PETITION TO OBTAIN APPROVAL OF A FEE FOR REPRESENTING A

Form Approved OMB No. 0960-0104 IMPORTANT INFORMATION

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appr	ERWORK/PRIVACY ACT NOTICE: Your response to ove any fee unless it receives the information this value for services you rendered to the claimant man.	form reques	ts. Th s provi	e Administrati ided in section	tion w				not ne a S.C.
l rec	uest approval to charge a fee of		Fee	\$		(Sho	w the dol	ar am	ount)
for s	services performed as the representative of								
	My Services Began: / Day / Day		Туре	e(s) of claim	(s)				
	My Services Ended: / /		<u> </u>						
Ente	r the name and the Social Security number of the p	erson on wh	ose So	ocial Security	record t	he claim is /	based. /		
1.	Itemize on a separate page or pages the services meeting, conference, item of correspondence, telepreparation of a brief, attendance at a hearing, trathis petition the list showing the dates, the description	ephone call, avel, etc., rel	and of lated t	ther activity in o your service	n which es as rep	you engage presentative	d, such as in this cas	researd e. Atta	ch, ch to
2.	Have you and your client entered into a fee agree If "yes," please specify the amount on which you agreement to this petition.				ne		YE	S See att	NO ached
3.	(a) Have you received, or do you expect to receive, any payment toward your fee from any source other than from funds which SSA may be withholding for fee payment?								
	(b) Do you currently hold in a trust or escrow acc payment of your fee?If "yes" to either or both of the above, please spe Source:	cify the sou	rce(s)	and the amou	ınt(s).		□ YE	s 🗆] _{NO}
	Source:						\$		
	Note: If you receive payment(s) after submitting this per SSA office to which you are sending this petition.	tition, but befo	ore the	SSA approves	a fee, yo	u have an aff	irmative duty	to not	ify the
4.	Have you received, or do you expect to receive, r If "yes," please itemize your expenses and the am				incurred	d?	YE	s _	NO
5.	Did you render any services relating to this matter If "yes," what fee did you or will you charge for s Please attach a copy of the court order if the cour	services in co	onnect	ion with the o		oceedings?	☐ YE \$	s _	NO
6.	Have you been disbarred or suspended from a count attorney?				eviously	admitted to	practice as	an NO	
7.	Have you been disqualified from participating in o	r appearing b	before	a Federal pro	gram or	agency?	YES	NO	
	elare under penalty of perjury that I have examined s, and it is true and correct to the best of my know		rmatio	n on this forn	n, and o	n any acco	mpanying s	tateme	ents or
Sign	ature of Representative	Date:		Address (inc	lude Zip	Code)			
Firm	with which associated, if any			1	Геlephor	e No. and A	Area Code		
[Note	: The following is optional. However, SSA can co agrees with the amount you are requesting.]	nsider your 1	fee pet	tition more pr	omptly i	f your client	knows and	d alread	dy
l und any this	lerstand that I do not have to sign this petition or re information given, and to ask more questions about form). I have marked my choice below.	equest. It is i the informa	my rig ition gi	ht to disagree ven in this re	with th quest (a	e amount o s explained	f the fee re on the reve	queste erse sid	d or le of
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	I do not agree with the requested fee or other info write to SSA within 20 days if I have questions or explained on the reverse sides of this form).	rmation give	n here	e, or I need me the fee reque	ore time sted or a	. I understa any informa	nd I must c tion shown	all, visi (as	it, or
Sign	ature of Claimant				Date				
Addr	ess (include Zip Code)				Teleph	one No. and	Area Cod		

INSTRUCTIONS FOR USING THIS PETITION

Any attorney or other representative who wants to charge or collect a fee for services, rendered in connection with a claim before the Social Security Administration (SSA), is required by law to first obtain SSA's approval of the fee [sections 206(a) and 1631(d)(2) of the Social Security Act (42 U.S.C. 406(a) and 1383(d)(2)) and sections 404.1720 and 416.1520 of Social Security Administration Regulations Numbers 4 and 16, respectively.]

