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Focus of this Guide

The focus of this guide is research into issues surrounding prosecution of individuals in the United States as part of the courts-martial procedures under the Uniform Code of Military Justice. The focus of the guide is not on the operation of military tribunals under alternate authority.

Comments (2)

Overview of the Courts Martial System

R. Chuck Mason, *Military Justice: Courts-Martial, An Overview*, Congressional Research Service (March 31, 2011).

Military Justice: Courts-Martial, An Overview, reports on the military justice system setting forth the types of courts-martial, the basis for convening a courts-martial, and compares the Constitutional safeguards available in the civilian court system with safeguards put in place by the Uniform Code of Military Justice for military courts.

Comments (2)

My Profile



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Profile & Guides

Subjects:
International Law, US Military Justice, Criminal Legal Research, Legal Research Instruction - US & Foreign Comparative and Intl Law Research, International Commercial Arbitration Research, International Human Rights Research

Military Terms

Those unfamiliar with the military may have difficulty with the definition of terms or the many acronyms used in the military. The sources listed below will assist the unfamiliar in developing an understanding of 30715.

- 1) DOD Definition of Military Terms
- 2) Acronym Finder

Discussion of Appeal and Preliminary Procedure in Courts-martial



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Research Guides

If you are not familiar with the topic, you may find that a research guide is a useful tool to assist you with your research. The Cornell University Law Library's Legal Research Engine may be of assistance in locating a guide on military justice or military law.


You should review the date the research guide was last updated. Using a research guide updated in the last year will help ensure you are relying on current information. However, if you are conducting historical research, an older guide may be helpful.

Unfortunately, there are few research guides on military justice or military law topics.

- 1) While somewhat dated published in 2004, *Reporting for Duty: A Primer on Researching Military Justice in Law Library Lights*, the newsletter of the Law Librarians Society of Washington, D.C., is an excellent source to assist in military justice research.
- 2) Leah Sandwell-Wheat, University of Arizona Law Library, *Military Legal Materials* (updated Nov 2011).

Additional resources that may be helpful include:

- 1) *WashLaw, Military, National Security & Defense* (No date).
- 2) *Library of Congress, Military Legal Resources* (No date).



OKLAHOMA CITY UNIVERSITY SCHOOL OF LAW

Library > LibGuides > Veterans Benefits Research

Veterans Benefits Research

Last Update: Mar 17, 2012 | URL: <http://www.okcu.libraries.com/content.php?type=118121> | Status: Private

Getting Started | Case Reporter and Books | Articles and Journals | Other Resources

Getting Started | Comments (0) | Create Comments

Search: [The Guide] Search


Focus of this Guide

The focus of this guide is research into issues affecting benefits of U.S. Military Veterans. This Guide does not focus on issues of military justice. For research assistance on military justice issues, please see the following guide:

Oklahoma City University, Daria Jackson, *Military Justice Research* (updated Feb 2012).


Comments (2) | Create Comments

Veterans Court



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International Law, US Military Justice, Criminal Legal Research, Legal Research Instruction - US & Foreign Comparative and Intl Law Research, International Commercial Arbitration Research, International Human Rights Research

VA News and Current Awareness

Below are links to news items provided by the Veterans Administration.

1) VA, HUD, HHS Join Jon Bon Jovi Today to Announce Results of their Project

Research Guides

If you are not familiar with the topic, you may find that a research guide is a useful tool to assist you with your research. We hope this guide will provide you with helpful information. If you are interested in locating other guides, you may find the Cornell University Law Library's Legal Research Engine may be of assistance in locating additional guides on veteran assistance or veteran benefits.

You should review the date the research guide was last updated. Using a research guide updated in the last year will help ensure you are relying on current information. However, if you are conducting historical research, an older guide may be helpful.

Unfortunately, there are a limited number of research guides on veteran assistance or benefits; however, two such guides are linked below:

- 1) Thomas Jefferson School of Law, Catherine Deane, *Veterans Legal Assistance Clinic Resource Guide* (updated Jan, 2012).
- 2) Tulsa City-County Library, *Veteran Resources*

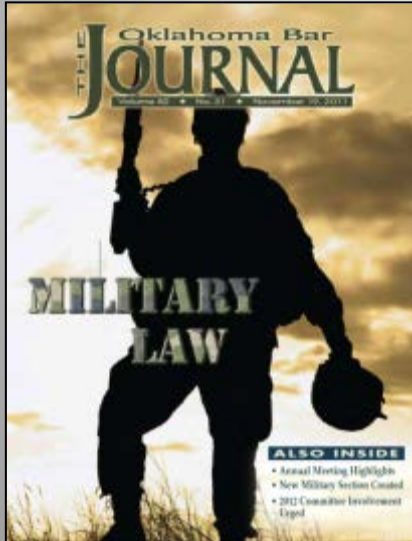
Representing Veterans Before the Veterans Administration

In order for an attorney to represent veterans before the U.S. Department of Veteran Affairs (VA), an attorney must be accredited by the VA. To obtain accreditation, an attorney must formally apply with the Office of the General Counsel of the VA, and after receiving proper credentials, must regularly complete continuing legal education to maintain the VA accreditation.

