

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
CHANCERY DIVISION – FIRST DISTRICT

{{Petitioner's name}},	)	
	)	
Petitioner,	)	
	)	
	)	Case No. {{Case number}}
- against -	)	
	)	
	)	
{{Defendant(s)}},	)	
	)	
Respondent.	)	

AMENDED PETITION FOR COURT ORDER TO AMEND VITAL RECORDS AND FOR
DECLARATORY JUDGMENT ACKNOWLEDGING ONE SAME PERSON

NOW COMES Petitioner, {{PETITIONER'S NAME}}, respectfully requests that the Court order an amendment to vital records of Petitioner's ascendants and make a declaratory judgment finding {{GGM Italian name}} and {{GGM anglicized name}}, Petitioner's great-grandmother, are the same person.

PARTIES

Petitioner, {{petitioner's name}}, seeks a court order to amend vital records that relate to her ascendants, as well as a declaratory judgment to relieve discrepancies in immutable genealogical documents.

The Respondent in this matter is the Cook County Clerk's Office, having its principal office at 69 W. Washington St., Suite 500, Chicago, Illinois, 60602. Respondent's office is responsible for the issuance, amendment and production of vital records in Cook County, Illinois.

BACKGROUND ON PETITIONER'S REQUEST

1. Petitioner makes the above request to remedy inconsistencies in documents issued by Cook County and the State of Illinois that are needed to obtain dual citizenship in Italy.
2. In order for Petitioner to obtain recognition of Italian citizenship, she must demonstrate in an Italian court that she is a direct lineal descendant of her last relation born in Italy and that this Italian-born ascendant uninterruptedly maintained her Italian citizenship to pass the blood right to her descendants, including Petitioner.
3. In this case, Petitioner seeks citizenship through her Italian-born great-grandmother, **{{GGM Italian name}}**; her grandfather, **{{GF}}**; and her mother, **{{M}}**.
4. The errant documents issued by county and state authorities are, respectively:
 - Great-grandparents' marriage certificate
 - Grandfather's birth certificate
5. The errors on the above documents stem from Petitioner's great-grandmother using an anglicized version of her Italian first name.
6. As requested by the Cook County Clerk's Office and the Illinois Department of Public Health, Petitioner seeks court orders to remedy inconsistencies in these vital records. See Exhibit Q, Request from Illinois Department of Public Health for court order and Exhibit R, Request from Cook County Clerk's Office for court order.
7. However, some errant documentation cannot be changed pursuant to federal law. For example, upon information and belief, documents from the National Archives and the United States Citizenship and Immigration Services may not be amended due to statute and/or administrative rules.
8. In this case, Petitioner's great-grandmother's petition for naturalization contains minor discrepancies in date of birth and date of marriage, which cannot be amended.
9. Thus, due to these discrepancies and the immutability of federal immigration documents, Petitioner requests a declaratory judgment stating that **{{GGM Italian name}}** and **{{GGM anglicized name}}** are the same person based on evidence outlined below:

FACTUAL BACKGROUND

1. **Petitioner's family lineage**
 - a. Petitioner's great-grandmother is **{{GGM Italian first name and married name}}** (née **{{maiden name}}**, AKA **{{anglicized first name}}**), henceforth **{{GGM Italian first name and married name}}**.

