

KNOW YOUR RIGHTS

If your benefits are not restored by Social Security or you are not paid back benefits you believe you are owed by Social Security, you have the right to appeal the actions and/or inactions of Social Security.

DO NOT WAIT! SEEK LEGAL HELP NOW

You have only sixty (60) days to appeal any notice from Social Security affecting your benefits or denying you benefits.



Additional information may be found at:

LawHelp.org/SC

South Carolina's guide to free legal resources

Public Benefits Cases Accepted

Social Security Overpayments
Food Stamp Appeals/Denials
Unemployment Compensation
Medicaid Appeals

Other Legal Representation

Consumer & Bankruptcy
Education
Employment
Family
Federal Income Tax
Foreclosure
Housing
Migrant Farm Workers
Probate

This brochure was prepared by South Carolina Legal Services and is provided as a public service.

Copyright retained by South Carolina Legal Services

Printed June 2016



South Carolina
BAR FOUNDATION
Lawyers Sustaining Justice



**South Carolina
Legal Services**

Balancing the Scales of Justice

Did Social Security Stop Your Benefits Because You Had an Arrest Warrant?



A Recent Settlement May Help YOU!

Our Mission

South Carolina Legal Services is a statewide law firm that provides civil legal services to protect the rights and represent the interests of low-income South Carolinians.

For Free Services

1 (888) 346-5592

contactus@sclegal.org

www.sclegal.org / www.lawhelp.org/sc

www.probono.net/sc

www.lawhelp.org/sc/online-intake



You May Be Able To Get Your Benefits Back

A settlement of a national class action against Social Security may entitle you to benefits.

A recent class action settlement (Martinez v. Astrue) says that Social Security cannot deny or stop benefits because of most outstanding warrants and Social Security must stop collecting overpayments based on outstanding warrants.

For 80,000 people, Social Security must pay back all benefits that it did not pay or that it collected as overpayments. As a result of this settlement, Social Security is required to identify and send letters to people who may be affected by the change.

Benefits that you could be getting back include: Social Security, Supplemental Security Income (SSI), and Special Veterans' Benefits.

WARNING:

This settlement will not help you if you were convicted and sentenced for a crime and violated your probation or parole or you have an outstanding warrant for flight and/or escape.

If you were denied benefits because of an outstanding arrest warrant, you may be entitled to not only get benefits now but also get back benefits owed to you by Social Security.

If your Social Security Benefits were stopped because of an outstanding arrest warrant, you may now be able to not only get your benefits started back up but you may be entitled to back benefits as well.

If you were charged with an Overpayment by Social Security because of an outstanding warrant, you should no longer be required to repay that overpayment and may also be able to get the money you paid to Social Security refunded to you.

What do you need to do?

If you believe that SSA owes you money that they stopped paying or withheld because of an outstanding warrant, you should:

1. Make sure SSA has your current address
2. If you currently receive Social Security (not SSI or SVB), you can update your address on line at: www.socialsecurity.gov/changeofaddress
3. If you receive SSI, you should visit your local SSA office and ask them to put your name, address, Social Security number and phone number on the "Martinez List".

