

Frequently Asked Questions for Oregon Registered Domestic Partnerships and the *Declaration of Oregon Registered Domestic Partnership Form*

What is a *Declaration of Oregon Registered 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 Oregon Registered Domestic Partnership* allowing a same sex couple wishing to register as legally recognized partners in a domestic partnership to complete and file a *Declaration of Oregon Registered Domestic Partnership*.

In 2023, [House Bill 2032](#) expanded eligibility for Oregon Registered Domestic Partners to couples of any sex. The legislation went into effect January 1, 2024.

The *Declaration of Oregon Registered Domestic Partnership* is a legal form. The forms must be signed by both individuals entering into the domestic partnership. Signatures must be acknowledged by a notary public. Completed, signed, and notarized forms must be signed by a county clerk to be valid. The county clerk then registers the form in a Domestic Partnership Registry. A copy of the completed form along with a *Certificate of Registered Domestic Partnership* can be given to the partners in person or by mail.

What is a *Certificate of Registered Domestic Partnership*?

Upon registering the *Declaration of Oregon Registered Domestic Partnership*, the partners will receive a *Certificate of Domestic Partnership*. This certificate is a commemorative certificate that is suitable for display featuring calligraphy-like font, high quality paper, and the State of Oregon seal. The *Certificate of Registered Domestic Partnership* is not a legal document.

How is a Domestic Partnership defined?

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

- As of January 1, 2024: partners may be of any sex.
- Prior to December 31, 2023: both individuals had to be of the same sex.

How old do partners have to be to enter into a domestic partnership?

The law requires that each individual must be at least 18 years of age.

Do both partners have to be Oregon residents?

No. Only one individual must be an Oregon resident. State of residence is indicated on the form.

When is a domestic partnership prohibited or void?

Partnership is prohibited and void:

- When either party to the domestic partnership had a partner, wife or husband living at the time of the domestic partnership unless the partner, wife or husband was the other party to the domestic partnership,
- When the parties in the domestic partnership are first cousins or any nearer of kin to each other,
- When either party is incapable of making the civil contract or consenting to the contract for want of legal age or sufficient understanding, or
- When 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. (See [ORS 106.315](#))

Are Oregon Registered Domestic Partnerships recognized by other states or the federal government as legal relationships?

Other states are under no legal obligation to recognize Oregon Registered Domestic Partnerships, but they may do so. Consult a legal professional regarding the laws of the individual state in question for more information.

Oregon Registered Domestic Partnerships are not recognized by the federal government, but individual federal agencies may take state laws into account when determining their policies. Consult a legal professional regarding the specific federal agency in question for more information.

Are partners in an Oregon Registered Domestic Partnership eligible for spousal benefits?

Oregon law grants partners in an ORDP the same legal benefits as partners in a marital relationship. See [ORS 106.340](#).

Other states are under no legal obligation to recognize Oregon Registered Domestic Partnerships, but they may do so. Consult a legal professional regarding the laws of the individual state in question for more information.

Some employee benefit plans that are subject to federal regulation may not extend the same rights to partners in an ORDP as they would to married partners. Consult the administrator of the benefit plan in question for more information.

Can first cousins by adoption enter into a domestic partnership?

Yes, when parties are first cousins by adoption only, the domestic partnership is **not** prohibited or void.

Can Domestic Partners take each other's names with this form?

ORS106.335 currently allows the following name changes during registration of domestic partnership:

- (1) Upon entering into a domestic partnership, either party to the domestic partnership may:
 - (a) Retain the party's middle name, if any, and surname prior to the domestic partnership;
 - (b) Retain the party's middle name, if any, and change the party's surname to the surname of the other party;
 - (c) Either retain or remove the party's middle name, if any, and change the party's surname to a combination of one or more of the surnames, or names within the surnames, of either or both parties, with or without a hyphen;
 - (d) Change the party's middle name, if any, to the party's surname at birth or prior to the domestic partnership; or
 - (e) Add to the party's middle name, if any, the party's surname at birth or prior to domestic partnership and change the party's surname to the surname of the other party.

