FWD ASSIST HQ

FIELD GUIDE

Filing a Surviving Spouse DIC Claim

File a complete, well-organized DIC claim as a surviving spouse.

J. Erickson

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By J. Erickson | An FWD Assist HQ Field Guide | Publisher: FWD Assist HQ | First Edition, 2026

> **This guide is education, not representation.** It explains how part of the VA system works so you can handle your own business with confidence. It is not legal or claims advice, and reading it does not create any representative relationship between you and the author. The author is not affiliated with the Department of Veterans Affairs, and nothing here is endorsed by the VA.
>
> This guide prints no live VA dollar figures and no rating percentages on purpose, because they change. Before you make a decision based on any number, check the current figure at va.gov. No book can promise you a rating; the evidence in your file decides the result. Help from an accredited Veterans Service Officer is always free.

Filing a Surviving Spouse DIC Claim

File a complete, well-organized DIC claim as a surviving spouse.

Companion to *What They Earned*.

BEFORE YOU READ ONE MORE LINE

If you are in a mental health crisis, stop and call the **Veterans Crisis Line: dial 988, then press 1.** You can also text 838255. It's free, confidential, and open 24 hours a day, and many of the people who answer are veterans.

> **This is general education, not legal or claims advice, and not guidance for your specific claim.** It cannot promise you a rating or an outcome, and no one can. For help with your own claim, see a free accredited representative (see the back of this guide). Nothing here creates a representative relationship.

Current as of October 2026. *Rules, forms, and figures change. Check current details at va.gov.*

THE BEST WAY TO USE THIS GUIDE

The strongest position is to be your own informed advocate and to work with a free accredited representative. An accredited Veterans Service Organization, such as the DAV, VFW, American Legion, or a county or state veterans office, helps at no charge. Accredited claims agents and attorneys can help too. They can't charge for work done before VA issues its initial decision on your claim, and after that they may charge a fee within the limits of 38 CFR 14.636. This guide is here so you understand your own situation and can work with them as a full partner instead of handing it over blind. If you'd rather handle this yourself, and you're comfortable doing that, the guide walks you through every step. Either way, you stay in control.

The Outcome and What You Need Before You Start

The outcome: By the end of this guide you'll have filed a complete, well-organized Dependency and Indemnity Compensation (DIC) claim as a surviving spouse, on the right VA form, with the right documents attached.

This guide prepares you for the task. It doesn't and can't promise an outcome. The evidence in your file decides the result. DIC for a surviving spouse isn't means-tested. It turns on how your veteran died or on their rating history, not on your income or savings.

WHAT YOU NEED BEFORE YOU START

- [ ] Your veteran's DD-214 (discharge document).
- [ ] A certified copy of the death certificate. Order several.
- [ ] Your marriage certificate (certified copy from the issuing county or state).
- [ ] Your veteran's rating decision letters, if any, or their claims file (C-file).
- [ ] Medical records that show the cause of death, if the death certificate isn't clear.
- [ ] Papers that ended any earlier marriage for either of you (divorce decree or a prior spouse's death certificate).
- [ ] Contact information for a free accredited representative (county or state veterans office, or a Veterans Service Organization).

When to start: Now. If VA receives your claim within one year of the date of death, payments can start from the first day of the month your veteran died. After that year, the start date is generally the date VA receives your claim.

Start Here: The Basics

Dependency and Indemnity Compensation, or DIC, is a tax-free monthly payment to the surviving spouse or children of a service member who died in the line of duty, or of a veteran whose death was service-connected or who held a total rating for a set period before death. Parents can qualify only when the death was service-connected, and their DIC depends on income. For a surviving spouse, eligibility turns on two things: the marriage and the death. This guide walks the surviving spouse claim. VA sets the amounts, so check current figures at va.gov.

The Steps

STEP 1

Write down the facts that decide your path.

Note the date of death, the cause of death exactly as the death certificate lists it, where and when your veteran served, whether they had a VA rating, and for how long they were rated totally disabled, if ever.

Done when these facts are written on one page in front of you.

STEP 2

Identify which path to DIC fits your veteran.

There are three. Death on active duty, active duty for training, or inactive-duty training. Death from a service-connected condition, including a presumptive condition; your veteran didn't need to have filed for it during life. Or a total rating (including individual unemployability) held for one of three periods: the 10 years right before death; from release from active duty and at least the 5 years right before death; or at least 1 year right before death for a former prisoner of war.

