



PRO SE / SELF-REPRESENTED GUIDE

VA Disability Claim Exhibit Guide

A veteran's guide to organizing evidence for initial VA disability claims, supplemental claims, and Board of Veterans Appeals hearings.

You served your country. Now you are dealing with the VA claims process. To win a VA disability claim, you need three things: a current diagnosis, an in-service event or injury, and a nexus letter connecting the two. Under 38 U.S.C. section 5103A, the VA has a duty to assist you in gathering evidence. Under 38 C.F.R. section 3.159, the VA must consider all evidence you submit, including lay evidence and buddy statements. The benefit-of-the-doubt rule from *Gilbert v. Derwinski* (1 Vet. App. 49, 1990) means if the evidence is roughly equal for and against your claim, the VA must decide in your favor. This guide covers what to gather for initial claims, supplemental claims, and BVA appeals.

Service Records

- DD-214**
Your discharge paperwork showing service dates, duty stations, and combat-related MOS codes
- Service treatment records**
Medical records from military facilities during your service — request from NPRC if you do not have copies
- Entrance and separation exams**
Your enlistment physical and separation physical showing condition before and after service
- Line of duty determinations**
Official findings that your injury occurred in the line of duty
- Deployment orders**
Orders showing where and when you deployed, especially to combat zones

Medical Evidence

- Nexus letter**
A doctor's letter stating your condition is "at least as likely as not" connected to service — the most important single document
- Current diagnosis**
Records from your treating physician showing a diagnosed condition with ICD-10 code
- C&P exam results**
Results from VA Compensation and Pension exams — review carefully for errors
- Disability Benefits Questionnaire (DBQ)**
A completed DBQ from your doctor documents your condition in the format the VA already uses
- Treatment records**
VA and private medical records showing ongoing treatment and prescriptions

Buddy Statements & Lay Evidence

- Buddy statements**
Written statements from fellow service members who witnessed your injury or symptoms during service
- Family statements**
Letters from your spouse or family describing changes they observed after service
- Personal statement**
Your own account of the in-service event, when symptoms started, and how the condition affects daily life
- Employment impact statements**
Statements from employers about how your condition affects your ability to work

Prior VA Decisions

- Rating decision letter**
Your current rating and the reasons the VA gave for the decision
- Statement of the Case**
If you have appealed before, the detailed explanation from the VA regional office
- Board decisions**
Any prior BVA decisions — the Board must address errors you point out
- Duty to assist errors**
Documentation of times the VA failed to help you get records under 38 U.S.C. section 5103A

Supporting Documentation

- Vocational assessment**
For TDIU claims, an expert opinion on whether your disabilities prevent substantial employment
- Social Security records**
SSDI records support your VA claim — the VA must consider SSA findings
- Medication list**
Complete list of medications, dosages, and side effects
- Daily activities log**
A written record of how your condition limits daily tasks like dressing, driving, standing, and concentrating

COMMON MISTAKES TO AVOID

1. Filing without a nexus letter — the VA rarely connects the dots on its own, even when the evidence is obvious
2. Not reviewing the C&P exam report for errors — examiners sometimes record the wrong range of motion or miss conditions
3. Skipping buddy statements because you think only medical evidence matters — lay evidence carries real weight under 38 C.F.R. section 3.303(a)
4. Accepting an initial denial without filing a supplemental claim or appeal
5. Not requesting your complete claims file (C-file) to see what the VA already has

ORGANIZATION TIPS

- Start with your nexus letter — it is the single most important document in your claim
- Organize medical records chronologically with tabs for in-service and post-service sections
- Label buddy statements with the writer's name, relationship to you, and the specific events they describe
- Highlight nexus language ("at least as likely as not") so the rater can find it quickly
- Create a one-page summary listing each claimed condition, the in-service event, and the supporting exhibit
- Request your complete C-file through FOIA before submitting new evidence

COURTROOM PREPARATION

- For BVA hearings: prepare a clear opening statement summarizing your claim in under 3 minutes
- Know the three elements: current diagnosis, in-service event, and medical nexus
- Bring tabbed copies of your strongest evidence — the judge may not have reviewed your entire file
- If the C&P exam was inadequate, be specific about what was wrong (e.g., "the examiner did not test range of motion in flexion")
- Reference the benefit-of-the-doubt rule (38 U.S.C. section 5107(b)) — if evidence is roughly equal, the VA must decide in your favor
- Board hearings are non-adversarial. The judge is required to help you identify what evidence might be missing.
- You can bring a Veterans Service Organization representative, but you can also represent yourself

This guide is provided for informational purposes only and does not constitute legal advice. For legal advice specific to your situation, consult with a licensed attorney. You are responsible for ensuring compliance with your local court's rules and procedures.

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