

Do I Need a Social Security Lawyer?

Q: When will I receive my first check?

A: When your disability case was given approval, the Social Security board in your particular state decided when your injury first prevented you from working (known as "date of onset.") You are eligible to receive benefits five months after your date of onset. But, benefits are paid at the end of each eligible month, so you will not receive your first payment until six months after your date of onset. No benefits will be paid for those first five months. If your disability began before you applied for [Social security disability](#), you may be eligible to receive back payments. You can receive retroactive benefit payments for no more than a year. If you believe you are eligible for back payments, you may wish to seek counsel from a social security lawyer to help you apply for retroactive benefits. Given that the application and review process for claims can be quite lengthy, a good number of claimants are awarded benefits retroactively.

Q: Will my children receive benefits? A: Payments to dependents are determined by the amount of your Social Security contributions. In some cases, children are eligible for up to 50 percent of the amount of benefits you receive. There is a cap on the amount for which dependents are eligible. And again, how much your dependents are eligible to receive is based on your Social Security earnings history. Your child must be unmarried to qualify. He must also be under the age of 18, or the age of 20 if he is a student. Your dependents will not qualify as part of your benefits, if you collect Supplemental Security Income payments. A social security lawyer can be a good advocate, if you are confused about family benefit limits or dependent eligibility.

Q: Does my case continue to be reviewed after benefits have been awarded?

A: If you are currently receiving Social Security Disability Insurance benefits, your file will be reviewed periodically. Until you are able to return to work or reach the age of retirement, your file will be subject to Continuing Disability Reviews (CDRs.) A periodic CDR will give the disability examiner current information on your medical condition, treatments and status. The Social Security Administration is supposed to do the reviews every one, three and seven years, but they currently have quite a backlog. Given current backlogs, your file could be undergoing a CDR at any point. You will maintain your benefits, until your injury has changed or you are able to work enough to bring in at least \$940 monthly income. SSI benefits will discontinue if your income is no longer below the income criterion. You may wish to seek the counsel of a social security lawyer, if you have any questions or concerns about returning to work while currently receiving benefits.

About the Author

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