Veterans Clinic
Research Training

Liz Parker
Publication Services Librarian
eparker-10@sandiego.edu
Introduction

❖ Librarians are available to help with clinic research
❖ You can reach us via chat: sandiego.edu/law/library
❖ or email: lrcrefer@sandiego.edu
❖ Resources you use in the clinic will differ from those used in LWR
Research Training

❖ Resources
  ❖ LRC Databases
  ❖ Government websites
  ❖ Other online resources

❖ Gather background information on individuals – clients & witnesses

❖ Conduct a litigation search to research potential defendants

❖ Research past discharge upgrade cases

❖ Additional resources from other veterans advocates
Resources
Useful LRC Materials

- Civil practice
- Pre-trial procedure
- Trial procedure
- Appeals & writs
- Rules of court
- Formbooks & drafting tools
- Jury instructions
- Arbitration
- Client communications
California Court Materials

- California Rules of Court
- Local Rules, including San Diego County
- Forms
- Jury Instructions
Pardee Legal Research Center

The law library exists to support the educational and scholarly activities of the USD law community.

For the safety and well-being of the USD community, the LRC building is closed until further notice. See our Remote LRC Services Due to COVID-19 Guide for more information about LRC services and online resources that are available to support remote teaching, learning, and research.

Search LRC

Search Catalog  Databases

enter search term

Library Account | Classic Catalog | Find Legal Journals | Course Reserves | Past Exams

https://www.sandiego.edu/law/library/
## Popular Databases

The most frequently-used databases

### Aspen (Wolters Kluwer study aids)
- **New**
- **Popular**

### Bloomberg Law
- **Popular**

Bloomberg legal content, integrated into an already powerful system of primary and secondary legal content, company and market information and news. Individual user access is given to USD law students and faculty. You must register with Bloomberg to gain access to its products and services. Please contact the LRC reference desk to obtain a Bloomberg Law account.

### CALI Lessons
- **Popular**

- Students - use the authorization code you see after logging into USDOne.
- Faculty - contact the reference desk for the faculty code.

Contact the law library’s reference desk for any questions.

### CEB OnLaw Pro
- **Popular**

CEB Pro provides access to CEB’s California practice guides, primary law, case law citator, and continuing legal education.

### Congressional Publications (ProQuest)
- **Popular**

Publications generated by the U.S. Congress and accessed via ProQuest, including CIS Legislative.

## 296 Databases found

### A

**Academic Search Premier**

Provides full text for over 2,940 scholarly publications including social sciences, humanities, education, computer sciences, engineering, language and linguistics, arts & literature, health sciences, and ethnic studies.

**Appeals**

Helps more than 100,000 taxpayers each year resolve their tax disputes without going to Tax Court. An IRS site.

**Aspen (Wolters Kluwer study aids)**

### Avalon Project - Documents in Law, History and Diplomacy (Yale's)

The Avalon Project will mount digital documents relevant to the fields of Law, History, Economics, Politics, Diplomacy and Government. We do not intend to mount only static text but rather to add value to the text by linking to supporting documents expressly referred to in the body of the text.

The Avalon Project will no doubt contain controversial documents. Their inclusion does not indicate endorsement of their contents nor sympathy with the ideology, doctrines, or means employed by their authors. They are included for the sake of completeness and balance and because in many cases they are by our definition a supporting document.

### B

**BePress Legal Repository**
Fee Agreements: Say What You Won’t Be Doing

Julie Brook  June 12, 2020

Many times you can anticipate related services that you don’t intend to provide under the existing fee agreement with the client, but that the client might want provided. Like when you’re retained to negotiate a dispute, but not to litigate it. Or a settlement may have tax consequences for the client,...

Court Errs in Denying Petition to Consider Mitigating Factors in Resentencing of Marine Corps Veteran

David Saunders  June 12, 2020

From time to time, a trial court will either fail to be aware of important changes in the law or understand how they might work. This can arise when resentencing petitions are filed after the enactment of ameliorative legislation. This problem was illustrated in the recent case of People v. Bonilla-Bray,...
Secondary Sources

Administrative Law
Appellate Law
Business Entities
Business Litigation
Business Transactions
Criminal Law
Employment Law
Environmental, Land Use & Natural Resources
Evidence
Family Law
Insurance Law
Intellectual Property
Law Practice Management
Litigation Practice & Procedure
Personal Injury
Privacy & Information Security
Real Property
State & Local Government

