

Social Security Disability Benefits Handbook

*What Are The
Requirements For
Social Security
Disability?*

*What Is A Closed
Period of Disability?*

*The Sequential
Evaluation Process
For Social Security
Disability Approval*



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GET SOCIAL SECURITY DISABILITY BENEFITS WHEN YOU CAN'T WORK

If you are not able to work, then you may be eligible for Social Security disability benefits or supplemental security income benefits. You may have heard these benefits called SSDI or SSI. Social security disability benefits are available to people who can't work for any reason – injuries, diseases, physical limitations, psychological issues – they all qualify. It doesn't matter if you were injured in an accident or were born with a problem that causes physical limitations, if you can't work, then you may qualify.

SOCIAL SECURITY DISABILITY BENEFITS GENERALLY

A typical social security disability benefits client is less than 65 years old. They have worked in the past, but can no longer perform the type of work they used to do. This could be because of a severe physical or mental condition. That's the basics for being eligible to receive social security disability benefits.

Of course, the Social Security Administration denies most people's claims when they file an application. Most people have to appeal their initial social security decision. In our opinion, hiring a lawyer to overcome a denial of benefits ensures that you get professional services, that you don't have to worry about all of the difficult paperwork involved, and that everything gets done right and turned in on time. Not to mention, you'll want a social security disability lawyer by your side when your case comes up before the judge.

SSI BENEFITS

Supplemental Security Income Benefits are social security disability benefits designed for people who don't meet the criteria for regular disability benefits. You still have to expect to be off work for at least a year. However, if you haven't generated enough work credits to qualify for regular social security disability benefits (SSDI), then you might still qualify for SSI. For these social security disability benefits, you have to have less than \$2,000 in assets (not counting your house and one car). It also pays less than SSDI. But, it is still income when you need it most.



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HOW LONG DO I HAVE TO BE OFF WORK TO GET SOCIAL SECURITY DISABILITY BENEFITS?

Social security disability benefits are designed for people who can't work anymore because of a severe physical or mental health condition. When the legislature adopted the disability laws, they had to decide how long somebody would need to be unable to work in order to qualify for benefits. They settled on a one year requirement because that would help the system find people with severe health problems with really limited work ability. This is called the durational requirement for social security disability benefits.

DO I HAVE TO BE UNABLE TO WORK AT ALL?

No. Your health conditions have to be so severe that you can't perform substantial gainful activity. In the social security world, "substantial gainful activity" is called SGA. As of 2024, if you cannot earn at least \$1,550 in a month, then you are not able to perform SGA. So, you can work and still qualify for benefits. You are also going to have to prove that you are not able to do the type of work that you have done in the past. If you can only earn \$900 per month because of your health problems, then you meet the unable to work standard.



DO I HAVE TO BE OFF WORK FOR A YEAR TO FILE AN APPLICATION FOR SOCIAL SECURITY DISABILITY BENEFITS?

Absolutely not. You don't want to wait a whole year before filing the application for benefits. This delays your receipt of social security disability benefits. However, you do want to establish your inability to work before filing. If you file for benefits while still working and earning full wages, that is evidence that you are not disabled.

The law says that you have to expect to be off of work for a year. How do you prove this expectation? By proving that your injuries, disease, or mental conditions are so severe that you can't work. You can do this by going to the doctor and getting treatment. The doctor will document your health problems and address your ability to work. Medical records are the main evidence that the SSA will use to make a decision on your benefits. Ask the doctor to explain how long your medical problems will affect your ability to return to work.

If you have a diagnosis and a doctor who explains that you are expected to be off work for at least a year, then you can be awarded benefits immediately. As with most legal issues, it's all about the evidence. Most people who were not awarded social security disability benefits did not have the right evidence.



WHAT ARE THE REQUIREMENTS FOR SOCIAL SECURITY DISABILITY?

When most people think about social security benefits, they think about retirement benefits. But social security also has a benefit program for people who have become disabled. You have to meet the requirements for social security disability to be eligible. These benefits help people who haven't reached retirement age yet, but they can't go to work due to an injury or illness that has affected them for a prolonged period of time.

ELIGIBILITY REQUIREMENTS FOR SOCIAL SECURITY DISABILITY GENERALLY

The requirements for social security disability encompass considerations of your age, how long you have worked, your prior work experience, your earnings ability, and your functional abilities.

