

### Registering a Domestic Partnership In New Jersey

The Domestic Partnership Act became effective on July 10, 2004 and was amended by the Civil Union Act implemented on February 19, 2007.

Under the original Domestic Partnership Act same-sex couples age 18 or older and opposite-sex couples age 62 or older had to meet the requirements of the Act to register a Domestic Partnership. The implementation of the Civil Union Act amended this requirement such that effective February 19, 2007 same-sex or opposite-sex couples must be age 62 or older and meet the remaining eligibility requirements of the Domestic Partnership Act to register as Domestic Partners.

Domestic Partnerships registered prior to February 19, 2007 are still valid and are afforded the rights and benefits of Domestic Partners.

### Registering a Domestic Partnership

Applicants must obtain an Affidavit of Domestic Partnership. The Affidavit must be completed and signed by both applicants at the same time, in the presence of a notary. The applicants must appear together to file the Affidavit with a Local Registrar of Vital Statistics at any municipality throughout the State and pay the required fee of \$28. It is advisable to contact the Local Registrar's Office in advance to ascertain if there are designated hours for accepting applications for marriage, civil union or domestic partnership. Domestic Partnerships are not considered registered until the Affidavit has been filed with the Local Registrar's Office and the Certificate of Domestic Partnership has been issued.

Each applicant must supply valid identification documentation that establishes name, age, date of birth and proof of residency. This may be supplied by one or more documents issued by a government agency, such as a certified copy of a birth certificate, driver's license, military identification or state/county identification card. A registration or operator's license for any motorized vehicle, such as motorcycles, boats, and motorhomes, to name a few, that must be registered with the Motor Vehicle Commission will be accepted. A passport or county issued ID

will establish identity. A mortgage, lease, tax records or utility bills will establish residency.

### **Eligibility Requirements for registering a Domestic Partnership**

Couples wishing to register a Domestic Partnership must be same sex or opposite sex couples who are both 62 years of age or older. Couples must:

1. Share a common residence in New Jersey or any other jurisdiction provided that at least one of the applicants is a member of a New Jersey State-administered retirement system;
2. Both persons are jointly responsible for each other's common welfare as evidenced by joint financial arrangements or joint ownership of real or personal property;
3. Both persons agree to be jointly responsible for each other's basic living expenses during the domestic partnership;
4. Not be party to a marriage or civil union recognized by New Jersey law or a member of a domestic partnership with another individual;
5. Not be related to each other by blood or affinity up to and including the fourth degree of consanguinity (simply stated, individuals who are first cousins or more distantly related);
6. Chose to share each other's lives in a committed relationship of mutual caring;
7. Not have legally terminated another domestic partnership within the last 180 days. (This prohibition does not apply when the previous partnership ended due to the death of the other partner).

If the residence is outside the State of New Jersey, at least one of the applicants must provide proof of membership in a New Jersey State-administered retirement system by providing one of the following documents issued by the Division of Pensions and Benefits:

1. A Personal Benefits Statement from the current or previous year;
2. a 1099R from the current or previous year or
3. a Certificate of Pension Membership.

### **Filing of the documents**

The Local Registrar in the municipality in which you register your Domestic Partnership will retain a copy of both the Affidavit of Domestic Partnership and the Certificate of Domestic Partnership. These documents will also be retained at the Office of Vital Statistics and Registry.

To show proof of a Registered Domestic Partnership, you must obtain a certified copy of the Certificate of Domestic Partnership. A certified copy can be obtained from either the Local Registrar where the event was registered or the Office of Vital Statistics and Registry. To obtain a copy of the certificate, you must identify the date and location of the filing for the Domestic Partnership, and provide identification to establish your identity.

### **Terminating a Domestic Partnership**

In order to end a Domestic Partnership, you must file a request for termination with the Superior Court of the State of New Jersey. Following termination, you are responsible for notifying any entity that you had originally notified when you entered into the Domestic Partnership.