



**Heard & Smith** LLP  
SOCIAL SECURITY DISABILITY/SSI

**MONTHLY NEWSLETTER**

**NOVEMBER 2010**

**1-800-584-3700**

## *Fall 2010 Update on the Economy & Social Security Disability*

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**A**lthough economists are telling us that the recession is over, unemployment remains high and seems likely to remain high for some time to come. When jobs are plentiful, many people who suffer from a disabling condition or conditions are able to find work, at least on a part-time basis. In today's economy an employer can post a position on Craig's list and be swamped with a large number of applications from highly qualified workers who are willing to accept a lower wage in exchange for a job.

Many of our clients were previously employed despite their medical problems, but were let go by their employer when their condition worsened, or when the company downsized due to the recession. In many cases able bodied workers are replacing those hard working individuals who can no longer maintain their positions due to their disabilities. The difficult job market makes it impossible for them to find new jobs.

The Commissioner of the Social Security Administration, Michael Astrue, recently stated: "...we currently face another serious challenge - the flood of initial disability claims resulting from the economic downturn. The unemployment rate affects the number of disability claims we receive, and with the recent unemployment

numbers at over 10 percent, the number of our disability applications will peak in 2010 at over 3.3 million."

The Social Security Disability and SSI programs provide the only meaningful "safety nets" for many individuals who are no longer able to work. These programs provide both financial benefits and access to medical care. But tragically, many individuals who have worked all of their lives and have paid in to Social Security do not even realize that these programs exist!

Many other people do not know how to apply for the benefits they are entitled to, or are discouraged by the many forms they have to complete and the information they have to gather. The process for obtaining these benefits can be complex and confusing.

Our experience and dedication to the task of winning benefits for our clients can "level the playing field" for deserving disability claimants. No fees are required to start the process, we are only paid when our clients win their benefits.

If you know someone who is struggling and unable to work, we may be able to help them. The first step is for them to call us for a free consultation to determine if they can file for disability benefits. We'll take it from there, and whether we can help them or not we will be able to answer their questions & educate them on their options.



## Keep Your Mind Sharp with these Brain Foods

There are many different forms of food that do different things for your body; some may be good for your heart, some are good for your eyes, and there are those which are good for your skin. There is also scientific evidence that some foods are helpful for your brain.

After a great deal of research it has been found that foods like salmon, chocolate, coffee, spinach, blackberries, cinnamon, extra virgin olive oil, apples, curry and concord grape juice are considered healthy brain food. For people who have medical problems, or even medication, that is causing memory or cognitive problems this is a very important issue. Even if you don't have these challenges you will still want to do everything you can to keep your brain healthy.

Each of the brain healthy foods are said to help your brain function better in multiple areas. The interesting thing is most of these food choices do other great things for your body as well. The Alzheimer's Association refers to these foods as things that reduce the risk of heart disease, and diabetes,

encourage good blood flow to the brain, and are low in fat and cholesterol.

It is easy to eat a brain healthy diet; all you need to do is start eating brain healthy foods regularly. Having these 10 different options allows you to create many different meals and snacks so you do not get bored. You can also include these foods in your diet by mixing them with items that aren't listed above, such as pastas, breads as well as other meats and vegetables.

### Here are ideas for meals and snacks that incorporate healthy brain foods:

- Breakfast: Coffee with cinnamon, a cup of concord grape juice and some fruit
- Snack: fruit or chocolate covered nuts
- Lunch: Smoked salmon and spinach salad with olive oil dressing
- Snack: Fruit salad or small chocolate frozen yogurt
- Dinner: Cooked spinach with olive oil, grilled or poached salmon, with rosemary potatoes dressed in olive oil and baked. Save room for some dark chocolate for dessert.



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Download our 20 page guidebook on our website to get instant help from the Social Security Disability team at Heard & Smith.

[www.hearandsmith.com](http://www.hearandsmith.com)



## Tips for Your Disability Hearing

### Chester Brown

Chester Brown is a native of San Antonio, Texas. He received a Bachelor of Science in Pharmacy in 1967 and a Doctor Jurisprudence degree in 1970, both from the University of Texas at Austin.

While in Law School he worked weekends and summers as a Registered Pharmacist. He received his license to practice law in 1970. He is admitted to practice before Federal Courts in the Western District of Texas.

Earlier in his career he practiced law in the area of civil litigation, but has limited his practice to representing Social Security claimants since 1993. He is a sustaining member of the National Organization of Social Security Claimant's Representatives.