THERE ARE SIX REQUIREMENTS FOR SOCIAL SECURITY DISABILITY:

The first is that you should be no more than 65 years old. The older you are, the easier it is to qualify. But if you are over 65, then you would just get retirement benefits, not disability.

1. Second, you have to have worked at least 5 out of the last 10 years.
2. Third, you have to prove that you have a severe mental or physical condition that limits your ability to work and earn wages.
3. Fourth, your inability to work has to last, or is expected to last, at least 12 consecutive months
4. Fifth, you have to prove that you can't do the type of jobs you have had over the last 15 years
5. Sixth, you have to show that you can't do the work expected of someone your age, with your education, language skills, and background.

WHEN TO APPLY FOR BENEFITS

You don't have to wait until you are off work for a year to apply for social security disability benefits. You can apply when it's reasonable to think that you will be off work for a year. This could be at any time during that first year. At our firm, we usually file around the 9th month of disability if it looks like treatment and recovery time will continue past the one-year mark.

There are exceptions to the rules and different ways of qualifying for each one of these 6 requirements. Feel free to contact us with questions you may have about the process or filing an appeal.



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SSDI BENEFITS FOR NON-CITIZENS

Do you have to be a citizen of the United States to be eligible for Social Security Disability Benefits? The simple answer is “No”. SSDI benefits for non-citizens are available in situations where the worker meets the requirements. So, how do you qualify?

Qualify For SSDI Benefits For Non-Citizens:
Federal law generally requires that all workers pay Social Security taxes. When workers pay these taxes, they are covered under Social Security for services performed in the United States. This is true even if they are nonresident aliens or employees who work here for short periods.

There are a few exceptions, however. Some people may be exempt from paying Social Security taxes and therefore would not qualify for disability benefits under SSDI. Additionally, there are certain countries whose citizens cannot receive benefits even if they otherwise qualify.

HOW CAN RESIDENT ALIENS PROVE THEY ARE LAWFULLY IN THE U.S.

If you are a resident alien, you will have to show that you are lawfully in the United States under one of the following conditions:

- **admission as a refugee or conditional entrance as a refugee**
- **asylum status or pending application for political asylum**
- **temporarily visiting on a nonimmigrant visa**
- **parole status**
- **deportation withheld or pending application for withholding of deportation**
- **member of a class of aliens permitted to remain in the United States for humanitarian or other public policy reasons, or**
- **you have been battered or subjected to cruelty by a family member while in the United States.**



DATE LAST INSURED IN A SOCIAL SECURITY DISABILITY CLAIM

The date last insured is one of the most overlooked components of a social security disability application. It is the last date that you are eligible to be covered for disability. You are usually eligible for coverage for five years after you quit working. It could be a little earlier if you worked sporadically for awhile there at the end.

INSURED STATUS

In order to determine your date last insured, you have to determine your insured status. There are two types of insured status – fully insured and disability insured. You have to meet the requirements of both of these in order to be eligible for disability benefits.

To be fully insured, you have to have ten years of credited work. That's credit for work of at least one quarter during ten different years. You can also qualify if you have one credit of work for each year between age 21 and the time you become disabled. Disability insured looks at your recent employment. You have to have worked 5 out of the last 10 years.

CREDITED QUARTERS

There are 4 credits (quarters) of work in each year. An earnings record from the SSA shows how many quarters you have worked in any given year. You get a quarter of credit for every quarter that you are paid FICA-taxed earnings of the threshold amount. In 2024, your quarterly earnings have to be at least \$1,730 to earn a credit.

DATE LAST INSURED

Why is the date last insured so important? In order to get disability benefits, you have to have become disabled before your date last insured. So, to determine your date last insured, you look at your earnings record. Count back 20 credited quarters. Then go back one more. Now, jump 10 years, not quarters, into the future and the last day of that quarter is your date last insured. You have to prove that you were disabled prior to that date to be eligible for social security disability benefits.

*Justice delayed
is justice denied
call Today!*

ALLEGED ONSET DATE IN DISABILITY APPLICATIONS

The alleged onset date (AOD) in a social security disability application is the date that you claim you became disabled. If your severe impairments were the result of a car wreck or a work injury, then you might pick the date of the accident as your AOD. When your disability results from a disease or a progressive ailment, then it's more difficult to pinpoint the right AOD. Picking the right date is very important.

