



BVA APPEALS AND WAITING TIMES

The VA Says BVA Appeals Are Faster, But Are They?

Why some Veterans still wait years

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Editorial illustration. The person shown is fictional and is not Karissa.

Karissa wanted a judge to hear her case. After more than two years of waiting, she gave up that hearing in the hope of getting an answer sooner.

She had filed an appeal with the Board of Veterans' Appeals, or BVA, in November 2021. She chose the Hearing docket: the Board's list of appeals in which someone has asked to speak with a judge.

In April 2024, Karissa withdrew her hearing request and asked to switch to Direct Review. With that option, a judge reviews the evidence already in the file without holding a hearing. The Board said her request to switch came too late. Her hearing was canceled, but her appeal stayed on the Hearing docket. [\[1\]](#), [\[2\]](#)

By August 1, 2025, she had waited 1,341 days for a Board decision. The Court of Appeals for Veterans Claims (CAVC) then denied her request to force a Board decision, by a 2–1 vote. That ruling concerned the delay; it did not decide whether she should receive the benefits she was seeking. [\[1\]](#)

Her experience brings up a question about the VA's claim that BVA appeals are faster. Faster for whom, and how is the wait time measured?

This story focuses on appeals sent to the Board for a judge to review. Higher-Level Reviews and Supplemental Claims are separate options, with their own waiting times.



What we found

- **Faster than the old system is real progress.** A February 2025 report to Congress says newer-system appeals took an average of 2.8 years to fully resolve in fiscal year 2024, compared with 6.2 years under the older system. That is a shorter wait, but still a wait measured in years. [4]
- **Hearing appeals show much longer waits.** In the VA's August 2026 report, about 4 in 5 completed Hearing docket cases had taken more than three years. The share was much smaller for the two options without a hearing. These counts are not confirmed as limited to Veterans' cases, and they do not predict your wait. [6]
- **Time waited so far is not time to finish.** The chart beneath the Board's claim of faster results measures appeals that are still open. Those cases may face more waiting. That chart alone cannot show how long appeals take to finish. [3]

Where the VA shows progress

The Appeals Modernization Act created the newer appeals system, often called AMA. The older system is called legacy. Those names appear throughout the VA's reports.

On its website, the Board says newer-system appeals are fully resolved in less than two years on average. It says that is about five to six years faster than older-system appeals. [3]

The Board describes these as cases with no remand work left to do. A remand happens when a judge sends an issue back to the VA for more work, such as gathering evidence or correcting an error. The Board still issues remands. Its claim is that the average covers appeals that have reached the end of that work, if any was required.

A February 2025 report to Congress gives an earlier comparison. For fiscal year 2024, the VA reported an average of 2.8 years to resolve newer-system appeals. This is much better than the 6.2 years under the older system. A fiscal year is the federal government's reporting year, running from October to September. [4]