The only exceptions are if the fee is for ices rendered (1) when a nonprofit organization or government agency pays the fee and any expenses out of funds which a government entity provided or administered and the claimant incurs no liability, directly or indirectly, for the cost of such services and expenses; (2) in an official capacity such as that of legal guardian, committee, or similar court appointed office and the court has approved the fee in question; or (3) in representing the claimant before a court of law. A representative who has rendered services in a claim before both SSA and a court of law may seek a fee from either or both, but generally neither tribunal has the authority to set a fee for services rendered before the other [42 U.S.C. 406(a) and (b)].

When to File a Fee Petition

The representative should request fee approval only after completing all services (for the claimant and any auxiliaries). The representative has the option to petition either before or after SSA effectuates the determination(s).

In order to receive direct payment of all or any part of an authorized fee from past-due benefits, the attorney representative or non-attorney representative whom SSA has found eligible to receive direct payment should file a request for fee approval, or written notice of intent to file a request within 60 days of the date of the notice of the favorable determination is mailed. When there are multiple claims on one account and the attorney or non-attorney will not file the petition within 60 days after the mailing date of the first notice of favorable determination, he or she should file a written notice of intent to file a request for fee approval within the 60-day period.

Where to File the Petition

The representative must first give the "Claimant's Copy" of the SSA-1560-U4 petition to the claimant for whom he or she rendered services, with a copy of each attachment. The representative may then file the original and third carbon copy, the "OHA Copy," of the SSA-1560-U4, and the attachment(s), with the appropriate SSA office:

- If a court or the Appeals Council issued the decision, send the petition to the Office of Hearings and Appeals. Attention: Attorney Fee Branch, 5107 Leesburg Pike, Falls Church, VA 22041-3255.
- If an Administrative Law Judge issued the decision, send the petition to him or her using the hearing office address.
- In all other cases, send the petition to the reviewing office address which appears at the top right of the notice of award or notice of disapproved claim.

Evaluation of a Petition for a Fee

If the claimant has not agreed to and signed the fee petition, SSA does not begin evaluating the request for 30 days. SSA must decide what is a reasonable fee for the services rendered to the claimant, keeping in mind the purpose of the social security or supplemental security income program. When evaluating a request for fee approval, SSA will consider the (1) extent and type of services the representative performed; (2) complexity of the case; (3) level of skill and competence required of the representative in giving the services; (4) amount of time he or she spent on the case; (5) results achieved; (6) levels of review to which the representative took the claim and at which he or she became the representative; and (7) amount of fee requested for services rendered, including any amount authorized or requested before but excluding any amount of expenses incurred.

SSA also considers the amount of benefits payable, if any, but authorizes the fee amount based on consideration of all the factors given here. The amount of benefits payable in a claim is determined by specific provisions of law unrelated to the representative's efforts. Also, the amount of past-due benefits may depend on the length of time that has elapsed since the claimant's effective date of entitlement.

Disagreement

SSA notifies both the representative and the claimant of the amount which it authorizes the representative to charge. If either or both disagree, SSA will further review the fee authorization when the claimant or representative sends a letter, explaining the reason(s) for disagreement, to the appropriate of ithin 30 days after the date of the notice of authorization to change and receive a fee.

Collection of the Fee

Basic liability for payment of a representative's approved fee rests with the client. However, SSA will assist in fee collection when the representative is an attorney or a non-attorney whom SSA has found eligible to receive direct payment, and SSA awards the claimant benefits under Title II or Title XVI of the Social Security Act. In these cases, SSA generally withholds 25 percent of the claimant's past-due benefits. Once the fee is approved, SSA pays the attorney or the eligible non-attorney from the claimant's withheld funds. This does not mean that SSA will approve as a reasonable fee 25 per cent of the past-due benefits. The amount payable to the attorney or eligible non-attorney from the withheld benefits is subject to the assessment required by section 206(d) and 1631(d)(2)(C) of the Social Security Act, and it is also subject to offset by any fee payment(s) the attorney or eligible non-attorney has received or expects to receive from an escrow or trust account. If the approved fee is more than the amount of the withheld benefits, collection of the difference is a matter between the attorney or eligible non-attorney and the client.