Find Secondary Source Publications using the search button above.
§6.7 B. Form: Letter Requesting That Client Provide Documents for Attorney’s Review in Litigation Matter—General Form

Click to Download Form

_ _[Date]_ _

_ _[Client name and address]_ _

Re: _ _[Client’s case name and number]_ _

Dear Mr./Ms. Client:

I am in the process of investigating the facts of this matter and need to review any documents in your possession that relate to your _ _[claim/defense]_ _. In particular, I would like to review the following documents: _ _[specify document(s) needed, e.g., a copy of all canceled checks and credit card statements or insurance receipts showing payments for medical treatment to Dr. Jones]_ _. Please mail or bring the documents to my office by _ _[date]_ _.

If you are unable to locate the document(s) or have any questions regarding this request, please call me. [Also, if you have or know of other documents that you feel would be helpful to an understanding of your position in this matter, please let me know immediately.]
Board of Veterans’ Appeals Response to COVID-19

The Board of Veterans’ Appeals (Board) is making changes to keep Veterans safe from exposure to COVID-19 while continuing its mission of providing hearings and deciding appeals.

1. The Board temporarily suspended all in-person (travel board, video and Central Office) hearings. Virtual hearings remain available. The Board continues to assess the situation in partnership with Veterans Service Organizations and representatives and will resume in-person hearings as soon as possible.

We ask Veterans to work with their representatives to elect a virtual hearing or to reschedule hearings. Veterans who prefer to wait for travel board, video or central office hearings to resume will receive top priority in hearing rescheduling.

Click here for information on virtual hearings.

2. The Board will consider Advance on Docket (AOD) motions on appeals for Veterans impacted by COVID-19; Click here to find out how to file for AOD and what documentation is required.

3. During this National emergency, the Board will now accept typed signatures on AMA Notices of Disagreement (NOD) VA Form 10182, in lieu of a wet signature.

4. VA’s current regulations provide flexibility for VA to extend filing deadlines for good cause on a case by case basis. The Board understands that each Veteran/appellant has unique circumstances and the current situation may create challenges for many in meeting some deadlines, therefore the Board will consider requests to extend timelines for good cause. The Veteran or representative can file an extension request in advance or explain it at the time of filing the notice of disagreement or substantive appeal.

For updates on COVID-19 Click here.
Background on Individuals
## Background on Individuals

<table>
<thead>
<tr>
<th>Public Records</th>
<th>Social Media</th>
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<tr>
<td>✤ Lexis Advance</td>
<td>✤ Facebook</td>
</tr>
<tr>
<td>✤ Search Systems</td>
<td>✤ Instagram</td>
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<tr>
<td></td>
<td>✤ LinkedIn</td>
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<tr>
<td></td>
<td>✤ Twitter</td>
</tr>
</tbody>
</table>
Enter information in at least one field below.

**Basic Information**

- **SSN**: 123-45-6789 or 123456789
- **LexID(sm)**: 
- **First Name**: david
- **Middle Name/Initial**: 
- **Last Name**: berkowitz
- **Street Address**: 
- **City**: 
- **State**: All Available States
- **Zip Code**: 
- **Date of Birth**: 06/01/1953

**Advanced**

- Find similar sounding last names
- Find nicknames of first name
- Display nicknames of last name
- **Filing Jurisdiction**: New York

[Search] [Clear Form]
<table>
<thead>
<tr>
<th>No.</th>
<th>Full Name</th>
<th>Address</th>
<th>SSN</th>
<th>Date of Birth</th>
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<tr>
<td>1.</td>
<td>BERKOWITZ, DAVID</td>
<td>NY</td>
<td></td>
<td>06/1953</td>
<td>Source: Department of Corrections</td>
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<tr>
<td>2.</td>
<td>BERKOWITZ, DAVID</td>
<td>NY</td>
<td></td>
<td>06/1953</td>
<td>Source: Department of Corrections</td>
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</table>
New York Department Of Corrections

Offender Information

Name: BERKOWITZ, DAVID
Address: NY
Case Type: Department Of Correction
Party Status: UNDER CUSTODY
DOB: 06/1953
Race: WHITE
Sex: Male

Offenses

Offense #1
Case Type: Department Of Correction
Offense Type: F
Offense: ATTEMPTED MURDER 2ND
Level: FB

Offense #2
Case Type: Department Of Correction
Offense Type: F
Offense: MURDER 2ND
Level: FA1

Offense #3
Case Type: Department Of Correction
Offense Type: F
Offense: MURDER 2ND
Level: FA1

Offense #4
Case Type: Department Of Correction
Offense Type: F
Offense: CRIM POSS WEAP 2ND
Level: PC

Offense #5
Case Type: Department Of Correction
PUBLIC RESOURCES

The San Diego County Sheriff’s Department strives to help keep the public aware of public safety issues and related matters in San Diego County. Our hope is to strengthen our partnership with our communities so that we can better fulfill our mission of providing the highest quality public safety services in an effort to make San Diego the safest urban county in the nation.

