

# Dual Citizenship and Vital Records

## Dual Citizenship

A person may be a citizen of more than one country. This can happen automatically, based on the citizenship laws of the countries involved. It can happen by marriage. It can also happen by voluntary application based on a country's laws and requirements. For information about U.S. law and the potential issues regarding application for citizenship with another country, visit the [U.S. State Department Services Dual Nationality web page](#).

Often when applying for citizenship with another country, individuals are required to provide documentation of lineage in the form of their own birth and marriage records and the birth, death and marriage records of their parents, grandparents, great-grandparents and beyond.

## Requirements of Foreign Countries

The processes and requirements for applying for citizenship are developed by each individual country and vary from country to country. Many countries require certified copies of vital events in order to verify an applicant's claim of lineage. Access to certified copies of Vital Records in New York State is restricted by Public Health Law Section 4174, Section 4139 and Domestic Relations Law Section 20.

## Where do I obtain a birth or death certificate if the event occurred in New York City?

The New York State Department of Health does not file and cannot issue copies of New York City birth or death certificates. For events which occurred in one of the five (5) boroughs of New York City - Bronx, Brooklyn (Kings County), Manhattan, Queens, and Staten Island (Richmond County), please visit the [New York City Department of Health and Mental Hygiene](#) web site.

## Where do I obtain a marriage certificate copy for someone who obtained the marriage license in New York City?

The New York State Department of Health does not file and cannot issue copies of marriage certificates for persons who obtained the marriage license in New York City. For marriage licenses issued in one of the five (5) boroughs of New York City - Bronx, Brooklyn (Kings County), Manhattan, Queens, and Staten Island (Richmond County), please visit the [New York City Marriage Bureau](#) web page.

## Certificates of Dissolution of Marriage

[Certificates of Dissolution of Marriage](#), for all of New York State, from 1963 to the present are available from the State of New York. The divorce decree and divorce records prior to 1963 must be obtained from the [County Clerk](#) of the County where the decree was issued. This is usually the County where the plaintiff resided.

## **Genealogy Copies of Birth, Death and Marriage Records**

If the country where you are applying for citizenship will accept genealogy copies (uncertified copies) of vital records, please visit our [Genealogy page](#) for ordering information.

## **Requirements for Obtaining Certified Copies of Vital Records from the New York State Department of Health for Dual Citizenship**

**Identification Requirements - application *must* be submitted with copies of either A or B:**

1. One (1) of the following forms of valid photo-ID:
  - o Driver license
  - o State issued non-driver photo-ID card
  - o Passport
  - o U.S. Military issued photo-ID
  
2. Two (2) of the following showing the applicant's name and address:
  - o Utility or telephone bills
  - o Letter from a government agency dated within the last six (6) months

### **Important Notes:**

- Failure to include necessary identification will result in rejection of your application.
- Copy of Passport required in addition to the above ID if request is made from a foreign country that requires a U.S. Passport for travel.

### **Apostille or Authentication**

Countries will sometimes require that records to be submitted with citizenship applications be authenticated or apostilled. For information about this process, visit our [Apostille information page](#).

### **Documentation of Relationship**

When applying for records, to which you are not otherwise entitled, for dual citizenship purposes, you may be required to include documentation of your relationship to the person whose record you are requesting. Uncertified copies of birth, marriage or death certificates showing relationship to the person are sufficient. We may also accept other types of documentation such as copies of official records from a religious body (for example, baptismal or other records). We cannot approve your documentation in advance of your application. You must submit the documentation you have and we will contact you if it is not sufficient.

### **Grandparent or Great-Grandparent's Death Record:**

The applicant must include along with the completed and signed [application for a death certificate](#), a completed and notarized [Affidavit to Request Certified Copy of Death Certificate](#), [documentation demonstrating relationship](#) and a copy of his or her identification.

### **Parent, Grandparent or Great-Grandparent's Birth Record:**

Only the person on the record, the parents on the record or a person with a New York State Court order may order a certified copy of a birth certificate.

