

Local Policy Toolkit: Domestic Partnerships

Thank you for your interest in passing a domestic partnership registry in your community. This is intended to be a guide to help you understand the components that are necessary to pass the best policy and to help you develop the campaign you'll need to get the job done.

What is a domestic partnership registry?

Domestic partnerships (DP) grant certain health-care, child care and burial rights to committed couples who are not married. A registry is a term for the mechanism through which these rights are afforded. Typically, eligible couples fill out forms through the Clerk of Court in their City, pay a nominal fee and are then registered and recognized by that municipality. Registries afford domestic partners the rights and responsibilities afforded to married couples within that jurisdiction. Domestic partnerships are not recognized by the federal government, or the state of Florida and have no bearing on taxes or federal benefits.

Important Definitions

It is important to be clear who may qualify as a domestic partner. How the definition of “domestic partner” is written can greatly affect who is eligible for the registry. At Equality Florida, we believe domestic partnerships are a viable option for all couples, both opposite-sex and same-sex, who cannot, or choose not, to be married. It is also important not to create too many unreasonable burdens for couples who wish to register and to ensure domestic partners face no more barriers to registering their relationship than a couple would face when choosing to marry. Below is the recommended definition for who qualifies as a domestic partner. (Taken from the Broward County registry, created in 1999.)

1. *Each party is at least 18 years old and competent to contract*
2. *Neither person is married, nor a partner to another domestic partnership relationship*
3. *Consent of either person to the domestic partnership relationship has not been obtained by force, duress, or fraud*
4. *Each person agrees to be jointly responsible for each other's basic food and shelter*

Sample Policy

To see a good sample policy that you can pass along to the legal team in your city/county, go to <http://www.wpb.org/clerk/OrdinanceNo3838-05.pdf>

Talking Points

- **Lots of places in Florida are already doing it.** More and more places are learning the benefits of offering domestic partnerships. In Florida places like Broward County, Miami Beach, Gainesville, Miami Dade County and Palm Beach County offer domestic partnership registries.
- **It has the support of the public.** 77% of Floridians believe gays and lesbians should have full domestic partnership protections.

- It is important committed couples are able to have access to basic legal protections like health insurance, burial rights and other vital records.
- **The cost for creating a registry is minimal.** Cities and counties that have these policies say their only cost is the administrative cost for paper for the certificates.

DP Campaign Checklist

Now that you have all the background info, it's time to start putting together the campaign to pass a DP registry in your community. Here are key elements important to passing your policy:

- **Put together your team.** The first step in any campaign is to put together the team that is going to help you. Think of a few people (5-6) that will be dedicated to passing the policy. The most important quality of each of your team mates is commitment, but also think about what voices will be helpful. For instance, someone with a business background might be important, or if your community has a large Hispanic population; someone who is a leader in the Hispanic community could be key to moving the process forward. Think of key stakeholders who might be important for lawmakers to hear from.
- **Do your research.** It's important to know exactly the climate you are working in before you start, that way you and your team are better able to plan your strategy.
 - Know the process for passage. Understand the steps you will need to take to pass the policy. Many times, passing policies require two hearings by the full commission, but not always. Some policies can be pass on a consent agenda (lawmakers don't vote on individual items, but vote in a large block).
 - Know your lawmakers. Once you understand passage, it's important to understand who you are working with. Do some research on each of the members of the commission. Have they ever voted on LGBT legislation in the past? Or other social issues that might indicate how they would vote on your issue? What affiliations do they have? Search for clues on how friendly a legislator may be to the cause.
- **Take a vote count.** When you understand more about your lawmakers you can form a vote count, or an estimate of how many votes you think you have, and how many you think you need to get a majority. If your commission has 5 members, you need 3 votes. Divide up the commission into Yes Votes, No Votes and Swing Votes, people you think you might be able to convince. It is important to make an honest assessment, that way your team can make an realistic plan for success.
- **Find a sponsor.** Identify the most friendly person on your commission or council, and set a meeting with them. Tell them about the issue, and why your community needs it, and ask them to sponsor the policy. If they agree, talk to them about your vote count and see if they have input as to how their colleagues would vote. Also, make sure to discuss your understanding of the process for passage and confirm it is correct.
- **Set a timeline.** Once you get input from your sponsor, you and your team should set a timeline for passage depending on the process for passage and how much time you estimate it will take to get a majority of the commission on board. While it is ok for a plan to change, make sure you set measurable goals and deadlines for your team. That way you will ensure the process moves forward and doesn't stall.
- **Round up your yes votes.** Once you find a sponsor and set a timeline, it's time to get the other members of the commission on board. Set meetings with the lawmakers you thought would vote Yes and present them with all of the information and ask how they would vote.
- **Educate your swing votes and turn them into yeses.** After you get your yes votes on board, go to the swing votes and work on making them yes votes. Set a meeting with them and present your case. This should be primarily an information gathering meeting. Let the lawmaker do a lot of the talking and try to get a read on where they are on the issue. If they still seem on the fence, decide what you think would push them to a yes. Will hearing from hundreds of their constituents convince them? Or hearing from business leaders who offer domestic partnerships at their company?

- **Public Education.** It's important to make sure your community is ready for such a change. Decide what ways you can educate your community on the issue, for instance by placing an op-ed in the local paper that explains why the issue is important. Reach out to groups that you think would support the policy change and bring them into the loop.
- **Getting the item on the agenda.** Once you have a majority support on the commission, talk to your sponsor about getting the item on the agenda and prepare for a final vote on the issue.
- **Turning out supporters.** When you know the exact date and time the item will be on the agenda, start reaching out to your supporters and try to get them to the meeting. It will be important for legislators to see there are lots of people in the community who support adding LGBT people to the local nondiscrimination law. Often we ask our supporters to wear a color so they are easily identifiable in the commission chambers. Red is a color that has been used in several communities throughout the state.
- **Celebrate!**

Need More Info?

If you need more info about domestic partnerships or want to see what other communities in Florida have passed policies, please visit www.eqfl.org. If you have questions please e-mail Mallory Wells, Equality Florida's Public Policy Director, at mallory@eqfl.org.