

# Air Force Agrees to Consider Veterans' Mental Health or Sexual Trauma in Discharge Process

## News

April 24, 2023

On April 24, a Jenner & Block team filed a motion for preliminary approval of a class action settlement in litigation against the US Air Force on behalf of veterans receiving less-than-honorable discharges because of mental health issues or sexual trauma experienced during their service.

Under the proposed settlement, which must be approved by the court, the Air Force Discharge Review Board (AFDRB) will reconsider its adverse decisions to ensure that it properly applies its legal standards and liberally considers veterans' claims of mental health issues or sexual trauma when deciding whether to upgrade veterans' discharge statuses.

The AFDRB will also reform its operations to make its processes more accessible to veterans seeking to have their discharge statuses reviewed. For decisions issued on or after September 13, 2015, the AFDRB will take this action automatically without the need for applicants to do anything at all.

This is the third in a string of similar cases, all of which have seen tremendous results, with each branch (Army, Navy, and now Air Force) agreeing to significant policy changes. These cases were done on a pro bono basis in partnership with the Veterans Legal Services Clinic at Yale Law School.

Partners Jacob Tracer and Susan Kohlmann represent the veterans. Former associate Laurel Raymond also worked on this matter.

Read Law360's coverage on this case.

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