

FOREWORD

T Tyler Hadyniak is a contradiction. He is man who was born in urban New Jersey but was brought to Maine by his parents at a young age. He grew up in a classic small town in Freedom, Maine but moved to Maine's largest city, Portland, to attend law school. He and his wife have moved to another small town, Sidney, Maine, but he loves travelling to Southwest vistas and elsewhere.

However, there is no contradiction in his love of veterans' law. That in turn is an outgrowth of his love of military history, especially the history of the American Civil War. Tyler has tramped many of the Civil War's battlefields. His grandfather, a veteran himself, explored many of those battle sites with Tyler.

The book that follows is a narrative of his extensive travels, frequently several days per week, many weeks per year, across much of America, in search of justice for veterans who have suffered disabilities that stem from their military service.

Many veterans suffer from physical disabilities. Some are specific to particular wars, such as the cold injuries of those who fought in Korea, or the Agent Orange related conditions suffered by those who served in Vietnam on land and in the ships stationed offshore. A younger generation suffers from Gulf War syndrome or the exposure to the horrific burn pits used by the military. Others suffer from invisible mental scars. What all have in common is a need for expert help from lawyers like Tyler in obtaining the

disability compensation promised them by Congress, but frequently not delivered by the slow moving bureaucracy that is now the Department of Veterans' Affairs.

While much of Tyler's writing is a narrative of interesting and beautiful parts of the United States, there is much more. His narrative also includes introspective comments on his state of mind as he grew from a neophyte to an experienced veterans attorney. Interwoven through all of that are his comments on the veterans who he represented, helping them to present their claims to the judges of the Board of Veterans' Appeals at veterans facilities located throughout the country – locations ranging from the metropolitan to the bucolic. It contains a fascinating interweaving of the enjoyment of travel and introspective comments on personal growth and direction, all interspersed with glimpses into the day to day struggles faced by many of our veterans.

It is hard to remember that prior to the establishment of the Court of Appeals for Veterans Claims, created by an Act of Congress in 1988, there was no direct appeal to any court from denials of benefits by what was then the Veterans Administration (now the Department of Veterans Affairs). At that time there were few attorneys in the nation focusing on issues relating to veterans. I have had the privilege of seeing the Court develop from its first cases in 1990, filing my own first case there in 1991 with oral argument and a decision in 1992. That case, *Smith v. Derwinski*, 2 Vet.App. 241 (1992), was at a time when the court was so new that there were very few precedents. Now the Court has over 30 volumes of precedent.

In 1993, NOVA (the National Organization of Veterans Advocates) was formed with an introductory meeting in Arlington, Virginia of a handful of attorneys. I was fortunate enough to attend that meeting and have now been a member for over 25 years. Since 1993, veterans benefits law has grown dramatically, now with several law firms having multiple attorneys, like Tyler, who devote their entire legal practice to helping veterans to get justice. For many years, like Tyler, I had the opportunity to travel to various VA facilities and participate in hearings. Although I now restrict my practice to cases at the Court of Appeals for Veterans Claims, I have fond

memories of several such trips (as well as less fond memories such as a trip to New Orleans in July with the temperature over 100 and the humidity at 99 percent).

What is important, however, is that Tyler is representative of the new breed of VA attorneys. We are fortunate enough in our office to have an entire group of dedicated and hardworking attorneys striving every day to get justice for veterans. This justice is well-earned.

by Francis M. Jackson