

## TOP TEN MISTAKES OF PEOPLE APPLYING FOR SOCIAL SECURITY DISABILITY IN ALABAMA

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Most people make good decisions when they are well informed. This is especially true of people who are disabled, entitled to Social Security Disability, and who have taken steps to be well informed. Social Security Disability has specific rules and regulations that are very important to every citizen of Alabama who seeks disability. Too often in helping those that are disabled and who are seeking Social Security benefits, we see people with legitimate and substantial disabilities making mistakes and being unable to correct the mistakes. Familiarize yourself with these common mistakes to protect YOURSELF and YOUR FAMILY MEMBERS:

1. **You Must Apply for Disability After You Stop Working.** Social Security gives you a window of opportunity to apply for disability if you have stopped working due to a disability. Normally, this is five years. If there is a gap in your work record, this window of opportunity is shorter, like one or two years. Many times this affects housewives who stop working for several years to raise children.
2. **You Must Have Worked Enough Quarters.** You may have to continue working in order to gain enough quarters to qualify for disability if you have worked very little and Social Security has said you do not have enough quarters.
3. **Your Disability Must Last Longer Than 12 Months.** You will not qualify for disability if you are able to recover from a serious injury within 12 months. A prerequisite for Social Security is you must have an impairment that causes you to be disabled for 12 months or that will disable you for at least 12 months.
4. **You Cannot be Working When You Apply.** You are probably not going to win your case if you think you can work part time and still qualify for Social Security. Earned income is considered an automatic disqualifier in most cases. Working part time shows that you have the ability to work. In 2008, Social Security

- considered \$940.00 per month substantial gainful activity and an automatic disqualifier.
5. **The Social Security Doctor will Probably not Declare You Disabled.** Doctors selected by Social Security rush through the examination like they are working on an assembly line. The examining doctor may not have the expertise to understand your medical condition. Assuming these doctors will find you disabled is a common misconception. You will likely need the help of your doctor.
  6. **You Fail to File a Timely Appeal of a Denial.** At the initial level, only about a third of claimants are granted Social Security. After the denial, you have 60 days to appeal. If you do not appeal the decision, your case cannot be given additional consideration. This is a critical time limitation and results in lost benefits in many cases. Call your lawyer as soon as you receive the initial denial from the Social Security Administration so that your case can be appealed within the 60 day time limit.
  7. **You Fail to get Medical Treatment.** A common problem is failing to get consistent medical treatment for your diagnosis. Most Social Security Judges will not give consideration for your symptoms or limitations if you have not sought consistent medical treatment. If you suffer from chronic pain, make an attempt to manage the pain by going to a pain management clinic.
  8. **You Fail to Have Your Own Doctor's Support.** A lot of weight is given by the Social Security Rules to well written opinions by the claimant's own treating physician. Consult with your own doctor for his opinion if you believe you are disabled. This is one of the most important steps you can take to win Social Security Disability.
  9. **You Fail to Consult a Specialist.** If you have an impairment that requires the opinion and treatment of a specialist, you need to see one. For example, you may need to see a cardiologist if you have heart problems or an orthopedic or a neurologist if you have disc problems in your neck or low back.
  10. **You Fail to Consult a Social Security Specialist.** You need to see an attorney who specializes in Social Security Law because it is a unique area of the law.

Many of the above listed mistakes can be avoided if the claimant consults with an attorney who specializes in Social Security Disability Law in Alabama. The claimant needs to consult with an attorney immediately in order to avoid these mistakes. Winning Social Security Disability is too important not to get the help of a specialist.

