

**Testimony by Commissioner Bob Summersgill, ANC 3F07, on the  
Bill 20-475, "Domestic Partnership Termination Recognition Amendment Act of 2013"**

**Submitted for the record of the Committee on Judiciary and Public Safety  
December 19, 2013**

I fully support this legislation and thank Councilmembers Jim Graham for introducing the bill; and Councilmembers Wells, Barry, Evans, Cheh, Orange, Bonds, Alexander, Grosso, McDuffie, and Chairmen Mendelson for co-sponsoring it.

The Domestic Partnership Termination Recognition Amendment Act of 2013 closes a hole created by relationship statuses that are less than equal and demonstrates the need for every state to modernize their laws. By creating a mechanism for couples to get a judicial decree of their domestic partner termination, the U.S. Constitution's Full Faith and Credit clause, is invoked and other states are bound to accept it. With the current administrative process—which works well when confined to the District—Full Faith and Credit is not invoked and states are not bound to recognize it.

Article IV, Section 1 of the United States Constitution states, “Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.”

This bill is in response to poor New Jersey law that has not taken into account mobility of people and the not uncommon moving to and from other states and the District. Without establishing residency in New Jersey—a couple with a civil union from New Jersey—can't terminate that relationship.

The District passed a corollary bill last year that allows a couple married in the District, but living in a jurisdiction that doesn't recognize their relationship, to get a divorce from a judge in the District—without establishing residency here—that the other jurisdictions are bound to respect.

D.C. allows couples with D.C. domestic partnerships to terminate those relationships simply and administratively, without regard to residency, so that they do not face the same problem.

This legislation demonstrates again D.C.'s commitment to couples and families—gay and straight—to provide the legal tools to manage their relationships. Once again, D.C. is on the forefront of family law.

Please pass this legislation without delay.

Thank you.

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Follow-up to Tawanna Shuford, Director of Constituent Services for the Committee on the Judiciary and Public Safety:

Ms. Thomas-Shuford-

On adding the phrase, "Civil Unions" to Bill 20-475, you may want to use or refer to the language in section of law, 32-702(i):

(i) (1) Except as provided in paragraph (2) of this subsection, relationships established in accordance with the laws of other jurisdictions, other than marriages, that are substantially similar to domestic partnerships established by this chapter, as certified by the Mayor, shall be recognized as domestic partnerships in the District. The Mayor shall establish and maintain a certified list of jurisdictions so recognized. The Mayor shall broadly construe the term "substantially similar" to maximize the recognition of relationships from other jurisdictions as domestic partnerships in the District.

(2) If the Mayor has not yet certified, pursuant to paragraph (1) of this subsection, that the laws of a jurisdiction permit the establishment of relationships substantially similar to domestic partnerships established by this chapter, and if the laws of that jurisdiction prescribe that the relationship, regardless of the term or phrase used to refer to the relationship, has all the rights and responsibilities of marriage under the laws of that jurisdiction, the relationship shall be recognized as a domestic partnership in the District and the Mayor shall include that jurisdiction in the certified list required under paragraph (1) of this subsection.

Further, the regulations in that certify other relationships in 29-8001.6 may be of interest in either language or by reference.

Through this law and regulation, D.C. defines what relationships are recognized as domestic partnerships, and therefore what relationships would be subject to termination in bill 20-475.

I hope that this is helpful.

-Bob