

# SURVIVORS' BENEFITS

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As used by Social Security, the term “worker” means someone who has paid into the Social Security system with payroll taxes (F.I.C.A. taxes) under their Social Security number.

In addition to providing benefits to immediate relatives of workers insured under Social Security while the worker is still alive, Social Security provides benefits to a surviving spouse, ex-spouse, child, or parent of an insured worker. This article describes survivors' benefits.

## Who Can Get Survivors' Benefits?

Survivors' benefits are payable after an eligible worker dies to:

### Widow or widower:

- **Widow or widower:** Whether full benefits or a lesser amount are payable to a widow/er depends on the widow/er's date of birth. Full benefits are payable at age 65 or older if the widower/er was born before 1938. Reduced benefits are payable as early as age 60.
- The age for receiving full benefits gradually increases for people born after 1937 until it reaches age 67 for people born in 1960 and later.
- **Disabled widow/er** - A disabled widow/er can get benefits beginning at age 50, provided s/he became disabled during spouse's lifetime or within seven years of his/her death. **NOTE:** The surviving spouse's benefits may be reduced if he or she also receives a pension from a job for which Social Security taxes were not withheld. For more information, call Social Security to ask for the fact sheet: *Government Pension Offset* (Publication No. 05-10007).
- **Widow/er who takes care of a worker's child under age 16 or who is disabled:** Can receive benefits at any age.

### Surviving Divorced Spouses:

- The divorced wife or husband of an eligible worker can get benefits under the same circumstances as a widow(er) **if the marriage lasted 10 years or more.**
- The former spouse does not have to meet the length-of-marriage rule if she or he is caring for a natural or legally adopted child of the eligible worker who is under 16 or disabled and who is also getting benefits on the worker's Social Security record.
- Benefits paid to a surviving divorced spouse who is age 60 or older (50-60 if disabled) will not affect the benefit rates for other survivors getting benefits.

**Children:**

- **Unmarried children** under 18 (or up to age 19 if they are attending elementary or secondary school full time) can receive survivors benefits.
- **Disabled adult child(ren)** can get benefits at any age if the child is disabled before age 22 and continues to remain disabled.
- **Stepchildren, grandchildren, or adopted children:** Under certain circumstances, benefits also can be paid.

**Dependent Parents Age 62 or older:**

Parents can collect a Social Security benefit if an eligible worker dies and has a parent or parents who are dependent on him/her for more than one half of their support. Social Security pays monthly benefits to parents on the record of a deceased worker under the following conditions:

- The parent must be at least 62 years old and must not have remarried since the worker's death.
- The parent cannot be entitled to his/her own, higher Social Security benefit.
- The parent must be able to show that he/she was receiving one-half of his/her financial support from the worker at the time of death. This proof of support must be submitted to Social Security within two years of the worker's death.

**Eligible for more than one benefit** – A higher benefit in an amount less than the total of two benefits is payable if a survivor is or becomes eligible for more than one benefit. For example, a widow's benefit combined with a person's own Social Security Retirement.

**Retirement Benefits For Widow/ers**

If a survivor receives widows or widowers (including divorced widows or widowers) benefits, and is eligible for his or her own benefits, the survivor can switch to his or her own retirement benefit as early as age 62 – which is worthwhile doing when a person's own benefit amount exceeds the benefit receivable as a survivor.

In many cases, a widow/er can begin receiving one benefit at a reduced rate and then switch to the other benefit at an unreduced rate at Normal Retirement Age.

**For example, a widow could take early retirement at age 62 under her deceased husband's work history for a reduced benefit. Assuming she also qualifies for Social Security on her own work history, at Normal Retirement Age she can apply for full retirement benefits under her own work history and realize an increased benefit instead of having to continue the discounted early retirement benefit.**

The rules are complicated and vary depending on the survivor's situation. Questions about the available options should be addressed to a Health Finance Counselor or a Social Security representative.

## Special One-Time Death Benefit for Survivors

There is a special one-time payment of a total of \$255 payable to the first person or people who survive an eligible worker that fit the descriptions on the following list:

- The money is payable to the widow/er who was living in the same household as the worker when the worker died. If there is no such person, the money is payable to:
- A surviving spouse who is not divorced from the worker who was not living with the deceased worker at time of death, providing he or she was entitled to or eligible for benefits as a widow/er, mother, or father for the month the worker died. If there is no such person, the money is payable to:
- Child/ren of the deceased worker. The child must have been eligible for benefits on the deceased's earnings record for the month the worker died. In the case of several children, each one is eligible for an equal share of the lump sum. If one or more of the children choose not to apply, those children who do apply may be paid only their proportionate share of the lump sum. The unpaid balance will remain unpaid unless those children who originally chose not to apply later decide to do so.

**NOTE:** Application for the lump-sum death payment must be filed within the 2-year period ending with the second anniversary of the insured worker's death benefit.

## How Much Are the Benefits?

How much survivors can get from Social Security depends on the worker's average lifetime earnings. The amount of your benefit is based on the earnings of the person who died, so the higher the worker's earnings, the higher the survivors benefits will be.

The amount survivors will get is a percentage of the deceased's basic Social Security benefit. The amount of the percentage depends on the survivors' age and the type of benefit for which the survivor is eligible. The most typical situations are:

- Widow or widower, age 65 or older: 100% of the worker's benefit
- Widow or widower age 60-64: Varies, between 71% and 94%
- Widow, any age, with a child under age 16: 75%
- Children: 75%

For an estimate of the Social Security survivors benefits that could be paid to your survivors, call or visit your local Social Security office to ask for a Form SSA-7004 (*Request for Personal Earnings and Benefit Estimate Statement*.) Within four to six weeks after you complete and return the form to SSA, you will receive a statement showing an estimate of survivors benefits that could be paid, as well as an estimate of retirement and disability benefits and other important information. There is no charge for this service.

## Family Maximum Benefit

There is a limit to the amount of money that can be paid to survivors and other family members each month. The limit varies, but is generally equal to about 150% to 180% of the deceased's benefit rate. If the sum of the benefits payable to the family members is greater than this limit, the benefits will be reduced proportionately.

## How To Apply For Benefits

If you are a survivor, and want to obtain your benefits, how you sign-up depends on whether or not you're getting other Social Security benefits.

**Apply promptly for survivors benefits** because, in some cases, benefits may not be retroactive. You can apply by telephone or at any Social Security office. Their toll-free number is 800-772-1213.

Social Security will need certain information to process your application. It's helpful if you have it when you apply. However, don't delay applying if you don't have everything. Social Security will help you get it.

SSA needs either original documents or copies certified by the agency that issued them of:

- Proof of death – either from a funeral home or a death certificate
- Social Security number for the survivor as well as the deceased worker
- Survivor's birth certificate
- A marriage certificate if the survivor is a widow or widower
- Divorce papers if the survivor is applying as a surviving divorced spouse
- If filing as a dependent child, Social Security numbers, if available, for each child
- The deceased worker's W-2 forms or federal self-employment tax return for the most recent year; and
- Your current banking information for direct deposit.