

A one-page guide to dissolution of domestic partnerships

What is a dissolution of domestic partnership case?

Couples who were not married, but who acquired property and debts together during their relationship, may be able to file a court case called a “dissolution of domestic partnership” if they need help from a judge dividing jointly owned assets and debts.

Who can file a dissolution of domestic partnership case?

There are no clear rules about when a couple has formed a domestic partnership. There is also no rule that couples had to have registered their domestic partnership. Instead, the court looks at a number of factors, including:

- The length of time the parties lived together;
- Whether the parties had joint children;
- The nature of the couples financial relationship and entanglements;
- Whether the parties held themselves out to the community as a married couple;
- Whether the parties had a ceremony to celebrate their union;
- Whether the parties engaged in joint business ventures;
- Whether the parties had written or oral agreements about the nature of their relationship and acquisition of joint property and debts.

The more factors that are present in your case, the more likely it is that a judge will find you formed an unregistered domestic partnership. If a judge

finds you had a domestic partnership, then the judge can divide property and debts acquired during the relationship.

How do you file a dissolution of domestic partnership case?

Unfortunately, there are no court forms available through the Oregon Judicial Department to file this type of case, so you will need to speak to an attorney for help. The Commons Law Center can help you with filing this type of case. Please contact us for help.

Can the court divide property or debts that are only in one parties' name?

Yes. If the court finds that the parties intended to share property like a married couple, then the court can divide that property in a way that is “just and proper in all the circumstances.” This can include awarding one party property that is solely owned by the other party.

How does the court divide property?

The court divides property and debts based on how the parties intended to share property while together and divide property upon separation.

The division can be based on a written or verbal agreement between the parties about how property should be split.

If there is no clear agreement, a court will try to guess how the parties intended jointly acquired property and debts to be divided. The judge will do this by considering the list of factors listed previously.