



Riverside County Law Library

California Domestic Partnership

What is a California Domestic Partnership?

As Wikipedia states: “A California domestic partnership is a legal relationship, analogous to marriage, created in 1999 to extend the rights and benefits of marriage to same-sex couples (and opposite-sex couples where both parties were over 62)[...]Domestic partnerships legally afford couples who choose not to marry ‘the same rights, protections, and benefits, and... the same responsibilities, obligations, and duties under law...’ [[CA Family Code sec.297.5](#)] as married spouses.” In 2020, [Senate Bill 30](#) was enacted to extend domestic partnership eligibility to all Californians regardless of sex or age. While domestic partnership gives couples the same legal rights as marriage, there are key differences:

1. Domestic partnerships are not recognized by federal law and are not considered marriages for federal tax purposes. The IRS requires California domestic partners to file separately, with each partner reporting half of the household’s combined income.
2. Unlike marriages, domestic partnerships do not require a solemnization ceremony by a religious or civil official to be valid.
3. Domestic partnerships are registered with the Secretary of State, whereas marriage licenses are issued by a County Clerk and filed with the County Recorder.

How does one register a California Domestic Partnership?

California domestic partnerships are registered by filing [form DP-1](#) with the Secretary of State and are public records by default. If both partners live together, they may file [form DP-1A](#) to register a confidential declaration that is not entered into the public record. Copies of confidential domestic partnerships can only be obtained by court order or by both partners filing a [records order form](#). Whether confidential or public, all declarations of domestic partnership must be notarized and submitted to the Secretary of State’s offices in Sacramento (in-person or by mail) or Los Angeles (in-person only).

How much does it cost to register?

As of July 2024, the cost for filing is \$33 if both partners are under the age of 62 and \$10 if either partner is 62 or older. A \$15 handling fee applies to all documents processed in person and a \$6 fee applies for all copy requests made in person.

Can I change my name through a domestic partnership?

Yes. [Form DP-1](#) gives both partners the option to change their middle and last names. Names can only be changed to the current last name of the other partner, the last name of either partner at birth, a name that combines both partners’ last names, or a hyphenated combination of last names. These limitations are the same as changing a name by marriage.

How does one end a California Domestic Partnership?

In most cases, a California domestic partnership can only be ended by a dissolution proceeding in Superior Court, just like a marriage. However, some domestic partnerships may be terminated by simply filing form [NP/SF DP-2](#) if the requirements of [California Family Code sec. 299\(a\)](#) are met. These conditions include that the partnership has lasted for 5 years or



Riverside County Law Library California Domestic Partnership

less, the partners have no children together, and that both parties waive the right to spousal support. In such cases the domestic partnership will be terminated effective six months after form NP/SF DP-2 is filed.

Where can I learn more?

1. [The California Secretary of State's FAQ page](#)
2. [Forms and Fees for California Domestic Partnerships](#)
3. [California Family Code Division 2.5](#)
4. [IRS FAQs for Registered Domestic Partners](#)
5. [California Franchise Tax Board Registered Domestic Partner Information](#)
6. ["Domestic Partnership in California" at Wikipedia](#)
7. [California Judicial Branch Divorce Self-Help Guide](#)

Print Resources

Call numbers are for use in RCLL. Initials specify which branch carries the title: (R) Riverside, (I) Indio/Desert Branch, and (T) Temecula. All titles are also available via RCLL's [Legal Databases](#) unless otherwise indicated.

California Domestic Partnerships and Same-Sex Marriage (R) (I)

Publisher: Continuing Education of the Bar (CEB)

Call No: KFC115 .C3382 2014 CEB

*This title is not available digitally.

A Legal Guide for Lesbian and Gay Couples (R) (I)

Publisher: Nolo

Call No: KF539 .H4 2020

Practice Under the California Family Code: Dissolution, Legal Separation, Nullity (R) (I) (T)

Publisher: Continuing Education of the Bar (CEB)

Call No: KFC115 .P73

Crossover Issues in Estate Planning and Family Law (R) (I)

Publisher: Continuing Education of the Bar (CEB)

Call No: KFC195 .C76 CEB

Please Note: The information presented in this research guide is intended to provide a foundation for legal research. For information pertaining to your case please consult with an attorney, court facilitator, or specialist.