

Things Your Social Security Lawyer Might Tell You

Q: Social Security says they paid me too much. What happens next?

A: If you have one, your social security lawyer will explain your options when you have received a notice of overpayment. Your first option is to ask the SSA for what is called a "reconsideration." This is generally what you should do if you believe that the SSA is incorrect in defining you as overpaid. In this case, Social Security will look over your file again. You may be required to meet with an SSA representative, in which case it is a good idea to bring a social security lawyer or advocate with you.

If you do not believe that the SSA made a mistake when they calculated your overpayment, you can ask them to waive the overpayment. When you do this, you admit that you received too much money, but request to be allowed not to pay it back. This is the course of action a social security lawyer might suggest if the overpayment was due to Social Security's mistake, not yours.

If, on the other hand, you believe that you were overpaid due to your own mistake, you will probably need to pay the money back. Your social security lawyer or advocate will suggest you talk to Social Security about a payment schedule. With a schedule, you can pay bit by bit instead of all at once.

Aren't sure whether you should request a reconsideration, waiver, or payment schedule? Speak to a social security lawyer.

Q: As somebody who is legally blind, am I eligible for social security?

A: According to Social Security, "legally blind" means your vision cannot be corrected to more than 20/200. And like other disabilities, those who are legally blind may be eligible for social security disability. While you may want to speak with a social security lawyer about your specific case, in general you can look over the guidelines for eligibility under any other disability to determine whether you may be eligible.

In most ways, blindness is treated by the SSA like any disability. But some special benefits are set aside for the legally blind, as this condition is particularly disabling. If you are legally blind, you may want to speak to a social security lawyer about any extra benefits you may be eligible for.

Q: A friend told me that everybody has to wait until they've been disabled one year to apply. Do I have to wait?

A: No, this is not true. The SSA defines a SSD eligible disability as one that keeps you from earning a substantial gainful income. That disability must also be expected to be fatal or to last at least 12 months. Those that don't work with a social security lawyer often take this to mean they have to wait until they've been disabled 12 months to apply. In fact, however, your social security lawyer or advocate would tell you to apply immediately after your disability begins.

About the Author

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