

Having a Social Security Lawyer During Appeal Process

Q: What does the application interview for social security disability benefits entail?

A: Your disability application interview will be set up shortly after you submit your application for social security disability. The purpose of the interview is to provide the disability examiner assigned to your case with the basic background about your case and you. If you have a social security attorney, he or she will help you prepare for that interview. You may not plan to hire a social security attorney, in which case you should get organized and assure that you arrive at that interview with all the necessary items. Bring a picture ID. If you do not have a photo ID, you will be asked a series of questions to confirm who you are. Make sure you have a certified proof of birth document. Take proof of marriage, if applicable. Similarly, bring documentation that provides proof of any additional dependents. If you served in the military, bring your separation documents. Years of service can often positively affect your benefit payments. After the disability case manager has confirmed your personal details, he will move on to the details of your case. Make sure you bring copies of your medical records and treatments for your current injury. Have a list of your doctors. Lastly, come prepared with background on the past 15 years of your work history. Of particular interest will be wages and average number of weekly work hours. Assure you consult with your social security attorney, if applicable, before you go to that first meeting with Social Security. Having a social security attorney is not required for any part of the disability application process, but you will want to assure you come prepared to the first meeting. By assuring you have all the required documents, you can decrease the chances that your application will be delayed.

Q: How do you file an appeal if your application for [social security disability](#) is denied?

A: If your application was denied after the initial review process, you should plan to file for a reconsideration. You will need to file to have your claim reconsidered within 2 months of when your initial claim was denied. If you do not file within that timeframe, you will likely have to begin the application process from step one again. You do not necessarily need a social security attorney, but having such an advocate can be helpful during reconsideration. Most claims for social security disability benefits are not awarded until after the next step, which is a hearing. The services of a social security attorney can be extremely beneficial during preparation for and the actual hearing. A claim must first be reconsidered before an appeal for a hearing is made.

Q: What is the biggest mistake made when a claimant is denied social security disability benefits and files an appeal?

A: The biggest mistake is to wait too long to file an appeal. All forms to have a case reconsidered must be received no later than 2 months after the initial claim was denied. If you have any concerns about deadlines or necessary forms for an appeal, you may want to consider contacting a social security attorney.

About the Author

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