

SOCIAL SECURITY SURVIVORS

BENEFITS



The Door's Legal Services Center
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What are survivor benefits?

When a person who has worked for a certain amount of time and paid into Social Security (SS) dies, remaining family members (known as "survivors") are entitled to monthly cash grants called survivor benefits. The Social Security Administration (SSA) is the agency that is in charge of survivor benefits and you apply for benefits through SSA.

Who is entitled to survivor benefits?

When a parent who has worked for some time (we will refer to this person as the "wage-earner") and has paid into SS dies, the surviving child of that parent is entitled to benefits as long as you are unmarried and either:

- under 18 years old;
- 18 or older and have a disability which began before the age of 22; or
- 19 and attending high school full time (going to college or GED classes do not count).

In some special cases you can receive survivors benefits if a step-parent or grandparent that you relied on for support dies. Adopted children can collect benefits too.

If I am under 18 years old, can I collect the survivor benefits myself?

Maybe. If you are a minor (under 18), usually an adult receives the check for you. This person is called the "representative payee" (RP). However, if you are a minor and independent and meet certain conditions, you can receive the benefits yourself. You can do this by going to your local SS office to fill out some forms. If you have any problems, you should contact The Door's Legal Services Center. If you wish to change your RP to another adult, you can do this too by filling out the proper forms.

My family member died a long time ago but I did not apply for survivor benefits at the time. Can I still receive the benefits now?

Yes! As long as you fit into one of the categories mentioned above (see "who is entitled to survivor benefits"), you can receive survivor benefits. However, the benefits are not retroactive. This means that if you did not apply for survivor benefits after your family member's death, you will not get the benefits from the past, but only the benefits starting from the date that you applied. For this reason, it is very important that you apply for survivor benefits as soon as the death in your family occurs.

How do I apply for benefits?

You can go to any SSA office or call SSA and apply over the phone. The easiest way is to call SSA's toll free number at 1-800-772-1213. You can talk with a representative between 7 a.m. and 7 p.m. Monday through Friday. If you are deaf or hard of hearing, you can call SSA's TTY number at 1-800-325-0778 between 7 a.m. and 7 p.m. Monday through Friday. All calls are confidential.

What do I need to get the benefits?

Before SSA can give you survivor benefits, you must provide them with certain documents and information about yourself and the person who has died. **Do not hesitate to apply if you do not have all the information because SSA will help you obtain what you need.** If you are a surviving child, you will need the following:

- your Social Security (SS) number and the SS number of the wage-earner;
- your birth certificate;
- the wage-earner's W-2 form or federal self-employment tax return for the most recent year;
- proof of death—either from the funeral home or the death certificate;
- information about the bank and account number so your benefits can be directly deposited.

How much money will I receive for survivor benefits?

It depends on how long the deceased person worked and how much they contributed to SS. Generally, if you are a child of the deceased, you will be entitled to 75% of the deceased family member's SS earnings. There is also a one-time payment of \$225, but this is available to certain members only. The more money that a person paid into SS, the larger the amount of survivor benefits. The percentage you will receive is based on your age and the type of benefits to which you are entitled.

What is the maximum amount that other family members and myself can receive?

If you and other members of your family are all receiving survivor benefits from the same deceased family member, the maximum percentage that can be taken from that worker's SS entitlement is 150 to 180. If the family is receiving payments above that limit, each person's grant will be reduced proportionately so as not to go over the designated maximum.

Can I still receive survivor benefits if I am already receiving Supplemental Security Income (SSI) or Social Security Disability (SSD)?

Yes. However if your survivor benefits go over the income limit set for SSI and SSD eligibility, your SSI and SSD payments may be reduced or discontinued but your survivor benefits will not be affected or changed.

If I start to work, will my survivor benefits be affected?

Maybe. You are allowed to receive all SS benefits in a year as long as your earnings do not go over a certain limit.

Have questions? Been hassled? Call:

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