PREVENTION: ACQUIRING DUAL CITIZENSHIP

Under Article 30 of the Mexican Constitution, every child who is born abroad, whose mother or father is born on Mexican territory, is therefore Mexican. Registering a child as a Mexican National will facilitate access to public services once in Mexico. It can also provide a greater level of protection on behalf of the Mexican Consulate for a child during any dependency or custody procedures.

How do I prepare to register a U.S.-born child as a Mexican National once I am in Mexico?

If a family is planning to return to Mexico and is not able to register the U.S.-born child as a Mexican National and will not be able to return to the United States, it is recommended to apostille all of the child’s documents (see Apostille section) before leaving the country. This includes the original long version of the U.S. birth certificate and school documents. Apostilles are generally issued through the Department of State offices in the state where the child was born.

Parents have a right to travel with documents and take them out of the U.S., even if they are deported.

The offices can also delay a request if the parent’s full names on the child’s birth certificate are not identical to the names on the official IDs the parents are presenting. If an error has been identified and a change is needed, the procedure to make an official correction on a U.S. birth certificate varies depending on the state that issued the birth certificate. In some states a change can be relatively simple through an administrative fix. In other states a judicial order might be required.

How can I prepare to register a U.S.-born child as a Mexican National while I am in the United States?

To avoid future problems, it is highly recommended to include the last names of the mother and the father when a child of Mexican parents is born in the United States and is first issued a birth certificate by the hospital.

Instituto para las Mujeres en la Migración A.C.

Resources to inform, support and prepare families for a possible return to Mexico

Birth Certificate Corrections

Birth certificates in both the U.S. and Mexico can contain errors that obstruct the process to register a child as a Mexican national and therefore require a correction to be made. This includes instances when the mother, father, or child’s names are misspelled and/or when the U.S. birth certificate only includes the mother or father’s last name, not both. Due to Mexican naming conventions, civil registry offices in Mexico and Mexican Consulate offices in the U.S. can delay a request to register a child as a Mexican National if the child’s U.S. birth certificate does not include both the mother’s and father’s last names.

No to double registry

Once in Mexico, the process to obtain a child’s U.S. birth certificate can be complicated. However, this should NOT be a reason to register a U.S.-born child as if they were born in Mexico. This includes, in cases when the local authorities might be misinformed or recommend this to make the process “easier.” In past years, especially before dual citizenship was permitted under Mexican law, parents opted to register their U.S.-born children as if they were born in Mexico. Currently, parents decide to do this when they face numerous obstacles to obtain basic services for their children in Mexico. However, this is NOT recommended as it can create legal problems for the children, especially once they are adults.

How can one cancel a double registry?

If a U.S.-born individual has a double registry (meaning the person has two birth certificates as if they were born in two different places on the same date), a nullification of the Mexican birth certificate is needed. Once this birth certificate is nullified, the individual will be able to register as a Mexican National born abroad and obtain dual citizenship. The process to nullify a Mexican birth registry depends on each state in Mexico. Legal counsel will be necessary to go about this nullification process.

No to double registry

Birth certificates in both the U.S. and Mexico can contain errors that obstruct the process to register a child as a Mexican national and therefore require a correction to be made. This includes instances when the mother, father, or child’s names are misspelled and/or when the U.S. birth certificate only includes the mother or father’s last name, not both. Due to Mexican naming conventions, civil registry offices in Mexico and Mexican Consulate offices in the U.S. can delay a request to register a child as a Mexican National if the child’s U.S. birth certificate does not include both the mother and father’s last names.

A Brief Guide for Families, Organizations and Public Officials

Parents have a right to travel with documents and take them out of the U.S., even if they are deported.

The offices can also delay a request if the parent’s full names on the child’s birth certificate are not identical to the names on the official IDs the parents are presenting. If an error has been identified and a change is needed, the procedure to make an official correction on a U.S. birth certificate varies depending on the state that issued the birth certificate. In some states a change can be relatively simple through an administrative fix. In other states a judicial order might be required.

No to double registry

Parents have a right to travel with documents and take them out of the U.S., even if they are deported.

The offices can also delay a request if the parent’s full names on the child’s birth certificate are not identical to the names on the official IDs the parents are presenting. If an error has been identified and a change is needed, the procedure to make an official correction on a U.S. birth certificate varies depending on the state that issued the birth certificate. In some states a change can be relatively simple through an administrative fix. In other states a judicial order might be required.

No to double registry

Parents have a right to travel with documents and take them out of the U.S., even if they are deported.

The offices can also delay a request if the parent’s full names on the child’s birth certificate are not identical to the names on the official IDs the parents are presenting. If an error has been identified and a change is needed, the procedure to make an official correction on a U.S. birth certificate varies depending on the state that issued the birth certificate. In some states a change can be relatively simple through an administrative fix. In other states a judicial order might be required.

No to double registry

Parents have a right to travel with documents and take them out of the U.S., even if they are deported.

The offices can also delay a request if the parent’s full names on the child’s birth certificate are not identical to the names on the official IDs the parents are presenting. If an error has been identified and a change is needed, the procedure to make an official correction on a U.S. birth certificate varies depending on the state that issued the birth certificate. In some states a change can be relatively simple through an administrative fix. In other states a judicial order might be required.

No to double registry

Parents have a right to travel with documents and take them out of the U.S., even if they are deported.

The offices can also delay a request if the parent’s full names on the child’s birth certificate are not identical to the names on the official IDs the parents are presenting. If an error has been identified and a change is needed, the procedure to make an official correction on a U.S. birth certificate varies depending on the state that issued the birth certificate. In some states a change can be relatively simple through an administrative fix. In other states a judicial order might be required.