

Instructions: Spouse Petition

This is a resource intended to help students who want to submit a **SPOUSE** petition.

If you know you are ready to submit your petition, here are the steps:

- Step One:** [Start](#) and submit your online questionnaire prior to the petition deadline.
- Step Two:** [Submit](#) your documents prior to the document deadline
- Step Three:** [Pay](#) the \$50 petition fee prior to the document deadline
- Deadlines:** Don't miss your [deadlines!](#)

Complete the steps in this order. Go to: [HTTPS://STUDENTS.ASU.EDU/RESIDENCY](https://students.asu.edu/residency) if you need more information.

Contact the Residency Office at either 480-965-7712 or RESIDENCY@ASU.EDU if you don't find what you need here.

The direct link to the residency petition is: [HTTPS://GO.OASIS.ASU.EDU/RESIDENCYPETITION/](https://go.oasis.asu.edu/residencypetition/)

The Requirements

The Spouse Petition requires you to meet all of the following:

1. **Student domicile:** the student is domiciled in Arizona.
2. **Spouse domicile:** the student's spouse has been domiciled in Arizona for at least 12 months immediately preceding the corresponding petition deadline.
3. **Financial independence:** the student's spouse has demonstrated financial independence (see ABOR 4-203-B.2 & B.3)
4. **Tax exemption:** The student's spouse is entitled to claim the student as an exemption for tax purposes
5. **Student presumptions:** All students have to provide evidence to demonstrate in-state residency for tuition purposes.

When we consider evidence for residency classification, we begin with four presumptions:

- a. A non-resident student's presence in Arizona is primarily for the purpose of education and not to establish domicile;
 - b. An individual cannot establish residency or domicile while in Arizona primarily for the purposes of education;
 - c. An individual cannot establish residency for tuition purposes while attending an educational institution in Arizona as a full-time student;
 - d. Decisions of an individual as to the establishment of residency and domicile are generally made after the completion of an education, and not before.
6. **Visa Eligibility:** the student must not hold a visa that prohibits establishing domicile in Arizona.

Evaluation Criteria

The evidence you provide in support of your petition will be evaluated by the residency office using the following criteria:

1. **Weight, Truthfulness and Authenticity:** All information provided by the student shall be subject to the classification officer's or hearing review committee's decision as to the weight to be given to it, and such officer or committee shall be the sole judge of the authenticity or truthfulness of any material or statements submitted as supportive evidence.
2. **Supporting Documentation:** Students (and/or their spouse) must submit all additional supporting documents sufficient to meet the individual's burden of providing objective evidence of all factors necessary to provide a basis for reclassification as a resident student. The university may require that one or more supporting documents be notarized.
3. **Petition Review Procedures:** in reviewing your petition, the residency classification office may:
 - use informal procedures to facilitate reclassification including counseling and communication with the student.
 - consider all evidence presented by the student and any other information from any relevant.
 - consult with other university officials prior to completing their review.
4. **Exceptions:** Personal circumstances not pertaining to residency policy, such as academic merit or financial hardship, are not considered in evaluating whether or not a student qualifies for residency.

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Required Documentation

A list of required documents will be given to you after you have completed the questionnaire portion of your petition based on how you answer certain questions – your list will be unique to your situation.

Documents that may be requested from you or your spouse include the following:

- Bank or other financial records reflecting continuous presence in Arizona
- State and federal tax returns; W2 or 1099 for most recent tax year
- Employment history, including dates, location, employer and year-to-date earnings
- Current or most recent lease or rental agreement
- Warranty deed, mortgage statement or other document confirming property ownership
- Utility bills/records of continuous usage in Arizona
- Vehicle registration, including date, state and owner information.
- Driver's license, instructional permit or state identification card;
- Voter registration, including state, date of registration and voting history in Arizona
- Tuition costs and financial aid received for all institutions attended in the last year
- Marriage certificate
- Permanent Resident Card or I-485 approval notice
- Visa and/or foreign passport
- Military records and/or veteran status
- Parent Affidavit and/or federal tax returns from your spouse's parents

Other things to know:

- ABOR defines "domicile" as "an individual's true, fixed and permanent home and place of habitation. It is the place where the individual lives, intends to remain, and to which the individual intends to return when leaving without intending to establish a new domicile elsewhere."
- Financial independence means "means the individual is capable of paying for the individual's living expenses (i.e., housing, utilities, transportation, insurance, groceries/food) and university tuition with funds earned by the individual or with funds that are the sole property of the individual, without receiving significant financial support from someone other than a spouse."
- This is an exception to the 12-month physical presence requirement for the student, but not for the spouse.
- We will review all facets of your academic career as we review your petition. This includes your application for admission, financial aid awards and any communication with our office.
- The documents you submit are all used to help us piece together an understanding of your particular situation. Submitting all documents helps to paint a complete picture but doesn't ensure approval.
- The term "resident for tuition purposes" differs from other definitions of Arizona residency. You can be a resident for other purposes and not be a resident for tuition purposes
- Students that are classified as residents are required to verify citizenship, lawful status or eligible visa types. Students that can't complete this verification will be classified as non-residents.
- Non-U.S. citizens that possess a visa type that requires them to maintain a foreign domicile cannot be classified as residents for tuition purposes as their visa type does not allow them to establish a permanent domicile in Arizona.