

SOCIAL SECURITY DISABILITY BENEFITS & BEYOND

Q1 NEWSLETTER
2016



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Disability Benefits and Mental Illnesses

The already complex process of applying for Social Security disability benefits (SSD or SSI) is even worse for people with mental illness. Without compassionate advocacy, people with mental illnesses may never be able to get access to SSD or SSI – the government's two main benefits programs for people with disabilities who are unable to work.

At the law firm of Jan Dils, Attorneys at Law, we focus our law practice almost exclusively on helping disabled people get the government benefits they deserve. We provide knowledgeable and compassionate legal assistance to people with all kinds of disabilities, and we have special experience helping people with mental illness complete applications and appeals for Social Security disability insurance (SSD) and Supplemental Security Income (SSI).

Special Assistance With SSD and SSI Applications Based on Mental Illness

Our lawyers recognize that people with mental illness may need special help with their SSD or SSI applications. We have decades of proven experience representing people with mental illnesses in the SSD and SSI application and appeals process.

We know how to use medical records and independent medical examinations to prove that a person's mental illness makes him or her unable to work. We are experienced in building strong cases to prove that people with a wide range of mental illnesses are eligible for SSD or SSI.

Over more than a decade of practice, we have successfully helped clients with a wide range of mental illnesses successfully

obtain their SSD and SSI benefits. Contact our office for a free initial consultation if you or a loved one suffers from any of the following and is unable to work:

- Psychosis
- Depression
- Personality disorder
- Schizophrenia
- Bipolar disorder
- Anxiety disorder
- Intermittent explosive disorder
- Obsessive-compulsive disorder

Convenience For Our Clients With Mental Illness

One of the many benefits of choosing the law firm of Jan Dils, Attorneys at Law, to handle an SSD or SSI case on behalf of a person with a disabling mental illness is that our attorneys have extensive first-hand experience working with clients who have similar conditions. We understand the ways in which mental illnesses can be caused or worsened by physical disabilities.

We recognize that many of our mentally ill clients are unable to make appointments outside of their homes. For that reason, we conduct as many interviews as possible over the telephone, and we use the U.S. mail or the Internet to send required documents back and forth.

Please feel free to contact us for immediate and knowledgeable advice about an SSD or SSI claim on behalf of a person disabled by mental illness.

Helping Veterans And Active Duty Military Members

On Veterans Day, the nation honors the men and women who risk their lives to protect our freedom. Social Security does its absolute best to honor veterans and active duty members of the military every day by giving them the respect they deserve. For those who return home with injuries, Social Security is a resource they can turn to. If you know any wounded veterans, please let them know about Social Security's Wounded Warriors website. The Wounded Warriors website answers many commonly asked questions,



and shares other useful information about disability benefits, including how veterans can receive expedited processing of disability claims. Benefits available through Social Security are different than those from the Department of Veterans Affairs and require a separate application. The expedited process is used for military service members who become disabled while on active military service on or after October 1, 2001, regardless of where the disability occurs. Learn more by visiting www.socialsecurity.gov/woundedwarriors.



A LETTER
FROM JAN

Happy New Year, and welcome to our first newsletter of 2016! I'm so excited to start a brand new year of helping our clients navigate the often complicated process of fighting for Social Security benefits. Being able to tell someone that they are approved—especially after a difficult fight for the benefits they have worked for and deserve—is a privilege that my team and I look forward to each and every day.

I'm also excited to share the latest news in Social Security Disability with interesting articles on current events, along with information about our team in each newsletter. I hope you'll find that this is a great way to get more insight into topics that affect you, and help answer some frequently asked questions. Of course, we always include a few "just for fun" items, as well!

As we dive into the first few months of 2016, I want to invite you to feel free to contact us with any remaining questions you may have. We understand how complicated the process of fighting for benefits can be. We're happy to share our experience and expertise to hopefully make the process easier for you. And we're always glad to hear from you!

Sincerely, 



JAN DILS brings her expertise to issues that affect you and millions of other Americans every day. Her knowledge across vital areas – including Veterans' benefits, disability benefits and related appeals and claims – and a practice that focuses on people, ensure that you get answers and the right results.

HOW TO GET UPDATES ON YOUR SOCIAL SECURITY DISABILITY CLAIM

Have you been waiting months for a decision on your Social Security Disability claim with no update? Here's what you can do to check your status.

You have a few options to get an update on your claim. First, you can contact your local Social Security branch either by phone or in person and ask to discuss it with a disability claims representative. You can also do this online, but you must have your confirmation details provided by the SSA to get any information.