FACTORS AFFECTING ALLEGED ONSET DATE

The first rule in picking an alleged onset date is that it has to be before your date last insured. As noted above, your disability has to begin before your date last insured. After that date, you are not covered for benefits.

Also, you will want to consider your earnings, medical records and prior denials of disability when you select an AOD. If you are trying to establish disability, then you are stating that you can't work. For social security disability purposes, you only have to prove that you can't earn wages above "substantial gainful activity." You must make sure that your alleged onset date begins after your earnings drop below this level. You can't be disabled under the law if you are earning wages above the threshold.

It's also important to make sure that you have the right medical records to prove an AOD. You should have medical records dated close in time to the date you claim you became disabled. These records should document your impairments and their affect on your work ability.

Finally, you have to be careful about any prior denials of social security disability. If you have already been to a hearing and lost, then you can't claim to be disabled prior to the date of that hearing. The judge already ruled on it. What's done is done. Make sure, in this situation, that your alleged onset date is a date sometime after that judge's decision.

HOW YOUR AOD AFFECTS YOUR DISABILITY AWARD

You can get paid benefits for up to 12 months prior to the date you file an application for disability. When you factor in the 5 month waiting period imposed by the SSA, then you will want to prove disability as far back as 17 months before your AOD to maximize your award. You have to remember that you must be disabled for 12 months before you are eligible for benefits. This is the durational requirement for social security disability. If your alleged onset date is not at least 12 months prior to the date the SSA rules on your application, then you may not be eligible for benefits. In that case, you would have to prove that you expect to continue to be disabled beyond that date.

The alleged onset date can be changed by the SSA when they rule on your award. What if the judge finds that you were not disabled at the time you claim, but did become disabled 6 months after the AOD you put on your application? That could cost you all or part of your back pay award. So, it's important to get the AOD right, and to support that date with evidence. Benefits won't be paid for time periods before the onset date.



WHAT IS A CLOSED PERIOD OF DISABILITY?

Disability:

Our firm represents hard working people who get hurt or develop a disease. Their condition may affect their ability to keep working. These are usually proud people who have earned their way in life, and want to get back to work. Sometimes their injuries and illnesses make them miss more time from work than they expected. They probably qualify for social security disability. Yet they will often decline the opportunity to apply for benefits. This is because they don't want to spend the rest of their life sitting around, not doing anything but living off of benefits. The good news is that they don't have to do it that way! They may be eligible for a closed period of disability.

Requirements:

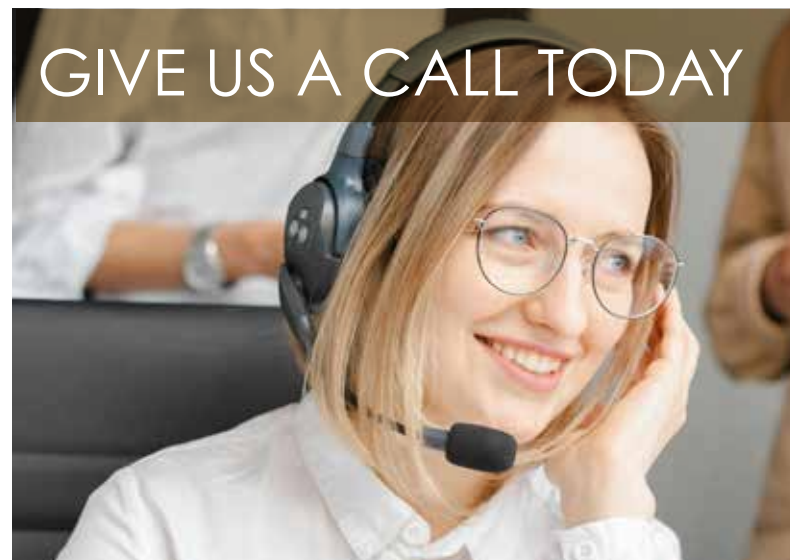
When you miss work for a year, or expect to miss work for a year because of an injury or illness, you can qualify for social security disability. You can even return to work and still apply for benefits covering the time you were NOT able to work. We call this a closed period of disability.

A closed period of disability is the time between the onset of your disability and the end of your disability. In other words, the date you become disabled opens the period of disability and the day you are able to return to work closes the period of disability.

