

Hardt, Bridget vs. Reliance Standard Life Insurance Company

Year: 2009

Court: U.S. Supreme Court

Case Number: 09-448

Based on long-standing Supreme Court precedent relating to prevailing party status under fee-shifting statutes, Social Security disability benefit claimants who win remands are entitled to see fees regardless of whether they ultimately prevail in securing an award of benefits. Given the similarity in nature of ERISA remands, no logical ground exists to distinguish the availability of fee awards under ERISA from the well-established law relating to EAJA [Equal Access to Justice Act, 28 U.S.C. section 2412(d)(1)(A)].

This brief was written pro bono for United Policyholders by Mark D. DeBofsky.