



Autumn News

Inside this issue:

Introducing The East Side Community Collaborative	2
Considering Working While Your Claim is Pending?	2
Continuing to WIN in Federal Court	3
Western Pennsylvania to Be Served By Two Hearing Offices	3
Hearing Delays Are Getting Shorter (A Little!)	4
Contact Information	4

Did you Know...

The “Mr Yuk” Sticker was created in 1971 at the Poison Center at Children's Hospital of Pittsburgh after research indicated that the skull and crossbones previously used to identify poisons had little meaning to children who equate the symbol with exciting things like pirates and adventure.

Need Assistance with a Worker's Compensation Claim?

It seems like hardly a week goes by where without someone calling us to ask whether we handle other types of legal matters. Usually, we are asked whether we handle Workers Compensation claims, Personal Injury cases (auto accidents, falls, etc.) Long Term Disability cases, and Family Court cases. As you know we have decided to handle only Social Security Disability cases, so we can give our full time attention to keeping abreast of changes in the law, and so we can handle a new claim, or a rescheduled claim, practically on a moments notice.

But, we have heard your calls, and we want to be able to assist you in finding a competent attorney for your other legal matters.

So, we are pleased to introduce **Sean Casey, Esq.**, an attorney who concentrates his practice in Workers Comp, Long Term Disability (LTD) and Personal Injury cases. Sean is an old friend, who Karl worked with up until starting his own firm 5 years ago. Sean is a personable, aggressive, and knowledgeable attorney who fights for his clients and is down-to-earth and honest with his clients about the strengths and weaknesses of their cases. In the long run, this promotes trust, and greater satisfaction in the outcome of the case.

Sean is not a member of our firm, but we highly recommend him. Workers Comp, LTD, and Personal Injury cases are all handled on a “contingent fee basis”, so there will be no fee until you win your case. **YOUR INITIAL CONSULTATION WITH HIM IS FREE!** Please call him toll free at:

1-866-657-0684

Introducing The East Side Community Collaborative— *Helping People in Need in the East Suburbs*

The East Side Community Collaborative (ESCC) is a collaboration of approximately 32 social service agencies, churches, community groups and businesses that meet monthly and work together by sharing information, services and resources in an effort to help those in the community. Calling them can put you in touch with numerous agencies that can help you in your time of need.

Calling the ESCC can put you in touch with numerous agencies that can help you in your time of need

Our office is proud to be a partner with ESCC. If you contact ESCC, they can put you in touch with their other partners: Macedonia Family & Community Enrichment Center, East End Cooperative Ministry, Brown Chapel AM Church, Addison Behavioral Health, Family Support, Tacoma Association, Drew Showcase,

Pittsburgh Xplosion, The Salvation Army, UMOJA, POWER-New Day, Adagio Health, PAAR, Family Resource, Alma Illery Medical Center, Meadows Bowling Family Entertainment Center, The Marriage Works, PNC Bank, Rosedale Block Cluster, Inc., Operation Better Block, Shirley Mae Senior Living, Inc., Career & Workforce Development Center-East, Urban league of Greater Pittsburgh, Family Services of Western Pennsylvania, YWCA of Greater Pittsburgh, WPIC Narcotic Addiction Treatment Program, Allegheny County Mental Health Association, to name A FEW!.

ESCC is a referral source to resources mainly located within the East End community, but do extend to other Pittsburgh neighborhoods. Service referrals by ESCC include, among many

areas, medical care for the uninsured, emergency shelter placement for the homeless, emergency shelter placement for battered women, low-income housing, substance abuse recovery, transportation, job training, counseling services, education, energy assistance and food assistance.

As an example, we have enclosed with our newsletter a flyer about the Medical Assistance Transportation Program (MATP) that can help provide you with transportation to and from your doctor's office or clinic.

If you live in the East Side of Pittsburgh and require help obtaining any of the above services, contact ESCC:

**East Side
Community Collaborative**
7140 Bennett Street
Pittsburgh, PA 15208
412.243.2900 Ext. 40

Are You Thinking of Working While Your Claim is Pending?

