DOMESTIC PARTNERSHIP RIGHTS

Eligibility Requirements to Register:

1. Same sex couples or different sex couples if one partner is 62 years old;
2. Both are at least 18 years old;
3. Both share a common residence and are NOT close blood relatives;
4. Neither partner is in a marriage or domestic partnership with another person;
5. Both are legally capable of consenting to the Domestic Partnership;
6. Grants rights and responsibilities in certain areas:
   a. Health care decisions making hospital/visitation/information;
   b. Powers of attorney/damages for wrongful death;
   c. Administer partner’s estate/recognize partner on Death Certificate;
   d. Inherit w/o will, buried as a couple/control disposition of remains.

Termination of Registered Domestic Partnerships:

1. Either party filing a signed notarized notice of termination with the Secretary of State and paying a filing fee;
2. If notice to terminate not signed by both parties, also need to file an affidavit of service;
3. The Secretary of State must register the notice of termination and provide a certificate of termination to each party. Termination is effective 90 days after the date of filing the notice;
4. A State Registered Domestic Relationship is automatically terminated if either party subsequently enters into a marriage with each other or another person that is recognized as valid in this state;

Mandatory RCW 26.09 Dissolution Process if the Following Applies:

1. Either partner has a child under 18 years old;
2. Either partner is pregnant;
3. DP is registered for 5 years or more;
4. Either partner has an ownership interest in real property;
5. Either party leases and lives in a residence with an option to purchase and lease terminates in more than a year;
6. Either partner has unpaid obligation of $4K or more which incurred after the DP date (does not include auto loans);
7. FMV of community assets is $25K or more;
8. No settlement agreement;
9. One partner does not waive rights to maintenance;
10. Either party does not want the dissolution;
11. Both partners have not signed the termination notice.

(Not mandatory if the above does not apply, just do a termination as listed above.)
Dissolution of Registered Domestic Partnerships:

1. RCW 26.09;
2. Community property;
3. Maintenance;
4. Parenting plans;
5. Child support;

Parenting Issued for DP Dissolutions:

1. Key question – is a domestic partner also a parent of the other DP’s child?
2. RCW 26.09.020(1)(d) – changed to read, “any child dependent upon either or both spouses or both DP”.
3. RCW 26.09.050(1) – changed to read, “make provision for a parenting plan for any minor child of the marriage or DP, make provision for the support of any child of the marriage or DP”.
5. De Facto Parentage:
   a. In re parentage of L.B. – de facto parentage test:
      1. Parent consented to and fostered parent-like relationship;
      2. Petitioner and child lived together in same household;
      3. Petitioner assumed parenthood obligations, no expectation of repayment;
      4. Petitioner has been in parental role long enough for a bonded, dependent relationship parental in nature;
      5. Fully, completely undertaken permanent, unequivocal, committed, responsible parental role in child’s life.