SSA will not pay a fee from withheld past-due benefits when the authorized fee is for an attorney or non-attorney who was discharged by the client or who withdrew from representing the client.

Penalty for Charging or Collecting an Unauthorized Fee

Any individual who charges or collects an unauthorized fee for services provided in any claim, including services before a court which has rendered a favorable determination, may be subject to prosecution under 42 U.S.C. 406 and 1383 which provide that such individual, upon conviction thereof, shall for each offense be punished by a fine not exceeding \$500, by imprisonment not exceeding one year, or both.

Computer Matching

We may also use the information you give us when we match records by computer. Matching programs compare our records with those of other Federal, State, or local government agencies. Many agencies may use matching programs to find or prove that a person qualifies for benefits paid by the Federal government. The law allows us to do this even if you do not agree to it.

Explanations about these and other reasons why information you provide us may be used or given out are available in Social Security Offices. If you want to learn more about this, contact any Social Security Office.

Paperwork Reduc See Revised PRA information collection amended by section 2 of the Paperwork R Statement in not need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take about 30 minutes to fread the instructions, gather the facts, and answer the questions. SEND THE COMPLETED FORM TO YOUR LOCAL SOCIAL SECURITY OFFICE. To find the nearest office, call 1-800-772-1213 (TTY 1-800-325-0778). Send only comments on our time estimate above to: SSA, 6401 Security Blvd., Baltimore, MD 21135-6401.

Form Approved OMB No. 0960-0104

PETITION TO OBTAIN APPROVAL OF A FEE FOR REPRESENTING A CLAIMANT BEFORE THE SOCIAL SECURITY ADMINISTRATION

IMPORTANT INFORMATION ON REVERSE SIDE

PAPERWORK/PRIVACY ACT NOTICE: Your response to this request is voluntary, but the Social Security Administration may not approve any fee unless it receives the information this form requests. The Administration will use the information to determine a fair value for services you rendered to the claimant named below, as provided in section 206 of the Social Security Act (42 U.S.C. 406).

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l req	uest approval to charge a fee of	——— Fe	e	\$	(Show the dollar amount			
for s	ervices performed as the representative of							
My Services Began: / / /			Type(s) of claim(s)					
	My Services Ended: / / the name and the Social Security number of the p							
Enter	the name and the Social Security number of the p	erson on whose	So	ocial Securit	y record the claim is based.			
1.	Itemize on a separate page or pages the services meeting, conference, item of correspondence, telepreparation of a brief, attendance at a hearing, trathis petition the list showing the dates, the description	ephone call, and avel, etc., related	ot d to	her activity o your servi	in which you engaged, such as research, ces as representative in this case. Attach to			
2.	Have you and your client entered into a fee agree							
	If "yes," please specify the amount on which you agreement to this petition.	agreed, and atta	ach	n a copy of ا	the and See attache			
	'			· ·	<u> </u>			
3.	(a) Have you received, or do you expect to receive, any payment toward your fee from any source other than from funds which SSA may be withholding for fee payment? YES T							
	(b) Do you currently hold in a trust or escrow acc payment of your fee?	ount any amoun	ιο	n money yo	u received toward YES NO			
	If "yes" to either or both of the above, please spe				ount(s).			
	Source:							
	Note: If you receive payment(s) after submitting this per							
_	SSA office to which you are sending this petition.		iic ·	33A approve	s a lee, you have an animiative duty to notify th			
4.	Have you received, or do you expect to receive, r If "yes," please itemize your expenses and the am				ou incurred? YES NO			
5.	Did you render any services relating to this matter If "yes," what fee did you or will you charge for s							
	Please attach a copy of the court order if the court	rt has approved	a f	ee.				
6.	Have you been disbarred or suspended from a column attorney?	urt or bar to whi	ch	you were p	reviously admitted to practice as an YES NO			
7.	Have you been disqualified from participating in o							
I dec	lare under penalty of perjury that I have examined s, and it is true and correct to the best of my know	l all the informat ledge.	tior	n on this fo	rm, and on any accompanying statements			
	ature of Representative	Date:		Address (in	clude Zip Code)			
Firm with which associated, if any					Telephone No. and Area Code			
	e: The following is optional. However, SSA can co agrees with the amount you are requesting.]							
I und any i this	erstand that I do not have to sign this petition or renformation given, and to ask more questions about form). I have marked my choice below.	equest. It is my i the information	righ gi	nt to disagre ven in this r	ee with the amount of the fee requested or request (as explained on the reverse side of			
	I agree with the \$ fee withis request, I am not giving up my right to disagree authorizes my representative to charge and collect	ee later with the	enta to	ative is aski tal fee amo	ng to charge and collect. By signing unt the Social Security Administration			
	I do not agree with the requested fee or other information given here, or I need more time. I understand I must call, visit, or write to SSA within 20 days if I have questions or if I disagree with the fee requested or any information shown (as explained on the reverse sides of this form).							
Signature of Claimant					Date			
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Adar	ess (include Zip Code)				Telephone No. and Area Code			

