

# 7

## **Costly Mistakes** That Can Ruin Your **Social Security Disability Claim**

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For the people of North Carolina.

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# INTRODUCTION

Thank you for buying or requesting this book. We believe you will find it helpful, and we would appreciate your comments.

If you have recently become disabled or if someone you care about has become disabled, chances are you're worrying about what you should do next. You may also be feeling angry, frustrated, or just wondering if there is a simple way to handle your unfortunate situation.

You may be asking these questions:

- Can I trust the government to take care of me?
- How do I deal with the Social Security Administration?
- Should I get a lawyer?
- Will I lose any benefits because I didn't follow the complex government rules?"

If any of these questions have occurred to you, then keep reading. Our hope is that this book will answer many of your questions, and that it will ease some of your stress and frustration.

The United States Government created the Social Security Administration for the purpose of providing a sense of financial security and inner-peace to aging and disabled Americans.

Sadly, those who need help the most are experiencing just the opposite everyday as they fight to obtain their well-deserved benefits. Under-funding of the Social Security Administration's day-to-day operations has resulted in enormous backlogs of denied claims that are awaiting appeal hearings.

If you are reading this book, more than likely you are either already in the process of trying to obtain Social Security benefits or you are considering your options for filing for benefits.

You may have already been denied and are wondering why, after all your years of hard work and handing part of your paycheck over to the government, you are being denied benefits which are rightfully yours. You may be a parent wondering why your child is being denied supplemental benefits when he or she is clearly suffering from one or more very serious impairments. If you have had these thoughts, or if you are just interested in learning more about the Social Security disability claims process, read on.

We have written this book so that consumers could have good, solid information before hiring an attorney or dealing with the Social Security Administration. Ok, are you still a little suspicious? Are you still wondering why we wrote this book, and why we are giving it to North Carolina residents for free? Let us try to explain further.

Most attorneys require you to make an appointment, during which you would get some of the information that we are providing here. We believe that you should be able to have this information right now, and without any pressure. The hiring of an attorney to represent you is an extremely important step that should not be taken lightly, and should be done with no pressure on you.

Also, this method of talking to you saves us time. We've packed a ton of information into this book, and it saves us and our employees the hours of time that it would take each day just to talk to all of the new potential clients who contact us. We cannot and we will not accept every case, and each day we turn down Social Security cases that simply do not meet our case selection criteria.

So, rather than cut you short on the phone, writing this book gives us a chance to tell you what you need to know so that you can make an informed decision about what steps to take with your case. Even if we do not accept your case, we still want you to be better educated about the Social Security process so that you don't fall victim to the red tape and big government agencies.

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## We Are Not Allowed to Give Legal Advice in this Book

Even though we may know many of the arguments the big government agencies are going to make in your claim, we are not allowed to give legal advice in this book. We can offer suggestions and identify certain pitfalls and traps, but please do NOT take anything in this book to be legal advice unless you have agreed to hire us, and we have agreed, in writing, to accept your case.

### Important Notice

We do not want to interfere with any legal relationship you might have now. If you are already represented by a lawyer, this book may raise certain questions for you. Please discuss these questions with your current lawyer.

Each law firm does things a little differently, and small differences don't mean that we are right, and your lawyer is wrong. If you are having some type of problems with your lawyer, please sit down with him or her and try to work things out. It is usually better to work out problems and stay with your original lawyer, than to switch lawyers part way through your claim. Our firm normally does not accept cases in which another attorney has been involved. Please do NOT ask us to take your case away from another lawyer.

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## THE BASICS

We find that the best way to begin understanding a complicated concept is to start with the basics. We will start by telling you about the basic types of benefits available to citizens through the Social Security Administration.

From there, we will move on to the steps you have to go through in order to ultimately get approved for disability benefits. Finally, we will reveal seven costly mistakes that we see Social Security claimants make every day that prevent them from getting their benefits even though they may truly be entitled.

