

AFTER THE BOARD DECISION AND THE CAVC BOUNDARY

Separate grants, remands, and final denials before choosing VA readjudication or Court review.



BOARD GRANT	BOARD REMAND	FINAL DENIAL
VA implements the award	Issue returns for action	Supplemental or CAVC may be available

REVIEW FIRST

The Court of Appeals for Veterans Claims reviews final Board decisions. It does not receive appeals directly from a VA regional office decision.

DECISION SPLIT | ONE ISSUE AT A TIME

CLASSIFY EACH BOARD RESULT

Grant

VA must implement the Board award. Review the implementing decision for the assigned rating, effective date, and payment.

Final denial

Consider whether new and relevant evidence supports a Supplemental Claim or whether legal Court review is sought.

Remand

The issue returns to VA for ordered action. It is generally not yet a final Board denial ready for ordinary CAVC appeal.

TWO PATHS | FINAL BOARD DENIAL

VA READJUDICATION OR COURT REVIEW?

SUPPLEMENTAL CLAIM

- Use new and relevant evidence.
- File with VA on the current official form.
- Build the submission around the Board's reason.
- Can preserve continuous pursuit when timely and otherwise eligible.

CAVC APPEAL

- Seeks judicial review of a final Board decision.
- Files a Notice of Appeal with the Court, not VA.
- The Court reviews legal error and the Board record.
- The Court generally must receive the appeal within 120 days.

COURT FILING | DEADLINE CONTROL

THE CAVC BOUNDARY



Confirm a final Board decision exists

A regional office rating decision is not a Board decision.



Use the Board mailing date

The date stamped on the front of the Board decision is the mailing date.



Calendar 120 days

The Court generally must receive the Notice of Appeal no later than 120 days after mailing.



File with the Court

Use the current CAVC Notice of Appeal and current filing instructions.



Address the filing fee or hardship declaration

Follow the Court's current post-filing deadline and instructions.

120 DAYS

This is a Court deadline tied to the final Board decision. It is not the general one-year VA decision-review period.

REMAND | DIFFERENT PATH

IF THE BOARD REMANDS THE ISSUE

Read the remand orders

Identify the records, examination, opinion, or procedural action the Board directed.



Participate in development

Respond to requests and attend scheduled examinations.



Read the later decision

Evaluate the result and the review rights that accompany it.

COURT REVIEW IS A SEPARATE SYSTEM

CAVC filing rules, jurisdiction, fees, and representation are separate from VA forms. Use the current Court instructions and act on the 120-day deadline.