You can ask for a closed period of disability if your impairment (that is your injuries or illnesses) prevent you from substantial gainful activity for at least 12 consecutive months. Additionally, your disability must end before the Social Security Administration awards you benefits. This means that if you are off work for a year and then return to work, you can ask for the closed period of disability.

This works out well for people who have had a workers' comp injury. Especially if they have had surgery or the insurance company denied treatment along the way. So, injured workers need to file for closed periods of disability from social security when their recovery takes a year or longer following the work accident.

Back pay on social security disability is limited to one year from the date benefits are requested. So, it is very important to file as early as possible. This way you don't lose out on any benefits from waiting too long to file.



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SOCIAL SECURITY DISABILITY BENEFITS WHILE WORKING

CAN I WORK WHILE GETTING SOCIAL SECURITY DISABILITY BENEFITS?

Is it possible to receive social security disability benefits while working? For instance, what happens if you qualify and are receiving social security disability benefits; but you are feeling a little better. You think you might be able to do a little work to get a few extra dollars coming in? Are you able to work and receive benefits at the same time?

In certain situations, a person is able to have gainful employment and still receive their benefits. You need to know how much you will earn to make that determination.

In order to get social security disability benefits while working, you have to prove that you could not perform "substantial gainful activity". That's a special social security phrase that means "I can't make very much money because of my disabilities."

Substantial gainful activity, in 2024, specifically means that you can't earn over \$1,550 per month because of your health conditions. This means that you can get social security disability and return to work. This is as long as you are not able to earn more than \$1,550 per month in wages. Each year this number changes, so make sure that you review it for the current time period.

Even if you haven't been completely unable to work for the last year, if your medical conditions have limited your earning ability to less than \$1,550 per month, you can still qualify for social security disability benefits. You still have to prove that your reduction in earnings has been ongoing for twelve continuous months.

"I can't make very much money because of my disabilities."



Let us help



THE SEQUENTIAL EVALUATION PROCESS FOR SOCIAL SECURITY

When the SSA evaluates your application for benefits, it uses a sequential evaluation process for social security disability approval. This is a five-step process that has to be done in a specific order.

STEP 1: IS THE CLAIMANT PERFORMING SUBSTANTIAL GAINFUL ACTIVITY?

The first thing you have to know about social security benefits is that the program only pays if you have a total disability. Benefits are not paid for partial disability. Total disability means that you cannot perform substantial gainful activity, or SGA. This means that you cannot perform work that is both substantial AND gainful.

Substantial work usually requires significant physical or mental activities. Gainful work means that you earn wages that exceed that year's threshold amount to be called gainful. In 2024, you would have to make more than \$1,550 per month for it to be considered gainful activity. So, it is possible to continue to work and still qualify for benefits through this sequential evaluation process for social security disability.

Another component of this question is called the durational requirement. This means that you have to be unable to earn these wages for at least twelve consecutive months. Whether you have already been off work for twelve months, or you EXPECT to be off work for twelve months

- either way, you can meet the durational requirement.

STEP 2: IS THE CONDITION, OR COMBINATION OF CONDITIONS, SEVERE?

Congress outlined the requirements for qualifying for social security disability years ago. They stressed that a person's inability to work had to be based on a severe impairment. A severe impairment limits your ability to do basic work activity. These are things like sitting, standing, walking, bending or stooping. It also includes understanding, carrying out and remembering simple instructions.

One of the best parts of this step of the process is that a combination of conditions can be used to get to a severe impairment. Every ailment or condition alone does not have to equal a severe impairment. All of them combined can equal a severe impairment.

STEP 3: DOES THE CONDITION MEET OR EQUAL A LISTING, LOOKING AT THE MEDICAL AND OTHER EVIDENCE?

A listing is a set of rules applicable to certain medical conditions. For instance, a diagnosis of lumbar stenosis can get you benefits. It just has to cause a specific set of problems as outlined in the listing. When you meet the criteria for a listing, it is presumed that you are disabled. Your medical records are the most important part of



THE SEQUENTIAL EVALUATION PROCESS FOR SOCIAL SECURITY

this equation. If you are proven disabled at this step, then the sequential evaluation process for social security disability ends.

STEP 4: IS THE CLAIMANT ABLE TO PERFORM PAST RELEVANT WORK?

