

COMPLETING AND FILING
DECLARATION OF OREGON REGISTERED
DOMESTIC PARTNERSHIP FORM
45-6 (01/10)
Effective January 1, 2010

INSTRUCTIONS FOR
COUNTY CLERKS

Center for Health Statistics
Office of Disease Prevention and Epidemiology
Public Health Division
Department of Human Services

Mailing Address
Oregon Vital Records
P.O. Box 14050
Portland, OR 97293-0050
971-673-1180

Instructions and forms are available at:

www.oregon.gov/DHS/ph/CHS

Effective January 1, 2010

Revised Form

**Updated to reflect new legislation related to legal name
taken after domestic partnership**



PLEASE READ:

Declaration of Oregon Registered Domestic Partnership (form 45-6 (01/10)) is a new form.

All Oregon Registered Domestic Partnerships filed/registered with the county clerk after January 1, 2010 **must** be on the new form **Declaration of Oregon Domestic Partnership** (form 45-6 (01/10)).

The new forms 45-6 (01/10) can be completed and signed by partners and notarized prior to January 1, 2010 as long as the form is filed/registered with the county clerk after January 1, 2010.

All Oregon Registered Domestic Partnerships filed/registered with the county clerk prior to January 1, 2010 must be on the old form 45-6 (01/08).

Old forms 45-6 (01/08) cannot be accepted by the county clerk for filing/registration after January 1, 2010.

General Information

The Declaration of Oregon Registered Domestic Partnership is a legal form. The County Clerk should make these forms available to the public. The form should be completed in black or dark blue ink and should not be altered. **The legal form is 8 1/2 inches by 14 inches and has a gray stripe along the left-hand side. All sections of the form need to be completed unless otherwise specified in the instructions.** The forms must be signed by both individuals entering into the domestic partnership. Signatures must be acknowledged by a Notary Public. The form needs to be signed and registered by the County Clerk to be valid.

The County Clerk registers the form in a Domestic Partnership Registry. A copy of the form, along with a “Certificate of Registered Domestic Partnership,” can be provided to the partners in person or by mail.

Definitions

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 which is a resident of Oregon.

Partner is an individual joined in a domestic partnership.

Criteria for Entering into a Domestic Partnership

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, whether of the whole or half blood or adoption, computing by the rules of the civil law;
- when either party is incapable of making the civil contract or consenting to the contract for want of legal age or sufficient understanding; and/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.

NOTE: When parties are first cousins by adoption only, the domestic partnership is **not** prohibited or void.

Filing Forms with the Center for Health Statistics

Every official registering Declarations of Domestic Partnership must send the forms completed during the preceding month to the Center for Health Statistics on or before the 10th day of each calendar month.

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

Amending Declaration of Domestic Partnership Forms

Declaration of Domestic Partnership forms that are filed with the Center for Health Statistics are amended using the same process as for amending marriage records. A copy of the amended form is forwarded to the Center for Health Statistics with a letter requesting that a similar amendment be completed by the state.

INSTRUCTIONS FOR COMPLETING THE DECLARATION OF OREGON REGISTERED DOMESTIC PARTNERSHIP FORM

ON THE TOP PORTION OF THE FORM:

Enter the Local File Number in the space provided.

DO NOT write or mark in the space provided for the State File Number. This space is for State use only.

PARTNER A INFORMATION

ITEM 1: PARTNER A - LEGAL NAME (First, Middle, Last)

- Type or print Partner A's current legal first, middle and last names.
- Prefix names (*e.g.*, Sir, etc.) should be placed before the first name (Mr., Ms., Mrs., and Miss are not prefixes.)
- Suffix names (*e.g.*, Jr., etc.) should be placed after the last name.

ITEM 2: PARTNER A - SURNAME AT BIRTH (if different than current legal surname) (NOTE: Surname is the Last Name.)

- Complete only if current legal surname differs from birth legal surname.
- List only surname at birth. Other surnames should be listed in Item 3.
- If surname at birth is not different than current legal name, leave blank.

ITEM 3: PARTNER A – OTHER LEGAL SURNAMES USED (NOTE: Surname is the Last Name.)

- Complete only if there was a previous legal surname other than the birth surname (*e.g.*, names from previous marriages or legal name changes).
- List all previous legal surnames.
- If there are no other legal surnames, leave blank.

ITEM 4: PARTNER A - BIRTHPLACE

- Complete with U.S. state name or foreign country name.
- **DO NOT** list provinces or regions of domestic or foreign countries.

- Birthplace is used in combination with name and date of birth to distinguish a partner from another person with the same name.

ITEM 5: PARTNER A - DATE OF BIRTH (Month, Day, Year)

- List the month, day, and year of birth, in that order.
- Use the full name of the month (*e.g.*, January, February, March, etc.). Do not use abbreviations or numerical formats for the month.
- Date of birth, along with age in Item 6, is used for verification of age to meet the minimum age requirement for a domestic partnership and to distinguish a partner from another person with the same name.

