

Q1 Do you believe it would be fair to assign 2 credits for cases with 10 to 19 issues and 3 credits for cases with 20 or more issues if the issues-track were eliminated? Please offer any suggestions on this topic if the issues-track is eliminated, as proposed by management. Please elaborate.

Answered: 366 Skipped: 12

#	RESPONSES	DATE
1	1 credit for every 5 issues would be reasonable. A 10-19 issue case could take 2-3 weeks to prepare depending on the complexity of each issue. The attorney could potentially be behind in production for that time period by 4-6 cases while working on a 10-19 issue case. There is no way to know the complexity until the attorney is already in the file, so to assign credit for every 5 issues would be more appropriate.	9/19/2024 12:31 PM
2	No. Some months I receive nothing but 8-9 issue cases. That should be worth more than one credit per case.	9/19/2024 11:42 AM
3	Yes, I do. These cases take quite a bit time to work through, 2 to 3 days depending on the issues. When I have a 15 issue case, it has hard to get two more cases written within the same week. Also, the tracker does not account for this. By eliminating the issue count, it would seem to have a chilling effect on wanting to adjudicate these cases. It appears that management is failing to consider how complex these cases are, especially in light of the Court's holding in Bailey v. Wilkie. We are having to spend a lot of time to ensure not only that each contention is addressed, but that we have to ensure we are compensating the Veterans for each symptom or complication of their disability. Therefore, when we are working through a high issue case, we still have to keep the Court's holding in Bailey in mind.	9/18/2024 1:02 PM
4	yes	9/18/2024 11:33 AM
5	I think 2 credits is still pretty minimal for a 19 issue case, to be honest. And I think that the number of credits should continue to increase for cases with 30, 40, 50, 60 issues etc.	9/18/2024 8:08 AM
6	Yes	9/17/2024 6:07 PM
7	Yes, as there is obviously a significant difference in the amount of time spent on a 2 issue as opposed to a 20 issue case. I had a 42 issue case recently that took an entire work week to complete, that should not be counted the same as a 1 issue 100 doc case	9/17/2024 6:01 PM
8	Yes, in principle. But maybe they could assign everyone 1 credit for every 5 issues.	9/17/2024 12:20 PM
9	yes	9/17/2024 12:09 PM
10	No. If you complete 19 issues with the current issue goal standards in one pay period you would be considered fully successful for the period. 2-3 Credits for 19+ issue cases would a pretty big departure from the current standard as you would be expected to complete seemingly double the work for one pay period.	9/17/2024 12:03 PM
11	Yes	9/17/2024 11:52 AM
12	Seems too low.	9/17/2024 11:51 AM
13	yes	9/17/2024 11:44 AM
14	Absolutely - these cases take more time to review and write, and credits should be assigned accordingly. This is the case even when the file is relatively small.	9/17/2024 11:41 AM
15	Yes. There has to be some way to compensate for complex or longer cases. Perhaps there should be a 10+ issue TEAM for these type of cases.	9/17/2024 11:40 AM
16	I believe that eliminating the issue track will be detrimental to the Board because it will make achieving quota for the more senior attorneys very difficult if not unattainable, possibly resulting in the loss of valuable institutional knowledge if senior attorneys leave. I think if the	9/17/2024 11:37 AM

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issue track were eliminated, a more attainable alternative would be 1 credit for every 6 issues adjudicated.

17	Eliminating issues would be a complete disaster, especially for GS-14s that are disproportionately assigned such cases. If issues MUST be eliminated, I propose assigning case credits based on 5-issue intervals. For example, 1 credit for 5 or fewer issues, 2 credits for 6-10 issues, 3 credits for 11-15 issues, 4 credits for 16-20 issues, and so on. It does not penalize someone for being competent and thorough with their job.	9/17/2024 11:37 AM
18	Yes, that seems fair. However, I am a relatively new attorney and the most issues I have seen in a case is seven. Additionally, it is my understanding that AMA cases generally have many fewer issues.	9/17/2024 11:34 AM
19	Yes. There needs to be some consideration given to large issue cases. The perfect number is debatable, but something is better than nothing.	9/17/2024 11:30 AM
20	Yes.	9/17/2024 11:29 AM
21	I think anything over 6 should be 2 issues. Anything over 15 should be 3.	9/17/2024 11:29 AM
22	Yes. I am in favor of this suggestion.	9/17/2024 11:28 AM
23	Yes - Multiple issues take longer to complete	9/17/2024 11:23 AM
24	Yes. Cases with more issues generally take longer, at times weeks to complete. It does not make sense to assign a case like that the same amount of credits as a single issue SC HL case.	9/17/2024 11:21 AM
25	Short answer, yes	9/17/2024 10:28 AM
26	Yes, although I would propose 2 credits for 7-14 issues and 3 credits for 15 or more. A 15-issue case is typically going to take all week to do (3 credits worth of time).	9/17/2024 10:19 AM
27	Yes	9/17/2024 10:16 AM
28	Yes that would be fair	9/17/2024 9:44 AM
29	right now the issue equivalent per case is ~3, so i think it would be more fair to do 2 credits per 6 issues, 3 credits per 9 issues, 4 credits per 12 issues, 5 credits per 15 issues, 6 credits per 18 issues, etc.	9/17/2024 9:34 AM
30	Yes. I would also suggest consideration for more credit on cases with large number of pages that must be viewed (medical records)	9/17/2024 8:26 AM
31	Definitely. Personally, I would set the range at 7 instead of 10. Even in an AMA case with less than 200 documents, anything over 7 issues requires extra attention to draft and extra care to double check and usually means reviewing relevant documents multiple times so no evidence is missed.	9/17/2024 8:07 AM
32	n/a I do not track productivity with issues	9/17/2024 7:52 AM
33	An issue-credit type tracking system to replace the case & issue tracks would be a good method to account for an attorney's time spent on a case (rather than "fairness") in general but I would expect a lower ratio. When considering the 10/20 issues a week/pay period with the 3/6 cases a week/pay period, I would expect something more along the lines of 1 credit for 1-4 issues, 2 credits for 5-8 issues, 3 credits for 9-12, etc or similar structure. Getting 1 credit for 9 issues does not seem to account for the time difference it would take to draft 3 issues. And this still does not take into account the complexity and case history that can require more drafting time.	9/17/2024 7:35 AM
34	Yes, & maybe include a number of Documents. Last wk I finished a case with 2500+ docs.	9/17/2024 7:33 AM
35	I think 2 for 10 is fair, however, once you hit 15 it should be 3 and 20 it should be 4. Basically as you add 5 an additional credit should be added, as they take a significant amount of time and if issue track it eliminated it is the only fair way to compensate large cases.	9/17/2024 7:32 AM
36	Yes, that sounds fair	9/17/2024 7:10 AM
37	Yes this would be fair.	9/17/2024 7:08 AM
38	Yes. Not concerned with issues track being eliminated.	9/17/2024 12:49 AM

