Mercer County

Spring 2025

A Publication of the Mercer County Bar Association Volume 44, Issue 2

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From the **President's Desk...**

As we begin the summer season, I find myself reflecting on the remarkable people and meaningful moments that have shaped our legal community over the past few months. This season brings with it both celebration and remembrance.

We begin on a somber note with the recent passing of former Mercer County Executive Brian Hughes, a dedicated public servant whose long tenure in office left a lasting imprint on our region. Brian was a true advocate for Mercer County, and his legacy of leadership, accessibility, and tireless work on behalf of residents will not be forgotten. On behalf of the Mercer County Bar Association, we extend our condolences to his family, friends, and all those in government who worked closely with him over the years.

We also bid a heartfelt farewell to Michele Krasny, a beloved



Brian W. Shea, Esq.

member of our MCBA staff who has retired after years of service to this organization. Michele was often the first face or voice that members encountered whether it was soliciting donations, helping run our events, or fielding member inquiries with patience and good humor. Her quiet professionalism and unwavering commitment to the Bar leave big shoes to fill. We wish her nothing but joy, rest, and adventure in her welldeserved retirement.

Despite these transitions, the strength of our community continues to shine. Over the past several weeks, we've celebrated a number of accomplishments

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We were proud to present plaques to the Princeton Day School Mock Trial Team, who not only won the Mercer County regional competition for the third consecutive year but also placed third overall in the state of New Jersey. Their coach, Nathan Weaver, has instilled in them a passion for advocacy, and their poise and preparation are a testament to the next generation of legal talent. As you will read later on, Christian Fisher, Assistant Mercer County Prosecutor, and Assignment Judge Lougy went to Ewing High School for Law Day. Meeting these students was a reminder that our support for civics education and community mentorship matters deeply.

At our May General Membership Meeting, we hosted an outstanding program that explored immigration law, ethics, and courtroom professionalism in the modern legal landscape. Theresa Hilton, Director of the New Jersey Division of Criminal Justice, and Susan Roy, Esq., offered a timely look at developments in immigration proceedings and enforcement. We also shared some much-needed laughs as members of our bar (and perhaps aspiring actors?) participated in mock video court hearings that highlighted the sometimes-humorous challenges of remote practice. A panel discussion led by Judge Robert T. Lougy, Denise Mariani, Esq., and Joseph Paravecchia, First Assistant Prosecutor of Hunterdon County, offered thoughtful insight into how we can continue to maintain professionalism and decorum in virtual settings. We also had the honor of recognizing Grace Dennigan with the Hon. Neil H. Shuster Professional Lawyer of the Year Award. Grace embodies everything this award represents-ethics, integrity, mentorship, and a steadfast commitment to the law. We were thrilled to celebrate her, and the moment was made even more special with the attendance of so many past recipients and colleagues who continue to raise the bar for professionalism in our legal community.

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Our Association was also honored to attend Mercer County Superior Court's Naturalization Ceremony, where 25 individuals, representing 17 different countries, took the Oath of Allegiance and officially became citizens of the United States. The event was presided over by Judge Lougy, Judge Sherry Wilson, and Associate Justice Fabiana Pierre-Louis of the New Jersey Supreme Court. It was a deeply moving and inspiring experience — one that reminds us of the strength found in diversity and the foundational promise of the rule of law.

On a national stage, we had the distinct privilege of witnessing 15 of our colleagues sworn in before the Supreme Court of the United States. It was a proud moment for the Mercer County Bar Association, made possible by the efforts of Anita Mangat, Jenn Zoschak, and all who organized the trip.

Service and support for the community continues to be a hallmark of our Association. Our members showed up in full force to serve meals at the Trenton Area Soup Kitchen, collect much-needed donations for Younity (formerly Womanspace), marched in the Princeton Pride Parade, and will head to Easel on July 8th to care for animals. Our donation drive is ongoing—particularly our call for book donations to support Trenton school libraries—so I encourage you to continue your generosity.

While summer offers us a chance to slow down, celebrate graduations, and enjoy time with family, the Bar Association calendar remains active. We look forward to our Axe Throwing Social on June 26th, co-sponsored with APALA-NJ and generously supported by Shankar Ninan and Smolin at Stumpy's Hatchet House. In August, we'll gather again at a Trenton Thunder game for another opportunity to relax and reconnect with colleagues.

