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MEMORANDUM

TO: **All National Service Officers**

FROM: Jim Marszalek, National Service Director

SUBJECT: Department and Chapter Service Officer Certification Program

DATE: March 12, 2020

As you know we recently issued a letter to all Departments and Chapters regarding our Certification program. This memorandum is to ensure all National Service Officers are aware of the recent changes and our responsibilities to facilitate the training.

Certification as a chapter or department service officer is the result of participation in, and completion of, an annual training Level I or II offered at department conventions and at other times and places each year. It is our goal and expectation that all persons acting as service officers at the local level receive this certification every year.

Indemnification is a form of financial protection. Mistakes happen in claims work. Although the number of errors emerging from DAV service work is very small, there are cases in which veterans need to be compensated for our mistakes. Infrequently, a veteran may file a lawsuit against a chapter, a department and/or a local service officer. The indemnification program provides complete indemnification – basically a form of insurance – up to \$500,000 for claims against local service officers, their departments and chapters. *This protection is available only in cases in which the error was made by a certified service officer.* The program is described more fully below.

CERTIFICATION

a. Who is eligible for certification?

Any DAV member is eligible for certification when recommended by the appropriate chapter/department Commander and/or Adjutant. *The Service Officer Nomination Form must be used by Departments and Chapters to nominate members to attend. Remain flexible in this regard, members can be added to the form up until the start of the class if necessary.*

Auxiliary members may not be certified since they are not DAV members. The only exception is where an Auxiliary member is employed as a Department Service Officer. A Hospital Service

Coordinator who is (1) actually functioning as a chapter or department service officer and (2) recommended by the appropriate Commander/Adjutant is eligible for certification.

b. What are the “levels” of training?

Certification includes attending either Level I or Level II Training. *If a service officer’s certification expires, Level I must be taken prior to participation in Level II.*

Level I Training:

All service officers must complete Level I at least once. Level I Training is the introduction to Service Officer Responsibilities and Basic VA Programs and VA laws. This training must be completed at least once prior to taking Level II Training.

Level II Training:

Level II certification training is by “Invitation Only.” Department Leadership and NSO Office Management Teams will determine which service officers are invited to the Level II Training. Those operating at the chapter level with at least 2 years’ experience and the aptitude for Level II will be considered. All service officers operating at the department level will be invited to Level II Training. Level II Training is a more in-depth training focused on VA Programs and Regulations, Adjudication, and the Appeals Process. *Before denying an applicant to attend Level II please discuss with your National Area Supervisor.*

c. When does certification start and when does it expire?

Certification begins only once a service officer completes Level I training and expires after 18 months if they haven’t attended another certification class held by a National Service Office. Therefore, a service officer, must attend either Level I or II training at least once every 18 months to keep their certification active and to remain eligible for the indemnity program. *Again, as noted above the goal is for them to attend annually.*

If they can’t attend a training session within an 18 month period, and have attended the Certification training for 3 or more consecutive years they may contact the National Service Office of jurisdiction to initiate a request for an extension. The NSO Office supervisor would then reach out the National Service Department to discuss the specifics of the extension request. *If a Service Officer doesn’t attend training in 18 months and hasn’t requested an extension, their certification will expire on the date indicated on the certification certificate.*

Please note, we do expect the National Service Offices to offer training more than once a year. We need to be flexible and can offer training in the NSO office if necessary.

DAV reserves the right to terminate the certification of a service officer who fails to abide by the terms of the certification.

Award of Certification:

In advance of the training, the National Service Office that conducted the training will prepare the certificates of completion with effective and expiration dates. The certificates are to be presented at the conclusion of the training. You must make arrangements to present the certificates in front of the entire class or convention body. *Always ensure you bring extra certificates with you in case we add members to the class or have to make a correction on a certificate. The goal here is the member who participated in the training departs the training with their certificate in hand and recognition in front of their peers.*

The National Service Office is responsible for providing the National Service Director, **within 10 days of the training date:**

- a complete list of those receiving certification along with their Chapter affiliation and address; and
- all signed Training Acknowledgments and Instructor/Course Critiques.

Terms and Limitations of Certifications

DSO/CSOs must agree to abide by the following DAV terms and limitations of certification:

- a) Agree to distribute DAV's Statement of Policy for Representation to all clientele electing DAV representation;
- b) Must not retain any documentation or claims related correspondence within their offices or work spaces;
- c) Process all client related information (i.e., correspondence, forms, etc.) through the local DAV National Service Office;
- d) May not prepare appellate briefs (VA Form 646s) on behalf of DAV clientele;
- e) May not represent DAV clientele before administrative hearing personnel and/or panels (i.e., DRO, VARO, BVA, COWC, etc.).

d. How is training planned and administered?

Supervisors must plan and organize training in cooperation with Departments and Chapters. Duties of providing instruction may be delegated to the Assistant Supervisor or National Service Officers. However, the Supervisor is ultimately responsible for planning, organizing, and conducting a quality training program within each jurisdiction.

Training Materials:

Completion Certificates are stocked by the DAV Procurement Department, and may be ordered using the National Service Office Order Form. The PowerPoint presentations, Knowledge Assessment tests, and registration forms are available on the DAV National Service Department Training Portal.

THE INDEMNIFICATION PROGRAM

Recognizing the vital importance of chapter and department service programs to the fulfillment of DAV's overall mission of service to veterans, the DAV National Organization is an indemnitor or, in essence, an insurer for the certification program.

Structure:

The structure of the program is as follows:

- There is ***no cost*** to departments, chapters, or service officers for this protection;
- Each claim is covered up to ***\$500,000 combined limit*** for legal fees and verdict/settlement, with no deductibles;
- In order to receive coverage, department and chapter service officers must:
 - (1) complete certification training at least once every 18 months; and
 - (2) refer all claims and evidence to a DAV National Service Office.
- All lawsuits or threats of lawsuits must be referred ***immediately*** to the National Adjutant upon receipt. These **should be emailed** to servicepublic@dav.org.

This memorandum replaces April 2017 memorandum. A copy of this memorandum will be placed under tab # 11 of the *National Service Office Desk Reference*.

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JIM MARSZALEK
National Service Director

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