

# Turn to Us

Winter 2021



**Social Security to Resume  
In-Person Hearings on a  
“*Very Limited Basis*”  
in 2022**

Social Security stopped holding in-person disability hearings in March 2020 due to the COVID pandemic. Telephone hearings were provided as a substitute in April 2020 and have continued to now. Video hearings using Microsoft Teams were then added in mid-2021 as well.

Social Security recently announced that hearing offices would reopen soon on a very limited basis for face-to-face hearings. The change is expected to affect less than one-half of one percent (one out of 200) of pending cases. These in-person hearings will likely start in early 2022. **Claims will be selected for in-person hearings due to certain unusual factors, including:**

- Advanced age of the claimant
- Difficulty communicating in English
- Homelessness
- Non-disability issues (such as marital status, earnings history, etc.)
- Critical cases (those involving illnesses that have become terminal or otherwise acute)
- As well as cases that have been awaiting a hearing much longer than usual.

Because this new scheduling procedure is restricted to very few cases, none of the factors above can guarantee that a case will be selected for a face-to-face hearing. Our office is currently reviewing cases awaiting a hearing to determine which ones to recommend for an in-person hearing. If a case has already been assigned to a judge for a telephone or video hearing, it will not be reassigned for an in-person hearing. Only a limited number of judges will be designated to conduct the in-person hearings. Social Security will use special safety precautions, including air purifiers, physical barriers and heightened cleaning protocols to prevent transmission of the COVID virus. Pre-screening and the wearing of face masks will be required. Times for hearings will be scheduled far apart to avoid any risk of crowding.

The choice of whether to accept a hearing by telephone or video or in-person may not be a simple one. Many people may opt for the quickest hearing, but that may not be the best choice. Some claimants may find it desirable to face the judge who will decide their case; others may “freeze” in a face-to-face setting. Some physical disabilities are very visually apparent and lend themselves well to an in-person presentation. Other conditions are not so obvious and may benefit from a different approach.

An experienced Harrisburg Social Security disability lawyer at Marzzacco Niven & Associates can help you fight for the fair disability benefits you deserve in the setting that works best for you. Feel free to call and schedule a free consultation to address any questions you may have.