

## **TERMINATION OF DOMESTIC PARTNERSHIP ISSUES VITAL RECORDS FAQ's**

Wisconsin Act 59 eliminated the issuance of Wisconsin Domestic Partnership effective 4-1-18

### **1. How do you terminate 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 fee, the County Clerk issues an “Original Certificate of Termination of Domestic Partnership to the party filing the notice. Although there is no 5-day waiting period for the County Clerk to issue the certificate of termination, the County Clerk may set a reasonable time frame for issuing the certificate of termination after the notification is filed...” (In Portage County there should be a reasonable timeframe (to be determined by the County Clerk’s office) expected from the filing of the Notice of Termination of Domestic Partnership and actually receiving the Original Certificate of Termination. Usually we will try to process within 24 hours, but due to extreme staffing issues it may be longer and will be discussed with the applicant at that time.
- 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.

### **2. When does the termination become effective?**

- There is no time limit for filing the certificate of termination with the Register of Deeds Office.
- 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.

### **3. What if one of the partners chooses to get married?**

- If one of the partners marries during the domestic partnership, the domestic partnership is terminated immediately (as of the date of the marriage).

### **4. Is there a fee for terminating a domestic partnership?**

- Portage County Fee \$100.00

### **5. How does a party get certified copies of the certificate of termination?**

- Certified copies of the certificate of termination can be purchased from the Register of Deeds or from the State Vital Records Office.

**NOTE:** Under vital records law, it is illegal for anyone besides the Register of Deeds or the State Vital Records Office to make copies of the Original Certificate of Termination of a Domestic Partnership document, including the partners themselves.