

KDW Obtains Social Security Benefits for Pro Bono Client in Israel

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Kelley Drye obtained a significant victory on behalf of one the Firm's pro bono clients, an elderly man living in Israel, whose Retirement Insurance Benefits under the Social Security Act were wrongfully reduced by the Social Security Administration on the basis of his receipt of an Old Age Allowance from Israel. The Old Age Allowance is not properly classified as a pension under applicable SSA regulations, and it was improper for the SSA to use the allowance as a basis for reducing retirement benefits. The client attempted to resolve this error for three years, but ultimately exhausted his administrative appeals. The case was then referred to Kelley Drye by a charitable organization, and the Firm agreed to provide pro bono representation. KDW filed suit on his behalf in the United States District Court for the District of Columbia against the Commissioner of Social Security.

Rather than answer the complaint, the Commissioner of the Social Security Administration moved for a remand "for the purpose of permitting the Social Security Administration to enter a new decision that is fully favorable to plaintiff." The proposed order filed with the motion calls for the reversal of the Social Security Administration's decision to reduce benefits.