Past relevant work is the work you have done for the 15 years prior to becoming disabled. It includes all jobs you have done long enough to have learned it. Only jobs where you performed at SGA levels count. This means that it is important that you explain how you performed these jobs in detail. Make sure you describe the physical and mental requirements of the work you performed. Ask your doctor to explain what physical and mental limitations you have from your medical conditions in a written report. The evaluator, or a judge, will decide if you can perform that work now that you have a severe impairment.

STEP 5: CAN THE CLAIMANT PERFORM ANY OTHER WORK WHICH EXISTS IN SIGNIFICANT NUMBERS IN THE NATIONAL OR LOCAL ECONOMY, CONSIDERING HIS OR HER AGE, EDUCATION, AND WORK EXPERIENCE?

At this step, the SSA finally looks at your age, education and the skills you developed through your work experience. Your age can have a

significant impact on your eligibility for benefits. The law expects much more exertion from a 25 year old than a 55 year old. Someone who has only performed hard labor doesn't have the same skills as an office professional. A judge will also find that your education level impacts the kind of work you can do.

The sequential evaluation process for social security disability has a method for taking all of this into account. In this stage, you will hear people talk about the grids. A grid mixes age, exertional levels, education and such together to see if you can automatically qualify for benefits due to your unique situation. So, a 58 year old who has only a high school education and hard labor related skills may qualify for benefits through a grid. A 58 year old CEO type with a masters degree may not. It all depends on how the evidence developed.

The sequential evaluation process for social security disability is how the SSA and a judge will look at your eligibility for benefits. At a hearing, these are the types of questions that will be asked. Your attorney will present evidence about these issues to help a judge award benefits. It is important to note that all of the questions you are asked through the application process have a purpose. They fuel this sequential evaluation process.



WHAT IS A SEVERE IMPAIRMENT UNDER SOCIAL SECURITY DISABILITY

If you are applying for social security disability, you have to understand the concept of severe impairment under social security disability law. Proving a “severe” mental or physical condition is the first step towards benefits. Then you must prove that this severe condition limits your ability to work.

MEDICALLY DETERMINABLE IMPAIRMENT

The very first component of establishing a severe impairment is showing that you have a medically determinable impairment. This means that you have medical evidence of your mental or physical conditions. When applying for social security disability, you want to have a diagnosis from a doctor. For physical injuries, you can get copies of x-rays or MRI reports. These help to prove your diagnosis. Other tests like an EMG or a bone scan can help show how that diagnosis is affecting your body. For instance, the EMG test can show that a herniated disc is affecting the nerves that run through your spine and down your legs. This will corroborate your testimony about the numbness in your legs and how that affects your ability to stand or walk.

SEVERE IMPAIRMENT UNDER SOCIAL SECURITY DISABILITY LAW

After establishing your medical condition(s), you have to prove that it causes a severe impairment under social security disability law. The word “severe” was included in this concept on purpose. Just because you have an impairment doesn’t mean it is severe. The

original congressional opinion of severity was impairment that was significant enough to justify not being able to work. So, the basic test for severity today is assessing whether or not your inability to work is caused by your medical conditions. Your inability to engage in any substantial gainful activity must be “by reason of” the impairment. You cannot meet the severity requirement if you have the ability to perform basic work activities as required by most jobs.

In order to meet the requirement of a severe impairment under social security disability law, multiple impairments can be combined. For instance, your neck problems, diabetes and depression may all combine to keep you from being able to work. Any single one of those impairments would limit your work ability. However, when they are all taken into account, you can’t work at all. That is severe impairment as well.

It’s hard to prove that you are entitled to social security disability benefits. Every word in the process matters. Senators sat around arguing about whether or not to include the word “severe” in the eligibility criteria. They argued even more about what that word means. And now courts have interpreted it and added to its meaning. You must be mindful of all of these things when applying for benefits. Most importantly, if you are appealing a denial of social security disability benefits you cannot overlook the details.



MEDICAL EVIDENCE IN SOCIAL SECURITY DISABILITY CLAIMS

When you seek social security disability benefits, you have to prove that you qualify under the law for those benefits. In order to do this, you are going to have to submit medical evidence to the SSA. This is especially true if you are having to file an appeal for benefits or go to a hearing. So, you have to understand how the SSA looks at medical evidence in social security disability cases. Usually, that makes the biggest difference in the outcome.

