from Veterans Affairs. Then, acting as guardian to her ailing sister-in-law Blanche Johnson, she sold Johnson's mobile home in 2004.

"When I sold her house, they reported it to the IRS as my money," Robitaille said. "Now, they're getting me to pay for income tax on \$50,000 that wasn't mine. They took my VA benefits from me. In 2005, I got a \$2,000 bill from the VA. I still owe more than \$1,500. If I don't pay it, I'll lose some of my Social Security benefits."

### Students Commit To Follow-Up

After the slideshow, Robitaille met with second-year law student Katherine Carr, who took down the details of her case — and promised to get back to her.

"As law students, we can't give them specific legal advice," Carr said. "We'll be discussing the cases with the supervisor that's on the trip with us. Hopefully, we'll be able to help them by referring them to pro bono attorneys in the area."

On Friday, the law school will hold a training session for lawyers interested in providing free help to veterans.

Carr said she and her colleagues mainly fielded requests for help from veterans whose claims had been denied by the VA.

Arthur Jones, 58, of St. Petersburg, said he's barely surviving on his \$900-a-month veterans pension. He knows he would receive a much fatter disability check if he had proof his bad back came from injuries when he was in the Army from 1969 to 1970. He's tried since 1975 to get service-connected disability status, but the VA told him his military records were among those destroyed in a 1973 fire at the National Personnel Records Center in St. Louis.

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Then last year, the VA's regional office discovered his full medical file. He plans to re-open his application for service-connected benefits. Wednesday, he came for free advice on how to do that.

"Before I re-open my case, I want to make sure everything is correct," Jones said. "I only get \$900 from the government now. The VA gave me a disability pension. But it's not enough to live on."

#### Learning About Limits

The veterans learned about the available benefits even if their disability was unrelated to military service. Those benefits are available to disabled veterans with low income: at most, \$11,181 a year if they have no dependents; \$14,643 with a dependent.

Those income limits earned a Korean War veteran from Riverview a VA denial of disability benefits. But it takes two months' worth of his Social Security and pension benefits to pay for his 14 prescriptions. So he came Wednesday for advice.

The veteran, who didn't want to be identified for this report, said the law student who heard his story suggested he apply again.

Kendall Koch, 60, of St. Petersburg, also came after his claim was rejected.

He said he served in the Army during the Vietnam era as a nuclear weapons maintenance technician in Greece and Germany. After decades of suffering from infections all over his body that could never be cured, he said his private physician in Indiana suggested he might be suffering from radiation poisoning.

He filed a disability claim with the VA.

"All's I get is they denied my claim," said Koch, who said his doctor at the local VA hasn't yet offered the same diagnosis — but he seems perplexed by Koch's recurring infections. "He's never seen the likes of what's going on with me."

Undeterred, Koch sat on a bench Wednesday outside the American Legion post, determinedly filling out a questionnaire that he hopes will get him another chance at a diagnosis of a service-connected disability.

Leroy Johnson, 59, of Brandon, came with similar hopes.

Just a few years away from a full state pension, he underwent a quadruple bypass in February. He's worried he won't be able to work through full retirement age. He is an Army veteran who served in Vietnam during the time of Agent Orange exposure.

So he came to see whether his heart condition could be attributed to his military service. He fears for his financial future.

"If I cannot work anymore, I certainly would like to have some type of compensation," Johnson said.

#### PROJECT SALUTE

**WHAT: Free consultations with veterans on federal benefits.**

**WHEN: 10 a.m. to 4 p.m. today**

**WHERE: American Legion Post 5, 3810 W. Kennedy Blvd.**

**WHAT TO BRING: Discharge papers, known as the DD-214, and any other documents that could provide evidence supporting your benefits claim.**

**LAWYER TRAINING: For local lawyers interested in providing pro bono help to local veterans, Project SALUTE is offering a free training seminar from 9 a.m. to 5 p.m. Friday at Bank of America Plaza, 101 E. Kennedy Blvd., Suite 890, Tampa.**

**Reporter Karen Branch-Brioso can be reached at (813) 259-7815 or at [kbranch-brioso@tampatrib.com](mailto:kbranch-brioso@tampatrib.com).**

## Reader Comments

Posted by ( Spin\_echo ) on March 13, 2008 at 10:46 a.m. ( [Suggest removal](#) )

It is a shame that these veterans have to be in this position with or without the assistance of law students. In these times one would think that our government would make any or all avenues available to those who have risked life and limb for this great country. If one person could be helped well then it was worth the while of students from Detroit.

