

Letter to the Editor

Merry Christmas Norma,

It was so good to see you in Lucca at your Art Exhibit for Jill Casty. I really enjoyed seeing her work and talking to her.

I wanted to write to you to tell you that my son Mike who you met at the show just received his Italian Citizenship thanks to you and all your hard work you did for us.

Unfortunately Italy just sent out a Memo in October (presented here) stating that we cannot claim citizenship through Jure Sanguinis anymore. Fortunately Mike got his because he and his family are planning on moving to Europe in the next two years.

Hope all is going well with you and your family and look forward to seeing you when we are in Lucca next year.

Sincerely,

Fran Brown

To the attention of users who are potentially interested in having their Italian citizenship by descent recognized:

Please be aware of the significant implications of some of the recent rulings of the Supreme Court of Cassation (Civil Court of Appeal, Section I, Orders No. 454/2024 and No. 17161/2023) and Circular No. 43347 dated October 3, 2024, of the Ministry of the Interior issued pursuant to the new interpretation guidelines on the matter as dictated by the aforementioned judicial authority.

Adopting the guidance of the Court of Cassation, the circular clarifies first and foremost that – in accordance with the law of 1912 (and, even earlier, with the Civil Code of 1865) – an Italian citizen who lost his Italian citizenship as a consequence of the voluntary acquisition of a foreign nationality **concurrently caused his minor child living with him to lose their status civitatis, even if said child was born in a country, such as the United States, that applies jus soli** (and therefore, the child was a dual national at birth: Italian citizen by paternal descent based on the principles of jus sanguinis and foreign citizen based on the place of birth in accordance with the principles of jus soli). In all such cases, therefore, the citizenship line of transmission is to be considered discontinued; **as of the date of his or her father's naturalization, the minor in question no longer has the ability to pass on the right to his or her prospective descendants.**

Without prejudice to the foregoing, however, it is possible now to prove that one's own ancestor, who incurred the loss for the reasons above, then carried out a deed to recover their status civitatis after coming of age. In the cases in which this happened in fact and can be documented, the event must still have taken place **before the birth of the direct descendant of the person concerned.** Otherwise, the line of transmission cannot be considered restored.

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