

Questions for a Social Security Lawyer

Q: How do I handle a Social Security Disability overpayment issue?

A: Any social security lawyer will tell you that, if the Social Security Administration determines that they have paid you more than they should, they will probably send you a Notice of Overpayment. This can happen for a variety of reasons, such as a failure to report a change in your lifestyle or status to the Social Security Administration. 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. When you do this, you are essentially requesting Social Security to look over your file again and perhaps meet with you to work out the problem (when this happens, it is a good idea to bring your [social security lawyer](#)).

If you do not request a reconsideration, you can request a waiver. Requesting a waiver means that you admit that you were given overpayment, but you can't pay the SSA back. A social security lawyer or advocate will likely suggest this if the overpayment wasn't your fault. 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 considered to be legally blind. Can I get social security benefits?

A: A social security lawyer will tell you that, yes, you may in some cases be eligible for benefits. 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 SSA has special guidelines when working with legally blind applicants. Because being blind is so debilitating, many legally blind applicants can receive higher benefits than those with other disabilities. As of the year 2008, the highest benefit for the blind was \$1,570 monthly. It may be a good idea to speak to your social security lawyer for a better idea of how this works.

Q: Do I need to wait a year after the start of my disability to apply for 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. Your social security lawyer will encourage you to apply on day one. [Similar Articles](#)
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