

SOCIAL SECURITY
DISABILITY
BENEFITS & BEYOND

Q3 NEWSLETTER
2014



JAN DILS 
ATTORNEYS AT LAW, L C

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Trial Work Period

If you are receiving disability benefits and want to test your ability to return to work, you are in luck. The Social Security Administration recognizes that returning to work is easier said than done. The trial work period (TWP) allows individuals that already receive benefits a chance to return to work without fear of their benefits ending.

The TWP allows you to work for 9 months without benefit interruption within a consecutive 60 month period after you begin receiving benefits. These 9 months do not need to be consecutive and if your earnings rise above a certain amount, then that month will be considered a TWP month. In 2014, the TWP amount is \$770. This means, for any given month that you make \$770 or more you will be using one of your 9 months.

The following 36 months after your TWP, your benefits will continue as long as your monthly income does not rise above what SSA considers to be substantial gainful activity (SGA). In 2014, the SGA limit is \$1070 gross monthly income. For any month that your income rises above the current SGA limit, benefits will not be payable for that month. These 36 months are

referred to as an extended period of eligibility.

Once your TWP and extended period of eligibility has ended, your benefits will stop if you continue to work above the current SGA limit. Fortunately, during the following five years you may ask for your benefits to be reinstated if you discontinue working due to your medical conditions. This process is called an expedited reinstatement of benefits.

If you decide to try working again, keeping the Administration "in the loop" is imperative. Any time you begin working, you should contact your local SSA office. You should be prepared to give your start date, the hours and duties of your position, the rate in which you will be paid and any impairment related work expenses that you are not reimbursement for. If your work changes at any time or if your employer provides accommodations for you, you should contact SSA immediately.

If you are considering a return to the workforce or have already began working and are seeking additional information on a trial work period, contact us at 1-877-526-3457. A representative will be more than happy to answer your questions!

"What can I do to strengthen my case?"

This is one of the most common questions we receive from our clients—and we give the same advice each time. Without a doubt, throughout our many years of experience, we have found that the best and strongest cases are the ones with supporting medical evidence. More specifically, the strongest case will include narrative reports and assessments by your treating doctors. This means that you need to continue seeking treatment from your medical providers as much as possible throughout the entire Social Security application process. Make sure that your visits are documented, and that we receive any reports. Try not to miss an appointment. If you need to miss one, be sure to reschedule, rather than cancel. It may seem like a lot of work, but keep in mind that every doctor visit is potentially strengthening your case to help us fight for the benefits you deserve!



A LETTER
FROM JAN

I hope you have been able to take advantage of the beautiful weather by spending some time outdoors with family and friends! As always, it has been a busy time for the Jan Dils team, and we are excited to bring you our latest newsletter with some great new information on topics concerning Social Security and Supplemental Security Income (SSI) benefits.

In this edition, we are addressing some of the questions that our clients most frequently ask us. And, on that same topic, we have provided an overview of general guidelines from the IRS concerning income tax filing for Social Security Disability and SSI benefit recipients.

We also discuss some simple steps you can take to strengthen your case, and what you can expect from your Social Security hearing. And, as always, we have a few facts to share that are just for fun.

I hope you will find the information in our newest newsletter interesting and helpful. If you have an idea for a topic you would like to know more about, please let us know. We are always happy to have your input—and we are always happy to answer any questions you may have about the process of fighting for the Social Security benefits you deserve, as well.

I also want to let each and every one of you know that we consider it a privilege to help the clients we serve receive the benefits they deserve. We are always happy to help in any way we can, and that includes taking the time to answer any questions you may have about Social Security and Supplemental Security Income. Give us a call, or send an email through our website at JanDils.com. And enjoy the rest of your summer!

Sincerely, 



JAN DILS brings her expertise to issues that affect you and millions of other Americans every day. Her knowledge encompasses vital areas for Social Security disability benefits and related appeals and claims. With a practice that focuses on the people, Jan Dils ensures you get answers and the right results.

IF SOCIAL SECURITY DISABILITY IS YOUR ONLY INCOME, DO YOU STILL NEED TO FILE INCOME TAXES?

The IRS has a different set of tax rules that apply to Social Security benefits, whether for retirement or disability. Here is an overview of some general guidelines.