If your veteran died on active duty, **then** the casualty assistance officer helps you file VA Form 21P-534a. **If** the death came from a service-connected or presumptive condition, **then** the second path fits. **If** one of the total-rating periods fits, **then** the third path applies whatever the cause of death, as long as the death wasn't caused by your veteran's own willful misconduct and your veteran had a compensation claim on file during life. **If** none is clear, **then** go through it with an accredited representative before you decide no path exists.

Do not take "you probably don't qualify" from a phone call as the final word. Presumptive causes of death and the shorter total-rating periods get missed.

Where this is written down: 38 CFR § 3.5, 3.22, 3.307, 3.309, 3.312; 38 U.S.C. § 1310, 1318.

Done when you can name the path that fits, or you have an appointment set to confirm it.

STEP 3

Confirm you meet the marriage rules.

You must have been married to your veteran at the time of death and lived with them without a break until death, unless a separation was the veteran's fault and not yours. For the first two paths, you also need one of these: you married within 15 years after the period of service in which the fatal condition began or got worse, you were married at least 1 year, or you had a child together. For the total-rating path, the 15-year option doesn't apply: you need at least 1 year of marriage right before death, or a child together.

If you've remarried, or you live with a partner, **then** talk to an accredited representative before you decide you can't file. The rules have age-based exceptions.

Where this is written down: 38 CFR § 3.50(b), 3.53, 3.54(c), 3.55, 3.22(d).

Done when you've confirmed the marriage rules fit and you have your marriage certificate in hand.

STEP 4

Request your veteran's C-file and gather your documents.

Request the claims file with VA Form 20-10206, the Freedom of Information Act (FOIA) or Privacy Act (PA) Request, or have your representative request it. It holds the rating history that controls the total-rating path and records that support a cause-of-death claim. Pull the DD-214, the rating letters, and any medical records that name the cause of death. Expect the C-file to take a while.

Done when your documents are in one folder and your C-file request is in.

STEP 5

Order several certified copies of the death certificate and marriage certificate.

Order at least six certified copies of the death certificate from the issuing county or state. You'll need them for VA, Social Security, life insurance, retirement beneficiary changes, banks and probate. Ordering more later can take weeks.

Done when you hold several certified copies of each certificate.

STEP 6

Get free help from an accredited representative.

Call your county or state veterans office, or a Veterans Service Organization such as the American Legion, VFW, DAV, or Vietnam Veterans of America. They can prepare and file the claim with you. Representation begins when you sign VA Form 21-22 (for a service organization) or VA Form 21-22a (for an individual agent or attorney).

Do not pay anyone to prepare or file your initial claim. Accredited Veterans Service Organizations help at no charge. Accredited claims agents and attorneys can't charge for work done before VA issues its initial decision; after that, they may charge a fee within the limits of 38 CFR 14.636. Check accreditation at va.gov/get-help-from-accredited-representative, and report predatory companies to the VA Office of Inspector General at 1-800-488-8244.

Done when an accredited representative is helping you and, if you choose, VA Form 21-22 or 21-22a is signed.

STEP 7

Complete VA Form 21P-534EZ section by section.

The 21P-534EZ, Application for D.I.C., Survivors Pension, and/or Accrued Benefits, covers all three. Fill in your veteran's information, your information, the marriage history and the cause of death. VA treats a DIC claim as a claim for survivors pension and for any accrued benefits owed to your veteran at death, too. Survivors pension depends on income and assets, so fill in those sections if you want pension considered.

Do not guess. If an item doesn't apply, leave it blank as the form's instructions say. If you're unsure of an answer, mark it and ask your representative before you send it.

Where this is written down: 38 CFR § 3.152(b), 3.1000(c).

Done when every required section is complete and the attachments are together.

STEP 8

Write a one-page cover letter that names your path.

Name your veteran and the claim, say which path applies and why, and list the enclosures. For a presumptive cause of death, point to the service record and the condition. For the total-rating path, point to the rating history. Naming the rule that fits helps the rater find it fast.

Where this is written down: 38 CFR § 3.312 (cause of death); 38 CFR § 3.22 (total-rating path).

Done when your cover letter names the path, gives the reason, and lists every enclosure.

STEP 9

File the complete packet.

Upload the form and documents with VA's QuickSubmit tool, file through your accredited representative, or mail it to Department of Veterans Affairs, Pension Intake Center, PO Box 5365, Janesville, WI 53547-5365. If you mail it, use certified mail with return receipt. You can also take it to a VA regional office.