Contact your local county clerk's office if you have additional questions about these guidelines.

How do interested parties get a Declaration of Oregon Registered Domestic Partnership form?

The form and instructions for completing the form are available on the Center for Health Statistics web site which can be accessed through this shortcut at: bit.ly/ORDomPart

NOTE: Forms printed from the web must be printed on legal size paper – 8.5 inches by 14 inches. A gray stripe down the left-hand side of the form is required to show that it is the standard approved form.

The form can also be ordered via mail from the Center for Health Statistics.

Center for Health Statistics

P.O. Box 14050

Portland, OR 97293-0050

Please specify that you are ordering a Declaration of Oregon Registered Domestic Partnership form and include your mailing address and daytime phone number in correspondence.

County clerks throughout the state should also have forms available.

Does HB 2024 which expands domestic partnerships to couples of any sex require an updated *Declaration of Oregon Registered Domestic Partnership* form to be completed after January 1, 2024?

No, the form does not need to be updated and will continue to be used. The number and date on the bottom of the form are: 45-6 (01/10).

How is the *Declaration of Oregon Registered 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-written or typed. **All sections of the form need to be completed with the exception of the bottom of the form which is marked as optional.** Please refer to [step-by-step instructions](#) for completing each item. The forms must be signed by both individuals entering into the domestic partnership.

Signatures must be acknowledged by a notary public. This can be done together or at separate times as there is a place for a notary to acknowledge each partner's signature.

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

Completed, signed, and notarized forms must be signed and registered by a county clerk to be valid. Contact your local county clerk to get information on hours and fees. See the following web site for a listing of Oregon counties. Look for a section for county clerks on your county's website. <https://www.oregon.gov/pages/counties.aspx>

Is there a fee for registering the form with the county clerk?

Yes, contact your local county clerk for fee information.

Can partners complete the entire form at the county clerk's office?

Contact your local county clerk's office to get information on completing the form and associated fees. Remember that the form needs to be notarized, so make sure to check if a notary is available at the county clerk's office before assuming the form can be completed there.

Do partners have to go the county clerk’s office in their county of residence?

No, partners can register the form at any Oregon county clerk’s office.

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

The county clerk will provide you a copy of the form after it is registered. You should also receive a Certificate of Registered Domestic Partnership. These documents may be given to you in person or mailed to you.

You can purchase certified copies of the declaration filed at the county when filed or at any time after the declaration is registered. Contact the county clerk’s office for fee information.

What happens to the original *Declaration of Oregon Registered Domestic Partnership* once it is filed with the county clerk?

Every county clerk registering *Declaration of Oregon Registered Domestic Partnership* forms must send the original forms to the Center for Health Statistics within 15 calendar days of the date of registration at the county.

Is the *Declaration of Oregon Registered Domestic Partnership* a vital record? *Declaration of Oregon Registered Domestic Partnerships* filed with the Center for Health Statistics are vital records. Access to the record is restricted to family members, their legal representatives, and persons or organizations with a personal or property right for 50 years after the event.

How do I get a certified copy of my *Declaration of Oregon Registered Domestic Partnership* from the Center for Health Statistics?

Certified vital record copies of the *Declaration of Oregon Registered Domestic Partnership* can be ordered from the Center for Health Statistics, also known as Oregon Vital Records. Only family members, their legal representatives, or persons or organizations with a personal or property right can order certified copies. Certified copies of the *Declaration* can only be issued after the original completed forms are filed with the Center for Health Statistics. Original forms completed at the county are sent to the Center for Health Statistics within 15 calendar days of registration. Once at the Center for Health Statistics, the records are registered and entered into the vital records system. Therefore, it may take up to six weeks from the date of registration of the Declaration at the county for the Center for Health Statistics to have the record available for issuance of certified copies.

Certified copies can be ordered in person, via the drop box, or by mail, phone, or the internet.

Visit www.HealthOregon.org/chs for information on these options for ordering a certified copy, including fees.