To receive Social Security Disability benefits, you must have physical or mental health problems, or a combination of both, that prevent you from working on a regular basis. Social Security defines being "able to work" as being able to be productive **5 days a week, 8 hours a day**, day after day, week after week.

You may be eligible for benefits even if you are able to do part-time work. The fact that you may be able to work occasionally does not necessarily prevent you from winning your case if your medical problems keep you from being steadily employed.

The bottom line is that if you CAN work, you should, for the money, and for your self respect. But if the best you

can do is to work occasionally, or only for short amounts of time, then this should not affect your ability to get Social Security Disability. If you have a job, or are thinking of working, please let us know so we can guide you...

Similar rules apply when you are thinking of going to school, or thinking of getting training for a job, so please ask if you have questions.

Continuing to WIN in Federal Court

As you know, we especially pride ourselves on the fact that when we receive a decision from a Social Security Judge that we do not agree with, **WE APPEAL IT TO FEDERAL COURT!!** Our faith in the system, and in our abilities to handle this litigation, was again proven valid this year.

Indeed, this coming October, Karl Osterhout will lead another “CLE” (continuing legal education) seminar on how to fight, and win, in Federal Court, which will be

attended by lawyers, Social Security Judges, and Federal Court Judges.

Recently, we were able to obtain benefits wrongly denied to Gary H. His case had been pending for over 6 years but we were able to convince the Federal Court that the Social Security Judge had failed to give appropriate weight to the opinions of Gary’s treating doctors, and that he had failed to help Gary present his case, even though

he had come to his hearing without an attorney.

We are now receiving referrals from at least 20 attorneys throughout Pennsylvania (as well as attorneys from Maryland, West Virginia and Ohio) who ask us to consider appealing unfavorable decisions for them.



Western Pennsylvania to Be Served By Two Hearing Offices

A few months ago we told you that the Pittsburgh Hearing Office, one of the largest in the country, would be divided into two offices. At that time it was not clear when that would happen, but we now know that this will occur in the Fall, probably in October.

A larger office has, in the opinion of many, contributed to the large backlog of cases: the long distances ALJs have to travel to conduct hearings for claimants in northwestern Pennsylvania, and the inherent

problems in running such a large office (the employees of the Pittsburgh Hearing Office are currently spread out over three different floors of a large building). These are but a few of the reasons why a smaller office makes sense.

*We have been assured that this move will **NOT** result in delays in scheduling hearings.*

The Pittsburgh Hearing Office currently has 13 Judges. Seven of the Judges and staff will move into new offices in the Federal Building in downtown Pittsburgh, and the other six will be moving to the Cranberry area. From Cranberry, the Judges will be far better able to serve

claimants who live in Lawrence, and Butler Counties, and points north. Pittsburgh will continue to serve all of Allegheny County, as well as Beaver County and parts of Westmoreland and Washington Counties.

The Honorable John J. Porter will be Chief Judge of the Pittsburgh Office, and the Honorable David M. Hatfield will be in charge of the new Cranberry Office.

We have been assured that this move will **NOT** result in delays in scheduling hearings.

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Hearing Delays Are Getting Shorter (A Little!)

No one has to tell you that you have waited a long time for your disability hearing. Most people don't understand *why* it takes so long.

Once your hearing is requested, the hearing office gets the file ready *according to the date you filed*. Hearings are generally scheduled in the order they were requested. Although it is possible to get an earlier hearing in cases of dire need (such as homelessness or terminal illness) for the most part claimants have to wait their turn while people who have waited even longer

get to have their hearing. Please note the delays at the three Hearing Offices in Western Pennsylvania and West Virginia (these are *averages*; individual cases may take somewhat longer):

Hearing Delays are Decreasing

Pittsburgh, 16 months from date of hearing request

Johnstown, 10 months from date of hearing request

Morgantown, 12 months from date of hearing request