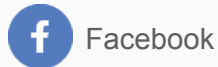


Jan Dils June Social Security Newsletter

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Both articles in this month's newsletter are related to choosing an attorney to represent you in your fight to obtain the Social Security benefits you deserve.

Our first article is from Social Security and outlines your rights to having an attorney represent you. It also includes some good information about what a representative can do and what they can charge you for their services.

Our second article covers the topic of appealing a decision by Social Security to stop your disability payments. Receiving benefits isn't a "lifetime guarantee." Social Security will conduct routine exams to determine whether or not your disability continues to impact your ability to work. If they decide to stop your benefits, you have the right to appeal, and you have the right to choose an attorney to help you in that appeal.

The Jan Dils team is always ready to help you fight for the Social Security disability benefits you deserve. If you have questions about the information in these articles or any other topics pertaining to Social



[5 Tips to Keep Your Social Security Case On Track This Summer](#)

[Do I have to pay taxes on a Personal Injury Settlement?](#)

[What You Need To Know About Medical Payments Coverage](#)

[Car Value Depreciation, and your Personal Injury Claim](#)

Security disability, please feel free to contact us. We're always happy to hear from you, and help in any way we can.

Sincerely,



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## YOUR RIGHT TO REPRESENTATION!



You can have a representative, such as an attorney, help you when you do business with Social Security. Social Security will work with your representative, just as they would with you.

For your protection, in most situations, your representative can't charge or collect a fee from you without first getting written approval from Social Security. However, your representative may accept money from you in advance as long as they hold it in a trust or escrow account.

Both you and your representative are responsible for providing Social Security with accurate information. Providing false information knowingly, or willfully, is illegal. If you do, you may face criminal

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### **What a representative can do**

After you appoint a representative, he or she can act on your behalf before Social Security by:

- Getting information from your Social Security file;
- Helping you get medical records or information to support your claim;
- Coming with you, or for you, to any interview, conference or hearing you have with Social Security;
- Requesting a reconsideration, hearing or Appeals Council review; and
- Helping you and your witnesses prepare for a hearing and questioning any witnesses.

Your representative will also receive a copy of the decision(s) Social Security makes on your claim(s).

### **What your representative may charge you**

To charge you a fee for services, your representative first must file either a fee agreement or a fee petition with Social Security.

Your representative can't charge you more than the amount Social Security will allow. If you or your representative disagree with the fee Social Security approves, either of you can ask Social Security to look at it again.

If a representative charges or collects a fee without Social Security's approval, or charges or collects more than Social Security allows, Social Security may suspend or disqualify them from representing anyone before the Social Security Administration. A representative can also face criminal prosecution.

### **Filing a fee agreement**

If you and your representative have a written fee agreement, your representative may ask Social Security to approve it any time before Social Security decides your claim. Usually, Social Security will approve the agreement and tell you in writing how much your representative may charge as long as

- You both signed the agreement;
- Social Security approved your claim, and you're getting past-due benefits; and

The fee isn't more than 25 percent of past-due benefits, or \$6,000, whichever is less. If Social Security doesn't approve the fee agreement, they will notify you and your representative in writing.





Source: <https://www.ssa.gov/pubs/EN-05-10075.pdf>



Social Security wants to be sure that every decision made about your Social Security or Supplemental Security Income (SSI) claim is correct.

If they decide that you no longer have a qualifying disability, and you disagree with that decision, you can appeal it. This means they'll look at your case again to see if their decision is correct. When you ask for an appeal, Social Security will look at the entire decision, not just the part you disagree with. If they find that their decision was wrong, they'll change it.

### **How much time do I have to appeal?**

You have 60 days to ask for an appeal of Social Security's decision to stop your disability benefits. The 60 days start after you get Social Security's letter telling you that your benefits will stop. They assume that you got their letter five days after the date on it, unless you show

that the letter took longer to reach you.

### **What happens if I miss the time for an appeal?**

If the 60-day period has passed, and you want to appeal Social Security's decision, you should tell them why you were late. If they decide you have a good reason for being late, you still may be able to appeal. For example, they may find that you have a good reason for being late if the forms they sent you did not arrive on time.

### **Will my payments continue during the appeal?**

If you ask for an appeal within 10 days after the date you receive Social Security's letter, you can also request that your payments continue while they're making a decision on your appeal. If you're late in asking for your payments to continue, you still may be able to get payments during the appeal if Social Security finds that you have a good reason for being late.

If your payments continue during your appeal, and you lose the appeal, Social Security will ask you to pay back some or all of the money.

However, you won't have to pay it back if you cooperate with Social Security during the appeal, and they find that you need the payments for your usual living expenses.

Source: <https://www.ssa.gov/pubs/EN-05-10090.pdf>



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*Jan Dils keeps you updated on Social Security disability benefits news and important issues that matter the most. We not only focus on Social Security Disability, we also provide legal assistance for Veterans Disability Benefits . We understand the claims process and specialize in making sure Veterans receive the proper representation needed for receiving benefits. For more information on our Veterans Disability services, please visit [www.fight4vets.com](http://www.fight4vets.com)*

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Jan Dils, Attorneys at Law, handles Personal Injury Claims, Social Security and Veterans Disability for clients throughout West Virginia with offices located in Parkersburg-Beckley-Charleston-Huntington-Logan as well as one additional office located in Charlotte, North Carolina. But regardless of where you are located we are able to serve you or a family member Nationwide.

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