1. Still Living: If the person whose record is being requested is still living.
  - o The parent/grandparent/great-grandparent may submit a completed birth certificate application form for his or her own record. The record will be sent to the requester who may then give it to the applicant for dual citizenship. The requester must include a copy of his or her identification.
  - o The parent/grandparent/great-grandparent may submit a completed birth certificate application form for his or her own record and include a signed and notarized letter stating that he or she gives the department permission to send the document to the applicant for dual citizenship. The requester must include a copy of his or her identification.
  - o The applicant may apply if he or she has power of attorney (POA) for the parent/grandparent /great-grandparent. The POA must be signed by the person named on the birth certificate. The language stated in the POA must be sufficient to allow the person given POA to obtain the birth certificate. Applicant must include an attorney certified copy of the power of attorney (certification must have been done within the last year), a copy of the applicant's identification and a completed birth certificate application form.
2. Deceased: If the person whose record is being requested has died.
  - o A court order from a New York State Court of competent jurisdiction is required. The Department of Health cannot advise you on obtaining a court order. You may wish to consult an attorney familiar with New York State Public Health Law. The applicant must submit a court certified copy of the order along with a copy of the applicant's identification, the appropriate fee and a completed birth certificate application form

### **Parent, Grandparent or Great-Grandparent's Marriage Record:**

Only a spouse on the record, a person with a judicial or other proper purpose or a person with a New York State Court order may order a certified copy of the marriage record.

1. Still Living: If either party to the marriage is still living.
  - o Either party to the marriage may request his or her own marriage record. The record will be sent to the requester who may then give it to the applicant for dual citizenship. The requester must include a copy of his or her identification along with a completed marriage certificate application form.
  - o Either party to the marriage may request his or her own marriage record and include a signed and notarized letter stating that he or she gives the department permission to send the document to the applicant for dual citizenship. The requester must include a copy of his or her identification along with a completed marriage certificate application form.
  - o If the applicant has power of attorney (POA) for either party to the marriage, the applicant may request the record. The POA must be signed by the one of the spouses on the marriage certificate. The language stated in the POA must be sufficient to allow the person given POA to obtain the marriage certificate. Applicant must include an attorney certified copy of the power of attorney (certification must have been done within the last year), a copy of the applicant's identification and a completed marriage certificate application form
2. Deceased: If both parties to the marriage have died.
  - o Applicant must include a completed marriage certificate application form copies of the death records, a copy of applicant's identification, documentation demonstrating relationship and a completed and notarized Affidavit to Request Certified Copy of Marriage Certificate.

### **Parent, Grandparent or Great-Grandparent's Dissolution of Marriage Certificate:**

**Please note: There are two types of divorce records available.**

First, there is the divorce decree. This is the document prepared by the court, setting forth the terms and conditions of the divorce. It is signed by the judge and filed with the County Clerk of the County where the decree was issued. This is usually the County where the plaintiff resided. For information about obtaining a copy of a divorce decree, contact the appropriate County Clerk. Please note that if the divorce was granted before January 1, 1963, the divorce decree is the only type of document available.

Second, there is a divorce certificate filed with the New York State Department of Health for divorces granted on or after January 1, 1963. The divorce certificate contains basic information about the spouses, and the date and place the marriage ended.

Only a spouse on the record or a person with a New York State Court order may order a certified copy of the dissolution of marriage record.

**1. Still Living: If either party to the marriage is still living.**

- Either party to the marriage may request his or her own dissolution of marriage record. The record will be sent to the requester who may then give it to the applicant for dual citizenship. The requester must include a copy of his or her identification along with a completed dissolution of marriage certificate application form.
- Either party to the marriage may request his or her own dissolution of marriage record and include a signed and notarized letter stating that he or she gives the department permission to send the document to the applicant for dual citizenship. The requester must include a copy of his or her identification along with a completed dissolution of marriage certificate application form.
- If the applicant has power of attorney (POA) for either party to the marriage, the applicant may request the record. The POA must be signed by the one of the spouses on the dissolution of marriage certificate. The language stated in the POA must be sufficient to allow the person given POA to obtain the dissolution of marriage certificate. Applicant must include an attorney certified copy of the power of attorney (certification must have been done within the last year), a copy of the applicant's identification and a completed dissolution of marriage certificate application form

**2. Deceased: If both parties to the marriage have died.**

- A court order from a New York State Court of competent jurisdiction is required. The Department of Health cannot advise you on obtaining a court order. You may wish to consult an attorney familiar with New York State Domestic Relations Law. The applicant must submit a court certified copy of the order along with a copy of the applicant's identification, the appropriate fee and a completed divorce certificate application form.

## **Obtaining a Court Order**

The New York State Department of Health cannot advise you on legal matters including how to obtain a court order.

You can find information about court procedures, representing yourself and finding an attorney on the New York State Court System web site.

## **Translation Services**

The New York State Department of Health does not offer translation services for Vital Records or supporting documents.