

How Is a Social Security Attorney Paid?

Q: How is a social security attorney paid?

The attorney will only be compensated if you win your case. Your attorney will not be compensated if your claim is not approved for disability benefits. A social security attorney will, therefore, do his best to have your claim approved. Your lawyer will be awarded no more than one quarter of your back pay. There are limits to how much that dollar amount can be. A lawyer can receive no more than about \$6000. Social Security usually pays your legal representative directly and subtracts it from your back pay sum. You may have to pay your lawyer for out of pocket expenses that may have been incurred, in addition to the amounts limited by Social Security.

Q: If you are filing a disability claim, is it necessary to have legal representation?

A: You do not need a social security attorney to win your case. Most claimants can handle the first step in the process themselves. Most claims, however, do not receive approval after that first step. It would be beneficial to have an advocate like a social security attorney, if you would like to file an appeal. Having your claim reconsidered is the next step after the initial review process, and a request to do so must be received by Social Security no later than sixty days after you received notification that your claim was not awarded benefits. A large number of claimants whose cases are reconsidered are not approved. Submitting an appeal for a hearing is the last chance for a claim to be awarded benefits. The knowledge and experience a social security attorney can bring to your claim while undergoing this last step is extremely beneficial. Most claims that are awarded benefits after being heard by a judge have legal representation. Regardless of where your claim is in the process, an attorney will also assure that all paperwork is submitted on time and correctly.

Q: How do you make sure your social security disability application is moving through the process?

A: It is in your best interest to check in on your claim periodically. If you have a social security attorney, he or she will do this for you. But if you do not have a lawyer, do it yourself. Simply contact the disability examiner for your case and ask for an update. You have the benefit of seeing that your case is going through the review cycle like it should, and you have a chance to chat with the disability examiner regarding any issues that might be delaying your claim (such as missing medical records or lack of required forms).

About the Author

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