The Social Security Administration offers several types of benefits: Retirement Benefits, Survivor's Benefits, Disability Insurance Benefits, and Supplemental Security Income. There are other financial and health care benefits that are offered through Social Security. However, these are some that are the most relevant ones. To find out about other possible benefits, visit [www.ssa.gov](http://www.ssa.gov) or call the Social Security Administration toll-free at 1-800-772-1213.

The following chart shows the differences in Disability Insurance Benefits (DIB) vs. Supplemental Security Income (SSI).



DISABILITY INSURANCE BENEFITS (DIB)  
vs.  
SUPPLEMENTAL SECURITY INCOME (SSI)

| DIB  |   | SSI   |
|--|---|---|
| Physical or Mental impairment lasting 12 or more months that prevents you from working a full time job.              | <b>What is considered a disability?</b> | Physical or Mental impairment lasting 12 or more months that prevents you from working a full time job. |
| Must have paid enough in taxes to Social Security recently to be eligible  | <b>Credit requirements</b>              | No credit requirements  |
| If you are working part time, you cannot earn over the level for substantial gainful activity (2020: \$1,260/ month) | <b>Financial limitations</b>            | Household income and assets must be low enough to qualify   |
| Depends on how much you have paid into Social Security   | <b>How much can I get?</b>              | Currently, \$783 maximum, but this decreases dollar for dollar with any income you have.                |
| Eligible for Medicare two years after you start receiving benefits   | <b>Included Health Insurance</b>        | Eligible as soon as you are declared disabled   |
| Yes, children are entitled to dependent's benefit, but there is a family maximum.                                    | <b>Child Benefits?</b>                  | Not as a result of your disability. The child must have a disability of their own                       |
| Anyone who has paid in enough to be insured and anyone who may be eligible on a spouse or parent's work record       | <b>Who are these benefits for?</b>      | Adults of retirement age, disabled adults under retirement age and minor children.                      |

RETIREMENT BENEFITS

Retirement benefits are available to those who have paid enough Social Security taxes (through income withholding) to be fully insured for retirement benefits. If you have worked and paid taxes on your income for a good portion of your life, you will almost certainly qualify for retirement benefits.

You are eligible to receive full retirement benefits when you have reached full retirement age. The full retirement age used to be 65. However, the full retirement age is rising.

Depending on when you were born, your full retirement age may be anywhere between 65 and 67. The following chart shows your full retirement age according to your year of birth.

| YEAR OF BIRTH  | FULL RETIREMENT AGE |
|----------------|---------------------|
| 1937           | 65                  |
| 1938           | 65 and 2 months     |
| 1939           | 65 and 4 months     |
| 1940           | 65 and 6 months     |
| 1941           | 65 and 8 months     |
| 1942           | 65 and 10 months    |
| 1943-1954      | 66                  |
| 1955           | 66 and 2 months     |
| 1956           | 66 and 4 months     |
| 1957           | 66 and 6 months     |
| 1958           | 66 and 8 months     |
| 1959           | 66 and 10 months    |
| 1960 and later | 67                  |

You can opt to receive retirement benefits prior to reaching your full retirement age starting at age 62. However, you will receive a PERMANENT REDUCTION PENALTY in the amount of your monthly benefit for opting for early retirement. The earlier you retire, the greater the amount of the reduction.

### EXAMPLE:

Jim has worked his entire life in heating and cooling repair and decides it is time to call it quits when he turns 62 years old. He has always paid taxes into Social Security and decides he wants to go ahead and draw his retirement benefits. When he applies, the agent at the Social Security office doesn't tell Jim that his benefits will be permanently reduced. He begins drawing a retirement check in the amount of \$1280 per month. When Jim turns 65, his full retirement age, he finds out that his full retirement amount should be \$1600. However, he is not eligible to receive this monthly rate now. His monthly check will be \$1280 for the rest of his life. If he had waited to retire, he would be receiving \$320 more per month.