WHAT YOU SHOULD KNOW

This is a copy of a petition, or request, your representative made to the Social Security Administration (SSA) for approval to charge a fee for services performed in connection with your claim.

If You Have Questions or Disagree Now

If you have questions or if you disagree with the fee requested or any information shown, contact SSA within 20 days from the date of this request. You may call or visit your local Social Security office or you may write to the office which last took action in your case.

- Write to the SSA office address which appears at the top right on your notice of award or notice of disapproved claim, unless you know that your claim went to the Appeals Council or an Administrative Law Judge of the Office of Hearings and Appeals.
- If an Administrative Law Judge made the last decision in your case, write to him or her using the hearing office address.
- If the Appeals Council or a court made the last decision in your case, write to the Office of Hearings and Appeals, Attention: Attorney Fee Branch, 5107 Leesburg Pike, Falls Church, VA 22041-3255.

If you decide to call, visit, or write, act quickly so that your questions reach the correct office within 20 days.

For Your Protection

Until you receive notice that SSA has approved a fee, you should not pay your representative unless the payment is held in an escrow or trust account. If you are charged or pay any money after you receive your copy of this petition but before you receive notice of the fee amount your representative may charge, report this to SSA immediately.

What Happens Next

No matter what you may have agreed to in writing, SSA decides how much your representative may charge you for his or her services. SSA must decide what is a reasonable fee for the work your representative did, keeping in mind the purpose of the social security or supplemental security income program. SSA does not automatically approve 25 percent of any past-due benefits as a reasonable fee.

SSA must consider the (1) extent and type of services the representative performed; (2) complexity of your case; (3) level of skill and competence required of your representative in giving the services; (4) amount of time he or she spent on your case; (5) results achieved; (6) levels of review to which the representative took your claim and at which he or she became your representative; and (7) amount of fee he or she requests, including any amount requested or authorized before but excluding any amount of expense incurred.

SSA also considers the amount of benefits payable, if any, but approves a fee amount based on all the factors given here. This is because the amount of benefits payable to you is determined by the law and regulations, not by your representative's efforts. Also, the amount of past-due benefits may depend on the length of time that has gone by since your effective date of entitlement.

What Happens Later

SSA will send you a written notice showing the fee amount your representative may charge you based on this request. If you disagree with the amount approved, you must write to say you disagree and to give your reasons, sending your letter to the SSA office address shown on the "Authorization to Charge and Receive a Fee" within 30 days of the date on that notice. You may disagree with the fee approved, even if you do not disagree now with the fee amount your representative is requesting.