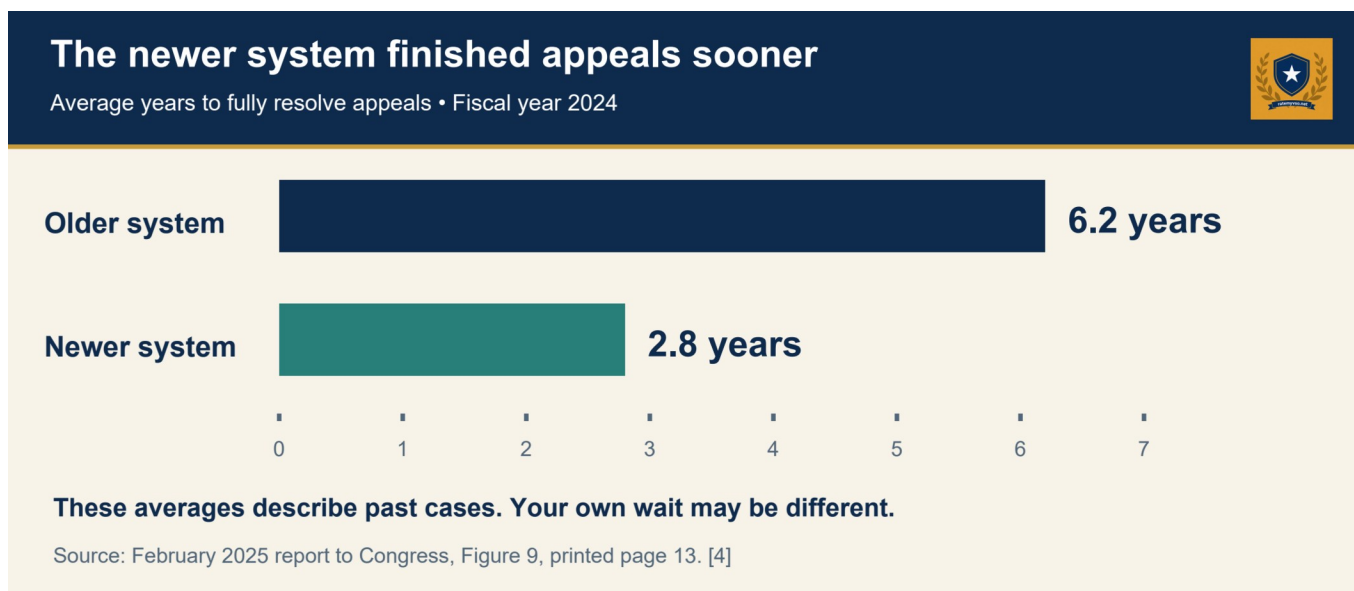


Figure 1. The February 2025 report to Congress shows a shorter average under the newer system for fiscal year 2024. These figures cover appeals the VA described as fully resolved. Source [4].

These older figures do not confirm the website's current claim of less than two years. They also do not disprove it. The website may be describing a later period or a different set of appeals. We need the figures behind that specific claim to check it.

The Board is also issuing more decisions under the newer system. It reports 108,134 decisions in fiscal year 2025, up from 71,262 in 2024. During 2021 through 2023, it averaged about 25,561 a year. More cases are reaching a judge's decision. But when that decision sends an issue back for more work, the Veteran may still have to wait for an answer on that issue. [5]



The Hearing docket takes longer

Under the newer system, the Board keeps three separate lists of appeals, called dockets. Each has different rules:

- Direct Review: A judge reviews the evidence already in the case. You do not submit new evidence or have a hearing.
- Evidence Submission: You can add evidence within the allowed time, but you do not have a hearing.
- Hearing: You ask to speak with a judge. You can also submit evidence within the allowed time. [9]

The VA publishes a monthly appeals report as a spreadsheet. Its August 2026 report groups completed Board appeals by these three dockets. For fiscal year 2026 through that report, 80.5 percent of completed Hearing docket cases had taken more than three years. The figures were 5.9 percent for Direct Review and 7.1 percent for Evidence Submission. [6]

These numbers describe cases the Board has already completed. They are not a prediction for an appeal filed today.

There is an important limit here: we cannot say that 80.5 percent is the figure for Veterans alone. The Board's website leaves certain attorney, contractor, and other non-Veteran appeals out of its waiting-time charts. The monthly spreadsheet does not clearly say whether it leaves those same cases out. [5, 6]

That matters because the two reports may count different groups of people. We should not present their numbers as a direct comparison until the VA explains who is included. The hearing figure is worth reporting, but readers need that limit alongside it.