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## SURVIVOR'S BENEFITS

Survivor's benefits are available to direct relatives of deceased workers who have paid enough money into Social Security to be insured for retirement and survivors benefits. (Again, you pay money into Social Security through monthly withholdings from your paycheck.)

### Widows or Widowers:

|          |  |
|----------|--|
| Under 50 | You are not eligible to receive benefits unless you have a deceased spouse's minor child in your care. |
| 50-59    | Must be disabled and will receive a reduced benefit  |
| 60-64    | No disability requirement, but you will draw reduced benefit   |
| 65-      | No disability required and you are entitled to full benefits   |

### Child Benefits:

Children of a deceased or disabled worker can receive benefits if they are:

1. Under 18 or still in high-school
2. Adult children who have a disability that began prior to age 22

Children of a deceased worker are entitled to an amount equal to  $\frac{3}{4}$  of the deceased worker's disability benefit. This is limited by a family maximum.

Children of a disabled worker are entitled to an amount equal to  $\frac{1}{2}$  of the deceased worker's disability benefit. This is limited by a family maximum.

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## DISABILITY INSURANCE BENEFITS

Disability Insurance Benefits are what most people think of when they hear the phrase “Social Security Disability”. Disability Insurance was designed to provide disabled workers with income. Disability Insurance is like any other insurance policy.

In order to be eligible to receive benefits, you pay in premiums every month by having taxes withheld from your paycheck. As long as you continue to pay your premium, you stay insured to receive benefits. Once you stop paying the premium (in other words, stop working or stop paying taxes), your coverage will eventually lapse or end.

Generally, your coverage will end within five years after you stop working. In order to receive Disability Insurance benefits, you have to prove that you were disabled prior to the date your insurance lapsed.

You may be asking what it takes to prove that you are disabled. In order to prove you are disabled, you must show the following:

1. You have a physical or mental impairment that can be shown through medical evidence;
2. You are unable to do any sort of work (not just past work) on a full-time basis; and
3. You are unable to work for 12 consecutive months or more at a level of substantial gainful activity (Currently earning more than \$1,180 / month).

The amount of benefits you will receive each month depends on how long and how much you have paid into Social Security.

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## SUPPLEMENTAL SECURITY INCOME

Supplemental Security Income (SSI) is a program designed to provide financial assistance to those who are ineligible for Disability Insurance or who are only eligible for a small amount but are nevertheless unable to work due to a physical or mental impairment and have very limited income and financial resources.

In order to be eligible to receive these benefits, your household income must be very low and the value of your total assets (not including your house or car) must not exceed \$2000 if you are single and \$3000 if you are married.

You must also prove that you are disabled. Again, in order to prove you are disabled, you must show the following:

1. You have a physical or mental impairment that can be shown through medical evidence;
2. You are unable to do any sort of work (not just past work) on a full-time basis; and
3. You are unable to work for 12 consecutive months or more at a level of substantial gainful activity (SGA). (2020 SGA = \$1,260 / month).

The amount of monthly benefits you are entitled to depends upon the amount of your household income. As your household income rises above a certain amount, the amount of SSI you are due begins to decrease dollar for dollar.

SSI is also available to children who have medical conditions that Social Security deems serious enough to be considered disabilities. For purposes of determining how much a child is due each month, part of the income of the parent or parents is deemed to be the child's income.

# THE DISABILITY DETERMINATION PROCESS

## 1. Initial Application

To be awarded disability benefits, you first have to assert your right to them. You assert your right by filing an application with the Social Security Administration.

You can make this application in several ways:

- In person at your local Social Security office;
- Over the phone toll-free at 1-800-772-1213; or
- On the internet at [www.ssa.gov](http://www.ssa.gov)

Once you have filed an application, Social Security will turn your application over to your state's division of Disability Determination Services (DDS). This is an organization designed specifically for the purposes of determining whether or not a person is disabled for purposes of receiving government benefits.

