



What to Expect at an SSD Hearing

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What to Expect at the Hearing

The following is a brief description of what to expect from the hearing process.

Please review the description and contact me if you have any questions.

Be aware that hearings are currently being conducted one of three ways: phone, video, or in person. I have included information specific to the manner of appearance as well.

➤ GENERAL HEARING INFORMATION

The hearings are closed hearings meaning the only people allowed to be present will be you, your attorney, the judge, a hearing reporter, and a vocational expert. Occasionally, a medical expert will be scheduled for your case. Generally, no one else will be allowed to be present during the hearing unless we obtain special permission from the judge. Even in the event the judge does give permission, the individual will not be allowed to assist you in testifying.

At the beginning of the hearing, the Administrative Law Judge (ALJ) and I will go over procedural matters relevant to your claim. You do not need to worry about this portion of your hearing as it is my responsibility to handle the procedural issues. Many judges will give me the opportunity to make an opening statement in support of your case at the end of the procedural matters.

Next, the ALJ will obtain your testimony. Please refer to the document containing the sample questions you were previously sent for an idea of what questions will be asked. Generally, the ALJ will begin the questioning. Some judges prefer to let your attorney start the questioning, however. Do your best to answer all questions as directly and concisely as possible. If you do not understand a question or did not hear it, please do not hesitate to ask us to repeat or rephrase it. We will be happy to do so. The most important things to get across during your testimony are the following: 1. What your diagnoses are; 2. What symptoms you experience from those diagnoses; and, 3. How those symptoms affect your functioning/work ability. You do not need to worry about missing any of these items during testimony as I will be asking you questions designed to elicit this information.

After the ALJ and I are done getting your testimony, we will speak to the vocational expert. This person is an expert in the world of work. The ALJ will present to the vocational expert a hypothetical individual with a set of limitations that are based on your impairments. The vocational expert will then provide their opinion as to whether or not there is work in the national economy that could be performed by someone with those limitations. I will get the opportunity to cross-examine the vocational expert at the conclusion of the ALJ's questioning.

What to Expect at the Hearing

After the vocational expert's testimony has finished, your hearing will be over. In rare cases, I will be able to tell you the most likely outcome after the hearing. The majority of the time we will need to wait for the written decision to discover the outcome. Even if the ALJ tells you what they plan to find in your case at the hearing, the written decision is controlling. This decision typically takes about 60 to 90 days for the ALJ to issue, although there is no strict timeline and the ALJ can take as long as they please. Once you have received your decision, read it over and give me a call with any questions you might have.

After your hearing, you will receive an email with additional information regarding what to expect after the hearing.

Please see below for information specific to your manner of appearance.

➤ **PHONE HEARING**

Hearings conducted by phone are essentially conference calls. The judge's office will call you at the appointed time and connect you to the conference. All you need to do is answer the phone. Please make sure you have given the number on which you prefer to be contacted to me.

➤ **VIDEO HEARING VIA MICROSOFT TEAMS**

I will email you the link for the hearing the day before so that way it is at the top of your inbox. You will click this link and it will launch the Microsoft Teams application. At this point, you should be able to set up your video and audio. Then you hit the button that says join now. After this, you will simply wait for the ALJ to start the hearing.

Please dress as you normally would. There is no need to dress up for your hearing. In fact, we prefer you do not! You do not want to appear as if you are presenting for a job interview. That being said, please be respectful of the judge and refrain from wearing things such as pajamas or other garments not intended for wear outside of the home. Additionally, please ensure any graphics on your clothing are appropriate for the hearing setting.

➤ **IN PERSON HEARING**

Dress code is the same as described for video hearings. There is a security screening when you enter the Hearings Office. Do not bring any weapons, drugs, or drug paraphernalia. This includes marijuana products as it is illegal at the federal level and you will be on federal property. A good rule of thumb is if you wouldn't bring it to the airport, don't bring it to the Hearings Office.

You will also need a valid photo ID to enter the hearing room (or at some Hearing Offices, just to enter the building). If you do not have a valid ID, please let me know as soon as possible so we can address the issue. Be aware that in the instance you do not have a valid photo ID a background check may be run before you are allowed to enter. Not only does this delay clearing the security checkpoint, but can result in an arrest if it is discovered you have an outstanding warrant. Please be aware of this fact.

When you enter the Hearings Office lobby, I will find you in order to meet with you before the hearing. It is often the case that I have a hearing with another client before your hearing is scheduled. If you do not see me in the lobby, I am most likely in the hearing before yours. The guards are generally aware of whether or not I am present in the Hearings Office and you may check with them to be sure I have arrived. If the guard is unable to assist you and it is time for your hearing to start, please call our office and a message will be relayed to me.

Once we have gone over any last-minute details, you will enter the hearing room. Social Security hearings are usually held in an informal hearing room, something like a business conference room. While the hearing reporter and judge will be present in the hearing room, expert witnesses generally appear by telephone. On occasion, the vocational expert will be present in the room as well. Any other witnesses will have to wait outside the hearing room while the hearing is being conducted. They will be called in when it is time for them to testify.

➤ **CONCLUSION**

The hearing process is, for the most part, straight forward. It will be a conversation between you, me, and the judge about your impairments and how they prevent you from working. If you have any questions about the information contained above, please feel free to contact me by phone or email.