

**WITH SO MANY LAW FIRMS TO CHOOSE FROM, HOW DO YOU DECIDE WHO TO SELECT IF YOU OR A LOVED ONE HAS BEEN SERIOUSLY INJURED?**

Finkelstein & Partners has over 50 years of experience with obtaining substantial monetary settlements for our clients.

Our attorneys and support staff have the experience and tenacity to take on all cases, big and small.

**DON'T LEAVE IT UP TO THE INSURANCE COMPANIES TO DECIDE WHAT IS FAIR!**

Every case is different, and Finkelstein & Partners will treat your claim with the individual attention it deserves.

**READ WHAT OUR CLIENTS HAVE TO SAY AT [WWW.LAWAMPM.COM](http://WWW.LAWAMPM.COM)**



FROM LEFT PARTNERS KENNETH OLIVER, JOEL FINKELSTEIN, FIRM FOUNDER HOWARD S. FINKELSTEIN, ANDREW FINKELSTEIN AND GEORGE M. LEVY.



**OUR PRACTICE AREAS**

- ASBESTOS INJURIES (MESOTHELIOMA)
- AUTO ACCIDENTS
- BIRTH INJURIES
- BUS ACCIDENTS
- CONSTRUCTION ACCIDENTS
- DEFECTIVE DRUG LITIGATION
- MEDICAL MALPRACTICE
- MOTORCYCLE ACCIDENTS
- NURSING HOME NEGLIGENCE
- PRODUCT LIABILITY
- SEXUAL ASSAULT
- SLIP AND FALLS
- SOCIAL SECURITY DISABILITY BENEFITS
- TRAIN ACCIDENTS
- TRUCKING ACCIDENTS
- VETERANS COMPENSATION
- WORKERS' COMPENSATION



**1-800-LAW-AMPM**

1279 Route 300 Newburgh, NY 12551  
with office locations throughout NY State

Attorney advertising. The information presented in this brochure is intended to help you understand your rights. This publication is not intended to provide legal advice. Some case types may be handled with co-counsel.

**SOCIAL SECURITY  
DISABILITY BENEFITS**

**Are You Eligible for Monthly Benefits?**

A Guide to  
Your Rights  
and the  
Application  
Process



**1-800-LAW-AMPM**

## WHAT IS SOCIAL SECURITY DISABILITY?

Social Security Disability Benefits are monthly benefits provided to workers who meet the Social Security Administration's definition of disabled. If qualified, you are entitled to receive monthly benefits until you have recovered fully from your injury or sickness, or turn age 65 to 67, depending on your date of birth. When you reach retirement age, you would be automatically transferred over to receive your regular Social Security benefits. If you pass away and have minor children that are still in school, they would be entitled to receive benefits on your account up to age 19 or graduation from high school, whichever comes first.

## WHO IS ELIGIBLE FOR SOCIAL SECURITY DISABILITY BENEFITS?

Social Security Disability Benefits (SSDB) are available to workers who:

- Are at least 18 years of age but have not yet reached their full retirement age; and
- Have worked 5 of the last 10 years (40 quarters) preceding the date of disability with FICA (Social Security) deductions (no "off the books") and
- Cannot, for medical reasons, hold any substantial, gainful employment for **at least one year**.

*All three of these criteria must be met by applicants to be considered eligible.*

**CALL US TODAY FOR  
A FREE CONSULTATION  
REGARDING  
YOUR ELIGIBILITY.**

## WHY APPLY FOR SSDB?

If eligible, you should apply for SSDB because:

- If your SSDB claim is approved, you will receive a monthly payment equal to the amount that you would receive from Social Security if you had reached full retirement age. You can be paid back to the sixth month that you were out of work, or your SSDB will begin on the date the Social Security Administration (SSA) establishes as your date of disability, based on the medical records and the decision of the SSA.
- Medicare coverage (health insurance) is provided to SSDB recipients after they have been receiving SSDB for 2 years.

## WHEN TO APPLY FOR SSDB?

You should wait until you have been out of work for six months before applying for SSDB. Since SSDB does not provide any payments for the first five months of disability nothing is lost by waiting until the sixth month of disability before applying.

By waiting until the sixth month to apply it also becomes easier for the Social Security Administration (SSA) to conclude that you will be unable to perform any substantial, gainful employment for at least one year.

## HOW TO APPLY FOR SSDB?

Prior to applying for SSDB, we encourage you to call **Finkelstein & Partners at 1-800-LAW-AMPM (1-800-529-2676.)** One of our SSDB legal assistant specialists will answer questions, assist you in filling out the forms if it is determined you meet the qualifications, and guide you through the application process **at no cost to you.**

If you prefer, you can go to your local Social Security Administration office and apply in person; apply over the telephone by calling 1-800-772-1213; or apply online at [www.socialsecurity.gov](http://www.socialsecurity.gov)

## ATTORNEY FEES FOR SSDB

Attorneys' fees for representing SSDB applicants are regulated by federal law. Fees are contingent upon success, so Finkelstein & Partners will not receive a fee if the law firm is not successful in obtaining SSDB for you. If your SSDB claim is accepted, the Social Security Administration usually withholds 25% of your retroactive benefits, pending receiving a fee application from your attorney.

Finkelstein & Partners will offer you the opportunity to cap the fee at \$5,300 through June 21, 2009 or \$6,000 thereafter or 25% of retroactive benefits, whichever is less. When you retain Finkelstein & Partners to represent you for Social Security Disability, the attorney and the client both sign a fee agreement, which clearly explains the fee determination process.

## HOW LONG IS THE WAIT FOR BENEFITS?

**Initial review by SSA.** This process usually takes about 4 months. When the review is completed, the applicant is sent a letter advising if a favorable determination has been made.

**Hearing level.** If your SSDB application is denied, and you would like F&P to represent you, **it is important that you call us at 1-800-LAW-AMPM immediately upon receiving the denial letter.** The hearing must be requested not more than **60 days** after the date of the unfavorable determination letter. We will review your denial and make a determination if the firm can request a hearing on your behalf and represent you at the hearing.

- **Most people are denied initially and must appeal**
- **Most win only after a hearing with a judge**
- **The entire process can extend 15 - 18 months**

**YOU ARE MORE LIKELY TO BE SUCCESSFUL IF YOU HAVE LEGAL REPRESENTATION.**

**1-800-LAW-AMPM**

**Finkelstein & Partners<sup>LLP</sup>**  
THE INJURY ATTORNEYS<sup>SM</sup>