

## Social Security Disability and Retirement Benefits for Children

More Social Security benefits are given to children than to any other social group. Children are eligible for social security benefits under the account of a parent, step parent, or foster parent that is either disabled or retired (and therefore eligible for Social Security benefits). Children can also be eligible for benefits under the account of their guardian if he or she has died after working and paying enough social security taxes to earn benefits.

Children can receive benefits if they are:

• Unmarried, • Under 18, • Or are between 18 and 19 years of age, but still a full time student in elementary or secondary school, • Or, over the age of 18 and disabled before the age of 22.

Q: But, will my children receive social security benefits even if they do not live with me?

If your children do not live with you, their ability to obtain benefits will depend on the specific relationship you share with them. In order to be eligible for social security benefits, your child must depend on you financially. A child is automatically considered financially dependent on you, regardless of where he or she resides, in the following cases:

• He or she is your legitimate child • The child is your legally adopted child • The child is your natural, recognized, but unlegitimized child, and either a court has made a determination of support, or you regularly contribute financially to support the child.

If you have a recognized, illegitimate child who does not reside in your home, and for whom a judge has not made an official determination of support, you can give evidence of that child's financial dependence upon you by providing:

• Paperwork showing that your child qualifies as your dependant in other state and federal programs • Old W2s and other tax forms showing that you claimed your child as a dependent • Bank records, cancelled checks, etc., showing that you made regular payments on behalf of or in support of your child • Other evidence of the child's dependence

Financial dependability (and eligibility for social security benefits) of a stepchild, on the other hand, will only be determined when that child lives with you and shares with you a parent and child relationship. As a guideline, your husband or wife's legitimate child, adopted child, or illegitimate child will be considered your step child. This step child will remain eligible for benefits after the death of or divorce from their natural parent (your spouse), as long as the child continues to live with you in a regular parent and child relationship.

In any of the above cases, you can provide proof of your relationship to your child. If you choose, you can also provide proof that you do not live with or contribute financially to the support of your child. If you do this, your child will not be entitled to social security benefits under your account.

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