He is a member of the College of the State Bar of Texas. He does volunteer work through his church primarily with Habitat for Humanity and delivering donated items to the SAMM and CAM Shelters.

### Dress and Attire

Social Security disability hearings are less formal than other legal proceedings. The hearings are held in a small room with at most a handful of people in the room. Still, it's important that you wear proper attire to show respect for the judge and the administrative process.

You should not wear shorts, sandals, t-shirts, or revealing clothing. Avoid wearing bright colors. Cover any visible tattoos with a long-sleeve shirt or collar. Do not wear any makeup or jewelry other than a wedding ring. Your medical conditions might prevent you from wearing certain types of clothing such as closed-toe shoes. If so, wear clothing that doesn't cause you pain or aggravate your condition.

### Addressing the Judge

Throughout your entire hearing address the judge as "sir" or "ma'am". Of course, you should be polite and respectful, but this can be difficult with some judges. They might ask questions or make statements that are aggressive or even insulting. As in every group of people there are some ill mannered people among the judges. Your attorney should prepare

you in advance if you are facing a judge with a bad temper. Regardless of how the judge acts it is crucial that you continue to be professional and respectful. For better or worse the judge has your case in his or her hands, so you don't want to make a bad impression.

### Your Testimony

Don't take notes or documents into the hearing room with you unless you have no attorney. Just testify to the best of your memory. If you don't know the answer to a question you are asked just state "I don't know" or "I don't remember". Give answers that are short and to the point. Stick to the subject of the question and don't wander off into other matters.

### Final Tips

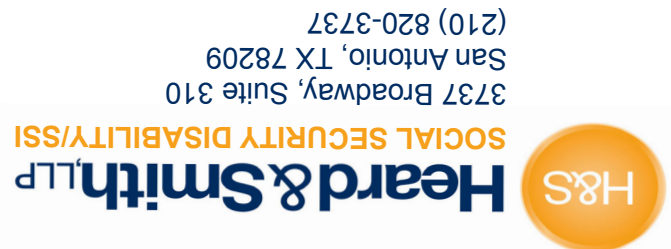
Experts might be present at your hearing to testify about the medical or work issues involved in your case. If you want to say something in response to an expert's testimony it's best to whisper it to your attorney rather than stating it out loud and interrupting the hearing. Your attorney will have an opportunity to cross examine the expert after the judge finishes his or her questions.

## Q: Why Do Social Security Disability Cases Take Forever to be Decided?

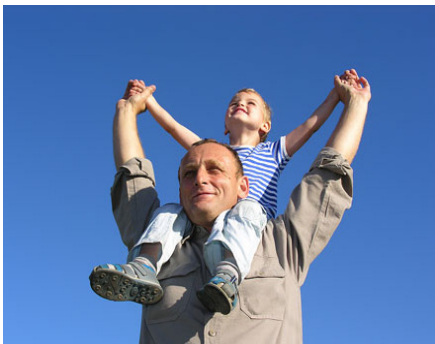
A: Each claim is taken very seriously and it can take several months for a disability examiner to review medical records, forms, work history, education and other personal information of each claimant in order to reach a fair and fully informed decision.

*Find more answers to other questions at [www.howtogetsocialsecuritydisability.com](http://www.howtogetsocialsecuritydisability.com)*

*We appreciate our clients' referrals.  
Apreciamos las referencias de nuestros clientes.*



## You Can Change a Life By Telling a Friend or Loved One About Us...



Since you are one of our clients or a professional friend in a doctor's office or law office we're sure that you know the importance of Social Security Disability benefits, and how they can help someone get their life back on track. But what about all the people who have never heard of Social Security Disability?

Many people will depend on a family member, friend, nurse, or

doctor to recommend that they file for Social Security Disability. A huge portion of our country doesn't even know about the program. We are proud that our clients are one of our best sources of referrals.

If you notice friends, neighbors, or family members dealing with any of these problems please recommend they call us to see if Social Security Disability can help them:

- If someone can no longer work because of medical problems that are terminal or expected to last a year or more;
- If someone applied on their own and they have been denied already they should call us for help appealing their decision and representing them at a hearing;

•If someone applied on their own and they are frustrated about how long it's taking to process their application they should call us for help managing their case. We know how to get people their benefits as quickly as possible.

With more than a quarter century of experience representing clients and their loved ones, we know what it takes to win. By referring someone to us you can change someone's life for the better.

Please have your friends or family members contact us about their potential case by calling us on our toll free number 1-877-435-3737. Tell them to mention your name so that we can thank you for the referral.