

WHO GETS WHICH EVIDENCE?



Separate the claimant's responsibilities from the VA's Duty to Assist.

VETERAN
Identify and submit or authorize

VA
Make reasonable assistance efforts

SHARED
Track requests and respond

READ FIRST

The veteran should identify relevant evidence and provide enough information for the VA to locate it. The VA has duties to assist, but those duties do not eliminate the claimant's role.

LANE 01

BEST EVIDENCE TO SUBMIT DIRECTLY

YOU

Records already in hand

Upload complete, readable copies instead of asking the VA to retrieve documents the veteran already possesses.

LAY

Personal and buddy statements

The veteran controls who writes them, what firsthand facts they cover, and when they are submitted.

LOG

Logs and private work records

Symptom diaries, employer records, calendars, photographs, and similar personal evidence usually come from the claimant.

LANE 02

EVIDENCE THE VA COMMONLY HELPS OBTAIN

FED

Federal records

Relevant service treatment, personnel, VA medical, and other identified federal records are generally within the assistance framework.

PRV

Identified private records

The VA may make reasonable efforts when the provider is identified and a complete authorization is supplied.

EXAM

Examination or opinion

When the legal threshold is met, the VA may provide an examination or obtain a medical opinion needed to decide the claim.

SHARED CONTROL

THE EVIDENCE REQUEST LOOP

1. Identify

Name the record holder, facility, dates, condition, and document type.

2. Authorize

Use a current release when private records require one.

3. Monitor

Read development letters and confirm whether the records were received.

4. Respond

Submit missing evidence or explain where it can be found before the deadline.

LIMITS

WHAT THE DUTY TO ASSIST DOES NOT MEAN

NO

No unlimited search

The claimant must identify records with enough detail for a reasonable request.

NO

No guaranteed retrieval

Some records do not exist, were destroyed, or cannot be obtained after reasonable efforts.

NO

No automatic grant

Assistance develops the record. It does not replace the legal requirements for entitlement.

READ EVERY LETTER

A request from the VA may identify missing evidence, an authorization problem, or a deadline. Waiting without checking the file can leave a correctable gap unresolved.