The law and regulations say that part of any past-due social security or supplemental security income benefits payable to you, under Title II or Title XVI of the Social Security Act, must be used toward the payment of your representative's fee if he or she is an attorney or a non-attorney whom SSA has found eligible to receive direct payment. The amount SSA may pay your attorney or eligible non-attorney directly is the smallest of the following:

- twenty-five per cent (25%), or one-fourth, of the total past-due benefits payable to you as a result of the claim:
- the fee amount approved; or
- the amount which you and your attorney or eligible non-attorney agreed upon as the fee for his or her services (shown on the reverse in item 2 of this petition).

SSA will not pay a fee to an attorney or non-attorney representative if you discharged the representative or he or she withdrew from representing you.

Form Approved OMB No. 0960-0104

PETITION TO OBTAIN APPROVAL OF A FEE FOR REPRESENTING A CLAIMANT BEFORE THE SOCIAL SECURITY ADMINISTRATION

IMPORTANT INFORMATION ON REVERSE SIDE

PAPERWORK/PRIVACY ACT NOTICE: Your response to this request is voluntary, but the Social Security Administration may not approve any fee unless it receives the information this form requests. The Administration will use the information to determine a fair value for services you rendered to the claimant named below, as provided in section 206 of the Social Security Act (42 U.S.C. 406).

+00 /									
I request approval to charge a fee of			ee	\$	(She	ow the dollar amount)			
for s	ervices performed as the representative of								
My Services Began: / / Year			Type(s) of claim(s)						
	My Services Ended: / / the name and the Social Security number of the policy.								
Enter					/	/			
1.	Itemize on a separate page or pages the services meeting, conference, item of correspondence, telepreparation of a brief, attendance at a hearing, trathis petition the list showing the dates, the descri	ephone call, and avel, etc., relate	d ot ed t	ther activity o your servi	in which you engage ces as representative	ed, such as research, e in this case. Attach to			
2.	Have you and your client entered into a fee agreement for services before SSA? If "yes," please specify the amount on which you agreed, and attach a copy of the agreement to this petition. See at								
3.	(a) Have you received, or do you expect to receive other than from funds which SSA may be with(b) Do you currently hold in a trust or escrow accepayment of your fee?If "yes" to either or both of the above, please speen	nholding for fee ount any amou cify the source	pa nt c (s)	yment? of money yo and the amo	u received toward	☐ YES ☐ NO ☐ YES ☐ NO			
	Source:					_			
	Note: If you receive payment(s) after submitting this pet	tition, but before				firmative duty to notify the			
4.	SSA office to which you are sending this petition. Have you received, or do you expect to receive, reimbursement for expenses you incurred? If "yes," please itemize your expenses and the amounts on a separate page.								
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	Please attach a copy of the court order if the cour	t has approved	a f	ee.					
6.	Have you been disbarred or suspended from a cou attorney?	urt or bar to wh	iich	you were p	reviously admitted to	o practice as an			
7.	Have you been disqualified from participating in o					YES NO			
I dec	lare under penalty of perjury that I have examined s, and it is true and correct to the best of my know	all the informa ledge.	itio	n on this fo	rm, and on any acco	ompanying statements or			
	ature of Representative	Date:		Address (in	clude Zip Code)				
Firm with which associated, if any					Telephone No. and	Area Code			
	e: The following is optional. However, SSA can co agrees with the amount you are requesting.]	•		·		·			
I und any i this	erstand that I do not have to sign this petition or re nformation given, and to ask more questions about orm). I have marked my choice below.	equest. It is my the information	rig n gi	ht to disagre iven in this r	ee with the amount or equest (as explained	of the fee requested or I on the reverse side of			
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Signature of Claimant					Date				
Address (include Zip Code)					Telephone No. an	Telephone No. and Area Code			

INSTRUCTIONS FOR USING THIS PETITION

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Disagreement

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Collection of the Fee

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Penalty for Charging or Collecting an Unauthorized Fee

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Computer Matching

We may also use the information you give us when we match records by computer. Matching programs compare our records with those of other Federal, State, or local government agencies. Many agencies may use matching programs to find or prove that a person qualifies for benefits paid by the Federal government. The law allows us to do this even if you do not agree to it.