- b. She was born on {{date}} in {{town}}, Italy. See Exhibit A.2, Translation of {{GGM's}} birth certificate.
- c. She emigrated to the United States aboard the {{ship}} and arrived in New York City, New York on {{date}}. She was legally admitted into the United States under the name {{GGM Italian first name and maiden name}}. See Exhibit B, Copy of ship's manifest, and Exhibit F, {{GGM}}'s certificate of arrival.
- d. She married {{GGF}} on {{date}} in Chicago, Illinois, USA. See Exhibit C, {{GGM}}'s marriage certificate.
- e. She gave birth to {{GF}} on {{date}} in Chicago, Illinois, USA. See Exhibit K, {{GF}}'s birth certificate.
- f. She petitioned for naturalization in the United States on {{date}} in the District Court of the United States in Chicago, Illinois, USA. See Exhibit D, {{GGM}}'s petition for naturalization.
- g. She naturalized as a United States citizen on {{date}}. See Exhibit E, {{GGM}}'s oath of allegiance and Exhibit G, {{GGM}}'s certificate of naturalization.
- h. On her petition for naturalization, {{GGM}} applied for citizenship using her given Italian first name, {{GGM Italian first name}}, but requested to be admitted as a citizen under her anglicized first name, {{GGM anglicized first name}}. See Exhibit D, {{GGM}}'s petition for naturalization.
- i. Ultimately, this name change request was granted and is reflected on her naturalization certificate. See Exhibit G, {{GGM}}'s certificate of naturalization and Exhibit H, Copy of {{GGM}}'s naturalization court index card.
- j. Although this official name change did not occur until her naturalization in {{year}}, {{GGM}} was using her anglicized name as early as 1925, as reflected on her marriage certificate and the birth certificate of her son, {{GF}}.
- k. {{GGM}} died on {{date}} in Chicago, Illinois, USA. See Exhibit I, {{GGM}}'s death certificate.
- l. {{GGF}} and {{GGM}} had {{GF}} on {{date}} in Chicago, Illinois, USA. See Exhibit K, {{GF}}'s birth certificate.
- m. {{GF}} is Petitioner's grandfather.
- n. He married {{GM}} on {{date}} in Chicago, Illinois, USA. See Exhibit L, {{GF}}'s marriage certificate.

- o. He died on **{{date}}** in Chicago, Illinois, USA. See Exhibit M, **{{GF}}**'s death certificate.
- p. **{{GF}}** and **{{GM}}** had **{{M first name and married name}}** (née **{{maiden name}}**) on **{{date}}** in Chicago, Illinois, USA. See Exhibit N, **{{M}}**'s birth certificate.
- q. **{{M}}** is Petitioner's mother.
- r. She married **{{F}}** on **{{date}}** in Chicago, Illinois, USA. See Exhibit O, **{{M}}**'s marriage certificate.
- s. **{{F}}** and **{{M}}** had **{{petitioner's name}}** on **{{date}}** in Chicago, Illinois, USA. See Exhibit P, **{{petitioner}}**'s birth certificate.
- t. Petitioner is **{{petitioner's name}}**.

2. Petitioner's great-grandmother's marriage certificate

- a. Pursuant to Respondent, the Cook County Clerk's Office, any amendments to marriage records that do not consist of a typographical error or legal name change must be mandated by court order. See Exhibit R, Request from Cook County Clerk's Office for court order.
- b. On Petitioner's great-grandmother's marriage certificate, issued by Respondent, **{{GGM}}**'s first name is errantly listed as the anglicized version, **{{GGM anglicized first name}}**. See Exhibit C, **{{GGM}}**'s marriage certificate.
- c. However, both the marriage occurred and the document was issued in 1925, and **{{GGM}}** naturalized in 1937, at which point she legally changed her first name to **{{GGM anglicized first name}}**.
- d. Thus, at the time of her marriage, **{{GGM}}**'s first name was legally her given Italian name, **{{GGM Italian first name}}**.

3. Petitioner's grandfather's birth certificate

- a. Pursuant to the Illinois Department of Public Health, a birth record that is registered after the first year of life is known as a Delayed Record of Birth. Amendments to these records must be mandated by court order. See Exhibit Q, Request from Illinois Department of Public Health for court order.
- b. Petitioner's grandfather's birth certificate, issued by the Illinois Department of Public Health, is a Delayed Record of Birth.

- c. On the birth certificate, {{GGM}}’s first name is errantly listed as the anglicized version, **{{GGM anglicized first name}}**. See Exhibit K, {{GF}}’s birth certificate.
- d. However, the birth occurred in 1929 and the birth certificate was issued in 1934. {{GGM}} naturalized in 1937, at which point she legally changed her first name to **{{GGM anglicized first name}}**.
- e. Thus, at the time of both {{GF}}’s birth and the issuance of his birth certificate, {{GGM}}’s first name was legally her given Italian name, **{{GGM Italian first name}}**.

