

**DEPARTMENT OF VETERANS AFFAIRS**

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## California Veteran Reintegration Program Fact Sheet

### Legal Assistance

#### **National Veterans Legal Services Program (NVLSP)**

The National Veterans Legal Services Program (NVLSP) is an independent nonprofit organization that has worked since 1980 to ensure that the U.S. government keeps its pact with our nation's 25 million veterans and active duty personnel by providing them the federal benefits they have earned through their service to our country.

NVLSP recruits, trains, and assists thousands of lawyer and non-lawyer advocates who represent veterans and active duty military personnel for free. Their publications empower veterans, current service members, their families, and their advocates to obtain the benefits they're entitled to by clearly outlining their rights under the law. To receive more information regarding this program, please visit [www.nvlsp.org/](http://www.nvlsp.org/).

#### **Lawyers Serving Warriors**

Through a nationwide network of volunteer attorneys, Lawyers Serving Warriors provides free legal services to U.S. Military personnel and veterans who have served in OIF or OEF in the following situations if:

- The veteran was referred to the physical disability evaluation system. The physical disability evaluation system determines a service member's eligibility for a disability severance or retirement. Assistance of an attorney in the process can be critical to ensuring the right determination and benefits. Service members who have been referred to the physical disability evaluation system can receive free legal representation through Lawyers Serving Warriors, including assistance with Medical Evaluation Boards (MEBs) and Physical Evaluation Boards (PEBs).
- The veteran received an inappropriate discharge or discharge characterization. A less than Honorable discharge characterization or an inappropriate discharge can result in a veteran receiving no benefits or fewer benefits than he or she deserves. Veterans with disabilities, such as Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI), who received an inappropriate discharge or discharge characterization, can receive free legal representation through Lawyers Serving Warriors.
- The veteran filed a claim with the Department of Veterans Affairs (VA) for disability compensation. Veterans who have claims for VA disability compensation can receive

free legal representation in preparing the claim and appealing an inappropriate denial of benefits from Lawyers Serving Warriors.

- The veteran filed a Claim under the Traumatic Injury Insurance under the Service members Group Life Insurance (TSGLI). TSGLI provides a onetime lump sum payment to qualified U.S. military personnel who have suffered a traumatic injury caused by a traumatic event. Lawyers Serving Warriors will provide representation to qualified military personnel who have been denied or have difficulties with a claim under TSGLI.

To receive more information on this program, please visit [www.lawyerservingwarriors.com/](http://www.lawyerservingwarriors.com/)

### **Law Help California**

Law Help California provides low-income Californians with easy online access to basic legal resources and attorney information. Law Help California doesn't provide direct legal services. Law Help California is a collaborative project with policy oversight from the CalJustice Advisory Committee and assistance from advocates at legal aid programs throughout the state. For more information, please visit [lawhelpca.org/](http://lawhelpca.org/).

### **California Courts Self- Help Center**

This California Courts Online Self-Help Center helps you in seeking assistance and information when representing yourself in some legal matters. This site can help you understand what happens at court. You will learn about court procedures, find forms, and links to other important resources. The Self-Help Center of the Judicial Council can be accessed at [www.courts.ca.gov/selfhelp.htm](http://www.courts.ca.gov/selfhelp.htm).

### **Home Foreclosure Assistance**

Today's economy is quite difficult. With jobless rates reaching numbers not seen in decades, the economic downturn will only be getting worse over the next couple of years. This situation has led to hundreds of thousands of Americans being in risk of losing their homes, and of those individuals who are at risk, a high percentage of them are veterans. The following are some steps that veterans should take in an effort to ensure that they stay in their homes:

- Homeowners need to contact their lender at the first sign of a problem.
- Always make a payment, even if you only make a partial one.
- The veteran should seek a third party representation to guide and speak on his/her behalf. If this becomes too costly, many areas have a certified FHA community housing counselor that will offer their services for free.
- Lastly the homeowner needs to stay honest, forthcoming in all financial problems and remember that their lender wants to keep them in their home.

Some resources are available to veterans through the VA. These resources are minimal and must be contacted by the veteran to initiate the process of refinancing. The following is a list of these resources:

**VA Regional Office – 1-888-869-0194**

Property must have equity and be current on payments to qualify for any programs at this level. No appraisal, proof of income or underwriting is needed.

**FHA (HUD)** – 1-800-225-5342 – [www.Hud.gov/foreclosure](http://www.Hud.gov/foreclosure)

A counselor will be provided to help guide individuals to programs that they qualify for HONORING CALIFORNIA'S VETERANS and assist in processing.

**Hope Now Alliance** – 1-888-995-4673 – [www.hopenow.com/](http://www.hopenow.com/) The Hope Now Alliance is a cooperative effort between the US government, counselors, investors, and lenders to help homeowners who may not be able to pay their mortgages. Created in 2007 in response to the sub-prime mortgage crisis, the alliance claims to have helped over 1 million homeowners avoid foreclosure through January 2008.

### **California Penal Code 1170.9 for Veterans with PTSD or Substance Abuse**

The New Law states:

(a) In the case of any person convicted of a criminal offense who would otherwise be sentenced to county jail or state prison and who alleges that he or she committed the offense as a result of post-traumatic stress disorder, substance abuse, or psychological problems stemming from service in a combat theater in the United States military, the court shall, prior to sentencing, hold a hearing to determine whether the defendant was a member of the military forces of the United States who served in combat and shall assess whether the defendant suffers from post-traumatic stress disorder, substance abuse, or psychological problems as a result of that service.

(b) If the court concludes that a defendant convicted of a criminal offense is a person described in subdivision (a), and if the defendant is otherwise eligible for probation and the court places the defendant on probation, the court may order the defendant into a local, state, federal, or private nonprofit treatment program for a period not to exceed that which the defendant would have served in state prison or county jail, provided the defendant agrees to participate in the program and the court determines that an appropriate treatment program exists. c) If a referral is made to the county mental health authority, the county shall be obligated to provide mental health treatment services only to the extent that resources are available for that purpose, as described in paragraph (5) of subdivision (b) of Section 5600.3 Of the Welfare and Institutions Code. If mental health treatment services are ordered by the court, the county mental health agency shall coordinate appropriate referral of the defendant to the county veteran's service officer, as described in paragraph (5) of subdivision (b) of Section 5600.3 of the Welfare and Institutions Code. The county mental health agency shall not be responsible for providing services outside its traditional scope of services. An order shall be made referring a defendant to a county mental health agency only if that agency has agreed to accept responsibility for the treatment of the defendant.

(d) When determining the "needs of the defendant," for purposes of Section 1202.7, the court shall consider the fact that the defendant is a person described in subdivision (a) in assessing whether the defendant should be placed on probation and whether the defendant would be best served while on probation by being ordered into a private nonprofit treatment service program with a demonstrated history of specializing in the treatment of military service-related issues, such as post-traumatic stress disorder, substance abuse, or psychological problems.

(e) A defendant granted probation under this section and committed to a residential treatment program shall earn sentence credits for the actual time the defendant served in residential treatment.

(f) The court, in making an order under this section to commit a defendant to an established treatment program, shall give preference to a treatment program that has a history of successfully treating combat veterans who suffer from post-traumatic stress disorder, substance abuse, or psychological problems as a result of that service.