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39	No because one 6 issue case would be worth at most 2 credits but anything over 20 is worth only 3? I don't understand why they're getting rid of the issue track when it was something that was apparently worked out over the years to be fair. I think management should provide a good reason for getting rid of the issues track (and then have the quota check throughout the year) especially when the Board is putting out more cases than ever. It seems like management is just there to torture attorneys (and I'm comparing this to other agencies)	9/16/2024 11:05 PM
40	That's reasonable as long as the number of high-issue cases assigned to an attorney are below a certain percentage of their cases. If someone is consistently getting cases that are 10-19 issues each, they would never have been on a case track.	9/16/2024 10:31 PM
41	Would be more fair if it was 3 credits to be honest. That kind of case can easily burn up a week time if someone is actually bothering to look at the evidence.	9/16/2024 7:03 PM
42	More fair, but if the average case is 2.3 or 2.6 issues (as previously reported) then it still would be insufficient	9/16/2024 4:52 PM
43	yes	9/16/2024 4:25 PM
44	I am an issues person. I have had 2 cases this year that required 3 weeks to complete, and I have had many cases take over a week to complete. I am glad some type of offset is being considered, but this is not enough. If this is the new number, I will be asking to be treated as a case tracking attorney.	9/16/2024 4:13 PM
45	yes	9/16/2024 3:56 PM
46	Yes. Alternatively, I think a detail assignment for high issue cases (12 or more?) could potentially make sense and the attorneys on that detail assignment could be held to the issues track standard rather than the regular case track standard	9/16/2024 3:55 PM
47	I'm a GS13 from the June 2022 cohort, so I'm not familiar with how the issue track system is implemented and calculated. However, I do believe it is far to allocate more credits for more issues, if the issue track were to be eliminated.	9/16/2024 3:50 PM
48	It should be much lower than that. 2 credits for 5-10 issues and 3 credits for 11-15.	9/16/2024 3:46 PM
49	I agree with this. Also, we used to get 1.5 credits where there was a merits decisions and remand which was eliminated with the issue track so there is precedent for a single decision providing more than 1 credit.	9/16/2024 2:59 PM
50	Yes. I actually believe 9 issues or more should be worth 2 cases because I believe that tracks more the current ratio of issues per pay period to make goal vice cases to make goal.	9/16/2024 2:52 PM
51	Yes, that would be more than fair.	9/16/2024 2:33 PM
52	No experience with the issue-track; I defer to those attorneys.	9/16/2024 2:27 PM
53	I think that is too few points for cases with that many issues.	9/16/2024 2:23 PM
54	No. Currently, in a typical week, I need 9.5 issues to be fully sat. This proposal would more than double that.	9/16/2024 2:22 PM
55	Yes, this would be fair due to the amount of time it takes to review a case and draft a decision with more issues.	9/16/2024 2:09 PM
56	Agree 2 and 3 credits given for larger-issue cases fair.	9/16/2024 1:53 PM
57	This would be better than nothing to replace the issues track, but it is not "fair." A 19 issue case would only meet 67% of goal for a week. All >20 issue cases would be afforded insufficient time.	9/16/2024 1:49 PM
58	Yes.	9/16/2024 1:22 PM
59	We have been told for years that the average case has less than 3 issues. This should be an easy number to calculate. If this is true than a 20+ issue case is more than 2 weeks' worth of work and it is insulting to only get one week's worth of credit for it.	9/16/2024 1:00 PM
60	I do think it would be fair to assign higher credits for those larger cases	9/16/2024 12:54 PM
61	I don't believe that a high issue case is necessarily harder than a case with less than 10 issues so I don't think we should assign more credits for more issues.	9/16/2024 12:49 PM

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62	Yes, but I anticipate a lot of push back. I suggested something similar to SDVC Santoro when he had his open door discussions, and he said he couldn't justify that to Congress. It would appear as if someone wrote, say 10 decisions, when they were reporting only 6 Veterans served and dispatch only handled 6 decisions. The feedback he gave me was that, in order to accommodate for harder cases, a measure needed to be objective. Even though caselaw is exploding, theories and contentions are numerous, higher grade attorneys have their own methods of efficiency, and should be able to handle higher issue cases expeditiously because of their techniques and experience. I have no good argument that fits his "objective" criteria to push back.	9/16/2024 12:33 PM
63	I would prefer the issue element stay in tack. Almost always when the case has more than 10 issues, those issues are of an increased complexity as well. I'm not sure if the "Credits" would account for that.	9/16/2024 12:25 PM
64	Higher issue cases as well as cases that have numerous documents- particularly IR cases with numerous documents and/or thousands of pages of medical records and complex cases should definitely receive more credit	9/16/2024 12:09 PM
65	May be worth it, but I don't want the issues-track eliminated in the first place. Some 10-19 issues aren't worth 2 credit (take 1 day vs. a week), but some take a whole week, so it really depends...best just to keep the issues-track. Usually, I'm meeting my productivity by issues (but not since starting SCT, with mostly single issue cases).	9/16/2024 11:55 AM
66	Yes that is a good approximation for the time disparity	9/16/2024 11:51 AM
67	Yes - I think assigning more credits to cases with these significantly higher issues (that does not affect the Board's measurements by cases) would be a fair way to account for the time often needed to process higher issue cases/not having the issue track. I have not been able to do issue track for a few years, and this also would have been a big help for me for the larger issue cases I did get.	9/16/2024 11:47 AM
68	I think 2 credits should be assigned to cases with 6+ issues, not 10. The typical case I've been assigned has 3 issues, and that's allotted one credit. I think additional credits for excess of 6, 9, and 12 issues should be provided.	9/16/2024 11:43 AM
69	It should be 2 credits for cases with 6-10 issues, 3 credits for cases with 11-15, issues, and so on. There should not be a cap. E.g., cases with 30 issues should get 6 credits	9/16/2024 11:33 AM
70	It is hard to be sure what the fairest way to account for large issue cases is without having a general understanding of how many cases there are with larger issue counts and how many in each category, but after discussing it with other Board attorneys, I think it would be more fair to retain the issues-track but have a minimum number of cases to be completed in the fiscal year within the issues-track. For example, the idea that any case over 20 issues would be worth the same as three 1 issue cases does not seem fair but it would be easier to assess if we knew how many 20 plus issue cases there are.	9/16/2024 11:32 AM
71	If the issues track is eliminated, I think there should be 2 credits for cases with 8-15 issues, and 3 credits for cases with 16 or more issues.	9/16/2024 10:56 AM
72	Fair yes - but would add 3 credits for 10 to 19 and 4 for 20 or more.	9/16/2024 10:52 AM
73	It's unclear to me how they came up with the ratio of 2 credits for cases with 10 to 19 issues and 3 credits for 20+ issues. At present, if you divided the issues goal by the cases goal, the ratio would be 2 credits for 6.3 issues. It's reasonable to adjust the ratio considering two cases would likely require more document review than one case with more issues but the proposed ratio is unfair and I could imagine that the folks who used to willingly take on the higher number issue cases would be at a loss without the issues goal. Even if management considers them a small but mighty pool, the downstream effects of this is that those cases will be more widely distributed to attorneys and negatively impact a wider swath of attorneys. Instead, I would drop the ratio to 2 credits for cases with 7 or more issues, and 3 credits for 11 or more issues. The disincentive the proposed ratio would create would have downstream effects beyond the small number of attorneys who historically took these cases to meet their issues goal because they would likely no longer take them all. Those attorneys did the rest of us a favor and some of us, myself included, would be really disadvantaged by getting such a large case. The law has changed so much in the last few years and will continue to change with the overturning of Chevron that folks can no longer depend as heavily on their knowledge of the law and will have to do more research as they prepare their decisions. So, I would also ask for some protection	9/16/2024 10:48 AM

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around the distribution of these cases so as not to assign these cases to newer attorneys (i.e., GS-11 to GS-13).

