



COUNTY CLERK'S OFFICE

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DOMESTIC PARTNERSHIP INFORMATION

WHERE TO APPLY

County Clerk's Office
Ozaukee County Administration Building (Downtown)
121 W. Main Street, Room 128
Port Washington, WI 53074
Phone: (262) 284-8110 or (262) 238-8110

Hours: 8:30 a.m. – 4:00 p.m. – Monday through Friday

Closed Saturdays, Sundays and Legal Holidays
Appointments are not required.

PROCESS FOR APPLYING FOR A DECLARATION OF DOMESTIC PARTNERSHIP

- Partners who meet the criteria apply for a declaration of domestic partnership with the County Clerk in the county where they reside. They must provide necessary documentary proof and information.
- The application and original declaration will be prepared in the County Clerk's office.
- After five days, the original declaration is issued to the couple, who signs it before a Notary, and submits it to the Register of Deeds. The Register of Deeds records the declaration and forwards the original to the State Registrar of Vital Statistics. The domestic partnership is not effective until the declaration is filed by the couple at the Register of Deeds Office.
- Waivers are at the discretion of the County Clerk for unusual circumstances. Prior approval from County Clerk is required.

REQUIREMENTS

Applicants must meet the following requirements:

- Both parties must be at least 18 years of age and must be competent to enter into a legal contract such as a domestic partnership.
- Neither party may be currently married.
- Neither party can be currently in a legal domestic partnership with another party.
- The parties must share a common residence.
- The parties must be of the same sex.
- The parties cannot be closer in relationship than second cousins (even if they are related by adoption or by half-blood).
(Wis. Stat. §770.05)

RESIDENCY REQUIREMENT

Applicants must apply in person at the County Clerk's office in the county in which one or both of the partners have resided for the last 30 days immediately prior to application.

FEE

- The cost for a Declaration of Domestic Partnership in Ozaukee County is \$100 to be paid at the time of application. This is payable by cash or check. **NO credit/debit cards accepted. NO refunds issued.**
- The cost to file a Notice of Termination in Ozaukee County is \$100 to be paid at the time the Notice is brought to the County Clerk's office. This is payable by cash or check. **NO credit/debit cards accepted. NO refunds issued.**

DOCUMENTS NEEDED TO APPLY FOR THE DECLARATION OF DOMESTIC PARTNERSHIP

Partners must apply together and both applicants must provide the following documents at the time of application.

1. **CERTIFIED Birth Certificate:**
(NOT a Hospital Certificate or State Notification of Birth Registration)
2. **CURRENT (non-expired) Photo Identification:** This is a valid driver's license or state ID showing photo for identification and reflecting your **CURRENT ADDRESS.**
3. **Proof of Residency:** If photo ID does not contain the current address, a dated utility bill or other official correspondence addressed to the applicant (by name) with the applicant's current street address. Mail addressed to a post office box does not fulfill this requirement.
4. **Social Security Card:** If you do not have your social security card, a document with your name and complete number will be accepted; i.e.; health insurance card, paycheck stub, W-2 form, Military ID. NOTE: Refusal to furnish this information - no declaration will be issued.
5. **Proof of Previous Domestic Partnership or Marriage (if applicable):**
 - If an applicant was in a prior legal domestic partnership in Wisconsin (filed under the provisions of the 2009 Domestic Partnership Law, Wis. Stat. Chapter 770), the applicant must show a certified copy of the Certificate of Termination of Domestic Partnership.
 - If an applicant was previously married, the applicant must show a **signed** copy of the divorce judgment (Findings of Facts or Judgment of Divorce), or Annulment certificate (does not include church annulment), or a certified death certificate.

If any of the required documents are not in English, a Notarized, Translated copy must be presented, in addition to the original.

WAITING PERIOD BETWEEN THE END OF A “LEGAL RELATIONSHIP” (DOMESTIC PARTNERSHIP OR MARRIAGE) AND THE DATE A PERSON CAN ENTER INTO A NEW ONE.

- There is a 90-day waiting period between the date the termination of domestic partnership is filed at the Register of Deeds office and the date that a party can enter into a new domestic partnership.
- There is no waiting period between the death of a domestic partner and application for a declaration of domestic partnership.
- There is no waiting period between a divorce or annulment from a former spouse and application for a declaration of domestic partnership.
- There is no waiting period if the domestic partnership ended because of the subsequent marriage of one of the domestic partners.

TERMINATION OF A DOMESTIC PARTNERSHIP

- Partners who want to terminate their Wisconsin domestic partnership must file a notice of termination of the domestic partnership in the same County Clerk office that issued the declaration of domestic partnership. This is true even if the partners no longer reside in that county.
- Both parties may sign the notice of termination and submit it to the County Clerk.
- If only one party signs the notice of termination, that partner needs to complete an affidavit that affirms that he or she either served the other partner with a summons or that he or she published an official public notice in the area where the partner was last known to be living.
- Upon receipt of the completed notice of termination (and affidavit, if required), and the appropriate Ozaukee County \$100 fee, the County Clerk issues an “Original Certificate of Termination of Domestic Partnership” to the party filing the notice. Ozaukee County will provide the certificate of termination within two business days following acceptance of a completed notice of termination.
- The domestic partner who files the notice of termination is responsible for completing the certificate of termination and filing it with the Register of Deeds office in the same county that issued the certificate of termination.
- There is no time limit for filing the certificate of termination with the Register of Deeds office; however, the termination of the domestic partnership does not go into effect until 90 days after the date the certificate of termination is accepted for filing in the Register of Deeds office.
- If one of the partners marries during the domestic partnership, the domestic partnership is terminated immediately (as of the date of the marriage).

MORE INFORMATION

Call the hotline (262)284-8114 or (262)238-8114

Check the County Website: www.co.ozaukee.wi.us/countyclerk

Email Us: ctyclerk@co.ozaukee.wi.us