You will go through a process of filling out questionnaires about your medical condition and how it affects you on a daily basis. DDS may send you to appointments with physicians and/or psychologists for further evaluation of your condition. They will also gather your medical records and may talk to your friends or family about your limitations.

Once they have gathered and evaluated all of this information, a decision will be made as to whether or not you are disabled. If you are approved, your benefits will be started. If you are denied you will be notified and you must appeal to continue your claim.

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## **2. Reconsideration**

If your initial application is denied, you must file an appeal with the Social Security Administration. This appeal is known as a Request for Reconsideration. You cannot skip this step and go directly to a hearing. You must go through this process in order to have your claim properly heard.

Once you file this appeal, your claim goes through the same evaluation process it went through during the initial application. However, a different set of evaluators makes the decision. Only about 10% of all disability applications at this level of appeal are actually approved. If you are denied you must file the next appeal.

## **3. Hearing**

If your claim has been denied at the reconsideration stage, you now have the opportunity to request a hearing before an administrative law judge. The judge will evaluate all the medical evidence in your file and make a new decision in your case. You will have the opportunity to tell the judge in person about the limitations affect you on a daily basis. The judge may ask expert medical and vocational witnesses to testify about your limitations.

You will also have the opportunity to have witnesses testify on your behalf if necessary. The judge will normally issue his decision in writing. Many cases that are denied in the earlier stages are approved at the hearing level.

## **4. Appeals Council and Beyond**

If your claim is denied by the administrative law judge, your case is NOT over. You have the opportunity to appeal your case to the Social Security Administration's Appeals Council. Although you will not be entitled to a hearing, you can ask in writing that the Appeal's Council approve your case or give you a new hearing based on the fact that the administrative law judge made a legal or blatant mistake.



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If the Appeals Council denies your case, you have the option to sue the Social Security Administration in federal court for a reversal of the denial or a new hearing. You may also have the option of filing a new claim while you await your appeal.



**WRITE DOWN ANY  
QUESTIONS BEFORE  
READING FURTHER:**

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Call 1-800-600-7969 to have these questions answered today.

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# THE 7 COSTLY MISTAKES

## **COSTLY MISTAKE 1: Setting Up a Bad Medical Record**

When you get sick or injure yourself in such a way that your illness or injury affects you over a long period of time, only you truly know and experience the full extent of your limitations and your pain. You personally know exactly what you are going through.

While you will eventually have the chance to describe your illness to disability examiners and an administrative law judge from your point of view, this is not legally enough to prove that you are disabled. The foundation of a successful Social Security disability claim is solid supporting medical evidence.

### **Treat Early and Treat Often**

If your medical condition is bad enough to keep you from going to work, then it is bad enough for you to seek medical treatment. You should consult a doctor as soon as possible. Understandably, you may not even be contemplating filing Social Security disability benefits when you initially hurt yourself or fall ill.

However, if you do not have medical insurance and cannot afford treatment for yourself, you should attempt to apply for Medicaid with your local Department of Social Services. You can also receive treatment at emergency rooms of public hospitals if your condition is severe enough to require emergency treatment.

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## Follow Reasonably Prescribed Treatment

Social Security law can prevent you from recovering benefits if you fail to follow the treatment recommended by your doctors. You may ask, “What if I disagree with the treatment that my doctor is recommending?”

First of all, you should remember that your doctor is a practicing expert in his or her field and, generally, physicians act in your best interest. However, no one is perfect. If you feel very strongly that your doctor’s recommendations are wrong, you should talk with him or her about your feelings. If the doctor continues to insist upon the same course of treatment, you may want to obtain a second opinion from another doctor.

IN NO CIRCUMSTANCE should you completely disregard your physician’s prescribed treatment without attempting to resolve your concerns.

