

Miller & Martin Attorneys Kesler and Nelson Receive 2021 ABA Military Pro Bono Project Outstanding Services Award

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Miller & Martin attorneys David Kesler and Merrill Nelson have been recognized by the ABA Standing Committee on Legal Assistance for Military Personnel (LAMP) as 2021 recipients of the [American Bar Association \(ABA\) Military Pro Bono Project Outstanding Services Award](#) for their representation of a paralyzed Navy veteran in connection with his successful appeal for additional disability benefits.



The LAMP Committee presents these annual awards to individual attorneys, law firms, and law departments that have provided extraordinary pro bono services through the ABA Military Pro Bono Project. The ABA Military Pro Bono Project accepts case referrals from military attorneys on behalf of junior-enlisted, active-duty military personnel facing civil legal issues, and it works to place these cases with pro bono attorneys.

Beginning in 2018, Miller & Martin attorneys dedicated more than 150 pro bono hours in their representation of the 19-year Navy veteran who had been denied disability benefits under Servicemembers' Group Life Insurance Traumatic Injury Protection (TSGLI), which is meant to provide short-term financial support to help eligible service members recover from a severe injury. After multiple appeals, all of which were denied, the team had exhausted administrative remedies and filed an application with the Board for the Correction of Naval Records (BCNR), which has the authority to correct a servicemember's record if they find evidence of error and/or injustice in the decision made. The BCNR denied the first application, but indicated that a request for reconsideration could be filed if new evidence was found that had not been previously considered. With assistance from Navy JAG Capt. Jim Carsten, the team uncovered some highly relevant new evidence to submit to the BCNR with their request for reconsideration. The team's perseverance paid off with the client ultimately receiving a favorable decision and being awarded the full \$100,000 in TSGLI benefits to which he was entitled.

"In my 48 years of practicing law, I have never been more excited with a victory," said David Kesler, Of Counsel with Miller & Martin's Chattanooga office. "Our client served his country faithfully for 19 years, was rendered a paraplegic while in the line of duty, and desperately needs the benefits which were wrongfully denied him."

LAMP Officials commenting on the work of Miller & Martin attorneys said, "Through your exceptional pro bono assistance, you are helping to ensure that our active duty servicemembers are receiving the legal help they need."

- Read the *Hamilton County Herald* article, "[Pro Bono Honor for Miller & Martin Attorneys](#)"
- Read the *Chattanooga.com* article, "[Miller & Martin Attorneys Kesler And Nelson Receive ABA Military Pro Bono Project Outstanding Services Award](#)"
- Read the *Chattanooga Times Free Press* article, "[ABA Honors Kesler and Nelson for Military Pro Bono Service](#)"