74	Yes, because often multi-issue cases require more time to both review the file and address all contentions and relevant evidence in the decision	9/16/2024 10:44 AM
75	Yes, each issue added to a case increases the time needed to complete the decision.	9/16/2024 10:42 AM
76	The current standards are 6 cases and 18.9 issue, or 3.15 issues per case. The September sidebar email shows that legacy cases have an average of 3.36 issues and AMA cases have an average of 2.5 issues. AMA cases are increasing. The typical case probably ranges from 1 to 5 issues. Two credits should assigned somewhere between 6 to 19 issues instead of 10 to 19 issues.	9/16/2024 10:37 AM
77	I don't think the issues track should be eliminated. Who determines how many issues there are in a given case? I change the number of issues in cases all the time because they are missed or mis-docketed by intake.	9/16/2024 10:31 AM
78	I agree with this. I also think that consideration should be given to giving credits for the letters we have to draft due to the AMA jurisdictional issues (like 20.104(c) letters and the letter confirming what the Vet wants to appeal. it is not immediately evident when one of these letters is required, so you've already spent time reviewing the case and then you have to draft a letter explaining the situation and lose the case for 60 days or forever. It is very frustrating.	9/16/2024 10:31 AM
79	It should be 1 credit for every 6 issues	9/16/2024 10:29 AM
80	no real opinion on this. I never do cases that large.	9/16/2024 10:29 AM
81	yes	9/16/2024 10:21 AM
82	Yes, at least 2 credits for 10-19. I work 75% and, depending on the type of issues and number of documents involved, it would take me more than one week to complete 15 issues.	9/16/2024 10:21 AM
83	Maybe. There definitely needs to be a way to account for the time complex cases require.	9/16/2024 10:19 AM
84	Yes.	9/16/2024 10:17 AM
85	Yes	9/16/2024 10:13 AM
86	Yes. Large cases need to be given more credit in some way because they take more time and can cause lasting negative effects on production numbers.	9/16/2024 10:09 AM
87	yes	9/16/2024 10:09 AM
88	yes, at least	9/16/2024 10:08 AM
89	N/A	9/16/2024 10:06 AM
90	YES	9/16/2024 10:05 AM
91	Yes! this is how it was done historically	9/16/2024 10:05 AM
92	yes	9/16/2024 10:03 AM
93	Yes. Multiple credits for higher issue cases would be acceptable.	9/16/2024 10:00 AM
94	If that is what those who do those big cases think. I default to them.	9/16/2024 10:00 AM
95	yes	9/16/2024 9:57 AM
96	yes	9/16/2024 9:52 AM
97	Yes, if the issue track is going to be taken away there needs to be a way to properly account for how long these large issue cases take. NO MATTER HOW SENIOR THE ATTORNEY IS some of these cases take DAYS if not a week. Asking 14s do take on this BURDEN without any extra help toward production is a sure-fire way to make people burn out and QUIT. Leaving you with attorneys who are far less experienced to handle cases well outside of what they can do on a consistent basis. Why punish your senior attorneys unnecessarily?	9/16/2024 9:51 AM
98	Yes fair.	9/16/2024 9:48 AM
99	Absolutely. If the Board continues to be productive, why on earth change something that really	9/16/2024 9:47 AM

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makes a difference in someone's motivation? And I say this as an case-track attorney.

100	Yes this would be fair. It is not fair that a 1 issue withdrawal is counted the same as a 20 issue decision. Other ideas: 10+ issue cases have to be done by volunteering and/or OT attorneys only; OT cases cannot be assigned that are less than 5 issues (goal here being to get the higher issue cases into OT and not regular time); "super producers" from the prior FY are assigned all 10+ issue cases; lower the overall case quota to account for the fact that all attorneys will be doing higher issue cases; create a high issue specialty case type team; allow 1 attorney per VLJ to do the issue track.	9/16/2024 9:45 AM
101	No, because the most time consuming work on any decision is the analysis of each issue.	9/16/2024 9:42 AM
102	If the average case size is 3-5, it would be fair to assign 2 case credits for cases with 5-10 issues, and 3 credits for cases with 10 or more issues. A solution like this, like the issues track, protects the QUALITY of high-issue decisions. If high-issue decisions are afforded only the same amount of time as low/middle-issue decisions, the quality of the decisions will suffer, likely leading to more remands and overall fewer decisions for Veterans.	9/16/2024 9:42 AM
103	Yes. I started with a new judge last June a little over a year ago. When September rolled around she told me she wanted all attorneys to be on cases not issues. I said I had no problem with that even though I had done issues for the last few years as long as she evenly distributed the caseload. After a month or two she came to me and another senior attorney and said it would not work and asked us both to switch to issues. I have been here for almost 16 years now. I saw what it was doing to the GS14s when there was no issue track. You cannot do 3 cases a week if they are 20 issue cases or thousands of documents. I used to get performance awards for cases until I was the only GS 14 on a team once. I talked to my judge about how I couldn't handle only large cases and keep production and his response at the time was that I was the only GS14 he had so he couldn't give them to anyone else. I actually got put on a PIP midyear and then spent August and September with him giving me one to three issue cases to make production by October 1. I was literally looking for jobs because I couldn't handle that stress anymore. That was the year they announced issues. Every attorney isn't doing issues. It is one or two on a team and allows the rest of the team to keep up production speed. There needs to be some adjustment for large cases. 2 credits for 10 to 19 issues and 3 for 20+ makes perfect sense. I just think senior administration wasn't around when we implemented the issue track and doesn't realize the problem with turnover and burnout and unpaid overtime, etc. There was a reason we went to dual tracks. Why are they trying to fix a system that isn't broken?	9/16/2024 9:42 AM
104	No because it depends on the complexity of issues and documents in the file. Better for it to be 1 case credit per 6-7 issues.	9/16/2024 9:41 AM
105	Yes!	9/16/2024 9:41 AM
106	yes	9/16/2024 9:40 AM
107	YES	9/16/2024 9:38 AM
108	Yes, I think additional credits for high-issue cases would be a good compromise. I actually like this somewhat more than the current system, as it allows attorneys to receive extra credit for high-issue cases without requiring them to commit to taking ONLY high-issue cases.	9/16/2024 9:37 AM
109	Yes. The amount of work required for higher-issue cases is significantly more than a lower-issue case. The issue track should be retained, but if it is not, additional credit should be given for more complex cases.	9/16/2024 9:37 AM
110	Almost, but not quite. By the current metric, about 6.3 issues is equal to one case credit, if you equate the issues on the current issue tracker to the case tracker. I think a more fair number would be something like 6 or 7 issues would, such that if you have a case with more issues, you get more credits accordingly (e.g., if you have a case between 8-14 issues, you would receive 2 credits, and with 15-21 issues, you would receive 3 credits, etc.).	9/16/2024 9:34 AM
111	Yes. If the issue track is being eliminated and we're required to turn in 3 cases a week then a higher issue case should receive more credit as it takes longer to complete. A 20 issue case takes about a week to complete so if you are not receiving more credit it would be very easy to fall behind.	9/16/2024 9:32 AM
112	The number of issues should be less than 20 to warrant 3 credits. In our current system, 20 issues is 2 weeks of work, i.e., 6 case credits.	9/16/2024 9:30 AM

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113	This would be great!	9/16/2024 9:29 AM
114	Not only that, but additional credits should be assigned to cases where the file is more than 500, 1000, 2000 docs etc.	9/16/2024 9:27 AM
115	YES	9/16/2024 9:26 AM
116	Yes	9/16/2024 9:26 AM
117	yes, fair.	9/16/2024 9:23 AM
118	Yes	9/16/2024 9:22 AM
119	I think that is a reasonable offer, however I suggest raising the credit even higher, for example 10 issue cases should get 2 credits, cases over 15 should get three, and cases over 20 issues should get 4 credits, and for subsequent range i.e. 30-39, 40-49, the number of credit should increase by 1	9/16/2024 9:21 AM
120	Yes. There should be some additional credit for the high issue cases. The Board recognized such cases but now wants to ignore them. While AMA should decrease high issues cases, it does not eliminate them. Even ROs accommodate for high issue cases. Also, if the Board wants to decrease the number of CAVC remands/dismissals, then the focus on quality should be paramount.	9/16/2024 9:19 AM
121	Yes. Honestly, 6 or more issues should get two credits. At the end of 2022, I completed a 25-issue case in six work days and felt so efficient, until I realized that I "underperformed" for the payperiod by "only" doing 4 cases	9/16/2024 9:13 AM
122	Yes. The alternative (i.e., no additional credit for more issues) promotes seeking out low-issue cases. Moreover, if no additional credit is offered and an attorney receives a case with 10+ or 20+ issues, it encourages them to perform a less than normal review of the evidence. No one will want to handle the larger, more difficult cases, because there is utterly no incentive to do so.	9/16/2024 9:09 AM
123	As a nube, I can't opine here. Would like the outcome that is more favorable to us decision-writing attys.	9/16/2024 9:09 AM
124	No. It is unclear how someone on the issues track could actually met the standard. No one will want to work the higher issue cases.	9/16/2024 9:08 AM
125	No. I strongly oppose eliminating the issue track. But if management insists on doing that, then cases should be based weighted in a manner consistent with the existing quota system. If "fully successful" under the existing quota system is 6 cases or 18.9 issues per pay period, then assign 1 credit for cases with 1-4 issues, 2 credits for cases with 5-8 issues, 3 credits for cases with 9-12 issues, etc.	9/16/2024 9:08 AM
126	It would be fair to give more credit for more complex cases, although I'm not sure about the proper formula.	9/16/2024 9:06 AM
127	Yes	9/16/2024 9:05 AM
128	More fair than equally weighting large complex cases with one issue cases. Issue track is still the best way to provide equity and not burn out the 14s	9/16/2024 9:02 AM
129	Yes! Of course, this should not include dismissals, etc.	9/16/2024 8:59 AM
130	Yes	9/16/2024 8:58 AM
131	No; it seems almost common sense to have a point system. Ie award a base number of points per decision plus additional points per issue (maybe with diminishing returns with increasing issue numbers) so that many issue cases aren't punishment. A 50 issue case is plainly not 1/3 of a weeks work and its brutally unfair to treat it that way.	9/16/2024 8:57 AM
132	Generally yes, the idea to assign more than one credit for larger issues is important. Maybe allows a VLJs discretion to also add a case. I.e., if the 10-19 issue case is exceptionally challenging, the VLJ could credit the attorney with 3 in stead of 2. It might not happen often, but it could happen.	9/16/2024 8:56 AM
133	No. I think the ratio now is roughly 6 issues equals 1 case credit. I would advocate for that standard.	9/16/2024 8:55 AM