Should your doctor recommend a course of treatment that has a chance of not improving your condition and may actually worsen your condition, such as surgery, you should make sure that your doctor documents the chances of success and/or failure of the treatment. If the treatment is not likely to improve your condition, Social Security will not hold it against you if you do not elect to follow through with the treatment.

### Explain Your Pain and Limitations in Detail

One of the best ways to make your personal experience of pain or other limitations a credible part of the medical record is to describe these to your physician and to have them included in medical notes.

Here is an example of an explanation that is not effective:

*“Doc, I hurt all over. The pain is everywhere. I can’t do things like I used to. Nothing helps and I just feel like I’m walking around in a daze all the time.”*

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Although this lets the doctor know the patient is in pretty bad pain, it doesn't give any specifics about where or how much the pain limits the person. In most cases the more specific the statements, the more believable they will be.

Here's an example of a more effective explanation:

*"Doc, my pain is in my lower back and it sometimes goes down the back of both of my legs down to the knee. I can only bend over far enough to touch my knees and I can't twist without any pain. I can only stand for about 20 minutes before I have to sit down and I can only sit for about 10 minutes unless I'm in a recliner. The pain medicine you gave me makes me tired and dizzy for most of the day. I generally fall asleep for a couple of hours every day. I have to have help with getting dressed in the morning and I'm not able to do any housework other than light dusting."*

Of course, your explanation will focus on the particular limitations you experience. However, you should use this degree of detail when talking with your doctor and you should make sure that these details are put into your medical records. We are not advocating that you give your doctor a laundry list of limitations every time you have an appointment. However, you should be aware that you need to be detailed when describing your problems to your doctor.

### Keep Personal Logs

Another method of making your personal complaints of pain and other limitations a credible part of the record is keeping a personal journal documenting your pain or other events associated with your impairment(s).

For example, a person suffering from seizures should document the date and time of each seizure occurrence along with the type of seizure, the intensity of the seizure, the recovery time and any other information relevant to the event.

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The same kind of log could also be used to record migraine headaches and episodes of any other worsening of bodily pain.

This method of keeping track of your pain makes your current complaints more credible and provides a tangible view of the on-going severity of your condition.

### Consult Specialists

Specialists are doctors who focus their individual practices on a particular area of medicine. These doctors deal with and generally have more expertise with a certain area of medicine than your primary care physician would.

Examples of such specialists are:

| <i>Area or Illness</i>    | <i>Specialty</i>          |
|---------------------------|---------------------------|
| Arthritis or Fibromyalgia | Rheumatologist            |
| Brain and Nerves          | Neurologist               |
| Heart                     | Cardiologist              |
| Lungs                     | Pulmonologist             |
| Mental Health             | Psychiatrist/Psychologist |
| Kidneys                   | Urologist                 |
| Diabetes                  | Endocrinologist           |
| Feet                      | Podiatrist                |
| Bones                     | Orthopedist               |
| Cancer                    | Oncologist                |

These are just a handful examples of specialties. You should speak with your primary care physician about your particular problems to determine what specialist you should consult. The point is that a specialist's opinion regarding your particular condition is going to be much more persuasive to a judge than any other general doctor's opinion. Getting an early initial diagnosis or a later confirmation of a previous diagnosis from a specialist will save a lot of headache in making sure you have sufficient documentation of your conditions.

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## **COSTLY MISTAKE 2: Waiting Too Long To Apply**

Once you, through consultation with your doctor(s), have determined that you may be unable to work for a period of 12 months or more, you should file for benefits immediately. You could risk losing benefits to which you are legally entitled by waiting longer than necessary to apply.

If you are eligible to receive Disability Insurance Benefits, you can only recover retroactive benefits for the 12 month period prior to submitting your application for benefits. Therefore, if you wait more than a year from the date you stop working to apply for benefits, you risk losing more benefits with each month that passes.

Depending on how much you have paid into Social Security over the years, this could result in a loss of thousands of dollars per month. If you are eligible for Supplemental Security Income, you are only eligible to receive benefits from the time of your application or the month after.