Other individuals assisting a veteran must also be accredited. Below are links to some useful resources on the types of accreditation and accreditation requirements:

- 1) Title 38 Code of Federal Regulations § 14.629 - Requirements for accreditation of service organization representatives; agents and attorneys
- 2) Senior Veterans Service Alliance, *About Accreditation & Fees*
- 3) U.S. Department of Veterans Affairs, *Accreditation Frequently Asked*
- 4) U.S. Department of Veterans Affairs, *Search Accredited Attorneys, Claims Agents, or Veterans Service Organizations (VSO) Representatives*

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Military Law



At Ease: A Guide for Legal Research Related to Military Issues

By Darla W. Kite-Jackson

For those unfamiliar with federal bureaucratic and military structure, researching veterans benefits and military justice can be a maze of confusion filled with strange acronyms. Providing some basic knowledge of the structure of the system and resources that can point researchers in the right direction is the purpose of this article. This work is not an exhaustive list, but will provide the uninitiated with a basic set of resources to begin research in two areas of law related to military issues.

On the battlefield, military servicemembers develop excellent problem-solving skills. Part of their problem-solving process is developing a familiarity with the hostile environment in which they are operating. Veterans attempting to overcome obstacles to obtaining benefits at home often cannot succeed without the assistance of an attorney familiar with the environment and trained in researching issues and advocating for the veteran. In his second inaugural address, Abraham Lincoln challenged the nation as follows: "with charity for all ... let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan."¹ Ensuring that veterans and their dependents receive the benefits they have earned is a step toward answering that challenge made long ago.

RESOURCES ON VETERANS BENEFITS CLAIMS, DENIALS AND APPEALS

This brief article does not discuss the research of statutes, federal and state regulations, and agency and court decisions. This work instead concentrates on secondary sources that will

assist the legal advocate in identifying and applying specific primary authority on behalf of the client.

Oklahoma Bar Association Young Lawyers Division, Resource Guide for Lawyers Assisting Veterans — Pages 15-26 of this 30-page resource address the topic of assisting veterans with benefits claims, denials and appeals. While this resource is not yet available electronically, similar information is available via the Solo/Small Practice Series: Assisting Veterans in the November 2010 *Texas Bar Journal*.² The *Texas Bar Journal* is available at no cost via the Internet as well as via subscription databases.

Barton F. Stichman & Ronald B. Abrams, eds., Veterans Benefits Manual (Matthew Bender & Co. 2010) — Written by attorneys at the National Veterans Legal Services Program (NVLSP), the *Veterans Benefits Manual* contains sample forms and briefs, checklists, citations to legal authorities and other useful information. Despite being published by Matthew Bender, this resource is not currently available electronically through LexisNexis. The *Veterans Benefits*

Oklahoma Paralegal Association's Spring Seminar Saturday - March 17, 2012



Territory Cellars Winery
1521 H Hwy 99
Stroud, OK 74079

AGENDA

- 9:00-9:30 a.m. Registration
- 9:30-10:35 a.m. Working with Consultants in Complex Environmental Cases
Michael C. Wolford, Quorum, Saunders, Laxton, & Anderson
Oklahoma City, OK
- 10:25-10:40 a.m. BREAK
- 10:45-11:40 a.m. The Role of Paralegals in Real Estate Law
Suey Kaufman, Oklahoma Real Estate Commission
Oklahoma City, OK
- 11:45-12:40 p.m. Rules and Rules of Practice before the Oklahoma Tax Commission
Steve Smith, Oklahoma Tax Commission
Tulsa, OK
- 12:45-1:30 p.m. LUNCH
- 1:30-2:25 p.m. At Ease: A Guide on Legal Research Related to Military Issues
Darla Jackson, Associate Director of OCU School of Law Library
Oklahoma City, OK
- 2:25-2:40 p.m. BREAK
- 2:40-3:25 p.m. Ethics of the Legal Profession
James Alexander Brummond,
Chair of the OBA Legal Ethics Advisory Panel
Norman, OK
- 3:40-4:25 p.m. Paralegals and Abstracts
Gloria Regional, Executive Director, Oklahoma Abstractors Board
Oklahoma City, OK
- 4:40-5:30 p.m. OPA Board Meeting. All members & guests are invited to attend.
Approved for 1.5 hours CLE Credits by NALA, including 1.0 hours of Ethics
This seminar meets the requirements of the new continuing board for paralegals. No continuing legal education credit is required to maintain the LP (Certified Paralegal) credential.

