

My husband left me. Can I still get his Social Security?

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Q. I receive Social Security benefits. My husband and I were married 28 years and then he left. He's 61 years old. I'm 71. Can I draw from his Social Security now?

— Alone now

A. We're sorry to hear about your marriage.

In order to collect on a former spouse's record, the marriage must have lasted for **at least 10 years** and you must be at least age 62.

Because you were married for longer than 10 years and are older than age 62, as long as you have been divorced for at least two consecutive years, then you are indeed eligible for spouses' benefits from your ex-spouse, said Marnie Hards, a certified financial planner with Aznar Financial Advisors in Morris Plains.

"Keep in mind that **divorced widow's benefits** are also available if you remarry as long as you did so or do so after turning age 60," she said. "Finally, your ex-spouse must be 62 or drawing his own benefits for you to qualify for benefits on his record."

Given that you are over your full retirement age, you will be able to collect 50% of your ex's primary insurance amount, which is the monthly payment he is entitled to at full retirement age, Hards said.

If your ex-spouse was born in 1959, his full normal retirement age would be 66 and 10 months and your benefit would be **based on the amount** that he would receive at that age, she said.

Hards said because you were born before 1954 and have reached your own full retirement age, you were entitled to take only your divorced spouse's benefit starting at age 62 and delay taking your own retirement benefit until age 70. Keep in mind that you are eligible for up to six months of retroactive benefits if you are only applying now, she said.

Additionally, even if your ex-spouse remarries, you will still be eligible for **benefits on his record**.

You said you were already receiving Social Security.

If you have enough credits to qualify for your own Social Security benefits and you apply for your own retirement benefits and for benefits as a spouse, Social Security will always pay **your own benefits first**, she said. If your benefits as a spouse are higher than your own

retirement benefits, you will get a combination of benefits equaling the higher spouse benefit, she said.

Contact Social Security at (800) 772-1213 to go over your specific choices.

Email your questions to Ask@NJMoneyHelp.com.

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