Therefore, it is especially important that you apply for benefits as soon as possible. Every month that you do not apply, you are losing much needed back-benefits.

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### **COSTLY MISTAKE 3: Waiting Too Long or Failing to Appeal**

If you have already applied for Social Security disability benefits and you have been denied, you most likely received a letter notifying you of this denial. Towards the end of that letter, there is a paragraph telling you that you have the right to appeal your case. This paragraph states that you have 60 days from the date of the letter to appeal your claim.

If you fail to file an appeal on time, you may have to start the application process over from the beginning. This also means you will have to go back to the beginning of the waiting list. You may also permanently lose the right to much needed back benefits. You should appeal as soon as possible after consulting an attorney regarding your appeal rights.

### **COSTLY MISTAKE 4: Drug, Alcohol or Tobacco Use**

Social Security claimants who abuse illegal drugs and alcohol risk losing their entitlement to benefits. Social Security laws can prevent you from receiving disability benefits if your alcohol or drug use is a major factor causing your disability.

You may have heard of people receiving disability benefits for alcohol use in the past. However, federal laws have changed. Drug addiction and alcoholism are no longer considered disabilities that may be compensated with Social Security benefits.

Proving that drug and alcohol use is not a material cause of your disability is very difficult. If you are not able to prove that you would be disabled even if you were not using drugs or alcohol, you will not be entitled to benefits.

Although it is possible to prove disability even with on-going substance abuse, drug, alcohol and tobacco use tends to harm your credibility as a witness.

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## **COSTLY MISTAKE 5: Filing for Unemployment Benefits**

When you file for unemployment benefits with the Employment Security Commission, you generally have to affirm to the ESC that you are physically and mentally capable of working. This assertion is contradictory to what you are telling the Social Security Administration. If you have received unemployment benefits at any time during the period you are alleging that you are disabled, you may not be awarded benefits.

## **COSTLY MISTAKE 6: Making Inconsistent Statements**

Your credibility as a medical patient and as a witness can make or break your Social Security disability claim. Your credibility is built upon many things including your age, education, work history, medical history, criminal history, family history and many other variables. However, a cornerstone of credibility, particularly in the hearing room, is consistency of your statements. Often, a Social Security claimant's case can rest on whether or not the administrative law judge believes that the claimant's limitations are as bad as he or she reports.

Consistency in recorded statements to Social Security personnel, doctors, employers, friends, family and the administrative law judge builds a strong foundation for the credibility of your complaints.

However, inconsistencies in your statements can allow an administrative law judge to attack the credibility of your complaints and therefore deny your claim and make winning on appeal more difficult.

Bottom line: make sure you tell everyone the same facts.



## **COSTLY MISTAKE 7: Representing Yourself**

One of the worst mistakes that Social Security claimants make is to represent themselves. We won't pretend that there are not some people who represent themselves and win their cases. However, the likelihood of you winning your case is certainly smaller without the aid of an attorney.

You may be wondering what an attorney can do for you that you can't do for yourself. Well, an attorney can:

1. Make sure Social Security has all medical, vocational and other relevant documentation to prove your case.
2. Apply your situation to complex Social Security regulations to make the best argument in support of your claim.
3. Look for the possibility of re-opening previous filings that you did not appeal – this could result in more back benefits that you would never even know you were entitled to on your own.
4. Look for ways to expedite your hearing office decision, if feasible.
5. Make sure you get ALL the benefits to which you are entitled.

We mentioned this in passing several times in the previous section. While it seems that most people should know it is important to seek advice when they are disabled, statistics show that many people don't do so.

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Here are the main reasons why people don't hire a lawyer when they are disabled:

1. They don't know if they really need a lawyer, so they are hesitant to talk to one.
2. They don't know a lawyer personally, so they don't bother to look for one.
3. They aren't sure if they can trust a lawyer, so they don't want to use one.
4. They think they cannot afford to hire a lawyer.

