

LEGAL FACT SHEET

Getting a Social Security Number and Care for a U.S. Citizen who is a Minor*

Who May Apply for the Child?

Parents or guardians may request a Social Security Registration number for a minor and must submit documents to establish “the age, citizenship, or alien status, and true identity of such applicants, and to determine which (if any) social security account number has previously been assigned to such individual.”

The law is unclear on whether legal custodians or persons with a parental authorization may apply for a child. It is best to contact the local Social Security office in order to determine who can apply.

To apply for an original number, it is necessary to provide at least two documents that prove age, identity, and U.S. citizenship or current lawful, work-authorized immigration status of the child. The person applying for the number must also prove his or her identity. All documents must be originals or certified copies. The following lists are not exhaustive and other types of documents may be accepted if you are not able to obtain these documents.

Proof of the Child's Identity

To prove the child's identity, you must submit one of the following documents:

- U.S. Passport
- Religious record of birth
- Hospital record of birth
- Final adoption decree
- Daycare or school records maintained by the school or school identity card

When applying for an original Social Security card for a person under age 18, you must show the parents' Social Security numbers. These numbers are necessary to prove the child's identity. However, this item may be left blank if the parent was never assigned a Social Security number, or if you do not know the parent's Social Security number and are unable to get it. A Social Security number will still be able to be assigned to a person under age 18.

Proof of the Child's Age

In general, you must show the child's U.S. birth certificate. In some situations, Social Security may accept another document that proves age, including a religious record made before the age of 5 showing the date of birth, a U.S. hospital record of birth, or passport. If the child was born outside of the U.S., you must submit the child's foreign birth certificate. If you cannot obtain the foreign birth certificate, you may be able to submit other documents, such as the Consular Report of Birth of the Certificate of Naturalization

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Proof of the Child's U.S. Citizenship:

To prove the child's citizenship, you must submit one of the following documents:

- U.S. birth certificate
- U.S. Consular Report of Birth
- U.S. Passport
- Certificate of Naturalization or
- Certificate of Citizenship

As the person applying for the child, if you are a U.S. citizen, you may be required to show a U.S. driver's license, U.S. state-issued non-driver identity card, U.S. passport, U.S. military identity card, health insurance card, Certificate of Naturalization, or employee identity card to prove identity.

How to apply:

You should go to your local Social Security office, complete the application, and bring your original documents. You can find your local office by calling 1-800-772-1213 or by typing your zip code in here: <https://secure.ssa.gov/ICON/main.jsp>.

If the child is age 12 or older and has never been assigned a Social Security number before, he or she must apply in person. If the child is under age 18, he or she or a parent or legal guardian may sign. If the child is physically or mentally incapable of signing the application, generally a parent, close relative, or legal guardian may sign the application. If the child is age 18 or older, he or she must sign the application.

How to appeal a decision:

If the application is rejected and you disagree with the decision, a parent or child may ask for an administrative law hearing. Also, "any such individual" or anyone who makes a showing in writing that his or her rights may be prejudiced by any decision of the Commissioner of Social Security may request a hearing. This list does not include a guardian, a legal custodian, or a designated person by a parent and does not define who exactly qualifies as "any such individual;" however, you should still contact Social Security if the disagree with the decision. At the hearing, you may present evidence to support your case or ask the department to conduct an investigation to support your position.

The above information is not legal advice. It is not a substitute for consulting an attorney. Up-to-date legal advice and legal information can only be obtained by consulting with an attorney. Any opinions, legal opinions, findings, conclusions or recommendations expressed in this publication or on the NYS Kinship Navigator website or by any person or entity to whom you may be referred are those of the Kinship Navigator, Catholic Charities Family and Community Services and/or the person or entity you are referred to and do not necessarily represent the official views, opinions, legal opinions or policy of the State of New York and/or the New York State Office of Children and Family Services (OCFS). NYS Kinship Navigator is a Catholic Charities Family and Community Services program, funded by the New York State Office of Children and Family Services. Catholic Charities Family and Community Services is the only agency authorized by New York State to provide a statewide information and referral service to kinship caregivers. The information herein is published by the NYS Kinship Navigator.