Medical evidence in social security disability cases are categorized as objective, opinion, or "other" medical evidence. Objective medical evidence is medical signs, laboratory findings, and testing. Medical opinion evidence consists of statements from your doctor about your functional abilities. If your doctor writes a report about why you can't work anymore, that is opinion evidence. "Other medical evidence" includes judgments about the severity of your conditions, clinical findings and even your diagnosis.

CLAIMS FILED BEFORE MARCH 27, 2017

A reviewer or a judge at the SSA is usually going to give more weight to the opinion of a doctor who has examined you. This is especially true if the doctor has been treating you for a long time. If that doctor's opinion is consistent with the other medical evidence in your record, it's even better. In that situation, a judge might give the doctor "controlling weight." This means that doctor's opinion is more important than any

other doctor's opinion in your case.

When considering the medical evidence in social security disability claims, the SSA will look at the length of time you have treated with the doctor who gave an opinion about your impairment. The longer you have treated with that doctor, and the more times you have seen that doctor, the more weight the SSA will give that doctor's opinion. This is because that doctor is in a better position to know you and your conditions than any other doctor. So, duration and continuity of care is important when putting your medical evidence together for the SSA to review.

Another important factor in the SSA's review of your doctor's medical opinions is the knowledge the doctor has about your impairments. The types of treatment that doctor has provided, the tests ordered, and the extent of that doctor's examinations are important. Whether the doctor is a specialist in your medical condition matters too. You don't want to present evidence of your spinal impairments from your ear, nose and throat doctor.

CLAIMS FILED AFTER MARCH 27, 2017

After March 27, 2017, the fact that a doctor is your treating doctor and knows you well doesn't mean much. No doctor receives any special weight. Instead, medical evidence in social security claims will be examined through a set of factors. The most important factors are supportability and consistency.



MEDICAL EVIDENCE IN SOCIAL SECURITY DISABILITY CLAIMS

FACTORS IN CONSIDERING MEDICAL EVIDENCE IN SOCIAL SECURITY DISABILITY CLAIMS

The first factor is supportability. This is a question of how relevant the objective medical evidence is to the doctor's opinion. A judge will look at whether or not the MRI or the blood work supports the doctor's opinion. Is the doctor's opinion supported by the rest of the medical evidence? Is the doctor's opinion a reach? The question of whether the evidence supports that doctor's opinion is a significant factor in weighting that medical evidence.

The second factor is consistency. Consistency affects how persuasive a medical opinion is to a reviewer. Is the doctor's medical opinion consistent with the other medical evidence in the case? Do other doctors in the record share the same opinion? The more consistent the opinion is with the other medical evidence, the more persuasive it is.

The third factor is the relationship with the claimant. What type of relationship does the doctor who issued the opinion have with you? This factor takes into consideration how long you have treated with the doctor. Does the doctor understand your medical history? Has the doctor treated you many times over a long period? The purpose of the treatment you received from the doctor can help demonstrate what the doctor knows about you. The kind of treatment and tests ordered can help show how

active the doctor has been in your care. And, of course, a doctor who has examined you will be more meaningful than one who hasn't.

Specialization is the fourth factor. A doctor who specializes in your medical condition may be more persuasive than one who is not. Specialists have advanced education in specific conditions and may be more influential than another doctor you have seen.

The last factor is simply everything else, or other factors. Maybe one doctor has an understanding of the SSA's disability requirements. Evidence could show that a particular doctor knows your medical history better than the others. Either of these could be a factor that a judge could take into consideration when deciding which medical opinion to rely on in making a decision in your case.

SEE A DOCTOR REGULARLY

Medical evidence in social security disability claims is the most important evidence you can have. This evidence helps you get through each stage of the sequential evaluation process at the SSA. It is important to be seeing a doctor while your application for benefits is being processed. This allows a judge to get a good sense of how you are right now. And you can see from these factors above that a doctor who sees you a lot can be very persuasive in your case.



HOW AGE AFFECTS SOCIAL SECURITY DISABILITY BENEFITS

Did you know that your age affects social security disability benefits as much or more than any other factor? A lot of people think that you have to be 65 years old to get social security disability, but those folks are confusing disability with retirement. The fact is, you can get social security disability at any age as long as you meet the eligibility criteria. However, your age does affect how easy it will be for you to meet those requirements.