Explanations about these and other reasons why information you provide us may be used or given out are available in Social Security Offices. If you want to learn more about this, contact any Social Security Office.

Paperwork Reduction Act Statement - This information collection meets the requirements of 44 U.S.C. § 3507, as amended by section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take about 30 minutes to read the instructions, gather the facts, and answer the questions. SEND THE COMPLETED FORM TO YOUR LOCAL SOCIAL SECURITY OFFICE. To find the nearest office, call 1-800-772-1213 (TTY 1-800-325-0778). Send only comments on our time estimate above to: SSA, 6401 Security Blvd., Baltimore, MD 21235-6401.

Form Approved OMB No. 0960-0104

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400)									
I request approval to charge a fee of			Fee	\$	(Sh	ow the dollar	amount)		
for s	ervices performed as the representative of								
My Services Began: / / Year			Тур	e(s) of clair	m(s)				
	My Services Ended: / /								
Ente	r the name and the Social Security number of the p					/ /			
1.	Itemize on a separate page or pages the services meeting, conference, item of correspondence, telepreparation of a brief, attendance at a hearing, trathis petition the list showing the dates, the descri	ephone call, a evel, etc., rela	nd of ted t	ther activity to your servi	in which you engag ces as representativ	ed, such as res e in this case.	earch, Attach to		
2.	Have you and your client entered into a fee agree If "yes," please specify the amount on which you agreement to this petition.								
3.	3. (a) Have you received, or do you expect to receive, any payment toward your fee from any source other than from funds which SSA may be withholding for fee payment? (b) Do you currently hold in a trust or escrow account any amount of money you received toward						□ NO □ NO □ notify the		
4.	SSA office to which you are sending this petition. Have you received, or do you expect to receive, reimbursement for expenses you incurred? If "yes," please itemize your expenses and the amounts on a separate page.								
5.	Did you render any services relating to this matter	ervices in con	nect	ion with the		☐ YES \$	□ NO		
	Please attach a copy of the court order if the court								
6.	Have you been disbarred or suspended from a cou attorney?	urt or bar to w	/hich	you were p	reviously admitted t		n NO		
7.	Have you been disqualified from participating in o			•			NO		
l dec	lare under penalty of perjury that I have examined s, and it is true and correct to the best of my know	all the inforn ledge.	natio	n on this fo	rm, and on any acc	ompanying sta	tements or		
Signa	ature of Representative	Date:		Address (in	clude Zip Code)				
Firm with which associated, if any					Telephone No. and	Area Code			
	e: The following is optional. However, SSA can co agrees with the amount you are requesting.]	•	·	·			•		
I und any i this t	erstand that I do not have to sign this petition or renformation given, and to ask more questions about orm). I have marked my choice below.	equest. It is m the informati	y rig on g	ht to disagre iven in this r	ee with the amount request (as explained	of the fee requ d on the revers	ested or e side of		
	I agree with the \$ fee withis request, I am not giving up my right to disagree authorizes my representative to charge and collect	ee later with the OR	he to	otal fee amo	unt the Social Secur	ity Administrat	ion		
Ш ——	I do not agree with the requested fee or other information given here, or I need more time. I understand I must call, visit, or write to SSA within 20 days if I have questions or if I disagree with the fee requested or any information shown (as explained on the reverse sides of this form).								
Signature of Claimant					Date				
Address (include Zip Code)					Telephone No. ar	Telephone No. and Area Code			

INSTRUCTIONS FOR USING THIS PETITION

Any attorney or other representative who wants to charge or collect a fee for services, rendered in connection with a claim before the Social Security Administration (SSA), is required by law to first obtain SSA's approval of the fee [sections 206(a) and 1631(d)(2) of the Social Security Act (42 U.S.C. 406(a) and 1383(d)(2)) and sections 404.1720 and 416.1520 of Social Security Administration Regulations Numbers 4 and 16, respectively.]

