



Battling the Backlog in Social Security Disability Claims

Written On October 8, 2009 By [Bob Kraft](#)

“Justice Delayed is Justice Denied”

Most of us are familiar with the phrase first coined by the British Politician William Gladstone. Our clients awaiting their day in court on Social Security Disability claims endure a lengthy delay, as do the nearly 750,000 others in the backlog of pending cases. The national average waiting period for a face-to-face hearing before a judge in Social Security is still lengthy, with 495 days being the national average for processing time.

In a [recent article published in the ABA Journal](#), Rhonda McMillion describes how ABA (American Bar Association) volunteers recently educated congressional officials on how the Social Security Administration conducts disability hearings. McMillion’s article is very informative and should be read in full.

Some of the main points of McMillion’s article are shared below:

- Bill Robinson, who chairs The Standing Committee on Governmental Affairs, observed mock hearings put on by ABA volunteers noted how the various congressional offices and federal agencies learned a lot from observing the mock hearings as privacy concerns block these proceedings by closing them to the public.

- Administrative Law Judge and past chair of the ABA Judicial Division Jodi B. Levine participated in the mock hearings and noted that all individuals are “. . . entitled to due process, including his or her day in court.”
- Rudolph N. Patterson, a founder and former president of the National Organization of Social Security Claimant’s Representatives (NOSSCR), also participated in the mock hearings. As a member of the ABA Commission on Law and Aging, he was instrumental in urging Congress to sufficiently fund the Social Security Administration to ensure the backlog of cases can be reduced and eliminated.

McMillion’s article notes that President Barack Obama’s request for increased funding are reflected in the current bills moving through the Senate and House of Representatives asking for over \$11 billion for administrative expenses for the Social Security Administration. This amount is a \$984 million increase over the current level of funding.