These reasons are not good ones. In spite of all the lawyer jokes you may have heard, there are many honest, hard working, and ethical lawyers who can help you deal with the Social Security Administration. While it is true that a lawyer will usually get a portion of the money you collect from back benefits, it is also true that a good lawyer can dramatically increase your chances of getting a larger award.

You certainly should at least contact a lawyer and get some free advice. Many law firms won't even talk to people in this situation – as soon as they determine there's no "good case" for them, they just want to get you off the phone and move on. Our law firm isn't like that. If you call us with a problem or a question, even if we know we can't represent you, we'll still try to answer your questions or we'll refer you to another lawyer or to a government agency that can help you.

OK, now you've decided either to hire a lawyer or not. If you do want to hire a lawyer, how do you choose the best one for you? Hiring a lawyer is easy. Hiring the RIGHT lawyer takes a little extra work. You see, there is as much difference between individual lawyers as there is between doctors, accountants, or other professionals. Choose carefully!

Some law firms are claims "factories." They use non-lawyers to handle the hearings and you never even talk to a lawyer.

Let us suggest that you should stay clear of a situation like this. You need a lawyer that will handle your case from start to finish, will pay personal attention to you, will be available when you need them, and will return your phone calls promptly. There is a difference!

**Here are 8 questions you might consider asking a law firm before hiring them:**

1. If I am not happy with your firm the first 30 days after I hire you, can I discharge you as my attorney, take my case and owe you no fee?
  2. Does your law firm have a toll free client advocate hot-line to call anytime I have problems with my attorney or case manager?
  3. Who at your office (both attorneys and non-attorneys) will be communicating with the Social Security Administration on my case?
  4. Will you copy me with everything you do on my case?
  5. Have you ever been disciplined by the State Bar of North Carolina?
  6. Are you covered by a legal malpractice insurance policy?
  7. Have you ever been sued for legal malpractice?
  8. How much experience does your firm have in representing Social Security Disability clients?
-

We think a lawyer should give a personal commitment to ALL of his or her clients. Just look at our Client's Bill of Rights near the end of this book. We commit to every client we have, that they will be treated fairly. Then we GUARANTEE to treat every single client with the respect, attention, and dignity that person deserves. We can't stress enough to you how important this is!

### First and Foremost....Be Honest With Yourself

The information we have provided here is not advocating that you file a Social Security claim if you truly believe you are capable of working full time.

If you believe that you'd be able to do some sort of work on a full-time basis, you can be fairly sure that the medical records are going to reflect that and you will ultimately be found not disabled, no matter how many appeals you file.

The Social Security disability application and appeals process is extremely lengthy. There is no sense in facing financial destitution waiting on Social Security to process an appeal. You should also be honest with yourself if you feel that you cannot do any sort of work. In other words, you must leave your pride at the door.

We realize that one of the hardest things for a formerly strong and independent person to do is to admit that you need help. However, you must also realize that you are not alone and you have nothing to be ashamed of. These benefits are provided to you under law and you have earned the right to pursue them and attain them. However, part of your decision on whether or not you pursue your benefits should be a consultation with an attorney for an evaluation of your claim.

## HOW CAN WE HELP YOU?

In our practice, we've found that many people are FRUSTRATED, SCARED, INTIMIDATED and UNSURE OF WHAT TO DO. Sometimes people find it hard just to ask for help. Others may have already been intimidated by the federal government or others they've been dealing with.

We've found that once we talk with people about their claim and the legal process, they feel much better and more at ease with the whole process. After talking with us, they understand what's fair, and they feel good about doing the right thing.

We think our clients also appreciate the opportunity to talk with us at no charge, and with no pressure. We make home or hospital calls and we are available 24 hours a day, seven days a week.

