



Your Right to Representation

You can have a representative help you when you do business with Social Security. Your representative can be an attorney or a non-attorney. We will work with your representative, just as we would with you. For your protection, in most situations, your representative cannot charge or collect a fee from you without first getting written approval (also called “fee authorization”) from us. However, your representative may accept money from you in advance if the money is held in a trust or escrow account until we authorize a fee.

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

What a representative can do

Once you appoint a representative, that person can act on your behalf by:

- Getting information from your Social Security file.
- Helping you get medical records or other information to support your claim.
- Coming with you, or for you, to any interview, conference, or hearing you have with us. (However, a representative may not testify in your place at a hearing.)
- Requesting a reconsideration, a hearing, or an Appeals Council review when you disagree with one of our decisions and want to appeal it.
- 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 person to represent you. We call that appointment of a representative. You do not need to appoint someone who will give you general assistance with your case, such as help you to get to an appointment, fill out forms, or translate documents we sent you.

You can appoint multiple individuals but cannot appoint someone who the law prohibits from acting as a representative, or who we have previously suspended or disqualified from representing others. You can appoint one or more people in a firm, corporation, or other organization to represent you, but you cannot appoint the firm, corporation, or organization itself.

Some organizations can help you find a representative or give you free legal services. Each of our offices has a list of organizations that can help you find a representative.

After you choose a representative, you must tell us **in writing** as soon as possible. You must use the most current version of our standard form, *Claimant’s Appointment of a Representative* (SSA-1696). The form is available on

our website at www.ssa.gov/forms/ssa-1696.pdf. You can submit the form online, by mail, or you can make an appointment to bring it in to any local Social Security office or hearing office. You and your representative can also complete and submit the form electronically by using the e1696 found at www.ssa.gov/representation. Both you and your representative must sign the form before submitting it using any of these methods.

What your representative may charge you

In most situations, your representative(s) must file a fee agreement or a fee petition asking us to authorize the fee they may charge you for services provided.

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 your representative attempts to charge or collect a fee without our approval or tries to charge or collect more than the fee we authorize we may suspend or disqualify them from representing anyone before our agency. If you believe that this has happened, follow the instructions below in the *Reporting concerns about your representative’s conduct* section to tell us.

Filing a fee agreement

If you and your representative have a written fee agreement, we will generally approve the agreement under the following conditions.

- You or your representative files a fee agreement signed by you and all your representatives who are charging you a fee before we decide your case.
- We approved your claim and you will get past-due benefits.
- The fee you agreed on with your representative is not more than 25% of past-due benefits or the maximum amount set by the Commissioner, whichever is less. To find out what the current fee cap amount is, you can visit our website at www.ssa.gov/representation or call a local Social Security office.

We will tell you in writing whether or not we approve the fee agreement and, if so, how much your representative may charge and collect. If we approve or disapprove the fee agreement and you do not agree with our decision, you must contact us within 15 days from the date of our decision. If we approve the fee agreement but 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

If you and your representative do not submit a fee agreement, or we do not approve the fee agreement you gave us, your representative may 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. We generally allow only the representative who assisted you with your claim to send us a fee petition. The representative must provide you a copy of the fee petition and any related documents they file with their fee petition. If you disagree with the fee your representative requests or the information shown, you should contact us within 20 days from the date you receive a copy of the petition. We will 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 they incur, such as costs for medical reports or hospital records, without our approval. You must pay out-of-pocket expenses directly to the representative.

If your representative qualifies to receive direct payment of the fee we authorize in your case, we withhold up to 25% of your past-due benefits to pay toward the fee. We may 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. For example, you must pay your representative directly if the amount we authorized is more than the money we withheld and paid to your representative. You must also pay the entire fee directly if your representative is not eligible for direct payment or your case did not result in past-due benefits. Also, you must pay your representative directly if we did not withhold 25% of past-due benefits and we sent you the money we should have withheld.

If your appointed representative works for an organization, they can ask us to pay the authorized fee to that organization. This does not affect how we decide your claim, or the amount of the fee you must pay. You can ask us to review the fee if you disagree with the amount, but you cannot prevent your representative from asking us to pay the fee directly to the organization.

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:

- The fee and any expenses will be paid by a business, a for-profit or nonprofit organization, or a federal, state, county, or city agency from its own funds, and
- You and any dependent family member, or your spouse, who is entitled to benefits on your record, are not obligated to pay the fee or expenses, and
- Your representative gives us a written statement that you will not have to pay any fees or expenses.

If you appeal your claim to a federal court

Your attorney can only charge a fee for services if the court allows it, and your attorney can only charge the amount the court allows. The fee a court sets is outside our authority, but we may pay it directly to your attorney out of your past-due benefits.

Ending your representative's appointment

If you want to stop working with a representative, you must end your appointment in writing. You can tell us by sending a letter explaining that you want to end the appointment or by using form *Claimant's Revocation of the Appointment of the Representative* (SSA-1696-SUP 1). This form is available at [ssa.gov/forms/ssa-1696-sup1.pdf](https://www.ssa.gov/forms/ssa-1696-sup1.pdf) or by calling your local Social Security office, hearing office or our customer service number. You must date and sign the letter or the form and send it to your local Social Security office or hearing office. It is important to remember that your representative may still be entitled to a fee and direct payment of this fee, and that you can ask us to review the amount.

Reporting concerns about your representative's conduct

Representative(s) must follow our *Rules of Conduct and Standards of Responsibility* in dealings with you and us. This includes, but is not limited to, timely submitting evidence in your case, providing you with competent representation, and maintaining prompt and timely communication with you. For more information about representatives' responsibilities, please visit www.ssa.gov/representation/conduct_standards.htm.

If you have concerns about the conduct of your representative, you may contact the Office of the General Counsel in writing at:

Social Security Administration
Office of the General Counsel
Attn: Representative Conduct
6401 Security Boulevard
Baltimore, MD 21235-6401

Contacting Us

There are several ways to do business with us including online, by mail, by phone, and in person (by appointment). If you cannot use our online services, we can help you by phone when you call our national toll-free 800 number.

If you don't have access to the internet, we offer many automated services by telephone, 24 hours a day, 7 days a week, so you may not need to speak with a representative. Call us toll-free between 8 a.m. and 7 p.m., at **1-800-772-1213** or at our TTY number, **1-800-325-0778** if you are deaf or hard of hearing. We provide free interpreter services upon request. For quicker access to a representative, try calling early in the day (between 8 a.m. and 10 a.m. local time) or later in the day. **We are less busy later in the week (Wednesday to Friday) and later in the month.**



Securing today
and tomorrow

Social Security Administration
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