



101 W. Broad St., Suite #101  
Richmond, Virginia 23220  
804-648-1012 or 800-868-1012  
Fax: 804-649-8794

229 North Sycamore Street  
Petersburg, Virginia 23803  
804-862-1100 or 800-868-1012  
Fax: 804-861-4311

103 E Water St, Suite 201/202  
Charlottesville, Virginia 22902  
434-296-8851 or 800-390-9983  
Fax: 434-296-5731

## **Social Security Benefits -2023**

### **What is Social Security?**

Social Security is a federal program that pays monthly payments to aged, blind and disabled people. In some cases, dependents also get benefits. The Social Security Administration (SSA) runs the program. Unlike the Supplemental Security Income (SSI) program, Social Security is like an insurance program. You must have worked and paid enough Social Security taxes to get benefits.

### **How much must I have worked to get Social Security benefits?**

To get retirement (old age) benefits, you must have worked for 40 calendar quarters. A calendar quarter is 3 months. This is called “fully insured.” To get disability benefits, you must have worked in 20 of the last 40 quarters before you apply. This is called “currently insured.”

### **Who can get Social Security old-age benefits?**

You can get full old-age benefits if you are 66 or older and fully insured. You can get early old-age benefits if you are 62 or older and fully insured. If you take benefits at age 62, you get 20% less each month than if you had waited until age 66.

### **Who can get Social Security survivors’ benefits?**

Your widow, widower, child, or parent can get survivors’ benefits if you were insured at the time of your death. Survivors must show you were supporting them before your death.

### **Who can get Social Security disability benefits?**

You can get disability benefits if you are disabled and currently insured. Usually, this means you stopped working less than five years before your disability began. Your disability can be physical or mental or both. You must show with medical evidence that your impairment(s) keeps you from working at your old job or any other job. You also must show your disability has lasted or will last for at least 12 months in a row. You can apply for disability benefits at any age. It is harder for people under the age of 50 to get disability benefits unless they are very severely disabled.

## **Who can get Social Security dependents' benefits?**

Dependents can get benefits if you're eligible or if you die. This includes these people.

- Your spouse, if 62 or older.
- Your spouse, if caring for your minor or disabled child.
- A minor child, under age 18 or under age 19 and attending 12<sup>th</sup> grade or below.
- An adult disabled child, over age 18 and under a disability that began before age 22.
- Your widow or widower, if 60 or older.
- Your widow or widower, if 50 or older and under a disability.
- Your surviving divorced spouse, if married 10 years and could get widow's or widower's benefits.
- Your parents, if they depended on you for at least half of their support.

## **How much are Social Security benefits?**

This depends on how much you made while working. The more you made, the higher your benefit. This is called the "primary insurance amount." In 2023, the average retirement benefits is \$1,827/month, the average disability benefit is \$1,483/month, and the average widow's or widower's benefits is \$1,704/month. In 2023, the maximum retirement benefit that can be collected at full retirement age is \$4,555/month.

SSA also sets a maximum benefit based on the number in your family. This is called the "family maximum." You reach the family maximum when several people are paid on your account. Generally, this happens when more than three people get benefits off your account.

## **What if I can't get Social Security benefits?**

You may be able to get SSI benefits. To get SSI benefits, you must be aged 65 or older, blind, or disabled. SSA also runs this program.

## **How do I apply for Social Security benefits?**

You apply for Social Security at your local SSA District Office. You also can apply for SSI at the same time. Do this by telling the worker at the SSA office you want to apply for SSI.

## **What happens after I apply for Social Security benefits?**

There are five steps in a Social Security case.

- Initial decision. This is a paper review of your medical evidence and work history. Most people are denied at this step.

- Reconsideration. This also is a paper review of your medical evidence and work history. Almost everyone is denied at this step.

- Hearing before an Administrative Law Judge (ALJ). This is your first and only chance for a face-to-face meeting with the person who will decide your case. About half of the people who get to this step are approved.

- Appeals Council. This is a paper review of all the evidence and testimony before the ALJ. Almost everyone is denied at this step.

- Federal court. This also is a paper review of all the evidence and testimony before the ALJ. You have a better chance to win here than at the Appeals Council, but not as good a chance as before the ALJ.

### **Can I appeal a Social Security denial?**

SSA will give you a written decision at each step. You may appeal a denial at each step. You must do this within 60 days of getting the decision. If you disagree with any decision on your Social Security case, you have 60 days to appeal in writing. You file your first three appeals with SSA. Your fourth appeal is filed with your local federal court. You need a lawyer to do this.

### **Do I need a lawyer to get Social Security?**

You may be able to do this, but it is not recommended. Getting Social Security based on disability is hard. You may lose income or other rights if you don't know the law.