

Social Security Disability Hearings in Western New York

The second stage in the Social Security Disability process is a hearing before an Administrative Law Judge. This hearing is the only opportunity in the system for you to be face to face with the person who decides your case. It is statistically the best chance to win your case. Only 38% of claims in New York were approved on the initial application in 2003 while almost two-thirds of claims were approved at the hearing level. Our firm wins over 90% of our cases; the vast majority at the hearing level.

The Buffalo Office of Hearings and Appeals has perhaps the longest waiting period in the country to get a hearing. It takes over 18 months to get a hearing and there are approximately 14,000 claimants waiting their turn. There have been steps taken to reduce the backlog and waiting period. Many cases are being heard by out of town judges-either by bringing the judges to Buffalo or by videoconference. You do not have to have your hearing by videoconference. It does speed up the process but you do lose some of the personal atmosphere.

Some things that our firm does to help claimants is ask for an "on the record" determination and/or a "dire need" hearing. If a case is strong enough, we can sometimes convince the judge that you are disabled without the need for a hearing and give a favorable determination "on the record." A dire need hearing avoids the 18-month wait if we can convince the judge that your financial condition is extremely bleak. We need back up documentation such as eviction, foreclosure, or shut off notices and current medical records. Unfortunately, most disabled person's financial condition is poor and everyone's case can't be placed on the top of the heap, so to speak. We will do everything within our power to try and win your case as expeditiously as possible.