While Social Security is frequently associated with retirement, it also provides benefits to qualifying survivors of deceased, insured workers.

Qualifying for Survivor Benefits

The type of survivor benefits payable by Social Security depends on whether a worker is "fully" insured or "currently" insured at the time of death.

- Fully insured: To be "fully" insured, a worker must have earned 40 Social Security "credits," generally by working 10 years in "covered" employment. In 2023, an individual must earn \$1,640 in covered earnings to receive one credit and \$6,560 to earn the maximum of four credits for the year. For a fully insured worker, survivor's benefits may be payable to:
 - A spouse.
 - A divorced spouse.
 - A dependent child (or children).
 - A dependent parent (or parents).
- Currently insured: To be "currently" insured, a worker must have earned at least six Social Security "credits" during the 13-quarter period ending with the quarter in which death occurred. For a currently insured worker, survivor's benefits may be payable to:
 - A spouse, if caring for a dependent child.
 - A divorced spouse, if caring for a dependent child.
 - A dependent child (or children).

Primary Insurance Amount

In general, Social Security benefit amounts are based on a worker's lifetime earnings record. Using this earnings record, the Social Security Administration (SSA) calculates a number

¹ Wages or self-employment income where the earnings are subject to Social Security tax (OASDI) and the Medicare (HI) tax. For those working less than 10 years, an alternative test to determine fully-insured status may apply.

known as the "Primary Insurance Amount," or PIA. The PIA is the basic value used to determine the dollar amount of benefits payable.

Benefits for Surviving Family Members

The following benefits are payable to qualified surviving family members:

- Mother's or Father's benefit: This is a monthly benefit of 75% of the PIA, payable at any age, to a surviving spouse (or surviving divorced spouse), who is caring for a child of the deceased worker, under the age of 16 or disabled before age 22. The worker could have been either fully insured or currently insured at the time of death. The benefit ends when there are no children of the deceased worker under age 16 or disabled who are entitled to a child's benefit.
- Child's benefit: A monthly benefit equal to 75% of the deceased parent's PIA is available to a dependent child of the deceased worker. The worker could have been either fully insured or currently insured at the time of death. For this purpose, a child must be under age 18, or age 18 or 19 and a full-time elementary or high school student, or 18 or over and disabled before age 22, and unmarried. Generally, a child's benefit ends when the child dies, reaches age 18 and is neither disabled nor a full-time elementary or secondary student, or the child marries.
- Widow(er)'s benefit: This is a monthly benefit generally equal to 100% of the deceased worker's PIA, available to a surviving spouse or surviving divorced spouse. The deceased worker must have been fully insured at the time of death. A surviving spouse or surviving divorced spouse must be either (1) age 60 or over; or (2) at least age 50 but not age 60 and disabled, not entitled to a retirement benefit equal to or larger than the worker's PIA, and not married. In addition, a surviving spouse must have been married to the deceased worker for at least nine months just before the worker died, or fit one of a number of situations regarding being the parent of a child with the deceased worker. A surviving divorced spouse must have been married to the deceased worker for 10 years just before the date the divorce became final.

- Parent's benefit: Provides a monthly benefit equal to 87.5% of the deceased worker's PIA if one parent qualifies or 75% of the deceased worker's PIA to each parent, if two parents qualify. The worker must have been fully insured at the time of death. Generally, to qualify a parent must be at least age 62, must not be entitled to a retirement benefit equal to or larger than the amount of the unadjusted parent's benefit after any increase to the minimum benefit, must have been receiving at least one-half of his or her support from the deceased worker, must have filed evidence with the Social Security Administration that the support requirement was met within certain time limits,¹ and must not have remarried since the insured worker's death.
- Lump-sum payment: A one-time, lump-sum payment of \$255 may be made to the survivors of a worker who was either fully or currently insured at the time of death. Generally, the lump-sum payment is paid to a surviving spouse, living with the deceased as husband and wife, in the same household. If there is no spouse to receive the lump-sum payment, the payment is made to a child or children of the deceased. If there is more than one child, each child is entitled to an equal share of the lump sum.