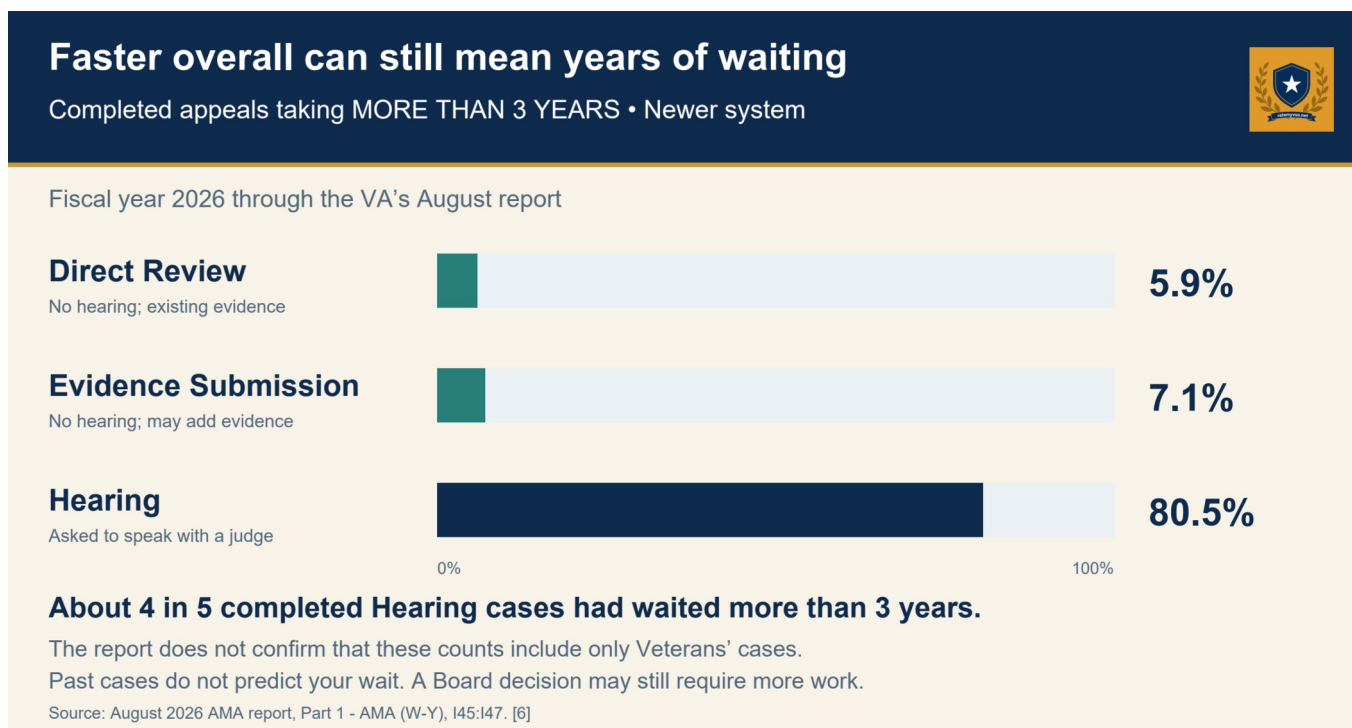


Figure 2. About 4 in 5 completed Hearing docket cases in this report had taken more than three years. The two options without a hearing had much smaller shares. These are past cases, not a forecast. The report does not confirm that its counts include only Veterans' cases or cases with all remand work finished. Source [6].

The Board also explains why hearing waits can look worse as it finishes more cases. It says it first put more staff into Direct Review and Evidence Submission. In late December 2025, it assigned more staff to Hearing docket appeals. Those employees began working through older cases. [5]

Think of an appeal that has been waiting for four years. When a judge decides it, that appeal comes off the waiting list. The report now records a case that took four years to reach a decision. Finishing several old cases can push the reported average up, even as the number of people waiting goes down.



For those Veterans, a decision is progress after a long wait. The Board deserves credit for working through old cases, while still explaining why those people had to wait so long.

The chart does not show how long appeals took to finish

The Board's website says appeals under the newer system are fully resolved in less than two years. Directly below that statement is a chart showing the average age of appeals still open. For fiscal year 2025, it shows 1.6 years for the newer system and 7.6 years for the older system. [3]

Here is the difference: an appeal that has been open for two years has a two-year wait so far. If it takes another year to finish, its total wait will be three years. A chart of open appeals counts only the time that has already passed.

So the chart does not answer the question raised by the statement above it. It shows how long unfinished appeals have waited, not how long finished appeals took. The Board may have other data supporting its claim. This chart, by itself, does not show it.

To make that claim clear, the Board needs to show the time taken by appeals that actually finished, the dates covered, and which cases it counted. It also needs to explain how it checked that any work ordered in a remand was complete.



Figure 3. In this made-up example, the report counts two years because the appeal is still open on the report date. It finishes a year later, after three years in total. A chart of open appeals cannot tell us the final wait. This illustrates the difference between the measures discussed in source [3].

Your own wait may also have started well before your appeal reached the Board. For example, you might spend a year on your original claim before filing a Board appeal. If the Board takes another two years, you have waited three years overall. A number that starts with your Board appeal would count only the last two.

