



**REPUBLIC OF ITALY**

**IN THE NAME OF THE ITALIAN PEOPLE**

**COURT OF PALERMO**

**SPECIALIZED SECTION ON IMMIGRATION, INTERNATIONAL PROTECTION AND THE  
FREE MOVEMENT OF EUROPEAN UNION CITIZENS**

The Court, in the person of Honorary Judge (G.O.P.) Carmela Caranna, having taken under advisement the matter at the hearing of 23 April 2026, hereby issues the following

**JUDGMENT**

in the civil proceedings registered under No. [REDACTED], brought by:

[REDACTED], Italian Tax Code No. [REDACTED], born in [REDACTED] (USA) on [REDACTED]  
[REDACTED] residing at [REDACTED] (USA);

[REDACTED], Italian Tax Code [REDACTED], born in [REDACTED] (USA) on [REDACTED]  
[REDACTED], residing at [REDACTED] (USA);

[REDACTED] Italian Tax Code No. [REDACTED] born in [REDACTED] (USA) on [REDACTED]  
[REDACTED] residing at [REDACTED] (USA);

[REDACTED] Italian Tax Code No. [REDACTED] (USA) on [REDACTED]  
[REDACTED] residing at [REDACTED] (USA);

all having elected domicile in Milan, Via Fabio Filzi No. 41, at the law office of Attorney Salvatore Aprigliano, by whom they are represented and defended pursuant to the powers of attorney filed in the proceedings,

**Applicants**

**v.**

THE MINISTRY OF THE INTERIOR, in the person of the Minister pro tempore,

**Respondent**

**SUBJECT MATTER:** Recognition of Italian citizenship jure sanguinis

**CONCLUSIONS:** As set forth in the written submissions filed on behalf of the applicants on 22 April 2026 in lieu of the hearing pursuant to Article 127-ter of the Italian Code of Civil Procedure.



**FACTS AND LAW**

By application pursuant to Article 281-decies of the Italian Code of Civil Procedure, filed on 10 July 2025, the applicants brought proceedings before this Court seeking recognition of Italian citizenship *jure sanguinis*.

To that end, they alleged that they are related by family ties and are direct descendants of [REDACTED], born in [REDACTED] (Palermo, Italy) on [REDACTED], who married [REDACTED], born in [REDACTED] (Palermo, Italy) on [REDACTED].

Subsequently, the spouses emigrated to the United States, where [REDACTED] was born in [REDACTED] on [REDACTED]. [REDACTED] married [REDACTED], born in [REDACTED], on [REDACTED] in [REDACTED]. From their union, the following children were born in the same city:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]

Thereafter:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]

The applicants documented that [REDACTED] never became a naturalized United States citizen (Exhibit No. 7).

The applicants further alleged that, due to the impossibility of obtaining recognition of Italian citizenship through the administrative route because of the lengthy waiting times at the competent Consulate, they brought the present proceedings seeking a declaration of their status as Italian citizens *jure sanguinis*.

Although duly served in these proceedings on 23 December 2025, the Ministry of the Interior did not enter an appearance.

Following the filing of documentary evidence, the case was taken under advisement at the hearing of 23 April 2026.



The present proceedings were commenced during the period of effectiveness of Decree-Law No. 36 of 28 March 2025, as amended by the Conversion Law No. 74 of 23 May 2025.

Article 1 of the aforementioned legislation establishes, first and foremost, a general prohibition on the recognition of Italian citizenship in the case of:

“any person born abroad, including before the entry into force of this Article, who is in possession of another citizenship, unless one of the following conditions applies:”

The provision then sets out a series of specific circumstances under which recognition of Italian citizenship may nevertheless be granted, namely:

“a) the citizenship status of the interested party is recognized, in accordance with the legislation applicable as of 27 March 2025, following an application, accompanied by the required documentation, submitted to the competent consular office or mayor no later than 11:59 p.m., Rome time, on that same date;

a-bis) the citizenship status of the interested party is recognized, in accordance with the legislation applicable as of 27 March 2025, following an application, accompanied by the required documentation, submitted to the competent consular office or mayor on the date indicated in an appointment communicated to the interested party by the competent authority no later than 11:59 p.m., Rome time, on 27 March 2025;

b) the citizenship status of the interested party is judicially ascertained, in accordance with the legislation applicable as of 27 March 2025, following a judicial application filed no later than 11:59 p.m., Rome time, on that same date;

c) a first- or second-degree ascendant possesses, or possessed at the time of death, exclusively Italian citizenship;

d) a parent or adoptive parent resided in Italy for at least two continuous years after acquiring Italian citizenship and prior to the birth or adoption of the child.”

Applying the above statutory provisions to the present case, it emerges that:

- With regard to letter (a), there is no evidence that an “application, accompanied by the required documentation, [was] submitted to the competent consular office or mayor no later than 11:59 p.m., Rome time, on 27 March 2025.”
- With regard to letter (a-bis), there is likewise no evidence that an application “accompanied by the required documentation [was] submitted to the competent consular office or mayor on the date indicated in an appointment communicated to the interested party by the competent authority no later than 11:59 p.m., Rome time, on 27 March 2025.”



In this respect, the applicants attached to the originating application (see Exhibit No. 10) screenshots from the website of the Consulate General of Italy in New York. However, those screenshots do not contain elements capable of linking the requests displayed on the Consulate's website specifically to the present applicants. Accordingly, there is no evidentiary basis establishing that an application was actually submitted within the deadline prescribed by the aforementioned legislation.

Turning to the situation governed by letter (b)—namely, the case in which citizenship status is judicially established, provided that the application is “filed no later than 11:59 p.m., Rome time, on that same date”, i.e., 27 March 2025—it is readily apparent that the present application was entered on the General Register well beyond that deadline. In the case at hand, the proceedings were commenced on 10 July 2025.

In the present matter, however—and this with regard to the provisions set forth in letters (c) and (d) of Article 1—Italian citizenship was possessed by an ancestor within the first or second degree, who appears never to have acquired United States citizenship.

For all the reasons set forth above, the application brought by the present applicants must be granted. In view of the novelty of the issues involved, the purely documentary nature of the proceedings, and the respondent Ministry's failure to enter an appearance, there are sufficient grounds for ordering that the costs of the proceedings remain borne by the applicants.

### FOR THESE REASONS

The Honorary Judge (G.O.P.), definitively ruling on the matter, hereby:

- GRANTS the application and DECLARES that the applicants have been Italian citizens since birth;
- ORDERS the Ministry of the Interior and, through it, the competent Civil Status Registrar, to carry out the registrations, transcriptions, and annotations required by law in the civil status registers concerning the citizenship of the persons identified above, including any necessary communications to the competent consular authorities;
- ORDERS that the costs of the proceedings shall remain borne by the applicants.

Palermo, 27 April 2026

The Honorary Judge (G.O.P.)

Carmela Caranna