ITEM 6: PARTNER A - AGE (18 or older)

- Enter numeric.
- Age must be greater than or equal to 18.
- Age should be accurate and correspond to birth date in Item 5.

ITEM 7: PARTNER A - SEX

- Enter Male or Female only, without abbreviations or symbols.
- This is necessary to establish eligibility for a domestic partnership.
- Partners A and B **MUST** be of the same sex.

ITEM 8: PARTNER A - CURRENT PARTNERSHIP/MARITAL STATUS

- Enter “Never Married,” “Widowed,” or “Divorced.”
- Neither partner may presently be in a marriage or legally recognized domestic partnership.

ITEM 9a: PARTNER A – RESIDENT COUNTY

- Enter current county of residence.
- This item may be left BLANK if residing outside the U.S.

ITEM 9b: PARTNER A - RESIDENT STATE

- Enter the current U.S. state of residence.
- If not a U.S. resident, enter the name of the country.
This is needed to establish eligibility for domestic partnership.

ITEM 9c: PARTNER A - MAILING ADDRESS

Enter full mailing address (Number and Street, City, State, Country, and Zip Code).

ITEM 10: PARTNER A LEGAL NAME TAKEN AFTER DOMESTIC PARTNERSHIP

With the passage of House Bill 2839 during the 2009 legislative session, Oregon Registered Domestic Partners can document the legal name each will use after the Declaration of Oregon Registered Domestic Partnership form is filed. The legal name to be taken after domestic partnership for Partner A is recorded on item 10 on the Declaration of Oregon Registered Domestic Partnership (form 45-6 (01/10)). The law limits the options for the surname to:

- retaining the surname prior to the partnership;
- changing the surname to the other party's surname; or,
- changing the surname to a hyphenated combination of the partner A's and partner B's surnames, in either order.

The middle name may only be changed if a new surname (last name) is selected. In that situation, the middle name may only be changed to the person's current surname (last name) at the time of partnership.

Refer to information sheet “**Last name taken following a Declaration of Oregon Registered Domestic Partnership after January 1, 2010**” for more information.

PARTNER B INFORMATION

ITEM 11: PARTNER B - LEGAL NAME (First, Middle, Last)

- Type or print Partner B's current legal first, middle and last names.
- Prefix names (*e.g.*, Sir, etc.) should be placed before the first name. (Mr., Ms., Mrs., and Miss are not prefixes).
- Suffix names (*e.g.*, Jr., etc.) should be placed after the last name.

ITEM 12: PARTNER B - SURNAME AT BIRTH (if different than current legal surname) (NOTE: Surname is the last name.)

- Complete only if current legal surname differs from birth legal surname.
- List only surname at birth. Other surnames should be listed in Item 3.
- If surname at birth is not different than current legal name, leave blank.

ITEM 13: PARTNER B – OTHER LEGAL SURNAMES USED

(NOTE: Surname is the last name.)

- Complete only if there was a previous legal surname other than the birth surname (*e.g.*, names from previous marriages or legal name changes).
- List all previous legal surnames.
- If there are no other legal surnames, leave blank.

ITEM 14: PARTNER B - BIRTHPLACE

- Complete with U.S. state name or foreign country name.
- **DO NOT** list provinces or regions of domestic or foreign countries.
- Birthplace is used in combination with name and date of birth to distinguish a partner from another person with the same name.

ITEM 15: PARTNER B - DATE OF BIRTH

- List the month, day, and year of birth, in that order.
- Use the full name of the month (*e.g.*, January, February, March, etc.). Do not use abbreviations or numbers for the month.
- Date of birth, along with age (in Item 6), is used for verification of age to meet the minimum age requirement for a domestic partnership and to distinguish a partner from another person with the same name.

ITEM 16: PARTNER B - AGE (18 or older)

- Enter numeric age.
- Age must be greater than or equal to 18.
- Age should be accurate and correspond to birth date in Item 5.

ITEM 17: PARTNER B - SEX

- Enter Male or Female only, without abbreviations or symbols.
- This is necessary to establish eligibility for a domestic partnership.
- Partners A and B **MUST** be of the same sex.

ITEM 18: PARTNER B - CURRENT PARTNERSHIP/MARITAL STATUS

- Enter “Never Married” “Widowed,” or “Divorced.”
- Neither partner can presently be in a marriage or legally recognized domestic partnership.

ITEM 19: PARTNER B RESIDENT COUNTY

- Enter current county of residence.
- This item may be left **BLANK** if residing outside the U.S.

ITEM 19b: PARTNER B RESIDENT STATE

- Enter the current U.S. state of residence.
- If not a U.S. resident, enter the name of the country.
- This is needed to establish eligibility for domestic partnership.

