



Ask Bob: Can I Get Benefits Under My Deceased Former Spouse's Social Security?

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Question

My ex-husband received Social Security while we were married, however, he went to prison so his Social Security was terminated. I divorced him after he went to prison and now he's dead.

We were married for 16 years prior to the divorce. I'll be 60 this year. Can I apply for Social Security benefits of an ex and deceased spouse?

Answer

This one is tricky, says Bob Kargenian, president of [TABR Capital Management, LLC](#). "But, because she was married longer than 10 years, survivor benefits are available to her even though her ex-husband died while in prison."

Kargenian explains, “She can receive full benefits at full retirement age, or reduced benefits at age 60.” He recommends she contact Social Security to determine the difference in those payouts, as the benefit at full retirement age could be substantially greater, depending on whether it is also greater than the benefit from her own work record. Kargenian recommends a full analysis of her entire income/assets/balance sheet to help make a proper claiming decision.

Got questions? Get answers!

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