

## SUMMARY

### DO's

- Call the Counseling Center and speak to one of our knowledgeable and experienced attorneys before filing your claim.
- Have a plan before you file. An early mistake can have lasting effects.
- Speak with your treating doctor(s) to make sure they support your claim for disability.
- Verify any information the SSA gave you by calling our Center.

**DON'T** compare your claim with anyone else's. Every case has its own DNA.

**DON'T** fail to timely file your appeal.

**DON'T** overstate the severity of your condition. Some people think they must exaggerate their symptoms to convince SSA their disability is serious.

**DON'T DELAY.  
DON'T GIVE UP.**

**CALL US**

**(844) 560-4909**

**Once you become our client, we will try to stay in touch with you and keep you advised and informed of major changes in the law that could affect your future benefits.**

**Call the Center now for a no-cost discussion of your situation and the facts in your case. There is no charge. The call is free, the initial counseling is free, the advice could be priceless.**

**(844) 560-4909**

Call our Center to verify any information the SSA gave you.



A COMMUNITY SERVICE OF  
THE WEISBERG THURSWELL LAW GROUP  
A FULL SERVICE SOCIAL SECURITY LAW FIRM

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**SOCIAL SECURITY  
COUNSELING CENTERS**

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## SOCIAL SECURITY DISABILITY & SSI

*WHAT YOU NEED TO KNOW BEFORE YOU FILE A CLAIM  
OR IF YOU ALREADY HAVE BEEN DENIED*



Call for a **FREE** Consultation!  
**(844) 560-4909**

# KNOW THE BASICS

## BEFORE THE CLAIM IS FILED

**Get help BEFORE you file. Talk to a member of our staff for a cost free overview of what to expect.**

### Topics we will discuss with you include:

1. When and how to file your claim.
2. The differences and similarities between the two disability programs available through the social security system and whether you are eligible for either or both of them.
3. Whether you need a lawyer or advocate to successfully navigate the system.
4. What evidence you will need.
5. Estimating your monthly benefit for yourself and family.
6. Discuss the non disability requirements for each program.
7. If we feel you do need an experienced lawyer at the start of the claim, how the lawyer is paid without any up front costs or fees required.
8. Why having an experienced attorney at the beginning can avoid costly mistakes that could permanently affect your benefits
9. Discussing the advantages of allowing the attorney to file the claim on your behalf if the facts in your case strongly suggest to have assistance from the beginning.
10. Helping you form a plan BEFORE you file!

## AFTER THE CLAIM IS FILED

1. The initial claim is sent to an agency called the Disability Determination Service.
2. A disability examiner is assigned to the claim.  
*Note: You will never see or meet the examiner. All communication are by phone & mail.*
3. Several lengthy forms will need to be completed with Social Security; your work history, activities of daily living, and how your medical condition has affected your life.
4. Your hospital records, your doctors' progress notes and test results will be ordered.
5. A questionnaire is often sent by the examiner to a person you see often if not daily who can be a spouse, adult child, friend, minister, or even a neighbor documenting their observations of how difficult your life has become because of your severe health problems.
6. Often times the examiner will arrange for you to be evaluated by one or more doctors or psychologists.



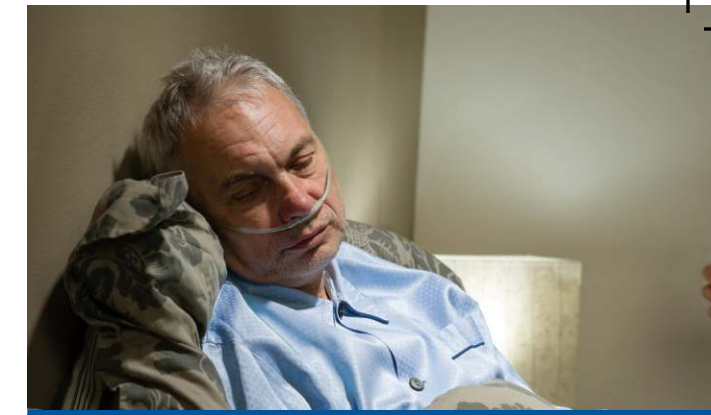
## WHAT IF YOUR CLAIM IS DENIED?

### DON'T GIVE UP!

- If denied, you have a right to either a Reconsideration or, in certain States like Michigan, a direct transfer to the Office of Disability Adjudication & Review, and a hearing before an administrative law judge.
- This hearing must be requested within 60 days of the date of your denial letter, and a 5 additional day period is added on for the mailing process, or a total time period of 65 days.
- The BAD NEWS is that you can wait more than a year before your case is scheduled for hearing.

### BUT

- If the facts in your case are overwhelmingly strong, and the Disability Determination Service is just flat out wrong on the initial decision, or if your condition gets much worse while you are waiting for a hearing date, your attorney can request an on the record favorable decision. Though this is a rare occurrence, if the facts are strong enough and there is well documented support from your treating doctors, an experienced attorney will make this effort on behalf of his or her client.
- The hearing is the one time in the entire decision making process you are actually in the same room with the person who can find you disabled. Your testimony is taken under oath, a vocational expert is usually present to provide information on your past work activities and acquired skills. Occasionally, a physician will be present to help the judge understand your health problems and how those problems can be expected to impact your daily functioning.
- In most cases, a written decision is mailed to you anywhere from 30 to 60 days following the hearing. On rare occasions, where the evidence is very strong and the judge is convinced you are disabled, he or she will announce the favorable decision from the bench at the conclusion of the hearing.
- If your claim is denied, and there are grounds for appeal, further steps can be taken that may eventually lead into the federal court system.



## AFTER A FAVORABLE DECISION IS ISSUED

**If you receive a favorable decision, there are pitfalls you must avoid:**

1. If your claim is SSI only, you must undergo a "PERC", pre-effectuation review conference. This is handled by the original office that took your initial application. CAUTION is called for and it is essential you confer with your attorney before you have this interview. What is discussed are your current living arrangements, any change in marital status, any sudden and unexpected income acquired during the entire time period your claim was pending, and any work activity you may have engaged in during the many months it took to finally be approved.
2. Making sure you file for any minor children and non-working spouse that may be eligible for SSDI benefits as your auxiliaries on your claim.
3. Once on benefits, the law requires periodic reviews to see if your health has improved and you are no longer disabled under Social Security guidelines. These reviews are called CDRs (continuing disability reviews)
4. How to test your ability to return to work without jeopardizing your benefits. Care and guidance is absolutely essential.
5. How your disability claim can affect your spouse's retirement benefits on your Social Security account.