The only exceptions are if the fee is for services red (1) when a nonprofit organization or government agency pays the fee and any expenses out of funds which a government entity provided or administered and the elaimant incurs no liability, directly or indirectly, for the cost of such services and expenses; (2) in an official capacity such as that of legal guardian, committee, or similar court appointed office and the court has approved the fee in question; or (3) in representing the claimant before a court of law. A representative who has rendered services in a claim before both SSA and a court of law may seek a fee from either or both, but generally neither tribunal has the authority to set a fee for services rendered before the other [42 U.S.C. 406(a) and (b)].

When to File a Fee Petition

The representative should request fee approval only after completing all services (for the claimant and any auxiliaries). The representative has the option to petition either before or after SSA effectuates the determination(s).

In order to receive direct payment of all or any part of an authorized fee from past-due benefits, the attorney representative or non-attorney representative whom SSA has found eligible to receive direct payment should file a request for fee approval, or written notice of intent to file a request within 60 days of the date of the notice of the favorable determination is mailed. When there are multiple claims on one account and the attorney or non-attorney will not file the petition within 60 days after the mailing date of the first notice of favorable determination, he or she should file a written notice of intent to file a request for fee approval within the 60-day period.

Where to File the Petition

The representative must first give the "Claimant's Copy" of the SSA-1560-U4 petition to the claimant for whom he or she rendered services, with a copy of each attachment. The representative may then file the original and third carbon copy, the "OHA Copy," of the SSA-1560-U4, and the attachment(s), with the appropriate SSA office:

- If a court or the Appeals Council issued the decision, send the
 petition to the Office of Hearings and Appeals. Attention:
 Attorney Fee Branch, 5107 Leesburg Pike, Falls Church, VA
 22041-3255.
- If an Administrative Law Judge issued the decision, send the petition to him or her using the hearing office address.
- In all other cases, send the petition to the reviewing office address which appears at the top right of the notice of award or notice of disapproved claim.

Evaluation of a Petition for a Fee

If the claimant has not agreed to and signed the fee petition, SSA does not begin evaluating the request for 30 days. SSA must decide what is a reasonable fee for the services rendered to the claimant, keeping in mind the purpose of the social security or supplemental security income program. When evaluating a request for fee approval, SSA will consider the (1) extent and type of services the representative performed; (2) complexity of the case; (3) level of skill and competence required of the representative in giving the services; (4) amount of time he or she spent on the case; (5) results achieved; (6) levels of review to which the representative took the claim and at which he or she became the representative; and (7) amount of fee requested for services rendered, including any amount authorized or requested before but excluding any amount of expenses incurred.

SSA also considers the amount of benefits payable, if any, but authorizes the fee amount based on consideration of all the factors given here. The amount of benefits payable in a claim is determined by specific provisions of law unrelated to the representative's efforts. Also, the amount of past-due benefits may depend on the length of time that has elapsed since the claimant's effective date of entitlement.

Disagreement

SSA notifies both the representative and the claimant of the amount which it authorizes the representative to charge. If either or both disagree, SSA will further review the fee authorization when the claimant or representative sends a letter, explaining the reason(s) for disagreement, to the appropriate within 30 days after the date of the notice of authorization to

Collection of the Fee

Basic liability for payment of a representative's approved fee rests with the client. However, SSA will assist in fee collection when the representative is an attorney or a non-attorney whom SSA has found eligible to receive direct payment, and SSA awards the claimant benefits under Title II or Title XVI of the Social Security Act. In these cases, SSA generally withholds 25 percent of the claimant's past-due benefits. Once the fee is approved, SSA pays the attorney or the eligible non-attorney from the claimant's withheld funds. This does not mean that SSA will approve as a reasonable fee 25 per cent of the past-due benefits. The amount payable to the attorney or eligible non-attorney from the withheld benefits is subject to the assessment required by section 206(d) and 1631(d)(2)(C) of the Social Security Act, and it is also subject to offset by any fee payment(s) the attorney or eligible non-attorney has received or expects to receive from an escrow or trust account. If the approved fee is more than the amount of the withheld benefits, collection of the difference is a matter between the attorney or eligible non-attorney and the client.