While the above two options are pretty easy to manage, they will not be able to give you an exact timetable as to when your case will be decided. If there are factors slowing down your case, these methods also won't be able to reveal them. They basically can only tell you which stage you've reached in the process. But there are some better alternatives available.

If this is your initial application, or if your claim has been denied and you're currently filing your first appeal, contacting your specific disability examiner with the Disability Determination Services in your state can be much more advantageous. This is a separate entity from the SSA, but your local office can give you contact information for the DDS in your state. If you decide to go this route, politely inform the person who answers the phone that you'd like to know the status of your claim. It's okay to give your Social Security Number to this person so he or she can access the details of your claim and connect you with the right person.

Please note that you should only contact the DDS if it's been a few months since you've heard anything about your case. You should

also know that they can't give you any details in the event that your case has already been decided.

If you have appealed your claim and are currently awaiting a hearing to be scheduled with an administrative law judge, or if your hearing has already taken place, the DDS will not have any details about your case. At this point, you should contact the Office of Disability Adjudication and Review (formerly known as the Office of Hearings and Appeals).

Having an experienced Social Security Disability Attorney on your side can save you from making these calls yourself and help keep you informed through every step of the process. You can be confident that every base is covered and deadlines won't be missed.



OFFICE INBOX

Join us in congratulating **Elizabeth Dues**, WV Outlying Office Manager, who graduated from the University of Charleston with her MBA. We're so proud of Elizabeth's hard work and dedication!

Getting to Know: Sarah Taylor, Reception/Social Security intake.

Sarah Taylor has been with the firm for 1.5 years. She is a mother of three children: Justin, 26 Desiree, 22 and Ethan, 11. She also has two grandkids: 4 year old Elijah and 2 year old Bentley, and four stepchildren.

When Sarah's not busy managing the office, she is always busy, enjoying music, dancing, singing, cooking, DIY projects, hiking, fishing, and ATV riding. She is dedicated to local youth in the Charleston, WV area through community programs and service. And Sarah is also the co-owner of Premier Sports and training academy, an organization focused on making a positive impact with young people through sports, health and wellness, mentoring and more.

And the Apple Goes To...

Jan Dils team member Cheryl Wingrove has been very busy handing out Golden Apple Awards this school year to teachers who have made a difference in the lives of our students, our schools and our communities! Cheryl was on hand to surprise October's winner, **Virginia Dyar**, who has spent the last 43 years enriching the lives of her students at St. John Central School. Described as a pillar of the community and a mentor to other teachers, Virginia is known for being loved by all students, past and present.

Set to retire in May, the kindergarten teacher has always gone above and beyond to give her students the best education possible.

Cheryl Wingrove also had the honor of presenting **Ron Lathey** with November's Golden Apple Award. Mr. Lathey has taught math at Williamstown High School for the past 43 years, and has touched the lives of countless students in that time. Described as always going above and beyond for his students, they say that, while his classes are challenging, he is always able to explain in ways each student understands and that, to Mr. Lathey, there's no such thing as a silly question.

IT'S TIME TO...

Start your resolutions. **January 1st is New Year's Day.**

Celebrate a birthday fit for a king. **January 8th is Elvis' birthday.**

Work on that slice. **January 17th is Golf Day.**

Return the cup of sugar you borrowed. **February 7th is Greet Your Neighbor Day.**

Enjoy it while you can. **February 9th is Fat Tuesday.**

Be someone's secret admirer. **February 14th is Valentine's Day.**

Don't forget to floss. **March 6th is Dentist's Day.**

Wear green or get pinched. **March 17th is St. Patrick's Day.**

Prescribe a "thank you" to your doc. **March 30th is Doctor's Day.**

ATLANTIC BEACH PIE

ESCAPE THE COLD WITH A CULINARY TRIP TO THE BEACH!

Social Security Attorney Ross Miltner shares a newer version of a pie that's commonly served at seafood restaurants on the North Carolina coast. Chef Bill Smith has been serving it at Crook's Corner and at special events for about a year. He calls it the easiest recipe in the world. We call it one of the most delicious!

INGREDIENTS

For the crust:

- 1 1/2 sleeves of saltine crackers
- 1/3 to 1/2 cup softened unsalted butter
- 3 tablespoons sugar

For the filling:

- 1 can (14 ounces) sweetened condensed milk
- 4 egg yolks
- 1/2 cup lemon or lime juice or a mix of the two
- Fresh whipped cream and coarse sea salt for garnish

DIRECTIONS

Instructions: Preheat oven to 350 degrees. Crush the crackers finely, but not to dust, using a food processor or your hands. Add sugar, then knead in butter until the crumbs hold together like dough. Press into an 8-inch pie pan. Chill for 15 minutes, then bake for 18 minutes or until crust colors a little.