Taxes on Benefits

If you earn only Social Security disability benefits, chances are good that you won't owe the IRS anything, and won't need to file a return, as long as you have no other sources of income, such as an interest-bearing savings account or rental property. The IRS taxes a percentage of your Social Security benefits depending on your income level and filing status. For single filers, you must earn at least \$25,000 of "combined income," which includes taxable wages, interest, dividends, pensions, and half of your Social Security benefits. If you file a joint return, this minimum rises to \$32,000. Since the average Social Security disability benefit in 2013 stood at about \$1,100, most beneficiaries without other income pay no federal income taxes.

Married Filing Separately

The IRS applies an important exception to taxpayers filing a separate married return who also lived with their spouse at any time during the year. In this case, 85 percent of your disability benefits would be taxable, even if you earned no other income. This rule prevents married taxpayers from evading taxes they would have to pay if they also had to account for income from a spouse.

Back Pay

The lengthy approval process for Social Security disability means that if you finally win approval, Social Security may owe you back pay for the period of time you were disabled ~ and the time that you were waiting for a decision. Back benefits paid to you by Social Security may put you over the minimum income threshold, even if you earn no other income. The IRS requires you to declare this income in the year you receive it, even if the back benefits are actually being paid for disability you had in an earlier year. If you do a separate calculation for the taxable portion of these previous-year back benefits; depending on the prior year's income, this may lower the amount of your benefits that are taxable.

Refundable Credits

Even if you owe no taxes, you may be due a refund if you can claim certain tax credits. These include the credit for being disabled if you received benefits from an employer insurance or pension plan. In addition, the IRS offers a credit of up to \$7,500 for the costs of dependent care for a dependent or spouse, with the condition that the person claiming the credit must be working or looking for work. These refundable credits are only available if you file a tax return.



And the Apple Goes To...

Jan Dils Team member Cheryl Wingrove had the honor of presenting **Mrs. Paula Sewell** with the Jan Dils Golden Apple Award for the month of March. The St. Mary's Catholic Elementary School teacher was also honored with lots of hugs and applause from her students. Mrs. Sewell was chosen for the love and dedication she has shown each day throughout her 30-year teaching career. During that time, she has spent countless hours after school going the extra mile by tutoring, serving on committees, updating the bulletin board and more. But her students and co-workers say the best part is that she does it all with a smile, and that her love for the job is contagious. "The kids, it is all about them," Mrs. Sewell said. "So many things have changed over the years and they're just wonderful, they make every day a reason to come back. That is why I'm here."

Cheryl Wingrove also had the pleasure of surprising a teacher who has earned a reputation for being tough, but thorough. **Sam Wilder**, a Chemistry teacher at Warren High School, received the final Jan Dils Golden Apple Award of the 2013-2014 school year. The handshakes and cheers made it clear that Wilder is respected by many—both students and faculty. A teacher for 26 years, Mr. Wilder says that each year he tries to work on something new, whether it's new strategies, topics or other challenges. He was nominated by a graduate, who said that the teacher is truly respected and forces students to meet higher expectations. "You've got to connect with the kids, they've got to know that you really do care for them," explained Mr. Wilder. "You have to push them. You can't let up. You can't take it easy on them, you have to let them know that you have really high expectations and once they know that and once they know you believe in them then they rise to what your expectations are."

As always, it has been our pleasure to honor such dedicated educators for the commitment they demonstrate each and every day. Please join us in thanking them for their hard work, and for making a real difference in the lives of our community's children!

**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. A Wagon - A Weed - A Practical Joke
2. New York - An Airline - A Jacuzzi
3. Alarm - Grandfather - Cuckoo
4. A Cherry - A Wine Glass - A Rose
5. Gun - Baby - Talcum
6. Fan - Express - Junk
7. Mouse - Booby - Live
8. I - V - X
9. Palm - Pine - Christmas
10. A Boat - A Cradle - Van Halen

This issue's solution: 1. They are all pulled, 2. They all have jets, 3. Clocks, 4. They have stems, 5. Powders, 6. Mail, 7. Traps, 8. Roman numerals, 9. Trees, 10. They rock

JAN DILS BLOG

What Can You Expect at Your Social Security Hearing?

