

UNDERSTANDING THE DISABILITY CLAIMS PROCESS

If an application is denied at any stage, there are opportunities to appeal. Here's an overview of what to expect:

Initial Application

At this stage, about 38% of applications are approved*

The first step is submitting an application, which can be done online, by mail, or over the phone. Along with the application, applicants must provide supporting documents. If a claim is denied, the applicant has 60 days to request reconsideration.

Reconsideration

Approval rates at this stage drop to 16%*

If the initial claim is not successful, the next step is reconsideration. This involves a second review, which may include new evidence or an argument that SSA's rules were misapplied. Those who are still denied can request a hearing.

Hearing before ALJ

Hearings result in approval for about 51% of applicants*

Applicants who proceed to this step present their case before a judge. Many choose to have a legal representative at this step. If the judge does not rule in favor of the applicant, they can request review by the Appeals Council.

Appeals Council Review

If an applicant disagrees with the judge's ruling, they can request the Appeals Council to review the case. The Council will examine whether the ALJ's decision followed SSA regulations. They may affirm the decision, remand the case for a new hearing, or, in rare cases, overturn the denial. If the Appeals Council denies review or upholds the denial, the applicant may take the case to federal court.

Federal Court

At this stage, a federal district court judge will review the case. The judge does not conduct a new hearing but instead evaluates whether the SSA's decision was legally sound. The court may affirm the Agency's decision, remand it for further action, or, in rare cases, approve benefits. The federal appeal is often the very last step in the process.

*These numbers were taken from 2024 Workload data disability decisions from the Agency

✉ disability@towerlawgroup.com

☎ 317-559-1200