



Your Right to Representation

You can have a representative, such as an attorney or nonattorney, help you when you do business with Social Security. We will work with your representative, just as we would with you. For your protection, in most situations, your representative can't charge or collect a fee from you without first getting written approval from us. However, your representative may accept money from you in advance, if they hold it in a trust or escrow account.

Both you and your representative are responsible for providing us with accurate information. Knowingly or intentionally providing inaccurate or false information could result in criminal charges.

What a representative can do

Once you appoint a representative, they can act on your behalf before our agency by:

- Getting information from your Social Security file.
- Helping you get medical records or information to support your claim.
- Coming with you, or for you, to any interview, conference, or hearing you have with us.
- Requesting a reconsideration, a hearing, or an Appeals Council review.
- Helping you and your witnesses prepare for a hearing and questioning any witnesses.

Your representative will also receive a copy of the decision(s) we make on your claim(s).

Choosing a representative

You can choose an attorney or other qualified individual(s) to represent you. However, you can't have someone who, by law, can't act as a representative or who we previously suspended or disqualified from representing others.

Some organizations can help you find a representative or give you free legal services. Our office has a list of organizations that can help you find a representative.

You can appoint one or more people in a firm, corporation, or other organization as your representatives, but you can't appoint the firm, corporation, or organization.

After you choose a representative, you must tell us **in writing** as soon as possible. You can send us a letter or use our standard form, *Claimant's Appointment of a Representative* (SSA-1696). The form is available from our website at www.ssa.gov/forms/ssa-1696.pdf or at any local Social Security office. You can submit the form online or by mail. If the representative you are appointing is not an attorney, both of you must sign the form. Your representative can also file the form electronically by visiting www.ssa.gov/representation. You will both need to sign the form before submitting it.

What your representative may charge you

To charge you a fee for services, your representative must first file either a fee agreement or a petition asking us for approval to charge a fee.

Your representative **cannot** charge you more than the amount we authorize. If you or your representative disagree with the authorized fee, either of you can ask us to reassess the amount.

If a representative charges or collects a fee without our approval, or charges or collects more than the authorized fee, we may suspend or disqualify them from representing anyone before our agency.

Filing a fee agreement

If you and your representative have a written fee agreement, your representative may ask us to approve it at the time we make a decision on your claim. Usually, we'll approve the agreement and tell you in writing how much your representative may charge, if all the following criteria are met:

- You file the fee agreement before we decide your case and you both signed.
- We approved your claim, and you will get past-due benefits.

- The fee you agreed on with your representative isn't more than 25% of past-due benefits or \$6,000, whichever is less.

If we disapprove the fee agreement and you don't agree with our decision, you or your representative must contact us within 15 days from the date we disapproved the fee agreement. If we authorize a fee amount that you disagree with, you or your representative must contact us within 15 days from the date we authorized the fee amount.

Filing a fee petition

Your representative can submit a fee petition after completing the work on your claim(s). This written request should describe in detail the services provided and the amount of time spent on each service. They must provide you a copy of the fee petition and each attachment. If you disagree with the fee your representative is asking for, or the information shown, you should contact us within 20 days from the date you receive a copy of the petition. We'll review the value of the representative's services and tell you, in writing, the fee your representative is authorized to charge and collect. If you disagree with the fee we authorize, you must tell us in writing within 30 days from the date we authorize the fee petition.

How much you pay

The fee we decide your representative can charge is the most you owe for their services, even if you agreed to pay your representative more. However, your representative can charge you for out-of-pocket expenses, such as costs for medical reports or hospital records, without our approval. You must pay out-of-pocket expenses directly to the representative.

If an attorney or non-attorney whom we have found eligible for direct payment represents you, we withhold up to 25% of your past-due benefits to pay toward the fee. We pay all or part of the representative's fee from this money and send you any money left over.

Sometimes you must pay your representative directly, if the authorized amount is more than the money we withheld and paid your representative. You must also

pay the entire fee directly if your representative isn't eligible for direct payment or your case did not result in past-due benefits. Also, you must pay directly if we didn't withhold 25% of benefits and we sent you the money we should have withheld.

If someone else pays your representative

We must approve the fee, even when someone else will pay it for you (for example, a friend or relative), unless:

- It is a business, a for-profit or nonprofit organization, or a federal, state, county, or city agency that'll pay the fee and any expenses from its own funds.
- You and any auxiliary beneficiaries are free of direct or indirect liability to pay the fee or expenses, in whole or in part, to a representative or someone else.
- Your representative gives us a written statement that you won't have to pay any fee or expenses.

If you appeal your claim to the federal court

Your attorney cannot charge a fee other than what the court allows for services before the court.

Contacting Us

The most convenient way to do business with us is to visit www.ssa.gov to get information and use our online services.

You can call us toll-free at **1-800-772-1213** or at **1-800-325-0778** (TTY) if you're deaf or hard of hearing. We provide free interpreter services upon request. We can answer your call from 8 a.m. to 7 p.m., weekdays. You can also use our automated services via telephone, 24 hours a day.



Securing today
and tomorrow

Social Security Administration
Publication No. 05-10075
May 2022 (February 2022 edition may be used)
Your Right to Representation
Produced and published at U.S. taxpayer expense