

Appealing a Social Security Benefits Decision

How do I appeal?

If you are denied Social Security benefits, you have the right to challenge that decision, or “appeal.” In most cases, you can appeal online at ssa.gov/apply/appeal-decision-we-made. You can keep appealing decisions against you through **four** different stages.

What are the stages of an appeal?

Stage	How to Appeal	Next Step
Stage 1 Social Security denied your application for the first time	→ File a “Request for Reconsideration” within 60 days	→ Social Security will mail you a decision about your Request for Reconsideration. If you’re denied again, you have 60 days to move to Stage 2 and appeal that decision.
Stage 2 Social Security denied your Request for Reconsideration	→ Ask for a hearing with an Administrative Law Judge	→ After the hearing, the Administrative Law Judge will mail you a decision. If the Judge denies you, you have 60 days to move to Stage 3 and appeal the judge’s decision.
Stage 3 An Administrative Law Judge denied your appeal	→ Ask for a Review by the Appeals Council	→ After their review, the Appeals Council will mail you a decision. If the Appeals Council denies you, or if they decide not to review your case, you can move to Stage 4 and file a lawsuit in federal court.
Stage 4 The Appeals Council denied you or would not review your case	→ File a lawsuit in the U.S. District Court for the District of Columbia. <i>(If you can’t pay the filing fee, ask for a “fee waiver.”)</i>	→ The Court will send you a decision. At this stage, there are no other options to appeal.

What if I miss a deadline to appeal?

If you miss an appeal deadline, Social Security will close your case. To try to re-open it, send in your appeal **plus** a written explanation of why you missed the deadline. If Social Security thinks you have a good reason for missing the deadline, they may re-open your case. Good reasons might include that you were sick, you didn’t get the notice, etc. You can learn how to contact your local Social Security office for help at www.ssa.gov/locator.