PUBLIC RESOURCES

Communications Center & 911
Who’s In Jail
Email an Inmate
Warrant Lookup & Tips
Restrainting Order Lookup
Megan’s Law
Civil Process Service
Analysis & Statistics
Jail Information
Licensing & Permits
Property Sales
Request Reports & Records
U Visa Information
Victims’ Services (VINE)
CPAC
Inmates Pending Release
Litigation Search
Dockets

- **Bloomberg Law**
  - Includes all federal dockets, limited access to state
  - Free to USD Law users
  - Not all documents are available

- **Westlaw, Lexis**

- **Court websites**
  - Some courts provide dockets online for a fee
  - Other courts – call court clerk
**Docket Entries**

<table>
<thead>
<tr>
<th>ENTRY</th>
<th>FILED</th>
<th>PDF</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>BL-1</td>
<td>Oct 15, 2012</td>
<td>View</td>
<td>Complaint filed by Cordova, Rachel; Mendoza, Rosalinda; Yates, Martha.</td>
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<tr>
<td>BL-2</td>
<td>Oct 15, 2012</td>
<td>Request</td>
<td>Original Summons filed by Cordova, Rachel; Mendoza, Rosalinda; Yates, Martha.</td>
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<tr>
<td>BL-3</td>
<td>Oct 15, 2012</td>
<td>Request</td>
<td>Civil Case Cover Sheet filed by Cordova, Rachel; Mendoza, Rosalinda; Yates, Martha.</td>
</tr>
<tr>
<td>BL-5</td>
<td>Oct 15, 2012</td>
<td>Request</td>
<td>Case assigned to Judicial Officer Prager, Ronald.</td>
</tr>
</tbody>
</table>
| BL-7  | Nov 19, 2012 | Request | Motion Hearing (CML) scheduled for.

FILED
CIVIL BUSINESS OFFICE 13
CENTRAL DIVISION

2012 OCT 15 P 3:32

FERNANDEZ,
J.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

CASE NO. 37-2012-00083573-CU4T-CTL
CLASS ACTION
COMPLAINT FOR DAMAGES, INJUNCTIVE RELIEF AND RESTITUTION

1. Deceptive Practices (Violation of Consumers Legal Remedies Act, Cal. Civil Code §§ 1750 et seq.)
4. Fraud

Action Filed: None set

Defendants:

RACHEL CORDOVA, ROSALINDA MENDOZA, and MARTHA YATES
Attorneys for Plaintiffs

UNITED EDUCATION INSTITUTE, a California corporation, and DOES 1 through 50, inclusive

Plaintiffs,

v.

Court
California Superior Court,
San Diego County
Discharge Upgrades
How to Apply for a Discharge Upgrade

Answer a series of questions to get customized step-by-step instructions on how to apply for a discharge upgrade or correction. If your application goes through and your discharge is upgraded, you’ll be eligible for the VA benefits you earned during your period of service.

All branches of the military consider you to have a strong case for a discharge upgrade if you can show your discharge was connected to any of these categories:

- Mental health conditions, including posttraumatic stress disorder (PTSD)
- Traumatic brain injury (TBI)
- Sexual assault or harassment during military service (at VA, we refer to this as military sexual trauma or MST)
- Sexual orientation (including under the Don’t Ask, Don’t Tell policy)

The information you enter on the next page is completely confidential.

Get started »

Can I get VA benefits without a discharge upgrade?

