California Residency Requirements – MINORS

The residence of a minor (under 18 years of age) is determined in accordance with the following (per California Education Code and Title 5):

1. The residence of the natural or legally adoptive parent with whom an unmarried minor lives is the residence of that minor, regardless of the length of time the minor has resided with that parent. This rule applies equally to the minor child of permanently separated parents.

2. A married minor may establish his or her own residence. A minor who has married but thereafter divorced, retains the capacity to establish his or her own residence. A minor whose marriage has been annulled must be treated as an unmarried minor since for all intents and purposes a marriage has not occurred.

3. If the minor lives alone, he or she takes the residence status of the parent with whom he or she last lived.

4. If both parents are deceased and there is no court-appointed guardian, the minor may establish residence as though he or she were an adult.

5. The residence of an unmarried minor who has a parent living cannot be changed by the minor’s own act, by the appointment of a legal guardian, or by relinquishment of a parent’s right of control.

6. A student who has been adult for less than a full year (i.e., one under 19 years of age) may under certain circumstances combine the immediate pre-majority derived California residence with the immediate post-majority California residence to satisfy the one year necessary for residency classification.