



After your spouse dies, you might be able to get Social Security benefits

-
- ❖ The information here is for people who live in the state of Washington. However, much of it also applies elsewhere in the United States.
-

2022 alert: Can I go to the Social Security office?

Since March 17, 2020, all Social Security offices have been closed to walk-ins or in-person appointments. They are scheduled to reopen March 30, 2022. That date could change.

You can still call your local Social Security office. Go to secure.ssa.gov/ICON/main.jsp. You can find the phone number for your local office using your zip code.

-
- ❖ **The process to apply for benefits is taking even longer than usual because of the pandemic.** This probably won't change right away when Social Security offices reopen. Don't give up!
-

What are survivor benefits?

When a worker dies, their spouse (called a **surviving spouse**) may be entitled to get benefits based on the worker's earnings record.

If you also meet other requirements, you can get whichever of these is more:

- A. Your own Social Security retirement benefit.
- B. Your deceased spouse's Social Security benefit.

You can use the survivor benefit to put off retiring on your own record. This lets you earn delayed retirement credits and increase your own benefit amount.

Can I get survivor benefits?

Yes, if **all these are true**:

- You were **married for at least nine months** immediately before your spouse died.
- Your spouse was **“fully insured”** according to Social Security. This means your spouse had worked and paid into the system long enough to get benefits.
- You are one of these:
 - Age 60 or older.
 - Age 50 or older and disabled.
 - Caring for a child who is under age 16 **or** getting Social Security disability on your spouse’s earnings record.
- You have not remarried before age 60 or, if you are disabled, 50.
- Your monthly Social Security benefit must be lower than what your spouse got, **unless** your own benefit is higher than the survivor benefit you would get and you are applying for survivor benefits to put off retiring on your own earnings record.

How much are survivor benefits?

If you are the surviving spouse, it **depends on your age and your own earning records**.

Example 1: A and B are married. A gets \$2,000 a month in Social Security retirement. B’s retirement benefits, based on B’s earnings record, are \$1,200 monthly. Both spouses have reached full retirement age. If A dies first, B can get A’s higher \$2,000 payment.

However, if B dies first, A keeps getting A’s own \$2,000 benefit. A gets no extra benefit based on B’s earnings record.

Example 2: G is 67. Georgia gets \$1,500 monthly Social Security retirement benefits based on G’s earnings record. G’s spouse, K, is 64. K is two years short of full retirement age. K’s benefit amount at full retirement age would be \$2,000.

K dies. G could apply now for the survivor benefit and start getting \$2,000 K would have gotten upon retirement. The survivor’s age matters. The deceased spouse’s age does not matter.

Example 3: M is 61. If M starts drawing Social Security based on M’s earnings record at age 62, M will get \$750 monthly. If M waits until turning age 66, M will get \$1,000. If M waits until turning 70, M will get \$1,310 monthly.

M’s spouse dies. M can apply for survivor benefits now based on M’s spouse’s earnings record and start getting reduced survivor benefits. At age 70, M can switch over to M’s own earnings record and get \$1,310 monthly, shown here:

	Without Survivor Benefit	With Survivor Benefit
Age 62	\$750 Retirement benefit	\$1,000 Survivor benefit
Age 66	\$1,000 Retirement benefit	\$1,000 Survivor benefit
Age 70	\$1,310 Retirement benefit	\$1,310 Retirement benefit

We divorced and then my ex-spouse died. Can I get survivors benefits?

Maybe, if you were married to your ex-spouse for at least ten years.

Can our child get survivor benefits?

Yes, if your child is unmarried and one of these:

- Under age 18.
- Age 18-19 and a full time student, no higher than 12th grade.
- 18 or older and have a disability. The disability must have started before age 22.

Can a stepchild get survivors benefits?

Maybe. Contact Social Security.

What is a lump-sum death benefit?

You can get this small one-time payment after your spouse dies.

All of these must be true for you:

- A. You were **married for at least nine months** immediately before your spouse died.
- B. Your spouse was **“fully insured”** according to Social Security.
- C. You were **living together when your spouse died**. There are exceptions for things like hospital and nursing home stays.
- D. You apply for the lump-sum death benefit **within two years** of your spouse’s death.

How much is the lump sum benefit?

It isn’t much. It is \$255.

Can my child and I get a lump sum benefit at the same time?

No. A child can only get a lump sum where there is no surviving spouse.

Can I get both survivors benefits and the lump sum benefit?

Yes, as long as you qualify for both.

Can I get any other help?

Maybe. If your spouse died from COVID, read [Get Financial Help to Bury or Cremate Someone Who Died from COVID-19](#) to learn more.

Where can I learn more?

The [Social Security website \(ssa.gov\)](#) has links to its [handbook](#).

Get Legal Help

- **Apply online** with [CLEAR*Online](https://www.nwjustice.org/apply-online) - [nwjustice.org/apply-online](https://www.nwjustice.org/apply-online)
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 2-1-1 (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm or apply online at [nwjustice.org/apply-online](https://www.nwjustice.org/apply-online).
- **Facing Eviction?** Call 1-855-657-8387.
- **Facing Foreclosure?** Call 1-800-606-4819.
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR*Sr at 1-888-387-7111.
- **Deaf, hard of hearing or speech impaired callers** can call any of these numbers using the relay service of your choice.

CLEAR and 2-1-1 will provide interpreters.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

© 2022 Northwest Justice Project — 1-888-201-1014.

(Permission for copying and distribution is granted to the Alliance for Equal Justice and to individuals for non-commercial purposes only.)