The VA acknowledges a gap in tracking that full journey. In its August report, it says its systems cannot follow each claimed issue from the original filing through every step of the newer review process. Instead, it reports time spent in individual steps, including Higher-Level Reviews and Supplemental Claims. [6]

Those figures can help explain part of the wait. They cannot tell us how long a Veteran has spent seeking a final answer from the start.



What the wait meant for Karissa

Karissa served in the Air Force from 2013 to 2016. Court records describe military sexual trauma during her service and later struggles with mental health and housing. She wanted the VA to recognize her PTSD as connected to her service and increase her mental-health rating. The VA had already granted compensation for major depressive disorder, eventually rated at 50 percent. Her appeal was about the benefits still in dispute. [1, 7]

In 2022, she asked the Board to move her appeal ahead because of hardship. The Board denied that request. She later gave up the hearing, hoping to shorten her wait, but remained on the Hearing docket.

In July 2024, Karissa asked the CAVC, a federal court separate from the VA, to order the Board to decide her appeal within 30 days. These were two different requests: she asked the Board to switch her to Direct Review, and she asked the court to require a decision. Her lawyers explained that she had reluctantly canceled the hearing to try to shorten the wait. [1, 2]

Even a decision she disagreed with would give her an answer. Her petition said it “would at least bring clarity to her circumstances,” according to the government’s August 2024 court response. That statement comes from a court filing, not an interview. [7]

On August 1, 2025, two of the three judges refused to order the Board to decide her appeal. They found that her case did not meet the legal requirements for that kind of court order. They also ruled that the law addressing military-sexual-trauma appeals did not automatically require the Board to move her case ahead. The court said she could ask the Board again for faster handling and submit updated evidence of hardship. [1]

The third judge, Joseph Jaquith, disagreed and would have ordered faster handling of her appeal. The 2–1 ruling denied her request to force action; it did not order a switch to Direct Review or decide whether to grant her benefits.

The court docket shows that she appealed to the Federal Circuit in October 2025. We have not established what later happened to her benefits appeal. This account describes her documented wait through the August 2025 ruling; it does not claim that she is still waiting today. [8]

What this means for your appeal

The VA has evidence of real progress. But its broad claim of faster BVA appeals is not a timetable for your case. Here is what matters when you read those numbers.

1. Faster than before does not mean a short wait.

- a. The newer system performed better than the old one in the VA’s published comparison. That is good news. It does not mean every appeal will finish quickly, or that an average gives you a promised decision date. [4]

2. The type of Board appeal matters.

- a. If you requested a hearing, a broad statement about faster appeals can hide the longer waits in that group. About 4 in 5 completed Hearing docket cases in the August report had taken more than three years. The report does not confirm that these were only Veterans’ cases. The figure describes past cases; it is not your personal odds of waiting that long. [6]

3. Two years so far does not mean finished in two years.

- a. An appeal can be open for two years and take another year to finish. Its full wait would be three years. The Board’s open-case chart counts the time already passed. It cannot tell you how much waiting is left. [3]

When using a wait-time number to plan, consider that it may describe a different Board option from yours, or cases that are still open. Reports do not always make that clear. Also consider that a number starting at the Board leaves out time spent on your original claim before you appealed. And remember that a Board decision that sends an issue back for more work may leave you waiting longer. [6, 9]



When you can switch Board appeal options

Karissa's experience shows why canceling a hearing does not automatically move an appeal to Direct Review. For appeals under the newer system, the VA says the Board must not have decided your case yet. The timing and evidence rules also matter. [\[10\]](#)

- **The deadline.** The Board must receive a new VA Form 10182 within one year after the VA mailed the decision you are appealing, or within 60 days after the Board received your original Form 10182. Whichever deadline comes later is the one that applies. [\[11\]](#)
- **New evidence or a hearing can prevent a switch.** If you or your representative already submitted evidence during the evidence period for your chosen Board option, or you already testified at a hearing, the rules bar switching options. For example, sending new evidence with an Evidence Submission appeal can prevent a later switch. Having time left before the deadline is not enough. [\[11, 12, 13\]](#)
- **How to request the change.** Complete a new VA Form 10182, select the Board option you want, and send it to the Board. When switching between Board options, the VA says you do not need to withdraw your original appeal request. [\[10, 14\]](#)

Canceling only the hearing is different. Under the Hearing docket rules, you can still submit evidence within 90 days after the Board receives your hearing withdrawal. That does not automatically transfer your appeal to Direct Review. [\[1, 12\]](#)

Check with an accredited representative before requesting a change. Have them confirm your deadline, whether evidence or testimony already submitted affects your ability to switch, and which docket your appeal would remain on. The shortest average on a chart does not tell you which option fits the evidence you need to present.

