

**UNIVERSITY OF CALIFORNIA  
HASTINGS COLLEGE OF THE LAW  
Office of the General Counsel  
198 McAllister Street, Suite M115, San Francisco, CA 94102  
Residency Hotline: (415) 565-4715  
Email Inquiries: [residency@uchastings.edu](mailto:residency@uchastings.edu)**

**APPLICATION FOR CALIFORNIA RESIDENCY  
FOR TUITION PURPOSES – SPRING 2012**

The *Application for California Residency for Tuition Purposes* is **due no later than Wednesday, December 7, 2011, 5:00 PM**. All supporting documentation must accompany your application or your application may be denied. **The deadline must be strictly observed.** If you miss the deadline, you may reapply in fall 2012.

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Print Full Name                      Last    First    Middle

Hastings Student ID: \_\_\_\_\_

Are you:                       Incoming Student                       Continuing Student                       Wait-Listed Student  
    Visiting Student                       Transfer Student                       LL.M. Student

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Permanent Mailing Address                      Number, Street, City, State, Zip                      Telephone

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Current Mailing Address                      Number, Street, City, State, Zip                      Telephone

If current address is different than permanent address, explain: \_\_\_\_\_

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Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Email Address: \_\_\_\_\_ Hastings Student ID: \_\_\_\_\_

## APPLICATION FOR CALIFORNIA RESIDENCY FOR TUITION PURPOSES

Please complete all questions on this form. If the question is not applicable to your circumstances, please do not leave blank, instead please provide an explanation.

**BE SURE TO ATTACH COPIES OF THE FOLLOWING TO SUPPORT YOUR CLAIM OF CALIFORNIA RESIDENCY.**

**If a document on the list is not applicable to your circumstances, please explain.**

- 1.\_\_\_\_ Please submit a copy of your California Driver's License or California Identification Card. Students must provide documentation that they established ties to California and relinquished ties to any prior state.
- 2.\_\_\_\_ Please submit a copy of your California Motor Vehicle Registration. If you own a vehicle, it must be registered in California.
- 3.\_\_\_\_ If you are a registered voter, please submit proof of California voter registration status. (Example of Proof: voter card, absentee ballot, printout from county's website for which you are registered)
- 4.\_\_\_\_ Financial Information (Copy of most recent Resident or Federal tax return/W2's). For those students whose parents do not reside in California, documentation must be provided that they have been financially independent in the year prior to their application for resident tuition. A student shall be considered financially independent if he/she has not and will not be claimed as a tax dependent for state and federal tax purposes by his/her out-of-state parent(s) in the calendar year prior to the reclassification application.
- 5.\_\_\_\_ California Residency and Physical Presence (Proof of entry into the state and copy of rental or lease agreements covering the past 366 days.) Students must be physically and continuously present in California for one year immediately prior to the residence determination date in the semester they are reclassifying. The residence determination date is the first day of classes which is January 9, 2012.
- 6.\_\_\_\_ Professional practice licenses, if applicable. (Copy of Licenses)
- 7.\_\_\_\_ Colleges and universities attended: If you attended a public school outside of California within the last year, please have the school send a letter stating your residence status for tuition purposes and your permanent address on its records. If you attended a private school outside of California within the last year, please have the school send a letter stating your permanent address on its records.

*You may be required to provide additional documentation or information.*

**Please refer to pages 7 and 8 of this application for rules regarding residency for tuition purposes.**

## 1. California Drivers License or California Identification Card

Do you have a driver's license or state-issued identification card?  Yes  No

If yes, in what state? \_\_\_\_\_

Date issued: \_\_\_\_\_ Renewal date: \_\_\_\_\_

## 2. Motor Vehicle Registration

Do you own a motor vehicle?  Yes  No

If yes, state of registration: \_\_\_\_\_

Date of registration: \_\_\_\_\_

## 3. Voter Registration

Are you registered to vote?  Yes  No

If yes, in what state? \_\_\_\_\_ County: \_\_\_\_\_

Date of registration: \_\_\_\_\_

Have you voted within the last 24 months?  Yes  No

(In some cases you can obtain a copy of your voter registration status at the county office you registered, the county website, or at the department of motor vehicles in the county you are registered.)

## 4. Financial Information

### Resident or Federal Tax Return

***Attach a copy of your most recent resident or federal tax return.***

***If you did not file current year taxes, please attach recent W-2s.***

	2009	2010	2011
Did/will you file a <b>California resident</b> income tax return for the following years?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Did/will you file a <b>resident tax return in another state</b> ?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, what state? _____			

Did you receive loans, scholarships or benefits that required residence outside California?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, attach a statement explaining.			

Did/will you file a federal income tax return for the following year:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
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### **PARENTAL SUPPORT**

Are your parents California residents?

