

## DO IT YOURSELF DISABILITY? NOT A GOOD IDEA

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I have a lot of people call my office who want to go for disability by themselves. They call, ask a few questions, get a few answers, and then they are off to try to get it done all alone. Their chances are not very good and I feel bad for them.

The idea some people have is that they will try it themselves and if they don't get it at first, they will then call a lawyer later. They think they are saving money. They are saving money, but often it is the government's money and not their own.

What many people fail to realize is that how you fill out your initial paperwork may make or break your case. How you describe your prior work, what you do all day, the reason you stopped working, all of these issues must be addressed at the beginning with great caution and thought. This is especially true for people over 50. Do it the wrong way and you may doom an otherwise very strong claim.

Many attorneys encourage people to go out and do it on their own.

"Get denied and then come back to me." They know that the paperwork will probably get messed up and as a result the person will get an initial denial. The person will then come back to the lawyer after the denial. The lawyer gets to avoid doing a lot of the messy and difficult up front paperwork. In addition, there will now be a very long delay before the hearing occurs. This is significant because attorneys in disability cases are generally paid a percentage of back benefits after the case is won. (Some firms charge up front fees, but we never do). As a result of the long delay waiting for a hearing, the back benefits will have increased significantly. Therefore, at the end of the case, the fees SSA sends the attorney will be higher and the benefits paid to the client will be reduced. Even worse, a deserving claim may be fatally flawed by paperwork filled out incorrectly at the beginning of the case when the individual had no lawyer. The bottom line is that you are not saving yourself money in the end by trying to do it on your own.

The last three cases I won were ones where had the client come to us at the beginning, we probably would have been able to get benefits at the initial level. Because they tried to do it on their own at first, they had to wait from 10 months to 2 years extra. The most frustrating part for me is knowing that I have to put a lot of work into a case that should have been won a long time ago. But that's what happens when you do it yourself in the area of disability benefits.