

## Making Sense of Social Security and Divorce

### The Beginning

The Social Security Act was signed by President Roosevelt in 1935. When introduced to Congress, what is now known as "Social Security" was then called the "Economic Security Act". This tells you the original intent of Social Security was precisely to provide economic security to (older), non-working citizens. Known now as old age, survivor and disability insurance, (OASDI), the goal of Social Security is to provide for those who no longer, or are unable to, work.

### Divorce & Social Security Rules

As people live longer, Social Security benefits have grown increasingly important to retirees. As people live longer, an increase in the number of "grey divorces" makes understanding divorce-related Social Security rules a very important consideration.

The most important date with regard to Social Security is your Full Retirement Age, as determined by your year of birth. Today, FRA is 66-years of age to collect full benefits. If you collect earlier than FRA, benefits will be reduced.

In order to collect the SS benefits of your ex-spouse, the Social Security Administration, details several rules that must be met:

- The marriage lasted 10-years or longer
- The divorced spouse is unmarried
- The divorced spouse is **62 or older** (collecting at age 62 is possible, but benefits are reduced)
- The benefit the divorced spouse would receive on their own work record is less than the benefit he/she would receive based on ex-spouses work record
- The ex-spouse is entitled to Social Security benefits

In addition to meeting the above criteria, the benefits of an ex-spouse can be collected regardless of whether or not the former spouse has claimed benefits as long as the couple has been divorced for at least 2-years, which is different than with married couples.

It's also important for ex-spouses to know they're entitled to receive the same survivor benefits as a divorced spouse as if they were married.

Many people find Social Security benefits are a critical component of their retirement planning. When getting divorced, be sure to work with your financial planner to provide a view into Social Security benefits available to you.

Do you have questions? Call me at 913-291-0011 or click here to send an [email](#).