As always, I want to thank each of you for your continued support. Your presence at events, your involvement in committees, and your representation of the MCBA in the wider community are what make this organization thrive. Together, we've proven that when we show up for each other—whether in court, in service, or in celebration—we reaffirm our shared values as legal professionals.

If you're looking for a new way to give back, meet new colleagues, and become more involved with the MCBA, I encourage you to consider joining our leadership team. We are currently accepting letters of interest for officer and trustee positions, with submissions due by July 31st. It's a rewarding way to help shape the future of our organization and deepen your connection with the Mercer County legal community.

Wishing you all a safe, joyful summer—and as always, thank you for all you do to support our mission and each other.





COMMUNITY PROJECTS COMMITTEE CORNER



On Wednesday, April 30, 2025, the MCBA's Community Projects Committee volunteered for dinner service at the Trenton Area Soup Kitchen (TASK). Nearly 15 attorneys from the MCBA helped out with various jobs at TASK, including plating and serving dinner and salad to patrons, preparing side dishes and dessert, preparing to-go meals, and cleaning up. The Community Projects Committee found it to be an eye-opening and rewarding experience. Afterward, TASK emailed each volunteer, thanking them for their service: "TASK is a lifeline for this community and we cannot provide services without help from individuals such as yourself. You have become a member of a team that will provide over 350,000 meals this year! We hope that you had a rewarding experience serving and we look forward to seeing you again." We hope to set up more dates for

MCBA members to volunteer at TASK soon.





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Con May 8, 2025, at the MCBA's 25th Annual Bench Bar CLE Luncheon & Professionalism Award event, our Community Projects Committee collected for Younity, formerly known as Womanspace. Younity is a nonprofit organization based in Mercer County, New Jersey, offering a comprehensive array of services to individuals and families affected by domestic violence and sexual assault. With nearly 50 years of service, Younity is committed to improving the quality of life for victim-survivors of abuse through crisis intervention, emergency shelter, counseling, court advocacy, housing services, education, and outreach. Domestic violence and sexual assault are human and social issues, not limited to



women or families. Younity works to empower victim-survivors of all backgrounds to reclaim their lives and well-being. Their programs are designed to serve a broader audience, including men, LGBTQ+ individuals, and underserved communities.

For Younity, we collected baby food, boys' & girls' clothes, baby & kid's toothbrushes, and children's Motrin and Tylenol. Our Mercer County legal community came through! We filled a giant box with items for Younity, which our Community Projects Committee delivered

to Younity that day. We also collected hundreds of dollars in cash donations for Younity. As lawyers, we are frequently more fortunate than many others. Sharing with our larger community is, we think, a hallmark of our Mercer County Bar Association community. We are proud of the generosity our legal community showed on May 8 at the Annual Bench Bar Luncheon, and we thank everyone who contributed. Thank you! If you missed your chance to donate on May 8, you can find a donation link for Younity on their website, <u>younitynj.org</u>. And we plan to host more donation drives for other Mercer County organizations at future events.

Articles submitted by: Nicholas Kant, Esq.



* NEW to Mercer County Bar Association! * We welcome the following new members...

Douglas Bligh, Esq., *Mercer County Prosecutor's Office* Melvina D. Fennell, Esq., *Office of the Attorney General* Jordan Inver, Esq., *Stark & Stark* Zachary Kaloglis, Esq., *Mercer County Prosecutor's Office* SeoYi Kim, Esq., *Mercer County Prosecutor's Office* Victoria Lang, Esq., *Lenox Law Firm* Kristine Tucker, Esq., *Turp Coates Driggers & White* Sierra Van Gilst, Esq., *Mercer County Prosecutor's Office*



Affinity Bar Information

Events that may be of interest...

APALA-NJ

26th Annual Gala | September 11, 2025 | The Madison Hotel, Morristown NJ

Hispanic Bar Association

44th Annual Scholarship Gala and Awards dinner | July 25, 2025 The Venetian, Garfield NJ

JBar

2nd Annual Gala | July 10, 2025 | Crystal Plaza, Livingston NJ

SABA-NJ

- Looking for people to be join the mentorship program | open until June 30th
- Judicial Reception | July 16, 2025 | Gusto Grill, East Brunswick, NJ



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BRIAN M. SCHWARTZ

Mercer County Bar Association 25th Annual Bench Bar Ethics Luncheon & Hon. Neil H Shuster Professional Lawyer of the Year Award May 8, 2025 | The Stone Terrace

On May 8, 2025, the MCBA hosted the 25th Annual Bench Bar Ethics Luncheon at The Stone Terrace. The MCBA was proud to award Grace A. Dennigan, Esq. the Hon. Neil H. Shuster Professional Lawyer of the Year Award.

