

What is Social Security?

Social Security is a federal program that pays monthly payments to aged, blind, and disabled people. In some cases, dependents can also get benefits. The Social Security Administration (SSA) runs the program.

Unlike the Supplemental Security Income (SSI) 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?

If you were born before 1943, you can get **full old-age benefits** if you are 65 or older and you are fully insured. If you were born between 1943

and 1955, you are eligible for **full old-age benefits** at age 66.

You can get **early old-age** benefits if you are 62 or older and fully insured. If you want to take benefits at age 62, you will get 20% less each month than if you had waited until 65.

Who can get Social Security dependents' benefits?

Dependents can get benefits if the worker is retired, disabled, or deceased.

This includes:

- your **spouse**, if 62 or older, or caring for your minor or disabled child
- a **minor child** under age 18 or under age 19 and in 12th grade or below
- your **disabled adult child** who was disabled before reaching age 22
- your **widow or widower**, if 60 or older, or 50 or older and disabled
- 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 the benefit. This is

called the “primary insurance amount” or PIA. SSA has a formula to set benefits. The minimum is about \$250 a month. In 2012, the maximum was \$2,513 per month and the average benefit was \$1,229 a month.

SSA also sets a maximum benefit based on the number in your family. This is called the “family maximum.”

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. Tell Social Security that you want to file an application for both programs, Social Security and SSI.

How do I apply for Social Security benefits?

You apply for Social Security at your local SSA District Office. You may also apply by calling 1-800-772-1213 or by going online to the SSA website, www.ssa.gov. You can also 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.

1. **Initial decision:** this is a paper review of your medical evidence and work history. Most people are denied at this step. A Request for Reconsideration can be filed if the claim is denied.

2. **Reconsideration:** this also is a paper review of your medical evidence and work history. Almost everyone is denied at this step. If the claim is denied upon reconsideration, you can request a hearing before an Administrative Law Judge.

3. **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.

4. **Appeals council:** this is a paper review of all the evidence and testimony before the ALJ. Almost everyone is denied at this step.

5. **Federal court:** this also is a paper review of all the evidence and testimony before the ALJ. You will need a lawyer for this step.

If you disagree with a decision you have **60 days** to appeal in writing.

This brochure is intended for information purposes only and is NOT a suitable substitute for legal advice from a certified attorney.

If you have a specific question, please consult Legal Aid WorksSM at:

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