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134	Not really, as attorneys at 8-9, and 18-19 issues would still have the majority of the work of a 10/20 issue case, but would still fall short of the benchmark. Perhaps counting issues as a percentage of a credit instead, so that it's a smoother curve than this? I'm not sure, but I don't like the proposal really since it's too clunky with big jumps in credits at 10/20 issues.	9/16/2024 8:55 AM
135	I think it would be nice if you had an opportunity to choose between issue or case track. But assigning more credits for more issues in a case I think is doable.	9/16/2024 8:55 AM
136	yes. Larger issue cases require days to weeks of work and research to the exclusion of other work, making it harder to reach quota goals.	9/16/2024 8:54 AM
137	yes	9/16/2024 8:52 AM
138	There should be some recognition of large cases that does not take away from those who routinely do low issue cases (like on the SCT)	9/16/2024 8:51 AM
139	Yes, it can take at least a week to review and write a 20 issue case. With AMA, I am granting/denying more claims which makes the cases even longer.	9/16/2024 8:44 AM
140	yes, that would be fair	9/16/2024 8:44 AM
141	yes - with AMA, there seem to be fewer large issue cases so when they show up in your queue, they can really mess-up with the flow of work. Assigning more overall case credits seems like a fair way to balance that as opposed to hoping your judge assigns you a "gift" or balanced case to pair with it. This is especially so for the external hire judges who may not understand this historic practice.	9/16/2024 8:43 AM
142	I do think that would be a fair compromise. Currently I have two cases that are 15+ issues in my Caseflow Queue and I do not think it makes any sense to have these cases count the same amount as a 3 issue case.	9/16/2024 8:42 AM
143	Yes	9/16/2024 8:41 AM
144	yes	9/16/2024 8:39 AM
145	Yes. I think it should be clearly stated that this number would be based on issues that are listed when the decision is signed (i.e., staged ratings, issues reasonably raised in the course of the appeal) and not necessarily based on the information in Caseflow when a case is first assigned.	9/16/2024 8:38 AM
146	NO. Attorneys would be less willing to handle large issue cases because their time and production would not be similarly reflected in their work.	9/16/2024 8:38 AM
147	Yes. Those particular cases take significantly more time. Sometimes multiple days.	9/16/2024 8:37 AM
148	Yes- large issue cases take more time because of the issue tracking throughout, and application of numerous regulations and case law, and should be recognized as taking additional time.	9/16/2024 8:36 AM
149	As a new attorney, I am not currently on production yet. However, it would make sense that the more complex cases would warrant additional credits.	9/16/2024 8:35 AM
150	The suggestion seems reasonable. Alternatively, attorneys that are assigned cases with more than 10 issues should also be assigned "easy" cases to compensate (but that could impact the number of difficult cases they do in a year for production purposes).	9/16/2024 8:35 AM
151	I believe that is still too low. It should be 2 credits for cases with 7-15 issues, 3 for cases with 15-21	9/16/2024 8:33 AM
152	I am on the case track.	9/16/2024 8:32 AM
153	No. I believe 1 credit should be assigned for every 3 issues. I would be okay if that began with cases that have 7 or more issues.	9/16/2024 8:31 AM
154	Its better than nothing but prefer the issue track. Assuming a "normal" case is 3 issues, getting many 8 issue cases would be a punishment and still worth as much as a one issue case.	9/16/2024 8:29 AM
155	yes	9/16/2024 8:29 AM
156	Yes I think this could be a fair compromise	9/16/2024 8:28 AM

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157	Yes, the time it takes to complete large cases, including reviewing all the records and writing long decisions, would equate to at least the 2 to 3 times as much as a case with 6 or fewer issues	9/16/2024 8:27 AM
158	Yes; however, it would appear that fewer and fewer legacy cases are being adjudicated and large issue cases tend to (but not always) come from mergers of legacy appeals. It makes sense to phase out issue track eventually.	9/16/2024 8:26 AM
159	It should be 1 credit for six issues. For example: 2 credits for cases with 12 issues. 3 credits for cases with 18 issues.	9/16/2024 8:23 AM
160	Yes	9/16/2024 8:23 AM
161	Yes, I think it would even be fair to permit .5 or .25 credits for intermediate numbers of issues for cases.	9/16/2024 8:20 AM
162	Yes, I support assigning multiple decisions-written credits for high-issue cases, assuming the issue track must be eliminated. But it ought to be recognized that 19 issues is nearly double 10, but would get the same credit...	9/16/2024 8:20 AM
163	Yes, this would be fair for performance because the alternative will leave attorneys more likely to take shortcuts to get the amount of work done. Quality will suffer otherwise.	9/16/2024 8:19 AM
164	Yes, this is fair, as cases with multiple issues just take a lot longer. I would also say that 2 credits for cases with 6+ issues is fair if the case involved multiple types of claims (e.g., earlier effective date, service connection, and increased rating claims, all in one case).	9/16/2024 8:18 AM
165	Yes. That appropriately takes into account the additional time necessary to complete a large issue case.	9/16/2024 8:18 AM
166	Yes. No alternatives to offer at this time	9/16/2024 8:18 AM
167	Yes. With the amount of work and effort required on larger issue cases it is unconscionable to have a higher issue case only count for 1 credit.	9/16/2024 8:17 AM
168	Yes	9/16/2024 8:15 AM
169	Yes I think it is fair to assign more credit to cases with more issues	9/16/2024 8:15 AM
170	That would be more fair.	9/16/2024 8:14 AM
171	Yes that would be fair.	9/16/2024 8:05 AM
172	Yes	9/16/2024 8:04 AM
173	yes	9/16/2024 8:03 AM
174	20+ issues should could for an entire weekly quota (3.25?)	9/16/2024 8:01 AM
175	I believe it would be fair to assign 2 credits for cases with 10 to 19 issues and 3 credits for cases with 20 or more issues if the issues-track were eliminated.	9/16/2024 8:00 AM
176	Yes, but there's still the problem that number of issues isn't a real reflection of complexity. I could have a single-issue 1800-document nightmare that is far more complicated than a 12-issue set of related service-connection remands with 150 documents.	9/16/2024 7:59 AM
177	YES; Very much so. I think anything above 5 issues should be more than one credit	9/16/2024 7:53 AM
178	No. A 19 issue case could take a week to complete	9/16/2024 7:52 AM
179	Yes, assigning this type of credit to larger issue cases would be fair because these larger cases obviously take much more time.	9/16/2024 7:52 AM
180	Yes. These longer cases are burdensome and some can take a full pay period depending on complexity. It would be inequitable to only assign it as 1 case. Additionally, the load would fall on GS-14s, making it difficult for them to reach numbers and would possibly result in the most experienced and knowledgeable attorneys being let go.	9/16/2024 7:51 AM
181	I think it should be 2 credits for 8-14 and 3 for 15 plus.	9/16/2024 7:50 AM
182	Yes	9/16/2024 7:49 AM

