

Domestic Partnership Frequently Asked Questions

What is a Declaration of Domestic Partnership?

House Bill 2007, also known as the Oregon Family Fairness Act, was passed by the Oregon Legislature in 2007. This bill established the Declaration of Domestic Partnership. A same sex couple, wishing to register as legally recognized partners in a domestic partnership, can complete and file a Declaration of Domestic Partnership. The Declaration of Domestic Partnership is a legal document. The form must be signed by both individuals entering into the domestic partnership. Signatures must be acknowledged by a Notary Public. The County Clerk then registers the form in a Domestic Partnership Registry. To be valid, the completed, signed, and notarized forms must be signed by a County Clerk or deputy. A copy of the completed form along with a "Certificate of Registered Domestic Partnership" will be given to the partners in person or by mail.

What is a Certificate of Registered Domestic Partnership?

The Certificate of Registered Domestic Partnership is a commemorative certificate that is suitable for display featuring an attractive design with calligraphy-like font, high quality paper, and a State of Oregon seal. The Certificate of Registered Domestic Partnership is **not** a legal document.

How is Domestic Partnership defined?

Domestic Partnership means the civil contract entered into in person between two individuals of the same sex who are at least 18 years of age, who are otherwise capable and at least one of whom is a resident of Oregon.

When is a domestic partnership prohibited or void?

Partnership is prohibited and void when:

- Either party already has a living declared domestic partner, wife or husband,
- The parties in the domestic partnership are first cousins or any nearer of kin to each other, whether of the whole or half blood, computing by the rules of the civil law. However, when the parties are first cousins by adoption only, the domestic partnership is not prohibited or void.
- Either party is incapable of making the civil contract or consenting to the contract for want of legal age or sufficient understanding, or
- The consent of either party is obtained by force or fraud, the domestic partnership is void from the time it is so declared by a judgment of a court having jurisdiction of the domestic partnership.

When will the forms be available?

The forms and instructions are available at the Vital Records website: <http://oregon.gov/DHS/ph/chs/order/dp.shtml>. Paper forms will be available from the Lane County Deeds and Records office located at:

Lane County Deeds and Records
125 E 8th Ave
Eugene, OR 97401

(NOTE: Forms printed from the web must be printed on legal sized paper – 8.5 inches by 14 inches. Forms presented on anything other than legal size paper will NOT be accepted for registration. A gray stripe down the left hand side of the form is required to show that it is the standard approved form.)

How is the Declaration of Domestic Partnership form completed?

This is a legal form and it must be completed in black or dark blue ink and should not be altered. Forms can be hand or type written. The forms must be signed by both individuals entering into the domestic partnership. Signatures must be acknowledged by a notary public. Most banks and title companies offer notary services. **Lane County Deeds and Records will not provide notary services.**

What do partners do once they have completed, signed and had the form notarized?

In order to be valid; a completed, signed, and notarized form must be submitted, with the applicable fees, to a County Clerk or deputy county clerk for registration.

What is the fee for registering the form with the Lane County Clerk?

The fee is \$60.00, payable by local check or cash only. Certified copies of the Declaration of Domestic Partnership may be purchased at the time of registration for \$4.00; at any subsequent time, the fee is \$7.75.

Can partners complete the entire form at the County Deeds and Records office?

The form can be obtained from the Lane County Deeds and Records office; however, the law requires that both individuals' signatures be notarized prior to submittal to the County Clerk. Most banks and title companies offer notary services. **Lane County Deeds and Records will not provide notary services.**

Do partners have to go the County Clerk's office in their county of residence?

Registration can occur at any Oregon County Clerk's office.

Will partners receive a copy of the Declaration of Domestic Partnership?

The County Clerk will provide a copy of the Declaration of Domestic Partnership form to the partners after registration along with the commemorative Certificate of Registered Domestic Partnership. Certified copies of the Declaration of Domestic Partnership may be purchased at the time of registration.

What happens to the original Declaration of Domestic Partnership once it is filed with the County Clerk?

The original document is scanned and retained as a permanent record in the Domestic Partner Registry maintained by the County Clerk. The original Declaration of Domestic Partnership form is sent to the Center for Health Statistics.

Is the Declaration of Domestic Partnership a public record?

Declarations of Domestic Partnership retained by the County Clerk are public records subject to full disclosure.

How do I get a certified copy of my Declaration of Domestic Partnership?

Certified copies of the Declaration of Domestic Partnership will be available from the Lane County Deeds and Records office immediately upon registration. Certified copies purchased at the time of registration cost \$4.00; at any subsequent time, the fee is \$7.75.