Father:  Yes  No If yes, for how long? \_\_\_\_\_

Mother:  Yes  No If yes, for how long? \_\_\_\_\_

If no as to either parent, did or will either of them claim you as an exemption on their state and/or federal income tax return in 2010/2011

Father: \_\_\_\_\_ Yes \_\_\_\_\_ No

Mother: \_\_\_\_\_ Yes \_\_\_\_\_ No

If you are under the age of 24 by 12/31/12, please include a copy of pages 1 and 2 of Form 1040 for each nonresident parent. Income data and social security numbers may be redacted.

**5. California Residency and Physical Presence**

State the complete address and each place (in and outside of California) you have lived for the past six years, and specify the period (month and year) you lived there, beginning with the most recent. State the reasons for your presence at each address (e.g. attending college, parents' home, working). If you attended school outside of California, include the periods you returned to the State and where you resided. Please use an attachment if necessary.

Please provide copies of lease and/or rental agreements covering the past year you have resided in California (covering a full 366 days).

\*If you lived with your parent or friend, please submit a letter stating the address where you lived, the dates you lived there, and have it signed by the person with whom you lived.

From Mo/Yr	To Mo/Yr	Address, City, State	Reason for Presence

Do you plan to remain in California after graduation? \_\_\_\_\_ Yes \_\_\_\_\_ No

Have you been absent from California for more than two weeks during the past 12 months?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, specify the times you were absent from the State for more than two weeks and the reasons for your absence:

\_\_\_\_\_  
\_\_\_\_\_

**6. Professional Licenses**

Do you hold any professional licenses? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, in what state: \_\_\_\_\_

Describe: \_\_\_\_\_

**7. Additional Information Requested**

**CITIZENSHIP**

Are you a citizen of the United States:      \_\_\_\_\_ Yes      \_\_\_\_\_ No

If you are not a citizen of the United States, have you been awarded:

			<u>Date Awarded</u>
Permanent residence?	_____ Yes	_____ No	_____
Employment authorization?	_____ Yes	_____ No	_____
Temporary residence?	_____ Yes	_____ No	_____
Asylum?	_____ Yes	_____ No	_____

Alien registration number \_\_\_\_\_ **Attach copy of alien registration card.**  
 Visa type \_\_\_\_\_ Valid from \_\_\_\_\_ to \_\_\_\_\_

**COLLEGES OR UNIVERSITIES ATTENDED**

**If you are a continuing student, include time spent at Hastings.**

**If you attended a public school outside of California within the last year, please have the school send a letter stating your residence status for tuition purposes and your permanent address on its records. If you attended a private school outside of California within the last year, please have the school send a letter stating your permanent address on its records.**

From	To	Name of School	City, State
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**EMPLOYMENT**

Include regular/part-time employment and/or paid/nonpaid internships **in and outside California** for the past six years.

From	To	Employer	City, State
Mo/Yr	Mo/Yr		
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**BANK ACCOUNTS**

Date Established	Name of Financial Institution	Type of Account	City, State
_____	_____	_____	_____
_____	_____	_____	_____

**MILITARY STATUS**

Are you on active military duty?      \_\_\_\_\_ Yes      \_\_\_\_\_ No  
 If yes, specify the branch of service and the state in which you are stationed: \_\_\_\_\_  
 \_\_\_\_\_

Are you a dependent of active military personnel stationed in California?      \_\_\_\_\_ Yes      \_\_\_\_\_ No  
 If yes, state the date reported for duty in California: \_\_\_\_\_

Are you the dependent or child of a veteran who was killed or disabled while on active duty?  
\_\_\_\_\_ Yes      \_\_\_\_\_ No      If yes, attach a copy of an official document declaring your status.

**Knowingly providing false or misleading information may be grounds for denial of admission or, if discovered after an offer of admission has been made, withdrawal of the offer of admission or dismissal from the College.**

**I certify under penalty of perjury under the laws of the State of California that the statements made on this Application for California Residence for Tuition Purposes and any attachment submitted by me in connection with the determination of my residence are, and each of them is, true and correct.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Executed at: \_\_\_\_\_  
City, State

**Applications for California Residence for Tuition Purposes may be submitted to the Residency Office by mail or hand-delivery. **Fax and e-mail delivery are not accepted.****

- *Mail to:* Residency Officer, c/o the Office of the General Counsel, 200 McAllister Street, San Francisco, CA 94102.
- *Hand deliver to:* 198 McAllister Street, Suite M115, San Francisco, CA 94102.

## Residency Information

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Rules regarding legal residence for tuition purposes at Hastings are governed, in part, by the California Education Code and the Hastings Residence Policy as set forth in the Standing Orders of the Hastings College of the Law Board of Directors and the regulations of the General Counsel.

To be considered a California resident for purposes of fees, an out-of-state student must have lived in California for more than one year preceding the residence determination date, relinquish residence in other states, show intent to establish residency in California and demonstrate financial independence. Unmarried undergraduates from other states qualify as financially independent if they were not claimed by their parents or others as dependents for tax purposes for two preceding tax years and if their annual income is sufficient to meet their needs. All married students and unmarried graduate and professional students from other states qualify as financially independent if their parents or others have not claimed them as dependents for tax purposes for the preceding year.