We are often asked what to expect from a Social Security hearing. As a general rule of thumb, we advise our clients to arrive at the Social Security hearings office a half hour prior to the time of the hearing. We meet our clients in the waiting room and, most often, if they have any questions, we will have a few minutes to go over the case before going into the hearing room.

In general, Social Security hearings are rather informal proceedings. We remain with our clients at all times during the hearing. The proceeding will start with the judge asking you to take an oath by raising your right hand and affirming that you will tell the truth. Next, most judges proceed with some explanation about some procedural issues of the hearing. The hearing will then proceed most often with an opening statement from your attorney and then either the Judge or your attorney will ask you some questions.

On average, most hearings last about 30-45 minutes. The Judge almost never announces what his/her decision is at the hearing.

From the time of the hearing, it will take approximately 30-60 days for you to receive a formal decision in the mail, and if you are approved, it can take an additional 30-40 days for you to start receiving your benefits.

If you would like to discuss representation or have further questions about the hearing process, do not hesitate to contact our offices.

Call us toll-free at **1.877.JANDILS (1.877.526.3457)** or use our online form at **www.jandils.com** to schedule a free initial consultation.



IT'S TIME TO...

- Write this one down on the calendar. (In Ink.) **July 2nd is I Forgot Day.**
- Fly your flag and break out the sparklers. **July 4th is Independence Day.**
- Go ahead and have a second cup. **July 24th is Coffee Day.**
- Thank a sailor. **August 4th is US Coast Guard Day.**
- Take a moment to remember those who served. **August 14th is V.J. Day.**
- Turn the other cheek. **August 25th is Kiss and Make Up Day.**
- Don't work too hard. **September 1st is Labor Day.**
- Show your appreciation for an educator. **September 4th is Teacher's Day.**
- Remember our brave heroes. **September 19th is POW/MIA Recognition Day.**

CROCK POT BUFFALO CHICKEN DIP

TRY A NEW RECIPE FOR YOUR NEXT PARTY OR POTLUCK!

Jan Dils team member Michelle Johnson collects recipes, and one of her favorites is this fast, easy and delicious Crock Pot Buffalo Chicken Dip!

COOKIE INGREDIENTS:

- 2 - 10 oz. cans chicken breast
- 2 - 8 oz. packs cream cheese
- 3/4 cup hot sauce
- 1 cup ranch dressing
- 2 cups cheddar cheese

DIRECTIONS

Drain canned chicken and put in medium saucepan. Add hot sauce and cook on medium until heated through. Add cream cheese and stir until blended thoroughly. Add ranch dressing and mix. Add 1-1/2 cups of cheddar cheese and heat for a few minutes until mixed and melted. Pour the dip into a crockpot and sprinkle the remaining cheddar cheese on the top. Keep heated on low. Serve with your favorite tortilla chips and enjoy!





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REVIEWING YOUR MEDICAL CONDITION



Everyone who receives disability benefits must have their medical condition or conditions reviewed from time to time. After review, your benefits will continue unless there is strong proof that your condition has improved medically and that you are able to return to work.

Frequency of reviews

How often your medical condition is reviewed depends on how severe it is and the likelihood that it will improve. Your award notice will tell you when you can expect your first review. Here is an overview of the timeframes:

Medical improvement expected—if your condition is expected to improve within a specific time, your first review will be six to 18 months after you started getting disability benefits.

Improvement possible—if improvement in your medical condition is possible, your case will be reviewed about every three years.

Improvement not expected—if your medical condition is unlikely to improve, your case will be reviewed only about once every five to seven years.

What happens during a review?

Social Security will send you a letter telling you that they are conducting a review. Soon after that, someone from your local Social Security office will contact you to explain the review process and your appeal rights. The Social Security representative will ask you to provide information about your medical treatment and any work that you may have done. A team consisting of a disability examiner and a doctor will review your file and request your medical reports. You may be asked to have a special examination. Social Security will pay for the examination and some of your transportation costs. When a decision is made, they will send you a letter. If they decide that you still are disabled, your benefits will continue. If they decide that you no longer are disabled and you disagree, you can file an appeal. If you decide not to appeal the decision, your benefits will stop three months after Social Security decides that your disability ended.