Oklahoma Bar Association

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Oklahoma Lawyers for America's Heroes Program: Actions Speak Louder Than Words

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By Darla Jackson, OBA Practice Management Advisor

As we prepare to observe Veterans Day, I would like to suggest that you consider that the best way to express your appreciation for our veterans and military members is through action. Volunteering to assist service members and veterans with their legal needs is that action. The OBA Oklahoma Lawyers for America’s Heroes Program assists qualifying service members and veterans by connecting them to bar members who are willing to provide legal services without charge. You can volunteer to participate in the program.

In 2016, it was reported that since the program was started in 2010, more than 4,000 military heroes had been helped by 712 volunteer lawyers, who had donated over $2.8 million in free legal services. We are grateful for the volunteer attorneys who have stepped up to represent our profession in expressing our gratitude to the defenders of our nation, but the need continues to be great. According to Margaret Travis, the Heroes Program Coordinator, connecting service members and veterans with lawyers in their geographic area who have experience in the area of need may be particularly difficult if the individual lives in a more rural area where there are a limited number of attorneys. Nevertheless, it may also be difficult to match qualifying individuals with attorneys in metro areas. For example, in Tulsa County, some qualifying individuals are forced to wait because current attorney volunteers may not have the time or are hesitant to accept a case in an area of law with which they have limited experience…

On occasion, when attorneys are not available or when there is an eligibility issue, Margaret Travis will make a referral to the Oklahoma Free Legal Answers website, which also helps coordinate Oklahoma Free Legal Answers (a service provided through the joint efforts of the Oklahoma Access to Justice Commission, the Oklahoma Bar Association, and the American Bar Association). This online service allows qualified low-income Oklahoma citizens to submit three law-related questions each year and to have the questions answered by volunteer attorneys. However, many attorneys volunteer for the Oklahoma Free Legal Answers Program may not have training or experience handling specific issues that have a military service component.

Service members and veterans often have legal needs in their personal lives and specific to their military service. They also face financial issues and other legal matters resulting from the sacrifices made in military life. Yet, they often do not have the financial means to afford legal help. In fact, according to a profile of Post-9/11 veterans prepared by the National Center for Veterans Analysis and Statistics of the U.S. Department of Veterans Affairs, Post-9/11 veterans have lower median earnings and personal income than all other veterans. Because many in the U.S. do not have a connection to the military, it is often mistakenly believed that military members and veterans can have all their legal needs met through legal assistance services provided under the authority of 10 U.S.C. §1044. However, this is not the case. First, legal assistance is subject to the availability of legal staff resources. As such legal assistance attorneys, with very limited exceptions, are not made available to provide in-court representation.

Additionally, many Judges Advocates are not licensed in the states in which they are assigned and are not able to provide in-court representation. Second, not all veterans are entitled to legal assistance. Only veterans who are retired from military service or who are members of the reserve component under specific circumstances may receive legal assistance. Third, legal assistance is limited to civil legal matters. Criminal matters are beyond the scope of such assistance. Finally, military legal assistance attorneys are not permitted to provide assistance regarding interest that are adverse to the interest of the United States. For example, military legal assistance attorneys may not provide help in making a claim against the government. And additional limitations may be imposed by the service secretaries.

It quickly becomes apparent that military legal assistance alone cannot meet the needs of many who have served our nation. It is clear that if the Oklahoma legal community wants to express an thanks to those who have and continue to fight to protect our freedom, we must renew our commitment to meet their legal needs.

Because of the extensive nature of the need, to ensure that those with the greatest need receive assistance, limitations have been placed on who may qualify for the services. Only those who are currently serving in the enlisted ranks of E-1 thru E-6 or those veterans or reservists who have an earned income of less than $40,000 are eligible. Additionally, only those with past service that resulted in an honorable discharge meet eligibility requirements.

Even with these limitations, we need additional volunteers to help meet the need. Those who would like to volunteer but have limited experience with issues arising incident to military service may anticipate that there may be opportunities for training. In the past, the OBA Military and Veterans Law Section has offered free CLE for volunteers. For more information or to volunteer contact Margaret Travis at (405) 416-7086 or by email at MargaretT@OKBar.org or heroes@okbar.org.

About the author: Darla Jackson is the Practice Management Advisor for the Oklahoma Bar Association. She earned her J.D. from the University of Oklahoma College of Law and an LL.M. in International Law from the University of Georgia School of Law. From 1989 – 2003, she served as an active duty Judge Advocate in the U.S. Air Force. In addition to her other duties at the OBA, she provides additional support to the Heroes coordinator. She also serves on the Board of Directors of the Dale R. Graham Veterans Foundation, a non-profit organization committed to sharing its collective knowledge and expertise to help with the Veterans Administration claims process.


8 Currently, those receiving an entry level separation or a general (under honorable conditional discharge) are not eligible to receive assistance.

Contact: Margaret Travis at (405) 416-7086 or by email at MargaretT@OKBar.org or heroes@okbar.org.