

OUR PRACTICE

Citizenship Applications

How does someone obtain evidence of citizenship? The most common documents include the following, each of which is discussed further below:

- **U.S. Passport**
- **Certificate of Naturalization**
- **Certificate of Citizenship**
- **Report of Birth Abroad**

Some of these establish only existing U.S. citizenship, while others are used to *obtain* citizenship.

In seeking any of these credentials, some special documentation may need to be presented.

There are sundry other citizenship related documents available, but rarely used.

U.S. Passport

A U.S. passport is essentially a travel document, but it serves as proof of citizenship and identity for many other purposes. Unlike the Naturalization or Citizenship certificates, a passport is available only to someone who claims already to be a U.S. citizen. Passports are issued only by the State Department, not the immigration service ("USCIS"). More details about applying for passports are provided on a [separate page](#).

Certificate of Naturalization

Naturalization is the process by which someone who is an alien becomes a citizen, usually after at least 3 or 5 years of U.S. permanent resident status. The certificate of naturalization is handed to the applicant upon taking the oath of citizenship, usually before a federal judge, after applying to USCIS and being interviewed by USCIS. Naturalization certificates are not available to persons who claim citizenship other than by naturalization. More details about applying for naturalization are provided on a [separate page](#).

Certificate of Citizenship

A certificate of citizenship is a more multi-purpose document issued by USCIS to an applicant inside the U.S. It can be obtained by someone claiming already to be a citizen through birth abroad, or by someone seeking to establish citizenship derived from a parent (often an adoptive parent) after birth. Only U.S.-born and naturalized citizens are ineligible for certificate of citizenship. The application is made either on Form N-600 (for applicants residing in the U.S.) or Form N-600K (for a child who regularly resides abroad). USCIS has sensibly implemented the Child Citizenship Act of 2000 so that children adopted abroad and brought to the U.S. are sent a Certificate of Citizenship rather than a permanent resident card within 45 days of their arrival.

Report of Birth Abroad

When a child is born to one or both parents whose citizenship status confers citizenship upon the child at birth, the parents should apply to the local U.S. consulate for a "Consular Report of Birth Abroad of a Citizen of the United States of America," Form F-240. The State Department's web site sets forth the documents to present to the consulate and a form of affidavit for the U.S. citizen parent(s) to sign and submit.

Documentation

Citizenship related applications usually must include birth, marriage, divorce or other personal records that must be submitted in original form (and will be returned to the applicant with the passport or denial notice). The National Center for Health Statistics has compiled a helpful web site for obtaining [U.S. vital records](#). There is a special procedure for obtaining U.S. military records that also sometimes have relevance to passport applications. The State Department's "Visa Reciprocity and Documentation Finder" provides information on the availability of vital records in each country. Sometimes the relationship must be established by DNA tests, and the State Department has published an Information Sheet on DNA testing.

Other Citizenship Related Certificates

The State Department makes available a host of other citizenship related documents, including citizen "registration" when someone will be staying in the consular district, and a "card of identity" for someone being deported from another country or fleeing a common disaster abroad. These are used relatively rarely.

How We Can Help

The Baker Donelson Immigration Group helps clients evaluate, develop and present claims to citizenship through passport, certificate of citizenship, naturalization, and other applications. On several occasions we have been meeting with a client seeking permanent residence and informed them of their claim to citizenship (these are happy cases indeed!). We have helped clients assert a claim to U.S. citizenship in defense of removal proceedings in Immigration Court. We represent families who enjoy the opportunity to adopt children from other countries, arranging immigration, adoption and re-adoption (cooperating with adoption lawyers in their country or state), and citizenship. We represent clients in appeals of application denials, in both administrative and court proceedings. We represent people who (before coming to us) have found themselves in removal proceedings, or even under criminal indictment, arising from a poorly calculated naturalization application. We help clients in urgent situations, such as when their passport and identity documents are stolen while they are traveling abroad. We help evaluate the prospects of dual citizenship and its numerous ramifications and help preserve it when desired. We help defend government actions to cancel someone's citizenship.

Important Links

- [Citizenship](#)
- [Where to Write for Vital Records](#)
- [How to Request Military Service Records or Prove Military Service](#)
- [DNA and Parentage Blood Testing](#)