

Social Security Disability Benefits And How To Make Use Of Them

Along with every paycheck that you receive from your employer comes a corresponding deduction of Social Security taxes. For most people, Social Security is used for the purpose of retirement benefits that they can avail of when they reach the age of retirement. However, there is also a certain portion of your Social Security tax that can be used for a disability plan. Even if you are not quite at the retirement age yet, there is a clause in the Federal law that allows you to claim some Social Security benefits if you suffer from an injury or any other type of illness or disease that will prevent you from working. These disability benefits are designed to give you a source of income when 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. Many people seem to be confused about when they can apply for Social Security disability benefits and when they can begin collecting payments. What you should realize is that it is important that you file for disability as early as you can, even on the day that you are disabled if possible. 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. While it is understandably quite frustrating to be out of work and at the same time unable to claim any benefits, the huge backlog of Social Security cases results in this inordinate delay. Social Security cases are typically processed on a first come, first served basis, which means that you have no choice but to wait it out. In certain states in fact, the entire process has been known to take anywhere from eighteen months up to two years in order to get a hearing.

It is interesting to note that even if a Social Security Disability lawyer cannot help you get a hearing with an administrative law judge sooner, a good one can work wonders for your case even before you get a hearing. A Social Security Disability attorney will know what evidence is needed to win your case and know how to take advantage of opportunities to win your claim before the hearing—as in winning the claim before the Office of Disability Determinations or writing an On the Record opinion for the judge so that she does not even have to conduct the hearing in your case. In any case, there are a number of obstacles that you have to deal with when filing for 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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