Other Opportunities for Law Librarian Support



- Pros 4 Vets
 - Legal, Medical, Psychiatric
 - Oklahoma Non-Profit (but growing)
 - Clinic in a box
 - Sample intake forms

WELCOME TO PROS 4 VETS®
Fighting For the Greatest The Fought For Us™

Pros 4 Vets® is a coalition of professionals from all fields who strive to help our nation's veterans in any way we can... [about us](#)

HONDA CB 750 MOTORCYCLE RAFFLE \$20,000
Do NOT MAKE DONATION +

PROS 4 VETS®
America is the land of the free and the home of the brave. However, we continue to be free because of the brave men and women who fight for us. Not who is fighting for them? Our nation's heroes are returning home war only to face an all new battle at home. Without help, the physical and mental wounds of war can take a devastating toll. That's why these soldiers and their families need our support...

HELP SUPPORT PROS 4 VETS® +

ARE YOU A VETERAN?
If you are a veteran and are in need of a lawyer please contact us immediately... [more](#)

2011 RLX RAFFLE
Congratulations to Curt Dore for winning the RLX motorcycle. Curt is a vet from Tulsa, Oklahoma. Pros 4 Vets® would like to thank... [more](#)

IMPACT
In 2011, over 500 Oklahoma lawyers signed up to volunteer their time to represent our veterans. Thank... [more](#)

RESOURCES
VETERANS RECEIVE U.S. Department of Veterans Affairs + Don-Don-Don... [www.va.gov/HEALTH](#)

RECENT TWEETS
RT @OKlawyerlibr: OBA members and @Pros4Vets assisting America's heroes at EDCU in Ada today <http://t.co/hyVw7dke> 1 month ago

RECENT POSTS
P4V Names New Executive Director New Post [Hello world!](#)

PAGES
Home About Us News Media Contact Us

WAYS TO HELP
RLX Raffle Impact Resources Are you a Veteran?

NETWORKS
Facebook Twitter

We are set up at EDCU today for their Vet appreciation day. Come by and see us. <http://t.co/GFWd8t8E> 1 month ago

Awareness

- Veterans Court



http://www.youtube.com/watch?feature=player_embedded&v=mMzCMP6itVU

A screenshot of the Oklahoma County Veteran's Program website. The navigation menu includes "HOME", "ABOUT", and "CONTACT". The main heading is "OKLAHOMA COUNTY VETERAN'S PROGRAM". The text describes the program as a diversion program for veterans involved with the criminal justice system, offering rehabilitative alternatives. It details the program's goals, including intensive treatment and supervision, and lists helpful links for veterans and their families.

HOME | ABOUT | CONTACT

OKLAHOMA COUNTY VETERAN'S PROGRAM

The Oklahoma County Veteran's Program (OCVP), is a diversion program designed to divert veterans involved with the criminal justice system from prison, to reduce veteran's involvement in future crimes, and place them into appropriate rehabilitative alternatives. The program is for veterans who are currently facing prosecution for one or more criminal cases. The program offers offenders a treatment option that is supervised by the OCVP team.

The OCVP is only for veterans of the Armed Forces of the United States as defined by federal law. The OCVP is a program coupled with intensive treatment and supervision for veteran criminal offenders. Once the veteran has been screened, assessed, and approved for participation in the program, he/she will promptly begin a treatment program that is specific to his/her needs. The OCVP is a voluntary program, which includes weekly formation with the OCVP team and other participants. It also involves drug and alcohol treatment, random drug testing, support group meetings, vocational or job counseling, educational classes and community supervision. Upon successful completion of the program, the case(s) are normally dismissed or never filed. In the event the agreement is terminated, the case(s) are remanded to the court of origin for continued prosecution.

The OCVP program aims to provide veterans with the tools they need to lead a productive and law-abiding lifestyle while improving mental health recovery and successful re-entry into the community, along with resolution of their criminal case(s).

VETERAN'S HELPFUL LINKS

VETERAN CENTERS:	Vet Centers serve veterans and their families by providing a continuum of quality care, which adds value for veterans, families and communities.
VETERAN STATE BENEFITS:	State benefits provided by the state of Oklahoma to its veterans.

