Was your client born before 02/28/1983?

1. Were biological married at client’s birth?

Yes

No

No

Was client legitimated?

Both parents must have naturalized OR non-naturalized parent died. (if so, go to step 3).

Mother must have naturalized (if so, go to step 3).

Derived US Citizenship!

No

No, client was born out of wedlock.

Yes

Yes

3. Did your client become a lawful permanent resident before his/her 18th birthday?

4. Was your client unmarried before age of 18?

No, only one parent naturalized, but the other parent a U.S. citizen at time of client’s birth

No, only one parent naturalized, but the other parent passed away

Yes

2. Were both parents naturalized between 10/05/1978 and 02/26/2001?

No, biological parents were legally separated, but the naturalized parent had legal custody

Yes

No, no biological parents because adopted

Yes, but separation.

No, client was adopted by USC parent(s) before the age of 18 and was residing in the U.S. at the time of the adoptive parent(s)’s naturalization while their custody and as a Lawful Permanent Resident

If these 4 conditions are met on 10/05/1978 and 02/26/2001, your client is a U.S. Citizen by derivation based on former **INA § 320**