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183	Yes. I think there needs to be some way to give greater credit for larger issue cases if the issues-track is eliminated.	9/16/2024 7:49 AM
184	Yes. I often spend at least two or three as much time on these cases, often more, depending on how complex they are.	9/16/2024 7:48 AM
185	Yes.	9/16/2024 7:45 AM
186	No, cases with 7-9 issues can be just as challenging as cases with 20+ issues (the 20+ issue cases often involve a lot of NME/NRE or a lot of remanded issues)	9/16/2024 7:44 AM
187	Yes	9/16/2024 7:43 AM
188	Yes	9/16/2024 7:42 AM
189	yes, some sort of pro-ration should be provided for large issue cases. Alternatively, a specialty case team type team should be created and allowed to continue working on the issue track.	9/16/2024 7:41 AM
190	Yes, because these take far longer to finish than other cases. I am a GS14 not on the issues track, and when I get large cases, I always must work extra time during that PP to make quota. It always, always requires work outside regular duty hours.	9/16/2024 7:41 AM
191	I believe 2 credits for 6-10 issues, 3 credits for 11-19, and 4 credits for 20+ would be fair OR cases greater than 10 issues should become part of an SCT large issue group	9/16/2024 7:39 AM
192	Yes	9/16/2024 7:37 AM
193	No. This is so convoluted.	9/16/2024 7:37 AM
194	I think that the suggested credits are fair if the issue track was eliminated.	9/16/2024 7:36 AM
195	yes	9/16/2024 7:29 AM
196	It would certainly be more fair than the current system of only 1 credit!	9/16/2024 7:28 AM
197	Yes	9/16/2024 7:28 AM
198	yes	9/16/2024 7:27 AM
199	Yes, that seems like a fair compromise to me	9/16/2024 7:25 AM
200	"fair", I suppose. It really should be 2 for cases over 5 issues, 3 over 10, and 4 over 20	9/16/2024 7:25 AM
201	Yes	9/16/2024 7:24 AM
202	Yes, or at least assign additional credits for more issues, e.g. 1 credit per every 10 issues.	9/16/2024 7:18 AM
203	Fair, but I would lower it to 5 issues. As a person who is on the issue track, EED and NME cases add "extra" issues which can be a culprit of infalted issues	9/16/2024 7:18 AM
204	Yes	9/16/2024 7:13 AM
205	No. I worked in the RO for over 10 years. We had a similar system. However, I highly recommend that we adopt the system from the RO that recognizes that the first few issues of a case are the most difficult, because you have to review the (sometimes gigantic) file. So it should go every 5 issues. At least until you get to 20. So 2 credits for a 5 issue case, 3 credits for a 10 issue case, 4 credits for a 15 issue case, 5 credits (a week and a half) for a 20 issue case.	9/16/2024 7:11 AM
206	Yes	9/16/2024 7:08 AM
207	Yes. Those cases take longer to write and should be recognized as such.	9/16/2024 7:07 AM
208	Yes	9/16/2024 6:59 AM
209	Assigning additional credits is needed otherwise senior attorneys are being required to meet a more challenging standard to maintain employment. This gives little incentive to otherwise take talents elsewhere and obtain employment elsewhere.	9/16/2024 6:58 AM
210	Yes, this sounds reasonable. Or, at the very least, go back to the 1.5 for a decision/remand.	9/16/2024 6:49 AM
211	This would be a step in fairness. Removing the issues-track is going to have a negative effect on all decision writing attorneys. The high issue cases will be assigned more evenly across the	9/16/2024 6:46 AM

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Board which means junior attorneys will be struggling to keep up. Additionally, as all attorneys would need to handle these cases and still maintain quota, these cases will likely be rushed and less accurate (not on purpose but by default as attorneys try to keep up).

212	yes. complex multi issue cases should be awarded more credit than a small one issue case. It takes a lot of time to complete a complex multi issue case.	9/16/2024 6:20 AM
213	Yes. In fact, it would be fair to assign a flat, one decision credit for every 5 issues adjudicated on an appeal.	9/16/2024 6:17 AM
214	No, I do not believe 2 credits for a 19 issue case, or 3 credits for more than 20 issues is a fair representation of the work involved in adjudicating such cases and will lead to attorneys leaving the Board.	9/16/2024 5:16 AM
215	Yes, as a more senior attorney, I feel the number of issues and complexity of the cases MUST be considered in addressing fairness.	9/16/2024 4:14 AM
216	Yes. Othewise, for purposes of production credit, we will be treating, for example, a 25-issue case, which represents two weeks worth of work, the same as a 2-issue case, which might be finished in one day. That will be very unfair to the drafting attorney, who now finds himself 2 weeks behind in his/her production status, despite the fact of having worked hard for the preceding two weeks.	9/16/2024 12:25 AM
217	fair only if the cases quota reflects that ratio; currently it works out to 3-4 issues per case, so using 4 it should be 2 credits for 8-11 issues, 3 credits for 12-15, 4 for 16-19, 5 for 20+	9/15/2024 11:30 PM
218	It would be more fair than the current practice. However, I believe 2 credits should be assigned for 6 issues, and 3 credits for 12 issues	9/15/2024 10:19 PM
219	1-5 issues = 1 case credit; 6-10 issues = 2 case credits; 11-15 issues = 3 case credits; etc.	9/15/2024 8:47 PM
220	Only if 2 credits for 10-19 issues does not result in a half credit for dismissals	9/15/2024 3:24 PM
221	Yes	9/15/2024 3:05 PM
222	As of now, fully successful requires 6 cases/ PP or 18.9 issues/PP. This suggests each case credit is equivalent to 3.15 issues. I would suggest applying case credit based on a formula using a similar ratio. Right now, a 20 issue case would be a fully successful PP, only applying 3 credits for the case would require the attorney to write an additional 3 cases in the same PP. In addition, VLJs have no control over the case distribution when they do a case order, and while they may try to distribute lower issue cases to attorneys that were recently given a large case, they may not always have the inventory to do so. Further, as a of now, attorneys can opt for case track or issue track, and many that opt for issue track will volunteer to take the larger case (30-40+ issues). I can imagine they will be hesitant to take those cases with proper credit. And finally, in theory, you could have 2 attorneys that both meet the case goal, but one needing to complete twice as many issues (and therefore more work) to get the same credit and be rated as fully successful.	9/15/2024 2:57 PM
223	2 credits for cases 5-10 issues, 3 credits for 10-19 issues and 4 credits for cases with over 20 issues	9/15/2024 2:45 PM
224	I think assigning higher credit counts to higher-issue cases is fair, though I would suggest starting the bracket with 1 credit for 1-8 issues and going upward from there	9/15/2024 2:22 PM
225	This proposal is a step in the right direction. However, it needs to be refined further. As I understand it, the Board's case inventory is approximately 5 percent legacy and 95 percent AMA. Furthermore, I have heard that the average AMA case has approximately 3 issues. Therefore, under the current 9.45 issue metric under the issue track, this would require, on average, more than 3 cases per week. Assuming the 3-issue average is accurate and recognizing the challenging procedural histories of the remaining legacy inventory, is a graduated complexity scale possible? Specifically, how about: 1-4 issues = 1.0 case credit 5-9 issues = 1.5 case credits 10-14 issues = 2.0 case credits 15-19 issues = 2.5 case credits 20-24 issues = 3.0 case credits 25-29 issues = 3.5 case credits Also, if possible, there should be some premium attached to legacy appeals, e.g., 1.25-1.5 case credits regardless of the number of issues because of the inherently long procedural histories.	9/15/2024 1:00 PM
226	yes	9/15/2024 12:45 PM
227	yes. management is aware that the nature of our work is complex. Efforts to honor that	9/15/2024 12:25 PM

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complexity by an appropriate standard is important. Cases with 8 or more issues take a significant amount of time. If the issues path to fully successful is removed, the cases should be assigned credits for the gravity of complexity involved.