Thank you to our moderator and panelists including, Theresa Hilton and Susan Roy for their seminar examining the current developments in immigration law and to Hon. Robert Lougy, Denise Mariani, Joseph Paravecchia and Brian Shea, who addressed the challenges and ethical considerations attorneys face in today's increasingly remote practice setting.



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Law Day 2025

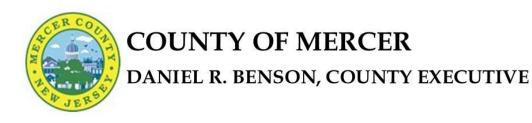
Submitted by: Christian E. Fisher Assistant Mercer County Prosecutor

On Friday, May 9, 2025, Ewing High School welcomed members of the Mercer County Bar Association to celebrate Law Day 2025. Christian E. Fisher, Esquire, Committee Chair of the Public Education Committee for the Mercer County Bar Association, along with attorneys and judges, provided the students with practical tips related to the trial process. The students' course "Student Voices in Action," is an elective, wherein students learn and develop skills related to the trial process, particularly opening statements, direct examination, cross examination and closing statements. Among the volunteers that provided practical and experiential insight were Mercer County Assignment Judge Robert Lougy, Evan Lide, Esq., John Lowenberg, Esq., and Liz Scanella, Esq.

A special thank you to all the volunteers for spending valuable time with the students to develop and hone newly minted legal skills. Thank you to the faculty of Ewing High School, specifically Brock Mislan and Rose Chiavuzzo, for welcoming us and providing a stellar day of learning and experience.

Law Day 2025

The Preamble to the Constitution boldly asserts that the Framers established the Constitution as representatives of "We the People, in Order to Form a More Perfect Union." On this Law Day, we explore and renew our duties to one another under the Constitution and our democratic norms. The Constitution establishes a framework for government that unites us as one citizenry, through means such as our representative government, jury service, and a regular Census. And through this commitment to our Union, we each provide for the common good through government responses to national crises and natural disasters, and through community and advocacy programs for students and adults.



ASSISTANT COUNTY COUNSEL

The Mercer County Counsel's Office seeks an attorney with a minimum of 5 years' experience in State and federal civil litigation, including Title 59, civil rights and labor & employment law. Experience in collective bargaining negotiations and working knowledge of New Jersey Civil Service system a plus. Must be admitted to, and in good standing with, New Jersey bar. Salary commensurate with experience. Mercer County residency preferred. EEO/AA/ADA Employer.

Please submit resume and writing sample in confidence to <u>dloffredo@mercercounty.org</u>; County of Mercer, Mercer County Counsel's Office, 640 S. Broad Street, Trenton, NJ 08650.

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Mercer (County Bar Association is hiring!
Administrati	ve Assistant to ED / Event Coordinator
	Part-time (18-20 hours)
For more detail	s please email: amangat@mercerbar.com

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Mercer County Bar Members Admitted Before the Unites States Supreme Court on May 22, 2025

Submitted by: Jennifer Zoschak, Esq. Oswald & Zoschak

A delegation of the Mercer County Bar Association appeared before the Supreme Court of the United States on May 22, 2025, to be formally admitted to practice before the highest court in the land. This prestigious event not only marks a significant personal milestone for the participating attorneys but also reflects the strength and professionalism of our local bar.

Under the guidance and sponsorship of MCBA President Brian Shea, Esq., the group traveled to Washington, D.C., to take part in the ceremonial admission in the historic courtroom of the Supreme Court. Admission to the bar of the Supreme Court requires sponsorship by two (2) current members of the Court's bar and the submission of an application demonstrating good standing and professional character. Immediate Past MCBA President Jennifer Zoschak, Esq., was the co-sponsor and Coordinator.