SOCIAL SECURITY DISABILITY AGE CATEGORIES

The social security laws place people into age categories. People aged 18 to 44 are young individuals. Applicants that are 45-49 are younger individuals. Those 50 to 54 are closely approaching advanced age. Individuals 55 and over are in the advanced age category. And finally, individuals 60 to 65 are closely approaching retirement age.

THE WAY AGE AFFECTS SOCIAL SECURITY DISABILITY BENEFITS

The older you are, the more your age affects social security disability benefits, depending on your education and work skills. For example, if you are 49, have little formal education, and are limited to sedentary work, you would be denied disability if you can read and write. But if you are 51, with the same conditions, you can be granted disability benefits. The change in age category changes the eligibility criteria. You no longer have to prove that you can't do

any work at all. You only need to prove that your work limitations require you to perform your work sitting down.

The Social Security rules are even better for individuals who are 55 and older. If a person is 55 or older and is limited to light duty work, they may be approved for disability if they have a high school education and their prior work experience was something like manual labor. The older you are, the less the social security administration expects you to go through retraining to return to work. This means that age affects social security disability benefits more than anything else!

This is the reason why hiring a social security disability lawyer can be so helpful. Knowing how to manipulate the combinations of age, job skills and education to your advantage can be the difference in winning and losing.

Please let us know if you have any questions or needs.

We are here to help.

Call [214-357-1782](tel:214-357-1782)

Email info@mfllegal.com



WHAT HAPPENS AT A SOCIAL SECURITY DISABILITY HEARING?

The social security disability hearing is where everything flips in your favor. Through the application process and the request for reconsideration, statistics indicate that you will likely be denied. However, at the hearing level, statistics show a much better chance of winning an approval of benefits.

TESTIFYING AT THE SOCIAL SECURITY DISABILITY HEARING

At the social security disability hearing, you get to talk to the judge. You want to explain how your physical and mental conditions affect your everyday life. It is important to tell the judge how your functional disabilities limit your ability to work. This is done through your testimony. The judge and your lawyer will take turns asking you questions that will allow you to tell your story. How you answer the questions is the most important part of the hearing.

Prepare your mind for this day. Remember not to exaggerate your symptoms. Be honest when you answer questions. Read your medical records and know what's there. In addition to your medical issues, expect the judge to ask you about things you do, where you go, and how you take care of your family. These questions are tricky. For instance, if you babysit your grandkids, that is evidence of an ability to work. Depending on your age, that might not matter at all.

The social security disability hearing is a legal hearing. There is a real judge. You have a lot at stake. And you have the right to have a social security disability attorney there with you.

Make Sure You Have a
Lawyer With You
in Your Hearing



WHEN TO CALL A SOCIAL SECURITY DISABILITY LAWYER

People don't want to talk to lawyers. We get that. Lawyers bring to mind conflict, expense, paperwork and appointments. But, sometimes lawyers allow for a speedy process, problem solving, resolution, benefit payments and progress. Especially in the hard times, a lawyer can be of great benefit. If you are unable to work and seeking social security disability benefits, you are in one of those times when it could help to call a lawyer. When is the right time to call a social security disability lawyer?

APPLYING FOR SOCIAL SECURITY DISABILITY BENEFITS

Should you call a social security disability lawyer to help you fill out the application for social security disability benefits? There are a lot of lawyers who won't take on a case before the application for benefits is denied. They don't want the headache of filing an application. At our office, we think it is important to fill out the application for our clients. Statistics show that people represented by a social security disability attorney are awarded benefits more often than those without one.

When we fill out the social security disability application, we have a better understanding of how to answer the questions. We know what's important to the SSA and what's not. Our lawyers often track down additional records or information that can give you a better chance at approval at this early stage. It's important to know how to pick an "alleged onset date"

for your disability application. That can make the difference in your claim. So can the right medical evidence. And we know how to pursue the automatic approvals with certain medical conditions like spinal stenosis. In our opinion, if you want to file an application for benefits, it is time to call a social security disability lawyer.