Other out-of-state students who qualify as financially independent include veterans of the U.S. armed services, students with legal dependents other than a spouse, students with both parents deceased, students who are wards of the court, and students who are at least 24 years of age by December 31 of the year they seek to be classified as residents.

Students holding nonimmigrant visas (F1, J1, etc.) may not establish California residency for purposes of fees.

All incoming students must complete an Application for California Residence for Tuition Purposes. Continuing students may petition to reclassify their status at the end of the current semester.

The residency review process cannot be accomplished by telephone or email. Decisions are rendered only upon submission of a completed Application. All students must complete an Application in order to change their status. Facsimile copies cannot be processed. Only filings with the student's original signature are acceptable. Every effort is made to review filings within seven to 10 days after submission.

The residency determination date is the first day of classes.

## Core Requirements

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Students must meet the following requirements to qualify as California residents for tuition purposes:

**PHYSICAL PRESENCE:** Students must be physically and continuously present in California for one year immediately prior to the residence determination date in the semester they are reclassifying. The residence determination date is the first day of classes. Physical presence in the State solely for educational purposes does not constitute the establishment of California residence under State law, regardless of the length of stay. Students must provide proof of entry date (such as airline tickets) to establish the date of arrival in California. Lease agreements covering the one-year period must also be provided.

**INTENT:** Students must provide documentation that they established ties to California and relinquished ties to any prior state. Evidence of intent to make California a permanent residence includes committing to a long-term lease; paying California income taxes as a resident, including taxes and income earned outside California from the date residence is established; registering to vote and voting in all California elections; designating California as the permanent address on all school and employment records, including military records if in military service; obtaining a California driver's license or California Identification Card; obtaining California motor vehicle registration; licensing for professional practice in California. The absence of these indicia in other states during any period for which California residence is claimed is also pertinent.

Documentary evidence is required.

**FINANCIAL INDEPENDENCE:** For those students whose parents do not reside in California, documentation must be provided that they have been financially independent in the year prior to their application for resident tuition. A student shall be considered financially independent if he/she has not and will not be claimed as a tax dependent for state and federal tax purposes by his/her out-of-state parent(s) in the calendar year prior to the reclassification application.

## OTHER/SPECIAL RULES

**IMMIGRATION STATUS:** A student's immigration status may affect eligibility, particularly with respect to visa type and the timing of filing for permanent residence in the United States through the Bureau of Citizenship and Immigration Service (BCIS). Some visas preclude the establishment of California residence. Students whose permanent residence status is pending with the BCIS must demonstrate that they petitioned for permanent residence status one year prior to the College's residence determination date. Permanent residents must provide a copy of their alien registration card.

**MILITARY STATUS:** Special rules may apply to students who are members of the military, dependents of military personnel, dependents of a veteran disabled or killed on duty or children of deceased public law enforcement or fire suppression employees.

## LAWS GOVERNING RESIDENCE

Rules regarding legal residence for tuition purposes at Hastings are governed, in part, by the California Education Code and the Hastings Residence Policy as set forth in the Standing Orders of the Hastings College of the Law Board of Directors and the regulations of the General Counsel. **Important: Please note that the Residence Policy adopted by the University of California Board of Regents does not govern Hastings College of the Law. There exists the possibility of qualifying as an instate resident for tuition purposes at other UC law schools but not at Hastings. A residency determination by another UC school is not controlling. UC Guidelines, however, are relied on when not in conflict with the Hastings Residence Policy, particularly with regard to visa issues and alien residence status.**

## MAINTAINING RESIDENCE DURING A TEMPORARY ABSENCE

A temporary absence from the State for business or educational purposes will not necessarily constitute loss of California residence unless the student has acted inconsistently with continued California residence during the absence. It is the student's responsibility to show retention of California residence during an absence. Steps that should be taken to retain California resident status include:

- Continued use of a California permanent address on all records, i.e. educational, employment, military.
- Satisfying California resident income tax obligations. Note that if claiming California residence, the student is liable for payment of income taxes on the total income from the date California residence is established.
- Retaining California voter's registration and voting by absentee ballot.
- Maintaining a California driver's license and motor vehicle registration.

## Reclassification

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Continuing students who are classified as nonresidents for tuition purposes and then become eligible for resident status, must file an Application for California Residence for Tuition Purposes for the semester in which they wish to be reclassified. **Students must initiate all changes of status before the tuition and fees payment deadline for the semester reclassification is being sought.**

## Appeals

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Students may appeal the decision of the Residency Officer in writing to the General Counsel within 10 business days of the denial.

The General Counsel's determination may be appealed in writing to the College's Board of Directors.

Residency Office, c/o General Counsel, University of California, Hastings College of the Law, 200 McAllister Street, San Francisco, CA 94102

Board of Directors, University of California, Hastings College of the Law, 198 McAllister Street, Suite M115, San Francisco, CA 94102