

Applying For Social Security Disability Benefits

Social Security taxes are typically deducted from you with every paycheck that you receive from your employer. Most people utilize Social Security for retirement benefits that they can take advantage of when they reach retirement age. Many people are not aware however that part of the Social Security tax can be used in the form of a disability plan. Federal law states that in the event of an injury or some type of illness or disease that effectively hinders your ability to work, you can claim some Social Security benefits even though you have not reached retirement age yet. These benefits can be used to provide you with an income source in the event that you are not able to work.

The Social Security Act defines disability as either a physical or mental condition that prevents the sufferer from engaging in any activity that generates income, and that can either result in his or her death or last for 12 months or more. For many people, the confusion stems from not knowing when they can apply for Social Security benefits and when they can start collecting payments. The fact is that you should apply for disability as soon as possible, even on the first day of your disability if you can manage to do so. This is because the process can take a lot longer than anticipated, and waiting too long before you apply may mean delaying your benefits even longer, as well as risking the chance of lost benefits. Even if you hire the services of a Social Security lawyer, the entire claim process can still last a lot longer than you anticipated. Keep in mind that you will also have to be out of work for at least 5 months before you can begin to receive disability benefits.

The question of why the entire claim process takes so long...often lasting more than a year...is one that comes up often. Even enlisting the help of a Social Security lawyer does not necessarily speed up the time to see a judge. Many people find it quite frustrating to be out of work and unable to claim their benefits, but the severe backlog of Social Security cases is the cause of all this. Since Social Security cases are processed in the order in which they come in, there is little that you can do but wait. In extreme situations, the claims process can take as long as eighteen months and even up to two years.

Even though a [Social security disability](#) attorney cannot get you to a hearing before an administrative law judge quicker, a good attorney will win your case before you are even scheduled for a hearing. A good Social Security Disability lawyer will have enough experience to know what type of evidence to collect as well as how to use any opportunities to your advantage, such as filing the claim with the Office of Disability Determinations or coming up with an On the Record opinion so that a hearing for your case may not even be necessary. With or without a social security attorney there are barriers between you and your Social Security Benefits. But with an attorney your claim is more likely to be resolved in a matter of months, whereas going through the process by yourself your claim could take years.

About the Author

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