

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

ADOPTION CASE NO. 2 OF 2019

IN THE MATTER OF ADOPTION OF BABY L.K

DKT1ST APPLICANT

SWK2ND APPLICANT

RULING

1. On the 5.11.2020 when this matter came up for hearing one C K told the court that she had been a guardian to the child since she was adopted in the year 2015. Same assertion was made by one BJK. I have however perused the court file and noted that there has not been any appointment of a guardian by the court as stipulated by section 102 of The Children's Act. Instead, I have seen an order of 2/12/2019 asking for a report on the suitability of one GG, as a *guardian ad litem*, from the children's office. Even though there is a report by the Imenti North, sub-county children's officer, Joseph K. Mburu, the report makes no reference to the person applying to be the guardian ad litem.
2. That notwithstanding, I did examine the said applicant when she attended court and I am convinced that she is suitable as a guardian to the child for purposes of these proceedings. For that reason, I do appoint GG the guardian ad litem to the subject BLK.
3. Pursuant to such appointment, I direct that the guardian shall within 30 days of today file a report on the living and general well-being of the child and relationship with the proposed adoptive parents.
4. I further direct that the adoption society also file a report on the child and the adoptive parents within the same period. Such a report be accompanied with the current registration of the society as an adoption Society.
5. The matter is therefore stood over to the 19.05.2021 for the purposes of considering the prayer for adoption by the two applicants.

Dated signed and delivered this 12th day of February 2021

Patrick J.O Otieno

Judge