228	yes, I would say 7-8 issues would be a good threshold.	9/15/2024 11:49 AM
229	yes, because those cases take more time to review and write.	9/15/2024 10:45 AM
230	No, because under the current system, a 19 issue case is given as 6 credits.	9/15/2024 10:31 AM
231	Seems fair to add credit for cases with more issues that presumably take more time.	9/15/2024 9:36 AM
232	Yes.	9/15/2024 8:27 AM
233	Yes	9/15/2024 7:49 AM
234	Yes, I believe that would be fair. Processing more issues does take longer and does not fit into the previously-announced framework of about 8-10 hours per decision. Further, with recent caselaw from CAVC, the Board is now responsible for expanded scopes of claims and one increased rating issue may encapsulate secondary service connection and ancillary rating issues.	9/15/2024 12:17 AM
235	I agree that might be fair but I don't have a lot of experience on the issue track because Ive only done cases.	9/14/2024 9:36 PM
236	Yes but I think the number of issues for a case to count as 2 credits should be lowered slightly to 8	9/14/2024 7:55 PM
237	I do work by the case, so I avoid large number issue cases, leaving those for the attorneys who like them. Honestly, have no opinion on how much extra credit we should get for high issue number cases, but it should be at least equivalent to what we already had in place, for issues versus case credit.	9/14/2024 5:58 PM
238	Yes.	9/14/2024 4:26 PM
239	Yes	9/14/2024 3:45 PM
240	The complexity of a 10-20+ issue case and the time to review the file, the law, and check for any changes, the time investment is much greater than a 1-2-3 issue case. Also, most VLJ's reserve the (more difficult) 10-20+ cases for the most experienced attorneys on their team. Giving experienced attorney's an incentive to worker smarter and not harder is a benefit not only to future quality review ratings of the Board as a whole, but also to the Veteran's they serve.	9/14/2024 3:19 PM
241	I'm new and have been on production for less then five months. I feel 1 credit = 1-3 issues, 2 credits = 4-6 issues, 3 credits = 7-9 issues, etc. would be fair. I also feel difficulty should weigh into the assignment of credits. If there's a system where 1 credit = 1-3 easy issues, then 1-3 medium/hard issues should be 2 credits. The proposed standards feel like they will be a harsh transition for probationary attorneys approaching retention decisions, particularly for those of us with slow-signing or harsher-rating VLJs.	9/14/2024 3:16 PM
242	Yes	9/14/2024 2:32 PM
243	Yes, but consideration should be given to the amount of documents in a file.	9/14/2024 1:27 PM
244	Yes, I think that would be fair, particularly for GS-14s that do most of the big issue cases. Also I think it would be fair to assign 2 credits or more for cases with a large number of documents, e.g. an unusually large number of CAPRI records or STRs.	9/14/2024 12:53 PM
245	Yes, definitely. Cases with more than 10 issues take more time to sort out the issues and to draft the decisions. A 10 issue case is not equal to a 5 issue case, just as a 20 issue case is not equal to a 10 issue case.	9/14/2024 12:37 PM
246	No. Right now, for 6 cases in a pay period fully successful issues is 18.9 issues, which calculates to 3.15 issues per case. For exceeding it is 3.35 issues per case. The proposed credits for issues is well beyond even the current exceeding standard. Management always says the surveys mean something and that they care about the survey results. Writing attorneys always are most concerned about caseload. This is a massive increase in caseload. Many attorneys, especially the most seasoned attorneys who take on the more difficult cases, will undoubtedly have burn out. With this change there is a high likelihood that the most	9/14/2024 11:50 AM

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experienced writing attorneys will no longer be as productive or will simply leave the Board. The morale for writing attorneys will plummet. This change really feels like management is trying to hinder writing attorneys from being successful, having a healthy work life balance, and that they are working against us. This in the face of record numbers year after year. What a slap in the face.

247	Yes, of course. The credits assigned should match the complexity and time involved in adjudicating the case. It is a matter of fairness.	9/14/2024 11:29 AM
248	Yes. If credits aren't given, attorneys will not volunteer to "take one for the team" and take these cases. In fact, people will try to avoid them and will be incentivized to remand issues if possible as that is sometimes quicker. Less decisions may be made and those remanded issues will eventually make their way back to the Board. Not Veteran friendly and not helpful in working through our own backlog.	9/14/2024 11:23 AM
249	Yes, the multi-issue cases will keep coming (even though we may have thought there would be less with AMA, this isn't the case it seems) and if there is no issue track then there has to be a way to equitably account for these large issue cases that take longer to complete.	9/14/2024 10:56 AM
250	I think that suggestion is fair	9/14/2024 10:56 AM
251	If the average case is 5-6 issues, it should be one case credit per 5 issues	9/14/2024 10:19 AM
252	No the average number of issues is four or five: one credit for 1 to 5 issues; two credits for 6 to 10 issues; three credits for 11 to 15 issues; four credits for 16 to 20 issues; five credits for 21 to 25 issues; etc.	9/14/2024 10:15 AM
253	Yes	9/14/2024 10:02 AM
254	Should be 2 credits for 5-15. 3 for more than 20.	9/14/2024 9:39 AM
255	This sounds like a good solution. If this were applicable now, I would already have my quota met.	9/14/2024 9:19 AM
256	NO. assigning 2 credits for any case will be too subjective and unfair	9/14/2024 8:16 AM
257	That seems fair, but why does mgmt want to take away issues, which appears to be working along the lines of this proposal?A similar buffer zone	9/14/2024 7:41 AM
258	I think multiple credits for ranges of higher-issue cases would be fair, but I think the ranges noted (10-19, 20+) are too low.	9/14/2024 7:10 AM
259	Yes, that would be fair.	9/14/2024 6:55 AM
260	yes that's fair.	9/14/2024 6:29 AM
261	I agree with that proposal.	9/14/2024 5:45 AM
262	On its face, this makes sense. The problem with what we do, and attorney work in general, is that it is not that simple. In general, it's probably the best way to handle such cases. We have all had cases with many issues that were very simple and cases with one issue that were not.	9/14/2024 1:11 AM
263	Yes	9/13/2024 11:37 PM
264	Cases become exceedingly more complicated and difficult to follow for me after about 4 issues. Some people's working style is better with high-issue cases because they can get through many issues in only one claims file, but I don't operate as successfully that way.	9/13/2024 10:17 PM
265	I would take it, but 19 issues is a little too high to be considered the equivalent of 2 cases	9/13/2024 10:13 PM
266	yes -otherwise back to old bad days again	9/13/2024 10:03 PM
267	2 credits for cases with 10 to 19 issues and 3 credits for cases with 20 or more issues sounds fair. Appeals consisting of more than 10 issues can be onerous due to the magnitude of evidence. I suggest limiting appeals to 10 issues. If an appellant seeks to appeal more than 10 issues, additional appeal(s) would be docketed for the additional issues.	9/13/2024 9:53 PM
268	Yes	9/13/2024 9:39 PM
269	The issues track has been an irrelevant measurement of my own production for several years now. This is not an issue for the union to waste its resources fighting.	9/13/2024 9:01 PM

