Talking with an Attorney About Your SSDI Application

Why This Matters

Not everyone needs an attorney to apply for SSDI, but many people find it helpful — especially if their application is denied or if their situation is complicated. Knowing what to ask can help you decide whether working with an attorney is right for you.

What You Need to Know

Many disability attorneys work on a contingency basis, meaning they are paid only if you win your case, and their fee is limited by federal rules. Some long-term disability (LTD) insurance carriers also work with advocates who can help you apply for SSDI if you're currently on LTD — it's worth asking your LTD claims representative whether this is available to you.

Get Started

- Make a list of your questions before you call or meet with an attorney.
- Ask whether the attorney handles Social Security disability cases specifically.
- Ask if there is a fee for the initial consultation.
- Ask what they will need you to bring to the initial meeting.
- Bring a trusted family member or friend to the consultation if that helps you feel more comfortable.

Questions to Ask a Potential Attorney

- How much experience do you have with Social Security disability cases involving dementia or cognitive impairment?
- Of your SSDI cases, have any involved dementia or cognitive impairment?
- How are you compensated, and is there any cost to me if my case is not successful?
- What information or documents will you need from me?
- Will you help with the initial application, or only with an appeal?
- How does the application process work?
- How will we communicate, and how often should I expect updates?
- What can I do to help strengthen my case?

Helpful Tips

- You do not need an attorney to submit your initial application, but many people choose to involve one at the reconsideration or hearing stage.
- Ask for answers in writing whenever possible.
- There are no unimportant questions — these benefits exist to help you, and it's reasonable to ask exactly how the process works.

Helpful Resources

- Your state bar association's lawyer referral service
- The National Organization of Social Security Claimants' Representatives (NOSSCR)
- Your long-term disability insurance carrier, if applicable

Things to Consider

- Every situation is different.
- You may want to discuss this decision with your family, care partner, or another trusted advisor.
- There may be financial or legal implications to consider.
- This guide is not legal advice — seek advice from a qualified professional for your specific situation.

Quick Reference

Write your questions down, ask about fees up front, and don't hesitate to bring someone with you. A little preparation can help you feel more confident in the conversation.

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