

## **Explanation of VA Form 9 Revisions**

The Board of Veterans' Appeals (Board) has made some revisions to VA Form 9, "Appeal to the Board of Veterans' Appeals," for purposes of clarifying the purpose and procedures surrounding Board hearings. The revisions are non-substantive in nature and are intended to more accurately reflect longstanding practice concerning Board hearings.

The current VA Form 9 does not clearly indicate that Board hearings are optional. As a result, this may leave some appellants with an incorrect impression that a Board hearing is required if an appeal is pursued. In order to emphasize that Board hearings are not mandatory, revisions were made to the title in Block 8 to read "Optional BVA Hearing". Paragraph 6 of the instructions was also revised to clarify that Board hearings are not necessary for the Board to decide the appeal, and that if a hearing is not requested the Board will consider all the evidence and argument already in the record in reaching its decision. Paragraph 6 of the instructions has also been revised to provide appellants with additional detail about what to expect at a Board hearing. These additions help ensure that any decision made with respect to hearing requests is a fully informed one.

Block 8 of VA Form 9 was also revised to allow appellants an opportunity to select between a hearing at the Board's offices in Washington, DC (typically called a "Central Office hearing"), a live videoconference hearing, a hearing at the local VA office (typically referred to as a "Travel Board hearing"), or no hearing at all. The prior version of the form did not allow appellants to request a videoconference hearing up front and provided only a brief note in the instructions alerting appellants that they can request a videoconference hearing by contacting the local VA office. Because videoconference hearings have been in use at the Board for many years, and because such hearings can typically be scheduled faster than Travel Board hearings, it is important to allow appellants to select a videoconference hearing on the VA Form 9. The instructions for Box B have also been revised to more fully describe how videoconference hearings are conducted.

Revised Block 8 of the form also notes that, due to travel requirements for Board personnel, selecting a hearing at the local VA office may result in a lengthier waiting period for a hearing than the other hearing options. Similar information has been added to the instructions for Boxes B and D. The prior VA Form 9 and instructions provided no information regarding how quickly one type of hearing can be scheduled compared to other types of hearings. Because such information is crucial to a decision regarding what type of hearing to select, it is important that such information be included.

Paragraph 8 of the instructions has also been revised to update the mailing address to request the “How Do I Appeal” pamphlet and to provide appellants with a website to access the Code of Federal Regulations online.

Other minor revisions have been made to the instructions for Block 9 to enhance clarity and readability. An additional paragraph was also added to the instructions for Block 10 to advise appellants to submit or identify any additional evidence they feel is needed to support their appeal.

There is no change in burden.