

Attorney Timothy P. Crawford, CPA, CELA*, CAP**
wanted to share this information with you.

Social Security Shuts Off Benefits “Do-Over” Strategy

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As ElderLawAnswers warned in a previous article, the Social Security Administration has eliminated a loophole that had allowed Social Security recipients to start receiving benefits when they first became eligible without being permanently locked in to the lower benefit level.

Although you can collect Social Security benefits starting at age 62, if you do, your benefits will be significantly lower than if you wait until your full retirement age or even later. About half of Americans file at 62, but "in most cases it's a costly mistake," says retirement journalist Mark Miller.

A little-known provision of Social Security law had allowed beneficiaries to have their cake and eat it, too -- to apply for benefits when they first became eligible and later withdraw their application for early benefits and reapply and receive full retirement benefits. The catch was that the recipient had to pay Social Security back all the money they had pocketed so far. But no interest was due on the benefits received, so the money was in effect an interest-free loan. The policy was designed to provide an escape hatch for those who took early retirement and then went back to work.

Under the new rules, retirees may withdraw their Social Security applications only once and only within 12 months of first receiving benefits.

Due to the payback requirement, the "do-over" strategy was available only to more affluent recipients and was little used, although word had been spreading. In 2007, Social Security processed only about 500 withdrawal applications, but that number had more than doubled to 1,015 in 2009 and processing the new applications was becoming an administrative headache for the agency.

**“Those Who Plan Ahead Win.
Those Who Don’t Plan Ahead Lose.”**

This article is not intended as legal advice. It is basic information. I would recommend that you call Attorney Timothy P. Crawford for a free conference to discuss your situation in more detail. Attorney Timothy P. Crawford can be reached toll-free at 1-888-634-6675. When you call in, please mention the fact that you have read this article.

*Attorney Timothy P. Crawford is a Board Certified Elder Law Attorney(CELA). He has been Board Certified by the National Elder Law Foundation which has been approved as the Sole Certifying Organization for Elder Law Attorneys by the American Bar Association.

**Timothy P. Crawford was invited to join the Council of Advanced Practitioners of the National Academy of Elder Law Attorneys (NAELA) in August of 2005. The Council of Advanced Practitioners (CAP) is a small group of premier elder law attorneys, all of whom have been members of NAELA for at least 10 years, are certified as elder law attorneys by the National Elder Law Foundation, and are AV rated the top in the nation by Martindale Hubbell. A Service that provides an independent rating of the quality of attorneys.

**GREATER MILWAUKEE AREA OFFICES IN BROOKFIELD, GLENDALE,
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**“Helping Families in Wisconsin for Over 40 Years to Protect Their Assets from
Nursing Home Care Costs”**

“A majority of text has come from an article prepared by Attorney Howard S. Krooks, friend of Attorney Timothy P. Crawford, is used here with permission.”

FORM DISTRIBUTION CODE SHEET – FORM: ARTICLE PASSWORDS FOR YOUR COMPUTER

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(NOTE TO FORM TYPIST: INCLUDE THIS SHEET WITH ANY FORM BEING CHANGED OR CREATED, & MAKE THIS SHEET THE LAST PAGE OF THE FORM SAVED IN THE COMPUTER.)

BELOW IS A LIST OF THE LOCATIONS WHERE THE ATTACHED FORM WILL GO:

- A. TPC (all forms)
- B. SAM (all forms)
- C. RACHEL (all forms for Masters) TO BE PUT IN:
 - T19 #1 – Maxi
 - T19 #1 - Mini
 - T19 #2 Package
 - Crisis
 - Pre-Plan
 - BOTH Package
 - SPA #1 – Maxi
 - SPA #1 - Mini
 - Probate Avoidance Pkg. (PAP)
 - FFLT #1 Will Pkg
 - FFLT #2
 - FOLDERS IN CONFERENCE ROOMS (Library, JP’s Office, & BK)
 - CREDENZA– Sections A, C & D of T19 #2
- D. LYNN & NINA - FFLT SIGNINGS
- E. ELLEN (T19 Update forms and Signing Pkgs forms)
- F. HEATHER (Starter Packages and NOY Packages)
- G. FORMS IN FILES FOR UPCOMING APPTS (Signing Box & TPC’s Office)
- H. TAMI - Marketing Pkg: L&L Co-Counsel Pkg. Teaser/Order Pkg.
- I. TOP TEN - Tami
- J. WEBSITE – Tami & Howard Reverse Mortgage Folder - Tami
- K. SEMINAR FOLDERS – Rachel, Tami, Howard & Heather
- L. T19 MANUAL - Lynn & Rachel RESOURCE BOOK – Lynn & Rachel
- M. DEATH PKGS. – Kay & Lynn

THE FOLLOWING FORMS SHOULD BE GIVEN TO TPC AND ALL STAFF:

- 1. Maps
- 2. Locate File Form
- 3. GO TO Next Labels
- 4. Report Request Form
- 5. TPC Fax Sheet
- 6. Form Distribution Code Sheet
- 7. General Codes Sheet
- 8. 50% Discount Certificates