



Uploaded to the VFC Website

▶▶▶ July 2014 ◀◀◀

This Document has been provided to you courtesy of Veterans-For-Change!

Feel free to pass to any veteran who might be able to use this information!

For thousands more files like this and hundreds of links to useful information, and hundreds of "Frequently Asked Questions, please go to:

Veterans-For-Change

If Veterans don't help Veterans, who will?

Note:

VFC is not liable for source information in this document, it is merely provided as a courtesy to our members & subscribers.



The Social Security Disability Hearing How to Prepare and What to Expect

This page will help with a SSI hearing or Social Security Disability hearing. This page will help show how to win a disability hearing but you should make sure to read the rest of this site to understand what has to be proved in order to win. The disability hearing is also called the ALJ hearing. The appeal at this level is processed by a Hearing Office within SSA's Office of Hearing and Appeals. This office is now called Office of Adjudication and Review or ODAR. An Administrative Law Judge makes this appeal decision usually after conducting a hearing and receiving any additional evidence. If you decide you want to speak to a lawyer or just want a free consultation click on the free evaluation link at the bottom of the page. If you have decided you want a lawyer for your hearing click link below. We handle cases nationwide but if you prefer we can help you find a local attorney.

[Find a Lawyer for your Social Security Disability hearing.](#)

Social Security Disability Hearing: What questions are asked by ALJ or Lawyer?

The Social Security Disability hearing or SSI hearing is usually the most stressful part of the process for people trying to get Social Security Disability (SSDI) or Supplemental Security Income (SSI). Many claimants will become very upset and often cry during the hearing. This is normal and is a result of having to talk about how much your life has been impacted by your condition(s). I hope that by reading this page on the Social Security hearing process you will at-least have some idea of what you can expect and perhaps relieve some of your anxiety over this difficult task.

You can expect to see an Administrative Law Judge (ALJ), a hearing reporter, your lawyer or representative if you have one, in some cases medical expert (ME), in some cases a vocational expert (VE), and any witnesses you bring. The Judge oversees the hearing, determines how it is conducted, and makes the final decision on your SSDI or SSI claim. The hearing reporter will not take part their job is to make sure the entire hearing is audio recorded. Your lawyer or representative will present your case and can question any witness including the vocational and medical expert. The vocational expert if present is there to give his expert opinion on work factors in you Social Security claim. If there is a medical expert present they will give their opinion on the medical issues of the case including the medical listings. For a better understanding of the role of the VE and ME and how to handle their testimony see this pages section on them.

The SSDI or SSI hearing will usually start with the ALJ giving a short introduction of the case and admitting the case file as evidence. The ALJ will then either start the questioning himself or ask the claimants lawyer or representative to start the questioning. In the next paragraph I will give examples of frequently asked questions and in some cases explain why you are being asked those questions.

The questioning usually starts off with basic information such as name, address, date of birth, last grade you completed in school, etc... You will then usually be questioned about your past work. The ALJ or your lawyer will ask you about each of your jobs. They will want to know how long you worked at each job, what your job duties were, how much did you have to lift on that job, how long did you have to sit and stand, did you do any reaching or bending, how did you use your hands on job, did you supervise other employees, etc... The reason these questions are asked is to determine what were the exertional (physical) requirements of the job and what were the non-exertional (non-physical) requirements of the job. This is important because if the ALJ finds that you can perform any of your past relevant work then you will be found not disabled.

You will also be asked what it is that keeps you from being able to work? Or why can't you work? You do not want to go into the medical definitions of what you have. That should be in the file and the ALJ is aware of it. You should answer this question by stating the symptoms or limitations from your medical conditions. An example would go something like this. I have constant pain in my lower back that shoots

down my leg. The pain gets worse when I stand or sit too long. I have difficulty lifting even light things. The medication I take makes me tired all the time. I can't bend over and tie my shoes. The pain makes it difficult for me to concentrate on what I am doing. Notice I did not say I can't work because I have a herniated disk in my back.

You will also be questioned about the doctors you see, the treatment you are getting, any procedure being planned for your condition like surgery, medications you are taking and any side effects from those medications. The ALJ or lawyer may also ask about any hospitalizations.

There will also be a series of questions about your limitations from your condition. How much weight can you lift. How long you can stand, sit, walk. Can you use your hands for things like picking up small objects or grabbing larger objects. Can you reach out in front of you or above your head. There also may be other questions asked like these in regards to other limitations. If you suffer from a psychiatric condition you will be asked about these. Do you have any problems with memory or concentration? How do you get along with others? The questions asked about mental conditions tend to vary more than those asked of physical conditions and are asked in different ways. But to get a good idea of what kind of limitations an ALJ will be asking about take a look at a mental RFC form. The reason these questions are asked is to help determine your physical and mental limitations. Whether your answer to these questions will help or hurt your case depends upon whether the judge believes your testimony or not. If your testimony is consistent with your medical conditions and RFCs then the more probable the ALJ will find your testimony to be credible. Be warned if you exaggerate your conditions most ALJs will know and probably not find you disabled.

There will also be a series of questions about your daily activities. You will be asked about what you do in a typical day. Do you clean? Do you cook? Watch TV? Take care of kids? Go shopping?

There may be many other questions asked but this should give you some idea of what to expect.

After the questioning is over your lawyer may make a closing statement to sum up your case. This is sometimes done with a brief. The Administrative Law Judge may also ask if you have anything else to say. Resist the urge to comment on how long this has taken and all the problems there is with Social Security. Most ALJs are aware of these things and saying it will not help your case.