Chief Justice John Roberts and the Associate Justices presided over the morning session in which the motion for admission was made by Mr. Shea and the following members took the oath and were sworn into the bar:

Joseph C. Antonakakis, Esq. John Carbonara, Esq. Jenna Casper-Bloom, Esq. Rebecca Colón, Esq. John Ferner, Esq. Christian Fischer, Esq. Hillary Freeman, Esq. Ayesha Hamilton, Esq. John Lowenberg, Esq. C. Robert Luthman, Esq. Angelo Onofri., Esq. Georgia Reid, Esq. Matthew Solin, Esq.

A motion for Brian Kasper, Esq., to be sworn in was made by his father, Kenneth S. Kasper, Esq. "This is a proud moment for our bar association," said MCBA President Brian Shea, "and a reminder of the critical role attorneys play in upholding the rule of law at every level of the judiciary."

The Mercer County Bar Association encourages all members to consider pursuing admission to the Supreme Court Bar as a way to honor their professional journey, deepen their connection to the law, and continue to represent our legal community with distinction on the national stage. We extend our congratulations to those members on their recent admittance.

For more information about future group admissions to the U.S. Supreme Court, please contact the Mercer County Bar Association office.



Fostering Growth from Within: A Conversation on Professional Development at Stark & Stark, P.C.

An Interview with Michael Donahue, Managing Shareholder, by Brian Shea, President of the Mercer County Bar Association

Brian Shea: Hi, Michael. As Managing Shareholder of Stark & Stark, you've helped guide one of New Jersey's most well-respected law firms. I'd love to start this interview by asking—how does Stark & Stark define professional development for its attorneys?

Michael Donahue: At Stark & Stark, professional development is more than just attending CLEs or earning certifications, though those are certainly important. We view it as a long-term investment in our attorneys' skills, judgment, leader-ship, and overall well-being. Our approach focuses on helping attorneys grow not only as practitioners but as leaders in their practice areas and communities.

Brian Shea: What are some of the practical ways the firm implements that philosophy?

Michael Donahue: It starts from day one. For new attorneys, we offer a formal onboarding process, and we continue with individualized development plans with our Marketing & Business Development team to help identify referral sources, potential clientele, and growth opportunities both inside and outside the firm walls . We have internal CLEs taught by our own seasoned attorneys, as well as access to external programs and conferences. We also encourage professional and community organizational involvement as meaningful ways to gain experience and give back.

Brian Shea: Do you offer any mentorship programs at Stark & Stark?

Michael Donahue: Mentoring is a cornerstone of our development strategy. The Mentoring Program at Stark & Stark is a subcommittee of the Diversity, Equity and Inclusion Committee and focuses on creating professional connections amongst employees at various stages of their careers. This program strives to ensure that talented employees are retained, empowered, and have access to

equal experiences within the firm. Participants will benefit from exchanging advice, creating lasting relationships, and gaining increased opportunities and guidance as they chart a path to success.

These relationships often become long-term connections. And it's not just junior attorneys who benefit; we encourage mentoring at every level. Even shareholders are continuously learning from each other.

Brian Shea: You've been at Stark & Stark for decades. How has the firm's approach to development evolved over time?

Michael Donahue: We've always valued development, but over the years we've become more intentional and structured about it. The legal profession is changing—client expectations, technology, work-life balance—so we've adapted. We now have dedicated resources and personnel focused on professional development. We regularly evaluate trends, gather feedback from our attorneys, and look for ways to evolve.

Brian Shea: What role do leadership opportunities play in development at the firm?

Michael Donahue: A major one. We encourage attorneys to take on leadership roles both within the firm and in the broader legal community. We have several attorneys who are involved in bar associations, civic organizations, and non-profit boards—including yourself, Brian, as President of the Mercer County Bar Association.

We see those roles as valuable training grounds for leadership, advocacy, and relationship-building. Leadership doesn't have to wait until you make partner.

Brian Shea: A culture that supports growth early on is key. Can you speak a bit about how Stark & Stark supports diversity and inclusion in its development programs?

Michael Donahue: Absolutely. Equity and inclusion are at the core of our mission. We're committed to ensuring that all attorneys—regardless of background—have access to the same resources and opportunities for advancement. That includes mentorship, sponsorship, and visibility in key firm initiatives. We've also formed an internal Diversity, Equity & Inclusion Committee that works closely with leadership to monitor progress, address barriers, and pro-

mote initiatives that reflect our values. It's a continuous process, and one we take seriously.