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270	0.25 credit for every issue after 6, 0.2 for every issue after 10 would be fairer. The incentive to get 11 and 20 issue cases vs. 9 and 19 should not exist.	9/13/2024 8:41 PM
271	Can we do 1 credit for 7 issues or less, 2 credits for 8 to 15 issues, 3 credits for 16 to 26 issues, and after that, 4 credits for 27+ issues? I have recently had a case with less than 20 issues take well over 1 week. Also, when we switched from paper to electronic, I had a known box case return post-remand with 700 documents in VBMS. Can we get 1 extra credit for files with 1500 documents, which is really a double box case, 3000 documents could be 2 extra credits, 4500 documents could be 3 extra, 6000 could be 4 extra, 7500 could be 5 extra, 10,000+ is 6? In that regard, someone on my team this year had a 20,000 document case. He should have gotten a lot of credits for that.	9/13/2024 8:38 PM
272	I would rather the issues track not be eliminated. Or if anything assign 3 credits for 10-19 issue cases and 4 or more for 20 or more issues cases. I would personally rather do 10 single issue cases than a 40 issue case.	9/13/2024 8:31 PM
273	Yes and I have no suggestions other than a special team and a detail opportunity	9/13/2024 8:10 PM
274	Yes, that would be fair.	9/13/2024 8:02 PM
275	Yes	9/13/2024 7:55 PM
276	Yes, I would prefer an extra half-credit for every 5 issue above 5 issues (1 credit for a case with 5 issues or less, 1.5 credits for between 5-10, 2 credits for 15-20, 2.5 for 20-25, 3 for 25-30, and so on	9/13/2024 7:50 PM
277	Yes. It usually takes 2 or 3 days to do a case that has 10-20 issues.	9/13/2024 7:41 PM
278	They should keep the issue track.	9/13/2024 7:36 PM
279	I would say it is better than not providing any adjustment at all.	9/13/2024 7:21 PM
280	Given how complex those kinds of cases are, I think the breakdown should be 2 credits for 6 or more issues, 3 credits for 12 or more issues, 4 credits for 18 or more issues, etcetera.	9/13/2024 7:15 PM
281	Yes. I think that is a necessary change that should happen.	9/13/2024 7:03 PM
282	If the issues-track were to be eliminated, it is only fair to assign more than one credit for cases with more than 7 issues. The breakdown of 10 to 19 for two credits is not enough as a 9 issue case is not much different in terms of time commitment and complexity compared to a 10-issue case. Cases with 5+ issues should be considered for additional credit. Even if 5-8 issues is 1.5, 10 to 19 is 2 credits, and 20 or more issues is 3 credits.	9/13/2024 7:02 PM
283	Yes, this would certainly be more fair.	9/13/2024 6:52 PM
284	I think 2 credits for 10 to 15, and 3 credits for 15 or more; currently standard is 3 issues is equivalent to 1 case	9/13/2024 6:51 PM
285	I've never worked the issues track and don't feel competent to answer this question.	9/13/2024 6:50 PM
286	I would suggest 2 credits for cases that are 7-12 issues and 3 credits for cases that are 15 or more issues.	9/13/2024 6:45 PM
287	No, if the issue track is eliminated, I would want it to be at 2 credits for 4-6, 3 credits for 7-9, etc.	9/13/2024 6:39 PM
288	Yes, I think is fair. Cases with more than 10 issues takes longer to draft and could take several days, leaving less time to meet the biweekly quota.	9/13/2024 6:35 PM
289	A system that assigns a fair amount of credit (beyond just 1) for complex, multi-issue cases sounds reasonable.	9/13/2024 6:34 PM
290	I met exceptional this year on the issues track. Under this credit system, I would have received 18 "extra" decisions and would have been short of exceptional by six decisions. So this credit system would have come close to approximating what I did on the issues track. I would suggest a credit system that included .5 cases, i.e., 2 credits for 10 to 14 issues, 2.5 credits for 15 to 19 issues, etc.	9/13/2024 6:29 PM
291	Yrd	9/13/2024 6:28 PM
292	yes, although I think these numbers are a bit high. Right now exceptional is something like 13	9/13/2024 6:28 PM

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issues per week, which equates to 3 cases.

293	Yes. As someone who currently uses issues for fairshare, as my judge feels most comfortable assigning me larger cases as the most senior member of my mini-team (by a substantial margin), this proposal would make the transition from issues to cases much more equitable.	9/13/2024 6:28 PM
294	I think this is a good idea and allows the counting/tracking process to be streamlined for simplicity sake.	9/13/2024 6:28 PM
295	Yes	9/13/2024 6:24 PM
296	yes	9/13/2024 6:11 PM
297	I believe that the issues track should not be eliminated. However, if it is, the 2/3 plan is as good as any. Additionally, more credit should be given for cases marked "hard." Many of these are 1-3 issues but can sometimes take weeks to complete, especially with the AMA/PACT Act law changes stumping even judges.	9/13/2024 6:05 PM
298	Yes	9/13/2024 6:04 PM
299	Yes	9/13/2024 5:57 PM
300	Every 5 issues should count as one case.	9/13/2024 5:56 PM
301	I believe that cases with 6-10 issues should be given 2 credits, and 11-15 3 credits, 16+ issues 4 credits	9/13/2024 5:55 PM
302	Yes; those cases take extra time. Even file review become painful when the issues get into the teens.	9/13/2024 5:48 PM
303	Yes	9/13/2024 5:48 PM
304	Absolutely not. Under the current system a case equates to 3.15 issues (6 cases a pay period = 18.9 issues). Therefore, two cases would equal 6.3 issues and three cases would equal 9.45. Under this proposal, a case would equal as much as 9.5 issues (a 19 issue case), or more if a case has 29 or more issues (29 issues / 3 = 9.67). This defies logic. I know the stereotype is that lawyers are bad with math, but this would be a horrible ratio to agree to. If there is a ratio agreed to, it should be much lower, e.g. 1 case credit per 3 issues (i.e. 1 credit for 1-5 issues, 2 credits for 6-8 issues, 3 credits for 9-11 issues, etc). Also, more proration should be available, and should be allowed to be approved by judges, e.g. if a judge wants to give proration for meetings or a presentation, then it shouldn't have to go up the flag pole..	9/13/2024 5:47 PM
305	I think it's fair but I wonder if some attorneys would be encouraged to add issues that would have otherwise been subsumed with related issues just to receive more credit.	9/13/2024 5:45 PM
306	No. Seems like it is short changing the current count we have for issues, plus does not consider how much time bigger cases take.	9/13/2024 5:44 PM
307	no, 1 credit for 5-9 issues is not equivalent to 1 credit for 1-4 issues. even based on this, 1 credit should be given for every 4 issues	9/13/2024 5:39 PM
308	It would be more fair than just eliminating the issues track altogether. But keeping the issue track would be best.	9/13/2024 5:38 PM
309	No, a 10-19 issue case would still take a significant amount of time to adjudicate and 2 credits is not enough.	9/13/2024 5:38 PM
310	The difficulty is not all issues are created alike. For example, a 10 issue dismissal would take far less time to write than a four issue increased rating claim. These disparities to some degree exist in our current standards, but I am not sure it is best to change them if it cannot be improved. If the track is eliminated, would it be feasible to allow attorneys to submit requests, similar to a proration request, that could be approved if a case over 6 issues presented some particular difficulties that required a large expenditure of time.	9/13/2024 5:35 PM
311	Yes. 2 or more credits should be assigned. As the senior-most attorney on my judge's mini-team, I routinely get assigned the highest-issue count cases. This year, I have been able to do the issue count and be close to exceptional. But I would not even make the Fair Share goals if I was forced to make the quota by case count. I know that elimination of the issue track will still mean I get most of the hardest, highest issue cases. It is just not possible to give those to GS-11s and 12s.	9/13/2024 5:33 PM

