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Video Hearings in the case of Social Security disability claims are a good technological advancement that can benefit all concerned parties - SSA, ALJs, expert witnesses, claimants and representatives. The only caveat to such an endorsement arises in maintaining the option of a face to face Hearing without any penalty attached to such an option. Based on my practice and experience in handling these clients since 1974, there are certain instances where I want to see the ALJ in person, want the ALJ to see the client's behavior in toto and not just a screen shot, want the ME or VE there for cross examination. My practical fear is listening to a "scheduler" tell me that a video Hearing can be held in August 2011 or maybe in November 2011 should I want an "in person" Hearing. It happens. Ethically, I'm bound to tell my client these options. Most want to "get it over" since the waiting has gone on for over a year or more from the time the claim was filed. Depending on each client's facts and the parties (ALJ, ME, VE) involved (since each can be different in approaches to evidence), I must make a judgment call and advise the client what I think best. In almost every instance, monetary issues can be a strong pressure factor on a client to take the earliest date possible. Long term, that could be bad.

My suggestions:

No significant time delays for claimants who want an in person Hearing before an ALJ instead of a Video Hearing.

If an "expert" can testify by Video, I want the option of having the Attending Physician or my expert testify by video as well provided I notify the ALJ in advance.

Extend the video interview option to adjudicators in State Agencies handling disability claims for SSA on a trial basis. This could be done in local District Offices where claimants live relatively close. Could apply to priority claims for Veterans (still on Duty but unfit for combat - ie PTSD/TBI), foreclosure & eviction cases, Compassionate Allowances, Terminal Illness claims (TERI) (Hospital/Hospice Centers).

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