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Posted by ( jchester56 ) on March 13, 2008 at 11:41 a.m. ( [Suggest removal](#) )

IF PEOPLE CAN HAVE LAWYERS FOR SOCIAL SECURITY THEN WHY CANT VETERANS HAVE LAWYERS TO HELP THEM GET THEIR BENEFITS THAT THEY DESERVE? I AM A VIETNAM VET

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AND HAVE FOUGHT WITH THE VA FOR OVER 35 YEARS BECAUSE OF A BACK AND NECK INJURY I SUFFERED IN THE SERVICE. I GOT THE SAME EXCUSE ABOUT A FIRE BUT THEY HAVE OTHER MEDICAL RECORDS THAT PRE DATE MY BACK AND NECK INJURY. SEEMS LIKE THAT WAS THE ONLY PART OF MY MEDICAL RECORDS THAT WAS LOST. HMMMMMMMM.

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Posted by ( coldwarvet ) on March 13, 2008 at 12:34 p.m. ( [Suggest removal](#) )

I am a vet as well. Given a disease by the VA neurological. We must face the facts that once used in this disposable society we are no longer worth the time or the money. what we did has been forgotten save a parade or two throughout the year. It's easier to forget the price of freedom then spend the money on prostitutes see NY governor. Related maybe not but he's government and we are what allowed him to develop into that with our blood our limbs and our guts.

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Posted by ( acousticisland82 ) on March 13, 2008 at 12:35 p.m. ( [Suggest removal](#) )

I agree with you 110%!!! It is absolutely RIDICULOUS that our veterans are made to jump through these legal 'hoops' just because our government doesn't want to pay up!! If Uncle Sam wasn't spending BILLIONS of dollars on this oil-and-greed-driven war, you guessed it; there would be PLENTY of money to support our veterans.

My mother and father are veterans. Dad has been disabled, and filing for benefits, for almost 18 years. He was FINALLY approved last year. He has had three back surgeries on his lumbar spine. The first was in 1990. Back surgeries were not as safe then as they are now. His options were to either have surgery and POSSIBLY be in a wheelchair, or don't have the surgery and DEFINITELY be in a wheelchair. He was CLEARLY unable to work.

Raising a family with four children, and only one source of income was, to put it lightly, tough. I know it broke my father's heart and spirit to not be able to adequately provide for us. We were homeless at one point. It's not only the veterans who suffer; their families also have to endure living in poverty.

It makes me want to cry every time I see a homeless veteran on the street corner begging for food, drinks, clothing or money. Veterans should not have to beg for these things!!! Our government needs to stop giving outrageous amounts of our money to foreign countries and use that money to help our own people in need. I'm not saying we should NEVER help other countries, but we need to take care of our own people first.

I would like to thank all the brave soldiers who have protected our freedom, and all those who still are. My prayers and condolences go out to those who have lost loved ones. God Bless you all!

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Posted by ( acousticisland82 ) on March 13, 2008 at 12:52 p.m. ( [Suggest removal](#) )

Those students are providing a WONDERFUL service for our veterans! It's very respectable and kind. I wish everyone good luck in getting their, much deserved, benefits. At least the students care, because our government sure as the heck doesn't.

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Posted by ( acurat96 ) on March 13, 2008 at 1:05 p.m. ( [Suggest removal](#) )

To anyone in the Armed Forces, take note of what these Veterans are going through, and keep a file with all your medical records, my husband has all of his, takes them to every doctors apointment, thanks to all the law students helping our veterans, veterans, thanks for your service.

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Posted by ( kickersmom ) on March 13, 2008 at 1:41 p.m. ( [Suggest removal](#) )

Note to JChester... Veterans now can indeed retain a private attorney to aid in obtaining disability benefits. After 5 yrs of our own struggle, the VA service connected my hubby two months after the attorney took the case. Good luck!

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