### One Thing You Don't Need is Pressure

We don't blame you in the least. We certainly don't like pressure either. That's why you must be careful and take the time to make the best decisions possible. You can't make a good decision if you are being PRESSURED!

One of the reasons we wrote this book is to see if we can be of help to you. We would like to tell you about your legal rights and to answer your questions without any pressure and free of charge.

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## SO HERE IS WHAT WE WOULD LIKE TO OFFER YOU:

A FREE INTERVIEW – either by phone or at one of our offices, whichever you prefer. We'll talk about your claim and discuss your legal rights or whatever you would like to talk about. We will answer any questions you have about our legal experience. It is our hope that during this interview we can help you with the following:

1. Find out if you may meet Social Security's criteria for receiving disability benefits
2. Find out if you are taking the proper steps to preserve your rights to appeal
3. See if you may be exposed to risks you may not know exist, and could spell disaster for you.
4. And LOTS MORE!

We are here to help! That's our personal guarantee to you.

Our goal is to simply create a place where you feel comfortable talking with an expert about your legal options and answering any questions you may have.

We understand that this can be a difficult time. You may not be feeling well because of the pain and distress of your physical and mental conditions. Undue stress and tension can make things much worse.

If this makes sense to you in any way, then you've probably got a few questions. Feel free to call while this is still fresh in your mind. Waiting any longer may just cause more stress or put you at greater risk. We would be happy to get you the information that may ease your mind. Remember, the law is filled with tricky time limitations and notice deadlines.

Why are we willing to do all this? We want you to see for yourself that there are lawyers out there who are honest, competent, and are willing to work hard for your best interests.

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Allow us to take just a few extra moments to explain our CLIENT'S BILL OF RIGHTS. Lawyers will tell you that it is impossible to offer a guarantee in the legal business. HOGWASH! We say that all clients should settle for nothing less! Remember – your attorney WORKS FOR YOU...not the other way around.

## CLIENT'S BILL OF RIGHTS

We believe that as our Social Security client you are entitled to have the:

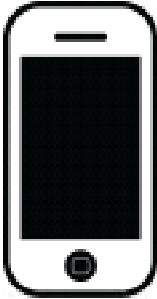
- 1.Right to talk to your attorney the same day you call.
- 2.Right to be updated regularly and in a timely manner as to the progress of your case.
- 3.Right to our respect.
- 4.Right to expect competence from our firm and all who work here.
- 5.Right to know the truth about your case.
- 6.Right to prompt attention from us.
- 7.Right to have your legal rights and options explained in plain English without legal mumbo jumbo.
- 8.Right to a fair written fee agreement with our firm
- 9.Right to a fair fee for the work we do.
- 10.Right to make the ultimate decision on your case.

If you think this approach is fair, and you want to take advantage of the free consultation, with no obligation, just give us a call. We will personally set time aside for us to talk. Thanks again for requesting this free book. We look forward to hearing your comments.

To set-up a free consultation, call 1-800-600-7969 or contact us through our website at [lawyernc.com](http://lawyernc.com).

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# BEST WAYS TO CONTACT HARDISON & COCHRAN



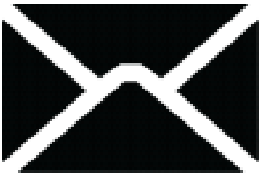
## **PHONE:** 1-800-600-7969

Just pick up your phone and contact us. Your call will be answered by an experienced member of our team. You will speak with an attorney the same day you call.



## **LIVE CHAT:** Visit [www.lawyernc.com](http://www.lawyernc.com)

Chat with a live representative of our firm by visiting [www.lawyernc.com](http://www.lawyernc.com) and clicking on the **LIVE CHAT** option.



## **E-MAIL:** Visit [www.lawyernc.com](http://www.lawyernc.com)

You can send us your questions to our e-mail. Visit [www.lawyernc.com](http://www.lawyernc.com) and click on the **CONTACT US** option. You will receive a reply within 24 hours.