

## THE PRO BONO EFFECT

# Tipping the Scales in a Benefits Case

By Stacy Julien

**E**lla Anderson (real name withheld for confidentiality reasons) loved her job as a home health aide, helping patients with their day-to-day household responsibilities — that is, until she began experiencing problems with her hands.

"She couldn't go into cold places. Her skin was irritated, and her hands were painful to touch," says Anderson's pro bono attorney Danielle Pfifferling, a patent litigation associate at Finnegan, Henderson, Farabow, Garrett & Dunner, LLP who specializes in pharmaceuticals and biotechnology.

Anderson was eventually diagnosed with several conditions, including scleroderma, a connective tissue disorder that leads to Raynaud's phenomenon, or decreased blood flow resulting in numbness and discoloration of the fingers and/or toes after exposure to cold temperatures or emotional events. She was also diagnosed with clinical depression.

A mother of two children, Anderson was living on her own before her medical conditions changed everything. She went from doing it all to not being able to manage day-to-day chores like cooking. She couldn't drive and used MetroAccess to get around. Soon, Anderson had to move in with her mother for help.

"She gave up a lot of her freedom and was in constant pain. That put her in a depressive state," says Pfifferling, also a mother, with three young children.

If Anderson was unable to accomplish certain tasks for herself, she certainly found it hard to perform her responsibilities as a home health aide. This meant she didn't have an income to take care of her family. For financial support, she

**We didn't uncover anything. It was all there. But they weren't going to look through all those documents and see it the way we did.**

**DANIELLE PFIFFERLING**

*Finnegan, Henderson, Farabow, Garrett & Dunner, LLP*

filed for Social Security disability benefits, but her application was denied. She filed a request for a reconsideration, and it was also denied.

When Anderson's case found its way to the D.C. Bar Pro Bono Center, Pfifferling jumped at the opportunity to take on her first-ever disability benefits case. Barbara Butterworth, Finnegan's litigation mentor who leads the firm's pro bono program, was there to guide her.

"This was Danielle's first Social Security case. It's my job to guide the attorneys in strategy so they don't jump into the deep end alone. It helps to have someone at the firm to provide that front-line supervision for you," Butterworth says.

Pfifferling met Anderson in May 2016 to start preparing a brief. The brief, which included pictures of Anderson's hands, was filed in June 2017. What this case had in its favor, Pfifferling learned, was that Anderson kept detailed medical records and documentation of the events.

"It was unique because she had about 2,000 pages of medical records. It was a lot to go through. I looked at it like a jigsaw puzzle. The paperwork clearly showed that she had a

disability that fit within the guidelines for approval. It was obvious," Pfifferling says.

After organizing the paperwork, Pfifferling could see what the Social Security Administration didn't. "I highlighted key phrases to show the big picture. We didn't uncover anything. It was all there. But they weren't going to look through all those documents and see it the way we did."

At Anderson's hearing in February 2018, it didn't take long for the judge to reach a decision. With her hand wrapped in gauze and covered by a white tube sock, the young mom was granted disability on the spot.

"She was very relieved to start getting the paychecks and also back pay," Pfifferling says. "This was very emotional for her. Every time I met with her, she would cry at some point."

Butterworth says she was proud of Pfifferling's work on the case, in particular her thorough brief. "The advocacy really occurred in the brief that Danielle wrote. We're not sure what tipped the scales, but we were able to help the client. The severity of the client's symptoms and pain was painful to witness, and the grace with which she managed it was really something to see."



Finnegan

## THE PRO BONO EFFECT



“

It's my job to guide the attorneys in strategy so they don't jump into the deep end alone.

**BARBARA BUTTERWORTH**

*Finnegan, Henderson, Farabow, Garrett & Dunner, LLP*

With this case behind her, Pfifferling looks forward to future pro bono cases as a way to diversify her knowledge. She's currently working on a compassionate relief case with Butterworth, and she also hopes to work with the Innocence Project someday.

"A lot of young associates like taking on pro bono because the litigation is high stakes. You don't get a lot of opportunity to speak to judges if you aren't a partner or senior. It's like running

your own case. It's very rewarding to do it. And it's life-changing for the clients that you're helping," Pfifferling says. ■

*Stacy Julien is a regular contributor to Washington Lawyer.*

Visit [probono.net/dc](https://probono.net/dc) for information about COVID-19-related pro bono training and volunteer opportunities.

# My clients pay me in 3 ~~months~~ days.

## Get paid faster with Clio.

Create and approve bills on the go, automatically apply interest to late payments, and send bills electronically. Start billing your clients in a way that's easy for them—and effective for you.

Visit [clio.com/dcbar](https://clio.com/dcbar) to claim your discount.