ITEM 19c: PARTNER B MAILING ADDRESS

- Enter full mailing address (Number and Street, City, State, Country, and Zip Code).

ITEM 20: PARTNER B LEGAL NAME TAKEN AFTER DOMESTIC PARTNERSHIP

With the passage of House Bill 2839 during the 2009 legislative session, Oregon Registered Domestic Partners can document the legal name each will use after the Declaration of Oregon Registered Domestic Partnership form is filed. The legal name to be taken after domestic partnership for Partner B is recorded on item 20 on the Declaration of Oregon Registered Domestic Partnership (form 45-6 (01/10)). The law limits the options for the surname to:

- retaining the surname prior to the partnership;
- changing the surname to the other party's surname; or,
- changing the surname to a hyphenated combination of the partner A's and partner B's surnames, in either order.

The middle name may only be changed if a new surname (last name) is selected. In that situation, the middle name may only be changed to the person's current surname (last name) at the time of partnership.

Refer to information sheet “**Last name taken following a Declaration of Oregon Registered Domestic Partnership after January 1, 2010**” for more information.

SIGNATURES and NOTARY CERTIFICATION

Oregon law requires that each individual who wants to enter into a domestic partnership complete an acknowledgment stating that he or she is at least 18 years of age, capable of entering into a domestic partnership, that one partner entering into this domestic partnership resides in Oregon, and that he or she consents to the jurisdiction of the circuit courts of Oregon for the purpose of obtaining a dissolution or annulment of this domestic partnership.

The form must be signed and dated by each individual entering into this domestic partnership. A Notary Public must acknowledge each individual's signature.

LOCAL OFFICIAL INFORMATION

This section must be completed by the county official registering the form in order for the form to be valid.

County of Filing:

- Enter the Oregon county where the Declaration of Domestic Partnership is filed.

Signature of County Official:

- The county official registering the Declaration of Domestic Partnership needs to sign the declaration.

Name of County Official:

- Print the name of the county official registering the Declaration of Domestic Partnership.

Date Registered at the County:

- Enter the month, day, and year that the Declaration of Domestic Partnership is registered by the county official.
- Use the month's full name, if possible. Abbreviations of months' names are acceptable, however.
- Do not use a numerical format for designating months.

STATISTICAL INFORMATION

STATISTICAL ITEMS 20 - 25 ARE FOR STATISTICAL PURPOSES ONLY. THEY DO NOT APPEAR ON THE CERTIFIED RECORD. (NOTE: These ITEMS were not renumbered in new form. Therefore, there are two ITEM 20s). The statistical items are OPTIONAL. Enter "REFUSED" in each item that is not completed.

This statistical information is used to study the demographic characteristics of persons entering domestic partnerships. The first row contains information for Partner A; the second row is for Partner B.

ITEM 20: NUMBER OF THIS PARTNERSHIP

- Include previous marriages, as well as previous legally recognized domestic partnerships in total count.
- 20a and 20b: Enter “First,” “Second,” etc.

ITEM 21: IF PREVIOUSLY MARRIED OR PART OF A DOMESTIC PARTNERSHIP, HOW DID IT END?

- Only mark something if the partner was in a previous legally recognized domestic partnership or marriage. Otherwise, leave blank.
- 21a and 21b: Indicate “Death,” “Divorce,” “Dissolution,” or “Annulment.”

ITEM 22: HISPANIC ORIGIN

- Specify “Yes” or “No.”
- If “Yes,” specify Hispanic group. For the purposes of this item, “Hispanic” refers to people whose origins are from Spain, Mexico, or Central or South America.

Options:

Yes, Mexican, Mexican American, Chicano;

Yes, Puerto Rican;

Yes, Cuban;

Yes, other Spanish/Hispanic/Latino;

No; or,

Unknown

ITEM 23: RACE(S)

- Race is self-identified.
- Applicants may indicate multiple races.

Options:

American Indian or Alaska Native;

Asian Indian;

Black or African American;

Chinese;

Filipino;

Guamanian or Chamorro;

Japanese;

Korean;

Native Hawaiian;

Samoan;
White;
Vietnamese; and.or,
Other (Specify)

ITEM 24: EDUCATION Highest grade completed.

- Enter the category that best describes the highest degree or level of school completed by the applicant. Report only those years of school that were completed.

Options:

8th grade or less;

9th-12th grade; no diploma;

High school graduate or GED completed;

Some college credit, but no degree;

Associate degree (e.g. AA, AS);

Bachelor's degree (e.g. BA, AB, BS);

Master's degree (e.g. MA, MS, MEng, MEd, MSW, MBA);

Doctorate (e.g. PhD, EdD); or,

Professional degree (e.g. MD, DDS, DVM, LLB, JD)

ITEM 25: OCCUPATION

- Enter the occupation that each individual has at the time of entering into this domestic partnership.