Pension and fiduciary service

PMC VSR Advanced Core Course

Phase 5: Stages of a Claim
 Part 1: Determine Eligibility

Determine Dependency Eligibility: Spouse

Appendix A

August 2021

Practice Exercise Worksheet

Read the following scenarios and answer the following questions.

**Scenario 1:** Julia Smith is unable to obtain information regarding the deceased Veteran’s one prior marriage and writes “unknown” on her original application for DIC. Ms. Smith’s own marital history only lists that she was married once, to the deceased Veteran, and she completes all this information on her VA Form 21P-534EZ. On VA Form 21P-534EZ, Ms. Smith indicates that she is unaware of any reason the marriage might not be legally valid. There is no other information to contradict the information Ms. Smith provided.

**Question 1:** Is the marriage valid for VA purposes?

**Answer:**

**Scenario 2:** Linda Jones lists on her original application for DIC that her marriage to the deceased Veteran was by common law in Des Moines, Iowa on April 30, 1978. Ms. Jones responds to the PMC’s development letter request with the completed VA Form 21-4170 and two copies of VA Form 21-4171 completed by two persons who know the relationship existed between Ms. Jones and the deceased Veteran.

**Question 2:** Is the marriage valid for VA purposes?

**Answer:**

**Scenario 3:**Vietnam Veteran, Hugh Dawson, died on May 22, 2021. The surviving spouse, Cornelia Dawson, submits VA Form 21P-534EZ showing a complete marital history for herself and the Veteran. The form indicates Ms. Dawson married the Veteran July 15, 2020 and indicates no child was born to the claimant and the deceased Veteran, nor is one expected.

**Question 3:** Does the marriage meet DIC requirements?

 **Answer:**

**Scenario 4:** Veteran Jesse Andersonsubmits a VA Form 21P-527EZ showing complete marital history for him and his spouse, Vanessa. The Veteran indicates they live apart for reasons related to marital discord and does not contribute to the support of spouse Vanessa.

**Question 4:** Can Vanessa be considered a dependent for VA purposes? Why or why not?

 **Answer:**

**Scenario 5:**  VA Form 21-686c was received for Shannon Smith, surviving spouse of Veteran Jim Smith, on May 6, 2021. You review the records on June 2, 2021 and conclude Shannon is currently receiving DIC as has been since her husband’s death in 2015. A review of the information shows Ms. Smith and the Veteran were married on August 5, 1995 when Shannon was 22 years old. The most recent information shows Shannon got remarried on January 28, 2021.

**Question 5:** Is Ms. Smith still eligible for DIC?

 **Answer:**