4. Petitioner’s great-grandmother’s petition for naturalization

- a. As mentioned above, {{GGM}}’s birthday is **{{correct birth date}}**.
- b. As mentioned above, {{GGM}} married {{GGF}} on **{{correct marriage date}}**.
- c. These two dates are incorrect on her petition for naturalization. On this document, {{GGM}}’s date of birth is listed as **{{wrong birth date}}**, and her date of marriage is listed as **{{wrong marriage date}}**. See Exhibit D, {{GGM}}’s petition for naturalization.

EVIDENCE OF ONE AND THE SAME PERSON

Detailed below are cross-references among Petitioner’s documentary evidence to support the claim that **{{GGM Italian name}}** and **{{GGM anglicized name}}** are one and the same person.

- 1. Petitioner’s great-grandmother’s first name is {{GGM Italian first name}}, as listed on her:**
 - a. Birth certificate (Exhibit A.2)
 - b. Petition for naturalization (Exhibit D)
 - c. Death certificate (Exhibit I, line 1)
 - d. Husband’s petition for naturalization (Exhibit J, section 6)
- 2. Petitioner’s great-grandmother legally changed her first name from {{GGM Italian first name}} to {{GGM anglicized first name}} upon naturalizing in the United States, as listed on her:**
 - a. Petition for naturalization (Exhibit D, section 10)
 - b. U.S. District Court naturalization index card (Exhibit H)
- 3. {{GGM}} was born in {{town}}, Italy, as listed on:**
 - a. Her birth certificate (Exhibit A.2)
 - b. Her petition for naturalization (Exhibit D, section 6)
 - c. Her death certificate, (Exhibit I, line 3)
 - d. {{GGF}}’s petition for naturalization (Exhibit J, section 6)

- e. **{{GF}}**'s birth certificate (Exhibit K, line 22)
- 4. **{{GGM}} was born on {{date}}, as listed on:**
 - a. Her birth certificate (Exhibit A.2)
 - b. Certified letter from Civil Registry in **{{town}}**, Italy (Exhibit S.2)
- 5. **{{GGM}} emigrated from Naples, Italy on the {{ship name}} and arrived in New York, NY on {{date}}, as listed on:**
 - a. Ship's manifest (Exhibit B, line 9)
 - b. Her petition for naturalization (Exhibit D, section 6)
 - c. Her certificate of arrival (Exhibit F)
- 6. **{{GGM}} was married to {{GGF}}, as listed on:**
 - a. Their marriage certificate (Exhibit C)
 - b. Her petition for naturalization (Exhibit D, section 5)
 - c. **{{GGF}}**'s petition for naturalization (Exhibit J, section 6)
- 7. **{{GGM}} gave birth to Petitioner's grandfather, {{GF}} on {{date}}, as listed on:**
 - a. Her petition for naturalization (Exhibit D, section 5)
 - b. **{{GF}}**'s birth certificate, (Exhibit K)

REQUEST

WHEREFORE, Petitioner respectfully requests this Court, based on the evidence presented:

- 1. Issue a court order directing Respondent, the Cook County Clerk's Office, to deliver to Petitioner a certified marriage certificate for **{{GGM}}**, with her first name amended from **{{GGM anglicized first name}}** to **{{GGM Italian first name}}**, to reflect her legal name at the time of the marriage;
- 2. Issue a court order directing the Illinois Department of Public Health to deliver to Petitioner a certified birth certificate for **{{GF}}**, with Petitioner's great-grandmother's first name amended from **{{GGM anglicized first name}}** to **{{GGM Italian first name}}**, to reflect her legal name at the time of both the birth and the document creation;
- 3. And make a declaratory judgment affirming and formally recognizing that **{{GGM anglicized Italian name}}** and **{{GGM anglicized name}}** are one and the same person, to relieve discrepancies in immutable documentation.

Respectfully submitted,

{{Petitioner}}