SSA will not pay a fee from withheld past-due benefits when the authorized fee is for an attorney or non-attorney who was discharged by the client or who withdrew from representing the client.

Penalty for Charging or Collecting an Unauthorized Fee

Any individual who charges or collects an unauthorized fee for services provided in any claim, including services before a court which has rendered a favorable determination, may be subject to prosecution under 42 U.S.C. 406 and 1383 which provide that such individual, upon conviction thereof, shall for each offense be punished by a fine not exceeding \$500, by imprisonment not exceeding one year, or both.

Computer Matching

We may also use the information you give us when we match records by computer. Matching programs compare our records with those of other Federal, State, or local government agencies. Many agencies may use matching programs to find or prove that a person qualifies for benefits paid by the Federal government. The law allows us to do this even if you do not agree to it.

Explanations about these and other reasons why information you provide us may be used or given out are available in Social Security Offices. If you want to learn more about this, contact any Social Security Office.

Paperwork See Revised PRA meets the result of the Paper Statement (107, as almended by section 2 and these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take about 30 minutes to read the instructions, gather the facts, and answer the questions. SEND THE COMPLETED FORM TO YOUR LOCAL SOCIAL SECURITY OFFICE. To find the nearest office, call 1-810-772-1213 (TTY 1-800-325-0778). Send only comments on our time estimate above to: SSA, 6401 Security Blvd., Baltimore, MD 21235-6401.

SSA will insert the following revised Privacy Act Statement into the form at its next scheduled reprinting:

Privacy Act Statement

Petition to obtain Approval of a Fee for Representing a Claimant before the Social Security Administration

Sections 205, 1631(d)(1), and 1872 Social Security Act, as amended, authorizes us to collect this information. The information you provide on this form is used to determine a fair value for services you rendered to the claimant named below. Your response is voluntary. However, failure to provide all or part of the requested information may affect the amount you are requesting.

We rarely use the information provided on this form for any purpose other than for the reasons explained above. However, we may use it for the administration and integrity of Social Security programs. We may also disclose information to another person or to another agency in accordance with approved routine uses, which include but are not limited to the following:

- 1. To enable a third party or an agency to assist Social Security in establishing rights to Social Security benefits and/or coverage;
- 2. To comply with Federal laws requiring the release of information from Social Security records (e.g., to the Government Accountability Office, the General Services Administration, the National Archives and Records Administration, and the Department of Justice);
- 3. To make determinations for eligibility in similar health and income maintenance programs at the Federal, State, and local level; and,
- 4. To facilitate statistical research, audit, and investigative activities necessary to ensure the integrity and improvement of Social Security programs.

We may also use this information in computer matching programs. Computer matching programs compare our records with those of other Federal, State, or local government agencies. Information from these matching programs can be used to establish or verify a person's eligibility for Federally-funded or administered benefit programs and for repayment of payments or delinquent debts under these programs.

A complete list of routine uses for this information is available in Systems of Records Notices entitled, Attorney Fee File, (60-0003) Social Security Administration, Office of Disability Adjudication and Review. These notices, additional information about this form, and information regarding our programs and systems are available on-line at www.socialsecurity.gov or at your local Social Security Office.

SSA will insert the following revised PRA Statement into the form at its next scheduled reprinting:

Paperwork Reduction Act Statement - This information collection meets the requirements of 44 U.S.C. § 3507, as amended by section 2 of the <u>Paperwork Reduction Act of 1995</u>. You do not need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take about 30 minutes to read the instructions, gather the facts, and answer the questions. Send <u>only</u> comments relating to our time estimate above to: SSA, 6401 Security Blvd, Baltimore, MD 21235-6401.