




A PRACTICAL GUIDE TO SURVIVORS BENEFITS FOR LGBTQ+ COUPLES

DID YOU KNOW? Eligibility for Social Security survivors benefits was expanded to more couples who were or would have been legally married.

Do I qualify for survivors benefits?

You may qualify for survivors benefits if any of the following are true:

-  You were married for at least nine months at the time of your spouse's death.
-  You would have been married for at least nine months if not for unconstitutional state laws that prevented you from doing so.
-  You would have been married at the time of your partner's death if unconstitutional state laws hadn't prevented you from doing so.

WHAT ARE SURVIVORS BENEFITS?

Social Security pays survivors benefits to widows, widowers, and dependents of eligible workers who have passed away. Eligibility to receive these benefits is typically based on how long the worker was employed, the surviving partner's marital status, and how long the worker and their partner were married.

Typically, an individual must have been married to the deceased worker for at least 9 months and have not re-married before the age of 60 (50 if disabled).

APPLYING FOR SURVIVORS BENEFITS

HOW CAN I APPLY FOR SURVIVORS BENEFITS?

CALL:
1-800-772-1213
(TTY 1-800-325-0778)

[Or contact your local Social Security office.](#)

If you are seeking benefits as a result of the [Ely](#) or [Thornton](#) decisions, mention that when you call. You should apply even if you are not sure if you are entitled.

WHAT IF I PREVIOUSLY APPLIED AND WAS DENIED?

If you were previously denied because you were not married for at least nine months, **CALL AGAIN!**

Ask to reopen your claim based on the recent [Ely](#) or [Thornton](#) decisions.

Representatives at the Social Security Administration stand ready to help you receive the benefits you deserve.

The [ELY V. SAUL](#) decision ruled that it is unconstitutional for the Social Security Administration to impose a nine-month marriage requirement for survivors benefits where same-sex couples were not able to be married for that long because of discriminatory marriage laws.

The [THORNTON V. SAUL](#) decision ruled that it is unconstitutional for the Social Security Administration to exclude same-sex couples from survivors benefits when they were unable to marry due to discriminatory state marriage laws.

For a roadmap to Ely, Thornton, and application tips, [> CLICK HERE <](#)

For more information on Social Security benefits [> CLICK HERE <](#)

For more LGBTQ+ aging resources, visit: sageusa.org

 Advocacy & Services for LGBTQ+ Elders
We refuse to be invisible®