Brian Shea: Final question, Michael. For young attorneys just starting out, what advice would you give when it comes to professional development?

Michael Donahue: Great question. First, be proactive. Don't wait for opportunities to come to you—ask for work, seek out feedback, and find mentors. Second, take a long view. Build your skills, yes, but also build your reputation. Be reliable, be ethical, and treat every client and colleague with respect. Finally, find what you're passionate about. When you align your work with your values, development becomes a journey, not a checklist.

Brian Shea: Wise words. Thanks again, Michael, for sharing your insights. It's clear that Stark & Stark is not only committed to excellence in the law, but also to fostering excellence in its people.

Michael Donahue: Thank you, Brian. And thanks to the Mercer County Bar Association for continuing to support the development of lawyers across our region.





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Nursing Home Staffing Mandate Struck Down: Why We Should All Be Concerned

Submitted by: Sherri L. Warfel, Esq.

On April 7, 2025, a federal court struck down a long-anticipated mandate establishing minimum staffing levels for nursing homes nationwide. The rule required nursing homes to provide at least 3.48 hours of nursing care per resident per day, including registered nurses and nurse aides, with the intent to ensure round-the-clock care for residents. This national standard aimed to combat the growing neglect and abuse in nursing homes and improve safety for vulnerable patients.

The nursing home industry, largely controlled by private equity ownership, opposed the mandate — citing concerns over costs and facility closures. But let's ask ourselves: *What care are we really at risk of losing*? Every person deserves competent, compassionate healthcare as they age. Yet this basic expectation is often met with resistance when it threatens profit margins.

At <u>Pellettieri Rabstein & Altman</u>, we represent <u>nursing home patients and</u>

their families — and we see the consequences of systemic failure every day. Abuse, neglect, and avoidable harm are not isolated incidents; they are symptoms of an industry that often places profit above people. Many nursing home owners are not medical professionals — yet they collect guaranteed taxpayer dollars through Medicare and Medicaid, and in some cases, private payments as well. The resources exist to operate these facilities safely and humanely. Some do. But too many don't — and without the mandate, there is even less accountability.

This ruling sends a message that nursing homes can continue operating without the most basic staffing standards. As a result, care may continue to deteriorate — even as patients and families pay the price, both financially and emotionally.

Our firm stands as the last line of defense. We work tirelessly to hold these institutions accountable for the harm they cause. If you or a loved one has been affected by **understaffing**, **negligence**, **or abuse in a nursing home**, we're here to help.

• <u>Call 609-520-0900</u> or visit <u>PRALaw.com</u> to <u>schedule a free consultation</u>.



Partner with a Private Banker for Your IOLTA Needs

Submitted by: John Heiser Senior Private Banking Relationship Manager WSFS Bank

An Interest on Lawyers' Trust Account (IOLTA) is a type of trust account used by attorneys to hold client funds that are either too small in amount or held for too short a period to generate interest for the individual client. Instead of the interest benefiting the client, the interest is pooled and directed toward funding public interest legal services and access to justice initiatives. An IOL-TA is mandated or permitted in all 50 U.S. states and regulated by state bar associations or similar authorities.

When a lawyer receives client funds, such as retainers or settlement proceeds, ethical rules require that those funds be kept separate from the lawyer's own. An IOLTA allows attorneys to comply with this requirement while contributing to their respective states' IOLTA, which is a significant source of funding for programs that provide civil legal services for those living in poverty.

Establishing an IOLTA is important for several reasons. First, it ensures com-

pliance with ethical obligations and trust accounting rules, protecting both the attorney and client from mismanagement or commingling of funds. Second, it supports vital legal aid programs that assist low-income individuals with housing, domestic violence, immigration, and other civil legal matters. These programs often rely heavily on IOLTA-generated funds.

An IOLTA is both a legal requirement and a valuable tool for supporting justice, making its establishment a critical step for any practicing attorney.

Private Bankers are financial professionals specializing in personalized banking services for high-net-worth individuals, businesses, and professionals, including attorneys. They can help identify which client funds qualify for an IOLTA, and which require separate trust accounts. They also assist with selecting the appropriate account structure, ensuring that the account is labeled and appropriately tracked as a trust account. Partnering with a Private Banker allows attorneys to focus more on serving their clients and less on the complexities of managing client funds. The banker's expertise ensures compliance and peace of mind, knowing that the attorney's trust accounts are being managed professionally and precisely. This partnership is especially valuable for solo practitioners and small firms without dedicated financial teams. Ultimately, collaborating with a Private Banker makes the establishment and maintenance of an IOLTA more efficient, secure, and aligned with ethical standards.

