**ALJs No Longer Allowed to Search Internet for Information Regarding Disability Claims**

When you’re filing a Social Security disability claim, you need to be careful about what you say and who you say it to. You especially need to be careful about information that ends up on the Internet. All it takes is one picture of you on the golf course or ball diamond to shoot holes in your disability claim.

Until recently, several Administrative Law Judges were actively searching the Internet for information about Social Security disability claimants. The objective was to catch people who were making fraudulent claims. As mentioned before, this is as simple as a picture or statement on social media outlets like Facebook or Twitter which present evidence that a claimant was doing something you should not be able to do given your disability.

While weeding out fraudulent Social Security disability claims is in everyone’s best interests (except the person making the fraudulent claim, of course), this practice poses a number of problems. For one thing, pictures posted to social media could have been taken before your disability set in. Most of us post old pictures from time to time.

For another thing, many people make claims on social media which are somewhat less than completely true. After all, they’re not expecting the level of scrutiny which can be expected at a disability hearing when they brag about their hole in one on the putt putt course to their Facebook friends.

Another problem with this practice is the invasion of privacy. While it could be argued that we shouldn’t be posting pictures or information on the Internet if we don’t want it to be widely known, most of us don’t want the government keeping tabs on us to that degree.

The greatest problem with Administrative Law Judges using the Internet to ferret out information about Social Security disability claimants, however, and the reason why the practice is being discontinued, is somewhat of a technicality. Namely, searching out that kind of information without the claimant’s prior knowledge represents a major breech of legal etiquette-it denies due process of law.

A lawyer would call the practice of digging up information on their clients without their knowledge *ex parte* evidence. In a nutshell, it denies the claimant and his or her Social Security lawyer the opportunity to see what evidence is being considered and to adequately respond to it. As of April, 2012, Administrative Law Judges are no longer allowed to search the Internet for information about a claimant.

Those who disagree with the Social Security Administration’s clarification of their policies on Internet searches point to the fact that allowing the ALJs to conduct Internet searches goes a long way towards eliminating fraudulent claims and saves SSA and taxpayer dollars. This is undoubtedly true, but does not outweigh the fact that every claimant has a right to the due process of law.

Social Security disability fraud can still be reported to the SSA, by you or anyone else. The evidence supporting an accusation of fraudulent activity could still potentially involve information which was posted online. The SSA ruling does not completely prevent such evidence from being presented. What it does is prevent Administrative Law Judges from actively seeking the information out.