

# Social Security Options for Spouses, Widows and Ex-Spouses

This document summarizes the Social Security rules regarding claiming options and planning strategies available to spouses, widows and ex-spouses.

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Choosing when to apply for Social Security is an important decision and can greatly impact a person's ability to meet their retirement goals. The decision becomes more complex if a person is or was married. The table below highlights the key considerations and filing options available to spouses. See Baird's A Guide to Understanding Social Security Retirement Benefits for a more detailed explanation of the various options and planning strategies that spouses have available to them. Be sure to consult with the Social Security Administration to verify options and confirm benefit amounts before implementing any claiming strategy.

- The term "Worker" refers to the individual who is/was the primary or higher wage earner
- The term "Spouse" refers to the individual married to the Worker who is also claiming benefits based on the Worker's earnings history

|   | If Spouse Is:  |   |   |
|---|--|---|---|
|   | Current Spouse   | Divorced Spouse   | Widow(er)/Surviving Divorced Spouse   |
| <b>Earliest Age to Begin Reduced Benefits</b>                 | 62 <sup>1</sup>  | 62 <sup>1</sup>   | 60 <sup>2</sup><br>50, if disabled  |
| <b>How Remarriage Impacts Benefits</b>                        | N/A  | <ul style="list-style-type: none"> <li>• You must be unmarried when you file for benefits</li> <li>• Typically lose the benefit unless and until new marriage ends<sup>3</sup></li> </ul> | <ul style="list-style-type: none"> <li>• Must be unmarried when you file for benefits or the new marriage can be disregarded by Social Security Administration (SSA)<sup>4</sup></li> <li>• Can continue to receive benefits if remarriage occurs after age 60 or age 50 if disabled</li> </ul> |
| <b>Impact on Benefit Amount Paid to Worker</b>                | None   | None  | None  |
| <b>If Spouse Works and is Under Full Retirement Age (FRA)</b> | Benefits will be reduced by \$1 for every \$2 you earn over that year's income threshold amount. Reduction amount is reduced in the year you reach FRA. <sup>5</sup> | Benefits will be reduced by \$1 for every \$2 you earn over that year's income threshold amount. Reduction amount is reduced in the year you reach FRA.                                   | Benefits will be reduced by \$1 for every \$2 you earn over that year's income threshold amount. Reduction amount is reduced in the year you reach FRA.   |

## Social Security Options for Spouses, Widows and Ex-Spouses, *continued*

|  | If Spouse Is:   |  |  |
|--|---|--|--|
|  | Current Spouse  | Divorced Spouse  | Widow(er)/Surviving Divorced Spouse  |
| <b>Maximum Benefit</b>   | 50% of Worker's Primary Insurance Amount (PIA)  | 50% of Worker's PIA  | 100% of Worker's PIA   |
| <b>If Worker Started Benefits Prior to Full Retirement Age</b> | Spousal benefit is not affected, as the starting amount is based on the worker's PIA, reduced if the spouse claims the benefit before FRA | Spousal benefit is not affected, as the starting amount is based on the worker's PIA, reduced if the spouse claims the benefit before FRA  | The maximum benefit is limited to what the Worker would receive if he or she were alive  |
| <b>Does Benefit Earn Delayed Retirement Credits (DRCs)?</b>    | No  | No   | No DRCs are earned on survivor benefit after worker is deceased  |
| <b>Special Planning Considerations</b>                         | Worker must be receiving benefits for spouse to receive benefit   | <ul style="list-style-type: none"> <li>• Must have been married at least 10 years</li> <li>• Not entitled to receive higher benefit on spouse's own work history</li> <li>• Worker is receiving benefits</li> <li>• If worker is not receiving benefits but qualifies, you must be divorced for at least 2 years.</li> </ul> | <ul style="list-style-type: none"> <li>• Widow of current spouse: Must have been married at least 9 months prior to the worker's date of death, but exceptions exist.<sup>6</sup></li> <li>• Widow of divorced spouse: Must have been married for 10 years and is not married at age 60.</li> <li>• If you begin widow's benefits, you can switch to benefits on your own work history at a later age, if they are higher. You can also switch from your own benefit to the widow's benefit, if higher.</li> <li>• If you re-marry after age 62, you may switch to spousal benefits based on your new spouse's record, if it is higher.</li> </ul> |

<sup>1</sup> The complete spousal benefit reduction chart, showing reductions at any age, can be found at <http://www.socialsecurity.gov/planners/retire/agereduction.html>.

<sup>2</sup> Reduction amounts for surviving spouses can be found at <http://www.socialsecurity.gov/planners/survivors/survivorchartred.html>. The formula for survivor benefits is either very easy or very complex, depending on when the deceased spouse filed for their benefit and when the surviving spouse files for the survivor benefit. Consult with the SSA to obtain exact benefit amounts before finalizing any Social Security benefit decision.

<sup>3</sup> Even though you re-marry, in certain cases you can continue to receive benefits based on the work record of your former spouse. This would be the case if, for instance, your new spouse is someone who is receiving widow(er) or parent's benefits.

<sup>4</sup> SSA can disregard a new marriage under certain circumstances, such as a disabled widow who remarried between the ages of 50 and 60.

<sup>5</sup> The earnings threshold amount is \$17,640 for 2019. In the year a person reaches full retirement age, benefits are reduced by \$1 for every \$3 earned over a higher threshold amount, which is \$46,920 for 2019.

<sup>6</sup> Some of the exceptions to the general rule include:

- Survivor is the parent of the worker's child (living or deceased, actual or adopted)
- Survivor was entitled to or potentially entitled to any of the following benefits under either Social Security or Railroad Retirement before the month marrying the deceased worker:
  - Spouse
  - Widow(er)
  - Mother/Father
  - Dependent Parent
  - Childhood Disability