If you need more time to gather records, **then** submit an Intent to File (VA Form 21-0966) first. It covers DIC and holds your filing date for one year.

Do not let the first year after the death pass without filing something. A claim received after that year generally can't be paid back to the month of death.

Where this is written down: 38 CFR § 3.400(c); 38 CFR § 3.155(b).

Done when the packet is in and you have proof VA received it.

STEP 10

Track the claim.

Sign in at va.gov to check claim status, or ask your representative to check for you. If the claim runs long, ask your representative to request an update.

Done when you know how to check the status and have a note of the date you filed.

STEP 11

If VA denies the claim, pick a review lane within one year.

Read the reason for the denial first. You can file a Supplemental Claim (VA Form 20-0995) with new and relevant evidence, ask for a Higher-Level Review (VA Form 20-0996) of the same evidence, or appeal to the Board (VA Form 10182). A Higher-Level Review or Board Appeal has to be filed within one year of the decision. A Supplemental Claim can be filed later, but filing it within that year keeps your original start date. Start at va.gov/decision-reviews.

If VA overlooked a path the existing record supports, such as a total-rating period, **then** a Higher-Level Review may fit. **If** you have new evidence, **then** use a Supplemental Claim. **If** the denial turns on something you don't understand, **then** take it to an accredited representative before you respond.

Where this is written down: 38 CFR § 3.2500, 3.2501, 3.2601; 38 CFR § 20.202, 20.203(b).

Done when you've accepted a decision you understand, or filed a review within a year.

Recap Checklist

- [ ] I wrote down the date and cause of death, the service history, and the rating history.
- [ ] I identified which path to DIC fits my veteran.
- [ ] I confirmed I meet the marriage rules.
- [ ] I requested the C-file and gathered my documents.
- [ ] I ordered several certified copies of the death and marriage certificates.
- [ ] I have a free accredited representative and signed VA Form 21-22 or 21-22a if I chose to.
- [ ] I completed VA Form 21P-534EZ (or 21P-534a for an active-duty death).
- [ ] I wrote a one-page cover letter naming my path.
- [ ] I filed the complete packet within a year of the death and kept proof of receipt.
- [ ] I know how to check my claim status.
- [ ] If denied, I picked a review lane within a year or went to an accredited representative.

Reminder: rules and rates change. Check any current figure at va.gov. Help from an accredited Veterans Service Organization is free. Accredited claims agents and attorneys can't charge for work done before VA issues its initial decision on your claim. After that, they may charge a fee within the limits of 38 CFR 14.636. This guide prepared you for the task. The evidence in your file decides the result.

Get Free, Accredited Help

For anything about your own claim, talk to an accredited representative. Help from an accredited Veterans Service Organization is free. Accredited claims agents and attorneys can't charge for work done before VA issues its initial decision on your claim. After that, they may charge a fee within the limits of 38 CFR 14.636. Free help is available through Veterans Service Organizations such as the DAV, VFW, and American Legion, and through county and state veterans offices.

To find one near you, visit **va.gov/get-help-from-accredited-representative**. Representation begins only when you sign VA Form 21-22 (for a Veterans Service Organization) or 21-22a (for an individual agent or attorney). With one rare exception for a single unpaid case, only accredited people can represent you before the VA, and only an accredited agent or attorney can charge you a fee. Nothing in this guide creates that relationship.

A warning about claim sharks. Anyone who offers to file your initial claim for a fee, or who guarantees you a rating or a percentage, is selling something you shouldn't buy. Accredited Veterans Service Organizations help at no charge, and accredited claims agents and attorneys may charge only after VA issues its initial decision, within the limits of 38 CFR 14.636. Report predatory companies to the VA Office of Inspector General at 1-800-488-8244.

Keep Going: The Full Guide

This field guide is the short, do-this-now companion to the book *What They Earned*. See every FWD Assist HQ title that is out now at **fwdassisthq.com/books**.

Current as of October 2026. *Rules, forms, and figures change. Check current details at va.gov.*

About the Author

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J. Erickson is a service-disabled Air Force veteran. He served as a military firefighter and as a veteran service officer, where he spent years walking veterans through the same claims process he writes about now. He holds an MBA and writes plain-language guides for veterans who want to understand the system without a translator.

He writes the For the Rest of Us series at fwdassisthq.com. This guide is published by FWD Assist HQ as a veteran education resource. It is not affiliated with or endorsed by the Department of Veterans Affairs.