

How Much Does a Disability Lawyer Cost?

If you're unable to work because of an injury or illness, hiring a lawyer might feel financially out of reach.

You may already be dealing with lost income, mounting medical bills, and uncertainty about your future. So it's completely understandable to ask:

How much does a disability lawyer cost – and can I afford one?

The good news is this: most disability lawyers work on a contingency fee basis. That means you generally do not pay upfront fees, hourly rates, or out-of-pocket legal costs to get started.

Here's what that really means – and what you should know before hiring a disability attorney.

The Contingency Fee Model: No Upfront Payment

Most disability lawyers, including those who handle long-term disability and workers' compensation claims, are paid on a

contingency basis.

A contingency fee means:

- The lawyer only gets paid if you win.
- The fee is a percentage of the benefits recovered.
- If there is no recovery, there is typically no attorney's fee.

This structure allows injured and disabled individuals to pursue claims without adding financial pressure during an already difficult time.

How Much Is the Fee?

The exact percentage depends on the type of disability claim.

Workers' Compensation Claims

In Pennsylvania workers' compensation cases, attorney fees are generally limited by law and must be approved by a workers' compensation judge.

The standard fee is typically around 20% of the wage-loss benefits awarded.

This means:

- If you receive back pay or ongoing benefits,
- The attorney's fee is deducted as a percentage of those benefits,
- And the fee must be reviewed for reasonableness.

Importantly, medical benefits are usually not reduced by attorney fees.

Social Security Disability (SSDI and SSI)

For Social Security Disability claims, attorney fees are also regulated.

The fee is typically:

- 25% of your back benefits,

- Subject to a maximum cap set by federal rules.

This fee comes from the past-due benefits owed to you – not from your future monthly checks.

If you do not receive back benefits, there is usually no attorney's fee.

Long-Term Disability (Private Insurance) Claims

In private long-term disability cases, fees are also commonly based on contingency agreements, often ranging between 25% and 40%, depending on the stage of the claim.

Some firms may adjust their fee structure if the case goes into federal litigation.

Because private disability policies can involve complex legal issues, it's important to review the fee agreement carefully before signing.

What About Costs and Expenses?

In addition to attorney fees, there may be case-related expenses.

These can include:

- Medical record retrieval fees
- Expert evaluations
- Filing fees
- Deposition costs

Many disability lawyers advance these costs and only recover them if the case is successful.

You should always ask how expenses are handled before agreeing to representation.

Do You Ever Pay Hourly?

In most disability claims, hourly billing is rare.

Hourly arrangements are more common in business disputes or civil litigation – not in standard disability cases.

Because disability law is structured around contingency fees, the system is designed to give injured workers access to representation regardless of their financial condition.

Why Hiring a Disability Lawyer Often Makes Financial Sense

Some people hesitate to hire a lawyer because they worry about “losing part” of their benefits.

But here’s the reality:

Insurance companies and government agencies deny a significant number of disability claims. Without legal guidance, many deserving applicants are delayed or denied.

A lawyer can help:

- Gather proper medical evidence
- Ensure deadlines are met

- Present your claim clearly and persuasively
- Cross-examine medical experts
- Negotiate settlements
- Appeal denials

In many cases, the increase in recovered benefits far outweighs the attorney's fee.

What If Your Claim Is Denied?

If your disability claim has already been denied, hiring a lawyer becomes even more important.

Appeals often require:

- Detailed medical documentation
- Written legal arguments
- Administrative hearings
- Strict compliance with procedural rules

Missing a deadline or submitting incomplete evidence can permanently damage your claim.

Most disability lawyers still work on contingency at the appeal stage, meaning you do not pay upfront for representation.

When Should You Contact a Disability Lawyer?

You don't necessarily have to wait for a denial.

Many people contact a disability lawyer:

- Before filing an SSDI claim
- After receiving a long-term disability denial letter
- When workers' compensation benefits are disputed
- If their employer challenges their injury
- When insurance companies request independent medical exams

Early involvement can prevent mistakes that are difficult to fix later.

What Questions Should You Ask About Fees?

Before hiring a disability attorney, consider asking:

- What percentage do you charge?
- Are fees capped by law in my type of case?
- How are case expenses handled?
- Do I owe anything if we lose?
- Will you explain the fee agreement in writing?

A reputable disability lawyer will explain the fee structure clearly and answer all of your questions before representation begins.

The Bottom Line

Most disability lawyers work on a contingency basis. That means:

- No upfront payment
- No hourly billing
- No attorney fee unless you recover benefits

Fees are typically a percentage of back benefits, and in many cases, those fees are regulated by law.

If you are unable to work and facing a disability claim, the cost of hiring a lawyer should not prevent you from protecting your rights.

At Martin Law, we understand the financial stress that comes with serious injuries and disability. We offer free consultations and handle disability and workers' compensation claims on a contingency basis.

If you have questions about your disability claim or what legal representation would cost, contact our office today. We're here to help you move forward with confidence.