

# Social Security Denied: Should I Appeal?

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*Article by: Jerry Lutkenhaus*

Social Security Disability is not available for everyone who has an impairment. If you are under age 50 and are still capable of some kind of employment in the national economy then you probably cannot get Social Security Disability. What you can do is contact your state Department of Rehabilitation and seek help in obtaining retraining or job placement. This service should be free for anyone who has an impairment. Of course, if you are still working and making \$840.00 or over then you are presumed not to be disabled.

If you are over 50, then proving disability gets somewhat easier. However, your age really does not help you until you are 55 or over. If you are 55 or over, have a severe impairment that prevents past relevant work (PRW), then you are a better candidate for disability. If you have less than a high school education, are over 55, and have only a history of unskilled work, then you are even a better candidate for disability provided you have a severe impairment. As the above discussion shows, when applying for Disability, it is better to be older than 55, uneducated, and have no skills. If you lack any of these, then the case for Disability becomes harder. Alternatively, it is also helpful if the skills you acquired from your work are job specific and are not readily transferable to other occupations.

Of course, there are those cases in which the impairment is so severe that all employment is precluded even though the claimant is young or highly skilled or highly educated. But most cases involve claimants who because of their impairment cannot do their past relevant work (PRW). Then the Big Question becomes can they do other light work or perhaps sedentary (sit down work) in the national economy despite their impairment.

Where an individual case fits in the process can be determined by an experienced Social Security Attorney. He or she can evaluate the case and advise whether or not it is worth going forward.

For more advice, you can contact us at [www.virginiadisabilitylawyer.com](http://www.virginiadisabilitylawyer.com) or email us at [jervalaw@aol.com](mailto:jervalaw@aol.com) or reach us at [www.geraldlutkenhaus.com](http://www.geraldlutkenhaus.com)

This may be considered AN ADVERTISEMENT or Advertising Material under the Rules of Professional Conduct governing lawyers in Virginia. This note is designed for general information only. The information presented at this site should not be construed as legal advice. Gerald G. Lutkenhaus has been representing Social Security Disability claimants for 30 years in the Central Richmond Area in Virginia. He was given Martindale Hubbell's highest rating in 2003. In the July 1999 issue of Richmond Magazine he was also recognized as the One of the Best Workers' Compensation Attorneys in Central Virginia. <http://www.virginiadisabilitylawyer.com>