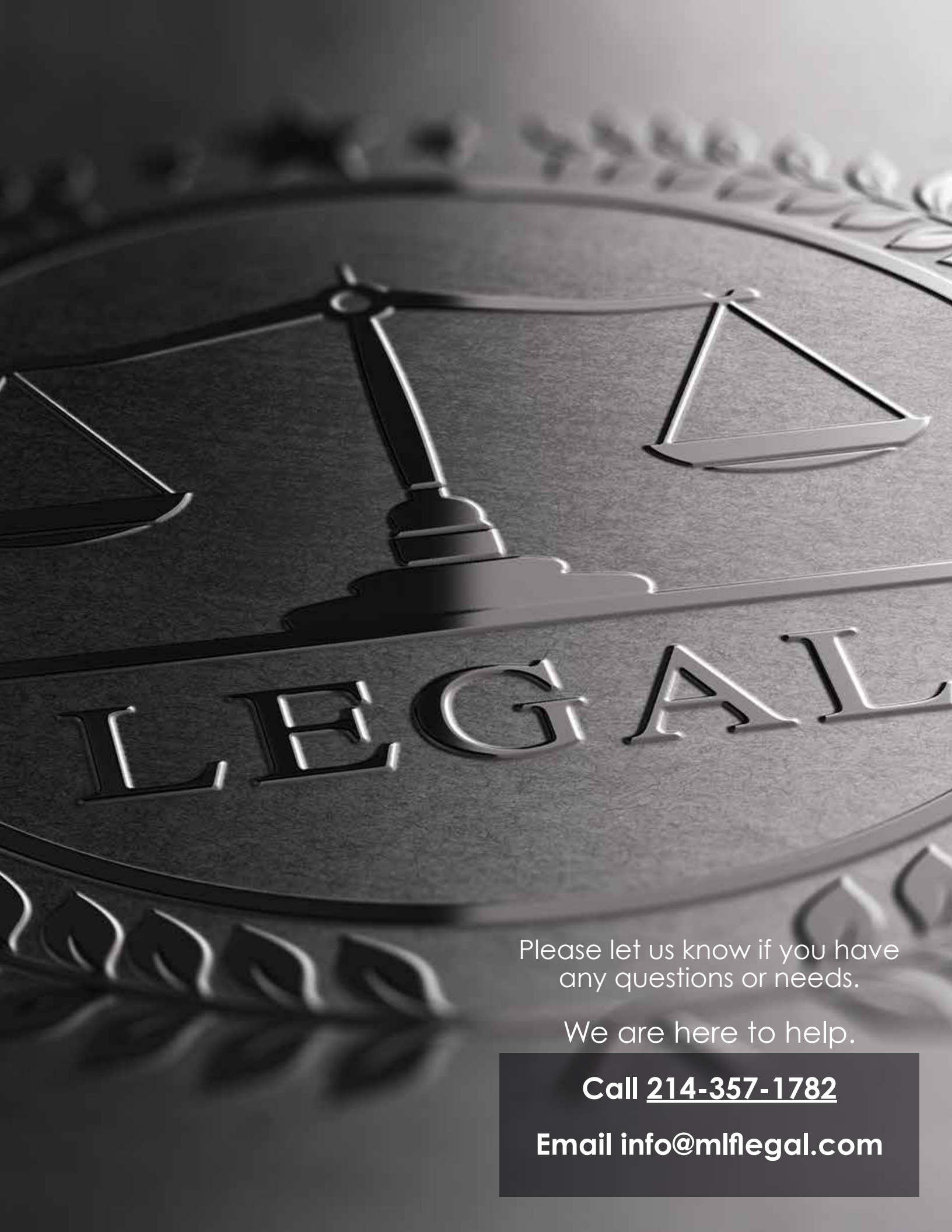
FILING AN APPEAL OF A SOCIAL SECURITY DENIAL

If your application for benefits has been denied, then you definitely need to call a social security disability lawyer. There are deadlines to file an appeal. Evidence needs to be requested and gathered. It is important to properly prepare for a hearing with a judge. A lawyer that knows social security disability law will be able to explain what happens in a social security disability hearing. That lawyer can help you prepare to answer the questions the judge is going to ask...in the right way. A lawyer can properly cross-examine the vocational expert and the medical expert that the judge will use. These are all crucially important parts of the appeals process. That's why you need to call a social security disability lawyer.

NATIONWIDE REPRESENTATION

Our social security disability lawyers handle cases nationwide. We have flown around the country to attend hearings, but many today are handled online by video. Given today's technology, we can review your case by email. We can talk to you on the phone or by video. We are more accessible than ever before.





Please let us know if you have
any questions or needs.

We are here to help.

Call **214-357-1782**

Email **info@mfllegal.com**