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Our Section has had two formal seminars on the hot subject of electronic filing. As Social Security moves toward an electronic claim folder under its Accelerated eDib (AeDib) initiative (formerly the Electronic Disability or eDib initiative), the traditional reliance on a signed paper application for benefits will be phased out. The section has been very active in preparing lawyers in this new approach of filing which will be phased in after the agency completes national implementation in 2005 of a "paperless" electronic disability claims folder.

The section also has been instructional in educating lawyers as to the new electronic modalities that will be used by Social Security which includes electronic disability folder, video teleconferencing, digital recording of hearings and other technological advances aimed at tackling the backlog. Additionally, new regulations issued on October 20, 2004, authorize oral bench decisions for claims decided wholly favorably by Administrative Law Judges.

The Section also has been involved at a National Level, working with the Commissioner on issues as to how to change the disability claims process to make it more efficient. On September 30, 2004, the Social Security subcommittee of the House Ways and Means Committee received a progress report from Commissioner Barnhart on the anniversary of her proposals to revise the disability claims process. Witnesses included the National Organization of Social Security Claimants' Representatives (NOSSCR) of which members of the State Bar of Michigan had input. Issues that are being discussed and debated include:

- 1) Whether the Reviewing Official should be an attorney.
- (2) How the Regional Expert Review Units should provide specialized medical and vocational expertise.
- (3) Whether "quick decisions" should be made by the Expert Review Units or by the state agencies.
- (4) Closing the record after the ALJ decision.
- (5) Elimination of the claimant's right to request review by the Appeals Council.

One of the major changes that have occurred this year is SSI fee withholding and direct payment for attorneys, which began on March 2, 2005. These SSI fee provisions of the Social Security Protection Act of 2004, Pub. L. No. 108-203 (March 2, 2004), also removed an ambiguity of existing law: The statute adds a clear requirement for court approval of SSI fees paid for representation services before a court. For both Title II and Title XVI, SSA will make direct payment of the amount approved by the court for court services, plus any amount approved by SSA for administrative services - less the user fee. The section has been actively involved in making sure this new law is enforced and addresses any members' questions as to how it should be enforced.

Lastly, due to heavy caseload of the Michigan Office of Hearings and Appeals, many cases have been transferred to visiting judges in states like California. As such, many practitioners do not know these visiting judges. The section has been involved in giving needed information to practitioners as to visiting judges.

Overall, the section has tried to keep its members abreast of the ongoing issues in the practice of Social Security Law.

Social Security Section Chair
Kerry Spencer Johnson