

Witness Statement

To: Friends, Family & Associates

Re:

Someone you know is seeking disability benefits and has asked you to write a letter in support of his or her disability. This document is designed to help answer any questions you may have. Rest assured, the Judge just wants your observations and you won't be required to have any other involvement.

To whom should I address the letter?

Simply address the letter with, "To whom it may concern". You should write the letter as if you were simply writing an informative letter to a friend telling about the claimant's life and the challenges he/she faces do to the disability.

How do I start?

A good place to start is by explaining your relationship to the person on whose behalf you are writing, how long you've known him or her, and how often you get to see or talk with him or her.

Are there any general guidelines?

- Tell the truth.
- Don't exaggerate, but don't minimize the claimant's difficulties.
- Don't write about the claimant's inability *to get* a job.
- Describe the individuals limitations (what? How often? How long does it last?)
- Focus your comments on what the claimant can't do, or has difficulty doing.
- Provide relevant details and examples but don't ramble.

What type of things should I write about?

Below are several ideas to help you focus your comments. It is generally helpful if describe the side of the claimant's life you know best. It is recommended you might pick one or more of the following to write about:

1. How has the claimant changed since becoming disabled?
What was he/she like before and after the disability began?
2. Tell of any observations you've had of the claimant performing normal daily activities.
Outline the claimant's limited daily activities.
3. If the claimant has a physical disability, describe difficulties you've observed with sitting, standing, walking, lifting, bending, etc.

4. If the claimant has mental limitations, describe difficulties understanding, remembering and carrying out simple instructions.
5. Write about things you help the claimant with (Note don't discuss things the claimant can do on his/her own).
6. If the claimant experiences a lot of pain, it may be very helpful if you share your observations. You may have noticed difficulties with one or more of the following:
 - a. concentration/attention span;
 - b. forgetfulness
 - c. quick temper;
 - d. crying spells;
 - e. inability to handle stress
7. If the claimant has good days and bad days, describe what the claimant does on a good day and what he/she does on a bad day. Estimate how many times per week or month the claimant has a bad day.
8. Does the claimant suffer from a disability that is "episodic." For example, he/she is generally pretty normal, but occasionally has episodes that are severe enough and frequent enough that the person would never be able to keep a job. You can describe in detail an episode that you have observed and, if you know, estimate how often these episodes occur.
9. If you have personal knowledge that the claimant struggled working or keeping a job, tell about these problems and how the claimant tried to deal with it.

Is there anything that I shouldn't say?

As long as you tell the truth, write from personal knowledge and don't exaggerate the claimant's limitations, there really is nothing you shouldn't say. But here are a few tips:

1. Unless you have a medical background or have some other reason to know about the claimant's medical condition, don't write about medical issues. Leave these for the doctors.

How should I conclude the letter?

Once you finish writing your letter, sign your name at the bottom and you are done. Keep the letter simple and brief. If your letter is more than two pages, you run the risk of the judge not reading it.