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312	No. This clearly fails to account for the complexity of high issue cases and time burden they impose.	9/13/2024 5:32 PM
313	Absolutely, large issue cases take significantly longer to review the record and draft.	9/13/2024 5:32 PM
314	2 credits for anything more than 5 issues; especially if the issues are not related (a restoration; 2 IRs for different body systems; 2 unrelated s/c claims)	9/13/2024 5:27 PM
315	yes i think this is fair.	9/13/2024 5:26 PM
316	Yes, I think that probably works out about right. Still, why change it at all?	9/13/2024 5:26 PM
317	No, I don't think that is fair. 2 credits should be given for cases with 6+ issues if they are eliminating the issue track. How is someone supposed to keep up with production with high issue cases like that otherwise? It is not feasible for an attorney to be expected to adjudicate 40+ issues in a pay period.	9/13/2024 5:26 PM
318	Possibly, but I have never been an issues-based production attorney so I don't know enough about it to provide a clear answer.	9/13/2024 5:25 PM
319	It is better than the alternative of only getting 1 credit. I think 1 credit for 6-7 issues would be more fair.	9/13/2024 5:25 PM
320	Of course, yes. If a "credit" is a unit of labor required to complete a decision, decisions that take substantially longer should be worth more value/credits.	9/13/2024 5:24 PM
321	I think that cases with multiple issues should count more. They take much longer to do and many judges don't give case to balance the heavy issue cases. .	9/13/2024 5:24 PM
322	Yes	9/13/2024 5:23 PM
323	This is a great idea. I would suggest adding something about the size of a claims file--under 500 documents 1 credit and over 500 documents 2 credits.	9/13/2024 5:22 PM
324	I think it would be more appropriate to assign a per-issue credit system. For example 1 credit per 5 cases. That way attorneys receive appropriate credit for cases with 20 or more issues. It seems unfair and unjust to make a 20 issue case worth the same as a 30 issue case.	9/13/2024 5:21 PM
325	YES, more issues take more time. This feels obvious.	9/13/2024 5:21 PM
326	Yes.	9/13/2024 5:20 PM
327	yes	9/13/2024 5:20 PM
328	Every three to four issues should count as a case, and on cases of greater complexity regardless of issue count should count as at least two cases. There are sometimes one issue cases that span close to a decade that are more time consuming than a multiple issue case but small time span. So Time span should be considered (Meaning if we have to go further back than 5 years, then it should count as two cases).	9/13/2024 5:20 PM
329	I do not know, 10 seems high for only 2 credits	9/13/2024 5:20 PM
330	Yes.	9/13/2024 5:20 PM
331	Yes. Beyond careful review of the documents in the file, there's a lot more analysis to be done the more issues you have; as such, it takes more time to draft those decisions.	9/13/2024 5:19 PM
332	Yes but the number should begin at 8 or 9	9/13/2024 5:19 PM
333	yes	9/13/2024 5:17 PM
334	Insufficient number of credits to equate to cases--a 20 issue case takes longer than a week to complete.	9/13/2024 5:17 PM
335	Yes, higher case credits for cases with higher issues is needed. In the past, management calculated the issues quota by approximating 3 issues per case, so the real equivalent would be 1 case credit per every 3 issues. However, I'll take whatever they'll agree to, so 2 credits for 10 issues would be okay.	9/13/2024 5:17 PM
336	Yes.	9/13/2024 5:16 PM
337	It might make sense to do 1 credit for every 5 issues, but this 2 for 10-19 issues and 3 for 20+	9/13/2024 5:15 PM

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makes no sense, especially if the issues go up to 30+; you'd still only get 3 credits.

338	In my experience, the average case has 3 issues. Counting double for 5 is more fair, counting double for 10 is a huge concession	9/13/2024 5:15 PM
339	Yes absolutely - it is utterly ridiculous to weight a 20+ issue case the same as a 1 issue case if the issues track is eliminated. I routinely spend up to a week on extreme multi-issue cases that are usually aging legacy cases. I do the vast majority of large-issue cases for my team - if the issues track is eliminated, the entire team will suffer. If the issues track is eliminated, I will no longer have time to do things like Open Doors Hours and mentoring, which is essentially required for a GS-14 (and which I currently do) - the Board as a whole will suffer if experienced attorneys can no longer do such "extras" because they're too busy cramming multi-issue cases into a case-quota world. I will not meet the fully successful quota for cases for FY2024 but I completed more than 180 issues OVER AND ABOVE the EXCEPTIONAL level for issues (670+ issues for the year). That is not slacking - I am doing the multi-issue cases no one wants. I'm extremely offended by management's cavalier and ignorant attitude that GS-14s are an "SCT team" for multi-issue cases (stated at the 9/12 VLJ meeting). Eliminating the issues track will not only make doing higher-level attorney work extremely difficult if not impossible (especially for aging legacy cases that need to be moved) it will destroy morale. The suggestion to eliminate the issues track shows exactly how very little management values experienced attorneys at the Board.	9/13/2024 5:14 PM
340	I dont really do the issues track, but this is better than just 1 credit.	9/13/2024 5:14 PM
341	We should keep the issue track.	9/13/2024 5:13 PM
342	no, I don't think it is fair. I believe that credits should be assigned on a progressive table, akin to taxation, e.g. the increase in credits should be slower as the number of issues going up, but it should be a low increase. To illustrate, 1 credit should be for 3 to 4 issues, 2 credits for 5 to 10 issues, 3 credits for 10 to 17 issues, 4 credits for 17 to 25 issues, 5 credits for 25 to 35 issues, 6 credits for 35 to 50 issues, etc.	9/13/2024 5:13 PM
343	No, I believe more credits should be given.	9/13/2024 5:13 PM
344	great idea	9/13/2024 5:11 PM
345	I think issues should be divided up by 3. Every 3 issues should count toward as a case (or a credit to use your language). Right now 18 issues equals FS for a pay period.	9/13/2024 5:11 PM
346	No, 10-19 issue cases should get more than 2 credits. I think it matters what the average percent of incoming cases are single-issue cases, cases with less than 5 issues, less than 10, less than 15, and less than 20. If you're going to pursue additional credits for larger issue cases, then it should be somehow related to the overall work of the Board. Completing a case with 20 issues in it may only advance the Board in its goal one more case, but if (hypothetically and a wild guess) 60% of the cases the board gets are actually 1-issue cases, then that 20-issue case could arguably be worth 20 credits. Is there a number of hours each issue is expected to take? It could be similar to a flat fee contract--these cases are expected to take 4 hours, so you get paid for 4 hours per case without regard to how much time is actually spent. If we went with it takes 4 hours per issue to draft, then a 20-issue case takes 80 hours, which is a pay period.	9/13/2024 5:10 PM
347	yes	9/13/2024 5:10 PM
348	RVSR's production are based on issues, types of claims, and issues in each decision (eg tbi's get .5 extra point due, supplemental claims are more points vs new claim and points vary based on the number of issues in each claim). I think consistency within the Board for production would only bring more transparency and accountability. The degree of variance for each claim (issues, cases, and medical condition) is so vast that blindly assigning 3 cases per week does not fully incorporate the work that is done at the Board. The Board goes through the file with a fine tooth comb to examiner everything that may benefit the Veteran, it benefits no one to rush decisions out the door to meet a quota that doesn't accurately reflect the decision written.	9/13/2024 5:09 PM
349	Yes.	9/13/2024 5:09 PM
350	Yes.	9/13/2024 5:07 PM
351	Yes. It makes no sense to weight a multi-issue difficult case the same as a single issue case.	9/13/2024 5:06 PM

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352	Yes, at a minimum. I'd propose 2 credits for cases with 8 issues, 3 credits for cases with 12 issues, and so on.	9/13/2024 5:05 PM
353	yes, but I actually think that 2 credits for 6-10 issues and go up from there.	9/13/2024 5:04 PM
354	No	9/13/2024 5:04 PM
355	Yes, it would be fair to assign additional credits. Cases with larger issues take longer and would reduce the number of cases an attorney is able to do within a given pay period.	9/13/2024 5:04 PM
356	yes	9/13/2024 5:04 PM
357	Yes.	9/13/2024 5:03 PM
358	yes, more credit should be provided for cases with more issues.	9/13/2024 5:03 PM
359	No. 20 issues is a lot for 3 credits. I don't think that reflects the amount of work required.	9/13/2024 5:03 PM
360	Yes	9/13/2024 5:03 PM
361	Yes absolutely. Some cases take an insanely long time when there are voluminous records, the Veteran is a prolific filer, and there are many issues on appeal	9/13/2024 5:03 PM
362	Yes	9/13/2024 5:01 PM
363	yes	9/13/2024 5:01 PM
364	yes	9/13/2024 4:59 PM
365	This should be based on what the current average number of issues per case. However, based upon a guesstimate that the average case has 4 issues, I believe that cases with 8 more issues (or, whatever double the number of average issues is) should received 2 credits , i.e. 8 to 15 issues and, casses with 16 or more issues triple of more than triple the average number of issues (again assuming that the average is 4) should receive credit for 3 cases.	9/13/2024 4:04 PM
366	Yes. I think it's a good way to make sure the time unavailable to do other decisions is captured. Doing three low issue cases usually takes less lime than one high issue case.	9/13/2024 1:32 PM