<http://www.oklahomacounty.org/departments/districtattorney/Veterans.aspx>

Awareness

- Military and Veterans Law Organizations
- Displays - Post-Traumatic Stress Disorder Month



in the industry as well as to set up of campus clubs to engage related distributors. TLLA covers all forms of energy from oil and gas to renewable energy.

Law Student Division of the American Bar Association

The Law Student Division is the student affiliation of the A.B.A. Total membership in the U.S. includes over 40,000 law students, approximately one-third of the total A.B.A. membership. The A.B.A. is composed of lawyers and judges from the 50 states. The College of Law has one of the largest enrollments of U.S.A. members in the United States and was a charter member of the Law Student Division at the time of its creation in 1949.

The U.S.A. has been a member of the Law Student Division since its regional, at which law schools in Oklahoma, Kansas and Arkansas participate. The national conference is held in conjunction with the A.B.A. annual conference. Policies of the Law Student Division are debated and suggested modifications to American Bar Association policy are proposed. In addition, current developments in the law are discussed and other substantive legal programs are presented. Membership is voluntary but highly beneficial to law students.

Intellectual Property Society

This organization focuses attention on domestic and international developments in copyright, patent and trademark law. The advent of the internet and other advanced technology present challenges to individuals and businesses seeking to protect investment in intellectual property. Intellectual property is a field for which students and professionals are seeking to protect investment in intellectual property. The society introduces students to national speakers with expertise in intellectual property and protection careers in the field.

Military Law Society

The purpose of the Military Law Society (MLS) is to educate future lawyers about the military and its legal system and how it relates to civilian law. The United States is involved in a continuing armed conflict and with that conflict comes an array of legal issues. While the military provides legal services for those who are in the armed services, there are several former services members that must seek civilian legal assistance now that they have left the service. MLS helps prepare students to meet that need. This education will be done in the form of guest speakers as well as input from those who have been in the armed services, both in a legal and non-legal role. MLS also provides opportunities for MLS members to volunteer legal assistance to service members and veterans.



<http://www.ctdol.state.ct.us/veterans/LegalServices.pdf>

Awareness

• New Legislation

SECTION 2. AMENDATORY 43 O.S. 2011, Section 121, is amended to read as follows:

Section 121. A. When a divorce is granted, the decree shall restore:

1. To the wife her maiden or former name, if her name was changed as a result of the marriage and if she so desires;
2. To the husband his former name, if his name was changed as a result of the marriage and if he so desires.

B. The court shall enter its decree confirming in each spouse the property owned by him or her before marriage and the undisposed-of property acquired after marriage by him or her in his or her own right. Either spouse may be allowed such alimony out of real and personal property of the other as the court shall think reasonable, having due regard to the value of such property at the time of the divorce. Alimony may be allowed from real or personal property, or both, or in the form of money judgment, payable either in gross or in installments, as the court may deem just and equitable. As to such property, whether real or personal, which has been acquired by the parties jointly during their marriage, whether the title thereto be in either or both of said parties, the court shall, subject to a valid antenuptial contract in writing, make such division between the parties as may appear just and reasonable, by a division of the property in kind, or by setting the same apart to one of the parties, and requiring the other thereof to be paid such sum as may be just and proper to effect a fair and just division thereof. The court may set apart a portion of the separate estate of a spouse to the other spouse for the support of the children of the marriage where custody resides with that spouse.

C. A servicemember's portion of Special Monthly Compensation (SMC) awarded by or from the United States Department of Veterans Affairs for service-connected loss or loss of use of specific organs or extremities shall be separate property, not divisible as a marital asset nor as community property. For purposes of identifying SMC, it is the sole responsibility of the servicemember to prove with competent evidence what amount of his or her disability compensation is SMC.

D. A servicemember's portion of Combat-Related Special Compensation (CRSC) shall be separate property, not divisible as a marital asset nor as community property, if a specific dollar amount of CRSC can be proved by the servicemember as compensation for combat-related loss of limb or loss of bodily function and the CRSC award was applied for and established prior to the date of the filing of the dissolution of marriage action.

C. A servicemember's portion of Special Monthly Compensation (SMC) awarded by or from the United States Department of Veterans Affairs for service-connected loss or loss of use of specific organs or extremities shall be separate property, not divisible as a marital asset nor as community property. For purposes of identifying SMC, it is the sole responsibility of the servicemember to prove with competent evidence what amount of his or her disability compensation is SMC.

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OK Senate Bill 1951 - 2012 Regular Session
Approved by Governor 05/15/2012