Even with a less than honorable discharge, you may be able to access some VA benefits through the Character of Discharge review process. When you apply for VA benefits, we’ll review your
Military Review Boards

Army
- Discharge Review Board
- Board for Correction of Military Records

Navy & Marine Corps
- Discharge Review Board
- Board for Correction of Naval Records

Air Force
- Discharge Review Board
- Board for Correction of Military Records

Coast Guard
- Discharge Review Board
- Board for Correction of Military Records
Cases

❖ Boards of Review Reading Rooms
❖ U.S. Court of Appeals for Veterans Claims
❖ Lexis (Practice Area: Military and Veterans Law)
❖ Westlaw (Practice Area: Military Law)
Boards of Review Reading Rooms

This is the Department of Defense Electronic Reading Room for the Military Departments’ Boards for the Corrections of Military/Naval Records (BCMCR) and the Discharge Review Boards (DRB). The reading room contains the decisional documents for each of the Boards from October 1998 for public research. The personally identifiable information and non-public information has been redacted (removed) from these documents. A number of the documents have been temporarily removed to conduct a quality assurance review. Reposting of those decision documents is in progress. Decisions on applications to these boards are sent directly to the applicants as soon as the board issues the decision. This website is not intended for applicants to obtain the decision on their application or obtain the status of their application. If you wish to request specific decisional documents or have questions on current applications, please use the following links to contact the appropriate military department.

Army:
BCMCR/DRB - email: usarmy.pentagon.hqda-arba.mbx.webmaster@mail.mil

Navy/Marine Corps:
BCNR - https://www.seanav.navy.mil/mra/bcnr/Pages/Contact_Us.aspx

Air Force:
BCMCR - email: usaf.pentagon.saf-mr.mbx.saf-mrbc@mail.mil
PDBR - email: usaf.pentagon.saf-mr.mbx.PDBRPA@mail.mil
DRB - email: usaf.pentagon.saf-mr.mbx.drb-workflow@mail.mil

Coast Guard:
BCMCR - email: cgbcmr@hq.dhs.gov
DRB - email: drb@uscg.mil

https://boards.law.af.mil/
Veteran Discharge Upgrade Database

Upgrade.Vet is a searchable database of decisions from the U.S. Department of Defense (DoD) Boards for the Corrections of Military/Naval Records (BCMR) and the Discharge Review Boards (DRB). The files on this site were published by the DoD at the Boards of Review Reading Rooms.

Note: these files comprise the entire database of the DoD Reading Rooms as published in late 2015. As of this writing (January 2020), the DoD Reading Rooms have removed access to this information. The decisions are provided here as a convenience for veterans and their representatives who are seeking to understand the decisional history of the DoD BCMR and DRB boards. With few exceptions, each file has been converted from its original format into HTML to enable search and preview. Links to the original documents are provided. Please contact upgrade.vet@gmail.com with any questions or issues.

Browse Decisions

<table>
<thead>
<tr>
<th>Service</th>
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<tr>
<td>AF</td>
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<tr>
<td>NAVY</td>
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</tbody>
</table>
Lexis and Westlaw

Home / Military & Veterans Law

Military & Veterans Law

Enter a source name, a citation, terms or shep: [citation] to Shepard's

- Search all sources on this page
- Select sources to search

Cases

All Military & Veterans Law Cases
- Court of Appeals for Armed Forces (CAAF)
- Military Branches Criminal Appeals
- U.S. Court Military Commission Review
- US Court of Appeals for Veterans Claims

Statutes and Legislation

All Military & Veterans Law Statutes and Legislation
- All Military & Veterans Law Codes & Court Rules
- Uniform Code of Military Justice

Home

Military Law

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Search all Military Law content above or navigate to specific content below.

Content Types

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- Statutes & Court Rules
- Regulations
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- Administrative Decisions & Guidance
- Secondary Sources
- Briefs
- Trial Court Documents
- Proposed & Enacted Legislation
- Proposed & Adopted Regulations

Clear Selection
Specify content to search
Other Sources

❖ Uniform Code of Military Justice (UCMJ), 10 U.S.C. §§ 801-946
❖ JAG Guides (Judge Advocate General’s Corps)
Additional Resources

❖ Yale Veterans Legal Services Clinic
❖ Forms & Resources for Veterans Seeking Discharge Upgrade
❖ Veterans Discharge Upgrade Manual
❖ Nolo Press
Additional Resources

OCBA Veterans & Military Committee

LACBA Veterans Legal Services Project
Additional Resources

ABA Veterans Legal Services Initiative

SDCBA Military Law Section
Questions?

- Liz Parker
  eparker-10@sandiego.edu

- LRC Reference
  lrcrefer@sandiego.edu
  619.260.4612
  www.sandiego.edu/law/library/

- Slides will be posted at
  www.sandiego.edu/law/library/research-trainings/clinics.php