

What You Might Hear in a Social Security Lawyer Consultation

Q: What should I do when Social Security says I've received overpayment?

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. Overpayment also occurs when the SSA does not quickly apply any reported changes to your account, and waits to adjust your monthly benefits.

You may want to speak to a social security lawyer about your options, but in general, there are three different things you can do when you receive a notice of overpayment. One of these is requesting a reconsideration when you think the SSA has made a mistake. 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. This means that you acknowledge that you received an overpayment, but cannot pay the amount back. A social security lawyer will often tell you to do this if you were not at fault for the overpayment. On the other hand, if you feel you were overpaid and it was at least partly your fault, you will generally work with the SSA to arrange to pay the money back. Social Security will generally allow you to make repayment in installments. You may want to speak to a social security lawyer to learn more.

Q: I am 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. If you are legally blind, you essentially follow the same rules as applicants with other disabilities. The SSA will consider you to be legally blind if your vision cannot be corrected to 20/200 or better in your best eye. 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 Social Security Administration has set up some special rules to deal with the blind. Because blindness has such a huge effect on a person's ability to work, the blind are generally given a higher monthly earnings limit than other disabled persons. In 2008, the monthly earnings limit was \$1,570. It may be a good idea to speak to your social security lawyer for a better idea of how this works.

Q: Do I have to wait 12 months before I file for SS benefits?

A: Here's the simple answer: no, you don't. 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. While some take this to mean they cannot apply for benefits for 12 months, that is simply not true. Any social security lawyer will tell you to apply for benefits from the first day of your disability.

About the Author

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