

Questions People Bring to a Social Security Lawyer

Q: How do I handle a Social Security Disability overpayment issue?

A: A social security lawyer will tell you to expect to receive a Notice of Overpayment from the SSA if they feel they have paid you too much. Overpayment happens for many reasons, like letting a change in your lifestyle/earnings go unreported. It can also happen when Social Security does not process your change in status quickly enough, and delays the change in your monthly check.

While you may want to talk to your social security lawyer about your best choice, there are generally three options when you are overpaid. First, if you believe the overpayment is incorrect, you can ask for a reconsideration. This means you will request that the SSA take another look at your case, and perhaps meet with you to speak with them (in which case you may want to speak with a social security lawyer).

Another option is to ask the SSA for a waiver. Requesting a waiver means that you admit that you were given overpayment, but you cant pay the SSA back. A social security lawyer or advocate will likely suggest this if the overpayment wasnt your fault. If, however, you believe that the overpayment was your responsibility, you can set up a payment arrangement with the SSA. This allows you to pay back the amount owed in installments. Speak to a social security lawyer for details.

Q: I am considered to be legally blind. Am I eligible for Social Security Disability?

A: If you speak to a social security lawyer, he or she will give you this simple answer: maybe. Those people who are legally blind qualify for social security disability under the same general rules as those with any other disability. You will be considered legally blind if your sight cannot be corrected to 20/200. Even those that do not fall under the category of legal blindness can receive some benefits. You may want to speak with a social security lawyer about qualifying as legally blind.

The SSA has special guidelines when working with legally blind applicants. Because blindness has such a huge effect on a persons ability to work, the blind are generally given a higher monthly earnings limit than other disabled persons. As of the year 2008, the highest benefit for the blind was \$1,570 monthly. You may want to speak to a social security lawyer to understand how this affects you.

Q: Do I need to wait a year after the start of my disability to apply for benefits?

A: In short, no. A social security lawyer will tell you that the SSA defines disability as an inability to make a gainful income due to a disability that is either fatal, or has lasted 12 months, or is expected to last at least 12 months. You may take this to mean that you have to wait until you have been disabled a year to apply; but you should not. Your social security lawyer will encourage you to apply on day one.

About the Author

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