While the crust is cooling (it doesn't need to be cold), beat egg yolks into the milk, then beat in the citrus juice. It's important to completely combine these ingredients. Pour into the shell and bake for 16 minutes until the filling has set. The pie needs to be completely cold to be sliced. Serve with fresh whipped cream and a sprinkling of sea salt.

COMMONYMS: TAKE THE CHALLENGE

What's a commonym you ask? A commonym is group of words that have a common trait in the three words/items listed. For example: the words; A car - A tree - An elephant... they all have trunks. These will make you think!

1. Morris - Felix - Garfield
2. Raffle - Parking - Movie
3. Multiple - Daily - Chewable
4. A Penny - Nebraska - Ford Motor Company
5. Minnesota - Siamese - Identical
6. Bridge - Memory - Hearts
7. Black - Bulk - Junk
8. Car - Home - Life
9. G.I. - Little - Sloppy
10. Thomas - John - James

This issue's solution: 1. cats 2. tickets 3. vitamins 4. they all have Lincolns 5. twins 6. card games 7. mall 8. insurance 9. joes 10. disciples

JAN DILS BLOG

Myths about SSDI

There are a lot of myths about SSDI floating around, some are true but most are not. In an effort to sort fact from fiction, here are five common myths about SSDI and the truth behind them.

1. **If a doctor says you're disabled you automatically qualify for SSDI benefits.**

This might seem logical, but the Social Security Administration (SSA) makes a legal decision, not a medical decision. However, it is important that the doctor you see be credible and qualified to declare you disabled. The SSA will require you to provide detailed information about your disability when you apply.

2. **SSDI will replace most of your income.**

Sadly the average monthly SSDI payment in the beginning of 2015 was only \$1,165. This payment is intended to help you buy the essentials, not completely replace your income.

3. **SSDI payments start immediately.**

This is far from true. Due to the large amount of applications the SSA gets, processing can take up to six months. In most cases, if your application is approved, you'll likely have to wait a while to receive your first payment.

There is also a five month waiting period to receive payments. For example, if your disability is said to have begun on March 1, you will not be eligible for benefits until the month of August; however, you will not receive this payment until September, because payments cover the previous month. Unfortunately, if your disability begins after the first of any month that month does not count as part of the five month withholding period.

4. **Once you qualify for SSDI you qualify for life.**

It is possible to be on SSDI for life, but it's not automatic. SSA conducts disability reviews to see if your condition has improved. The type of disability you have will determine the frequency of your reviews. If your disability has improved, you may face a denial of continued benefits.

5. **It's pointless to apply, you don't qualify.**

While the criteria are stringent, you should always apply if you feel you qualify. In 2013 the SSA reported a 33% approval rate. It is common to be denied on your first application, so don't be discouraged.

Having a qualified SSDI attorney by your side will make the application process much easier. If your claim is denied, it is highly recommended you call 1-877-526-3457 for a free consultation.



1-877-JANDILS
JANDILS.COM

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We Won't Take NO For An Answer®

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WHY ISN'T THERE A COST OF LIVING ADJUSTMENT FOR 2016?

As you've probably heard by now, there will be no increase to Social Security benefits in 2016. Social Security's annual Cost-of-Living Adjustment (COLA) is an increase in the benefit amount that people receive each month.

How The Decision Is Made

By law, the monthly Social Security and Supplemental Security Income (SSI) benefit rate increases if there is an increase in inflation as measured by the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W). The period of consideration includes the third quarter of the last year a cost-of-living adjustment (COLA) was made to the third quarter of the current year.

As determined by the Bureau of Labor Statistics, there was no increase in the CPI-W from the third quarter of 2014 to the third quarter of 2015. Therefore, under existing law, there can be no COLA in 2016.

COLA's Other Impacts

Other changes that would normally take effect based on changes in the national average wage index also will not take effect in

January 2016. Since there is no COLA, the law also prohibits a change in the maximum amount of earnings subject to the Social Security tax as well as the retirement earnings test exempt amounts. These amounts will remain unchanged in 2016. For additional information about changes in the national average wage index, go to www.socialsecurity.gov/OACT/COLA/AWI.html.



For additional information about the 2016 COLA, go to www.socialsecurity.gov/cola