Maximum Family Benefit

If the total benefits payable based on a deceased worker's Social Security account exceed certain limits (which change each year), the individual dollar amounts for all beneficiaries (except a surviving divorced spouse) are proportionately reduced to bring the total within the family maximum limit.

Federal Income Taxation of Social Security Benefits

Under federal income tax law, Social Security benefits may be subject to income tax. If one-half of Social Security benefits plus "modified adjusted gross income" (often the same as adjusted gross income) exceed a specified threshold, then a portion (up to 85%) of social security benefits is taxable. For married couples filing jointly this threshold is \$32,000; for most others it is \$25,000.² State or local income tax treatment of Social Security benefits can vary.

¹ Generally, within two years of the deceased worker's death.

² The threshold is \$0 for those who are married filing separately and who lived with their spouse at any time during the year.

Reduced Benefits Because of Excess Earnings

Full retirement age (FRA) is the age at which an individual can receive "full" retirement benefits, e.g., 100% of the PIA. For those born in 1937 and earlier, FRA is age 65. For those born after 1937, FRA gradually increases until it reaches age 67 for those born in 1960 and later. If an individual begins receiving Social Security survivor's benefits before reaching FRA, and also works, the survivor's benefit will be temporarily reduced if earnings exceed certain limits. For this purpose, "earnings" generally include wages received as an employee or the net income received from self-employment. The amount of the reduction is calculated on a monthly basis and will vary depending on the individual's current age in relation to his or her FRA.

- Under FRA: One dollar of benefits is lost for every two dollars earned over an annual total of \$21,240 (\$1,770 monthly).¹
- The calendar year FRA is reached: One dollar of benefits is lost for every three dollars earned over \$56,520 (\$4,710 monthly).²
- At FRA: Once FRA is reached, there is no reduction in an individual's benefit, regardless of how much is earned.

Verifying Social Security Records

Because Social Security benefits are based on a worker's lifetime earnings history, it is important to insure that all covered earnings are accurately listed on SSA records. There are several ways to do this:

• Paper statements: Workers who are age 60 or older, who are not yet receiving Social Security benefits, and who have not signed up for an online account (*my* Social Security) will automatically receive a paper Social Security statement each year. The statement lists the worker's earnings history, and provides estimated retirement, disability, and survivor benefits. A paper statement may also be requested by completing Form SSA-7004, *Request for Social Security Statement*, and mailing it to the address on the form. The statement will arrive by mail in four to six weeks.

¹ 2023 values. These "exempt" amounts are subject to adjustment for inflation each calendar year.

- my Social Security: The same information provided on paper statements is now available in an electronic form. Like the paper statement, these electronic statements include a summary of a worker's earnings, as well as providing estimated retirement, disability, and survivor benefits. To obtain an electronic statement, an individual will need to sign up for a my Social Security account on the Social Security website at https://ssa.gov/myaccount. To sign up, a person must be at least age 18 and have a valid social security number, e-mail address, and United States mailing address.
- **Telephone:** Earnings information may also be verified by calling the SSA directly at (800) 772-1213; TTY (800) 325-0778, Monday through Friday, from 7:00AM to 7:00PM.

Estimating Social Security Survivor Benefits

The Social Security Administration, on its website, offers a calculator which allows an individual to estimate his or her survivor benefits, using the individual's own earnings history, taken directly from Social Security records. This calculator can be reached at: https://www.ssa.gov/benefits/calculators

Seek Professional Guidance

The survivor benefits provided by Social Security can be an important lifeline for a family struggling to keep afloat after the death of a breadwinner. Meeting the many requirements to qualify for survivor benefits can be confusing. A trained financial professional can answer many Social Security questions. Questions can also be answered by directly contacting the SSA.

Disclosure Notice

The information that follows is intended to serve as a basis for further discussion with your financial, legal, tax and/or accounting advisors. It is not a substitute for competent advice from these advisors. The actual application of some of these concepts may be the practice of law and is the proper responsibility of your attorney. The application of other concepts may require the guidance of a tax or accounting advisor. The company or companies listed below are not authorized to practice law or to provide legal, tax, or accounting advice.

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