RateMyVSO's [Appeals Pulse](#) brings together published waiting-time trends for Higher-Level Reviews, Supplemental Claims, and Board appeals. The [Appeals Guide](#) explains those options. [Three Doors at the Board](#) looks more closely at the three Board dockets through our TDIU research.

The VA deserves credit for progress. But Veterans also deserve a clear account of how long finished appeals took, how those waits differ by docket, and whether more work followed the Board's decision. For someone waiting like Karissa, the question is simple: when will I get an answer so I can decide what to do next?

How we checked the story

We compared the Board's public explanations, its February 2025 report to Congress, and 4 of 88 monthly spreadsheets listed in the VA's archive. We checked September 2024, September 2025, March 2026, and August 2026 to compare year-end figures with more recent reports. We did not check all 88 spreadsheets.

The hearing figures come from the August 2026 spreadsheet, on the sheet named "Part 1 - AMA (W-Y)," cells E44:I48. We used the column for cases taking more than three years. The report does not clearly identify this count as limited to Veterans' cases or cases with all remand work finished.

Karissa's story comes from her public federal court case. We read all 21 pages of the court opinion and all 13 pages of her October 2024 reply. We also checked relevant sections of the government's responses and the court docket. We did not interview her or read every exhibit in the case. Her experience shows one person's wait; it cannot tell us how common that experience is.

We also checked the VA's current guidance, VA Form 10182 instructions, and 38 CFR 20.202, 20.302, and 20.303 for the rules on changing Board appeal options. [\[10, 11, 12, 13, 14\]](#)

Sources checked September 25, 2026. This article provides general information. Filing choices depend on your decision, evidence, and deadlines.



Sources

1. [CAVC opinion in Karissa's case, August 1, 2025](#). The court's ruling and Judge Jaquith's disagreement. The 1,341-day wait runs from November 29, 2021, to August 1, 2025.
2. [Karissa's court reply, October 4, 2024](#). Pages 11–13 explain why she withdrew her hearing request.
3. [The Board's explanation of faster appeals](#). Its claim of resolution in less than two years and its chart of open appeals.
4. [February 2025 report to Congress](#). Figure 9, printed page 13, compares the time to fully resolve appeals; page 15 of the PDF.
5. [The Board's explanation of staffing and waiting times](#). Decision totals, work on older cases, and which appeals its charts exclude.
6. [August 2026 monthly appeals spreadsheet](#). Sheet "Part 1 - AMA (W-Y)" contains the docket figures; "Part 1 - AMA (M-N)" explains the gap in tracking a claim from start to finish. [Monthly report archive](#).
7. [Government response in Karissa's case, August 12, 2024](#). Pages 2–3 cover her claim history. Page 14 quotes her petition about wanting clarity.
8. [Official court docket for Karissa's case, No. 24-4591](#). Records her October 2025 appeal to the Federal Circuit.
9. [The VA's guide to Board appeals](#). Explains the three dockets and what a docket means.
10. [The VA's guidance after requesting a review](#). The section on switching to a different type of Board appeal explains the conditions and says the original Board appeal request does not need to be withdrawn.
11. [38 CFR 20.202\(c\)\(2\)](#). The deadline, new-form requirement, and restriction after evidence or testimony under the Board's evidence rules.
12. [38 CFR 20.302](#). Hearing docket evidence rules, including the 90-day evidence period after the Board receives a hearing withdrawal.
13. [38 CFR 20.303](#). Evidence Submission rules, including evidence sent with the appeal form or during the applicable 90-day period.
14. [VA Form 10182 and instructions, June 2026](#). Pages 2–3 explain how to request a different Board review option.