

Important Dates for Applying the New Social Security Rules

		Divorced, Married 10 Years, Not Re-married		Widow(er)			
File and Suspend Dates		Age 66 or older on April 30, 2016* (Born April 30, 1950* or earlier)	Able to file and suspend prior to April 30, 2016*; must have reached FRA	Not applicable	New rules do not apply to widow(er) benefits; can choose when to begin own or widow(er) benefits and later switch	Able to file and suspend prior to April 30, 2016*; must have reached FRA	Able to file and suspend prior to April 30, 2016*; must have reached FRA
Restricted Application Dates		Age 62 or older in 2015 (Born January 1, 1954 or earlier)	File and suspend not an option	Can file a Restricted Application at FRA	Can file a Restricted Application at FRA if all other requirements for divorced spouse benefits are met	Not applicable	Not applicable
		Younger than age 62 in 2015 (Born January 2, 1954 or later)	File and suspend not an option	Restricted Application not an option	Restricted Application not an option	Not applicable	Not applicable

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File and Suspend

Current rules: A person attains *Full Retirement Age* and files for Social Security retirement benefits, but immediately suspends receipt of those benefits, allowing them to earn *Delayed Retirement Credits* of up to 8% for each year benefits are suspended up to age 70. At any time after filing, suspended benefits may be received in a lump sum and monthly benefits will be paid in the amount that person would have received at *Full Retirement Age*. In the meantime, the filer's spouse may file a claim for spousal benefits as early as age 62.

New rules: If a person files and suspends after **April 29, 2016**, no one else may collect a benefit based upon the earnings record of that person. The new rule effectively eliminates a claim for spousal or family benefits based on the earnings record of the person who elected to suspend their benefit. Furthermore, suspended benefits will not be repaid if suspended benefits are restarted.

How are clients affected?

- **Those who have already Filed and Suspended:** Social Security retirement benefits currently received by anyone who has already filed and suspended are unaffected by the new rule.
- **Those born on or before April 30, 1950:** A person otherwise eligible for Social Security retirement benefits who will reach at least age 66 by April 29, 2016 and wants their spouse or family to be able to collect Social Security benefits based on their earnings record is still eligible to elect to *File and Suspend* their benefits, but must actually elect and file no later than April 29, 2016.
- **Those born after April 30, 1950:** Beginning April 30, 2016, a person otherwise eligible for Social Security retirement benefits will still have the opportunity to suspend the payment of benefits, but no spousal or family benefits based on that person's earnings record will be paid to anyone else while benefits are suspended.

Restricted Application

Current rules: A person attains *Full Retirement Age* and files a claim for Social Security retirement benefits, but restricts the claim to only what that person is entitled to receive as a spousal benefit based on the earnings history of their spouse (provided that their spouse has already filed for benefits). The person filing the *Restricted Application* effectively waits to claim their own primary benefit and will therefore earn *Delayed Retirement Credits* of up to 8% for each year receipt of benefits are delayed up to age 70.

New rules: Eligible recipients who are already collecting spousal benefits under a Restricted Application are unaffected. For those not already collecting benefits under a Restricted Application, the rules depend on their age:

- **Individuals who are age 62 or older by the end of 2015** will retain the right to file a Restricted Application for only spousal benefits when they reach their *Full Retirement Age* in the future, provided however that their spouse first also files for his or her own primary benefit.
- **Individuals younger than age 62 at the end of 2015** will automatically receive the greater of the benefits they are eligible for when they file in the future (their individual or primary benefit) or a spousal benefit, depending upon which results in a greater amount.