If you're looking to establish an IOLTA and want to ensure it's set up correctly, now is the time to act! Reach out to a Bryn Mawr Trust financial advisor today. They can introduce you to a Private Banker who specializes in creating tailored banking solutions for professionals like you.

About the Author – John Heiser

John Heiser is a Senior Relationship Manager for WSFS Private Banking. He is responsible for meeting the complex financial needs of UHNW clients, providing strategic advice, highly personalized service, and advisory lending and banking solutions. John graduated from Temple University with a B.A. in English and has a master's in education from Cabrini College.

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Should You Consider Applying for Social Security Disability?

Submitted by: Jeffrey S. Monaghan, Esq. Pellettieri Rabstein & Altman

If a medical condition prevents you from working, you may be eligible for monthly Social Security Disability benefits. These benefits are administered through the Social Security Administration (SSA) and are available to individuals who meet specific eligibility requirements. Here's what you need to know.

What Are Social Security Disability Benefits?

Social Security Disability provides monthly income to individuals who can no longer work due to a qualifying medical condition. To qualify, applicants must:

- Have worked at least five of the last ten years before their disability began;
- Expect their condition to prevent them from working for at least 12 months.

Applicants do **not** need to wait a full year before applying—if it's clear you will be unable to return to work, you should apply in the **first month** you stop working.

What Does "Disability" Mean Under Social Security?

The SSA defines disability strictly. Benefits are only available to those who are **totally disabled**—partial or short-term disabilities do **not** qualify.

How the SSA Determines If You Qualify

The SSA uses a five-step evaluation process:

1. Are You Working?

If you're earning above a certain amount through substantial gainful activity (SGA), you are not considered disabled.

2. Is Your Condition Severe?

Your condition must significantly limit your ability to perform basic work-related activities.

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3. Is Your Condition on SSA's List of Disabling Impairments?

SSA maintains a list of medical conditions that are considered severe enough to qualify automatically. If your condition isn't on the list, it must be as severe as one that is.

4. Can You Perform Your Past Work?

SSA evaluates whether your condition prevents you from doing any of your previous jobs.

5. Can You Do Any Other Work?

If you can't return to past work, SSA assesses whether you're able to adjust to other work, considering your age, education, and work experience. If no suitable work can be found, you may be considered disabled.

At this step, the SSA must provide evidence of other work that exists in significant numbers in the national economy that you can still perform.

How to Apply

If you've worked full-time for five of the last ten years and believe your condition meets SSA's criteria, you can apply online at <u>www.ssa.gov</u>. You'll need to provide:

- A completed application;
- Copies of medical records, reports, diagnostic tests, and any relevant surgical or treatment history.

What If You're Denied?

Roughly **70%** of initial applications are denied. If denied:

- 1. **Request Reconsideration** Can also be filed online. SSA may schedule you for medical evaluations with doctors they select.
- 2. Hearing Before an Administrative Law Judge (ALJ) If reconsideration is denied, you can request a hearing where you and an expert witness may testify. Since COVID-19, many hearings are held via Zoom.

At this stage, it's **highly recommended** that applicants obtain legal representation. An attorney can:

- Help present medical evidence;
- Cross-examine expert witnesses;
- Advocate for your inability to perform past work or transition to new employment.

Other Key Information

• **Waiting Period:** First payment begins the sixth month after your disability start date.

- **Medicare:** Begins two years after your disability is approved.
- **Conversion to Retirement:** Once you reach full retirement age, disability benefits convert to standard retirement benefits at the same amount.

If you're considering applying for Social Security Disability, it's important to act quickly and gather detailed medical documentation. If you're unsure whether you qualify or need help navigating the process, legal guidance can make a significant difference.



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SAVE THE DATE Opening Ceremony & Memorial Service

Tuesday, September 2, 2025 9:00 am







HOPEWELL VALLEY GOLF & COUNTRY CLUB

Wednesday, October 15, 2025

Registration & Lunch 11:30 am Golf Shotgun 1:00 pm Networking Reception 5:30 pm

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