



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

(FAMILY DIVISION)

ADOPTION CAUSE NO. 244 OF 2015

IN THE MATTER OF AN APPLICATION FOR ADOPTION OF

BABY J I –MINOR

J W U.....APPLICANT

JUDGMENT

1. The applicant J W M seeks to be authorize to adopt baby J I, she is single with one biological child who is 22 years old. She states that she always wanted to have another child hence the adoption. In her quest she approached Imani Children’s Home and they placed the child herein under her custody for foster care pending the adoption on the 3<sup>rd</sup> of May 2015 and the child has continuously been in her care and possession. She desires to legally adopt the said child having understood the responsibilities as an adopting parent. She is a business woman with different businesses and resides in her own house and is a committed Christian.

2. The child Baby J I was born at Kayole Hospital on the 8<sup>th</sup> of December 2013 and after the delivery her mother escaped and abandoned her at the hospital. The matter of abandonment was reported to Kayole Police station vide OB No. 79/14/12/13. The child was admitted at Imani Children’s home on the 15<sup>th</sup> December 2013. On the 5<sup>th</sup> of August 2014 the child was committed to the home through committal order vide protection and care case no. 205 of 2014. On 28<sup>th</sup> January 2015, the Kayole Police station confirmed that the police efforts to trace the relatives had yielded no fruits and that no one had claimed the child since she was reported abandoned. The minor stayed in the home until 3<sup>rd</sup> May 2015 when she was placed under the care and control of Ms. J W M. The child was declared free for adoption and a freeing certificate serial number [*particulars withheld*] issued pursuant to Section 156(1) of the Children’s Act 2001.

3. The applicant was investigated by the Department of Children Service and a report tendered in court on the 17<sup>th</sup> of August 2015. The report gives a detailed background of the applicant. According to the report the reason for proposed adoption is to give a child a chance in life and to provide parental care and love for the child and a sense of belonging to an abandoned child. The Agency report and the Department report both states that she is financially able to care for the child. She has property with all the basic needs for the upbringing of the child. During the home visits it was observed that the applicant had bonded well with the child. The child is healthy and friendly. The three reports guardian ad litem report inclusive recommend the adoption.

4. This court had a chance to interview the applicant in court and observed that the applicant is mature and cares for the child. It was her wish that the court grants the orders sought. She also understood that once the adoption order is made the child has a right to inherit whatever she has and she has no problem with that. The baby was in court, she looked healthy and well taken care of.

5. I have considered the reports and the reasons for adoption and in my view it is in the best interest of the child to allow the adoption application. I therefore authorize **J W M** to adopt **Baby J I** who shall be known as **N A G K**. The child is presumed to be born in Kenya, is a Kenyan Citizen by birth and that the Registrar General be directed to enter the adoption in the adopted children register. **R W K** will be the Legal Guardian of the child. I hereby discharge the Guardian ad litem. It is so ordered

Dated signed and delivered this 22<sup>ND</sup> day of **SEPTEMBER 2016**

**R. E .OUGO**

**JUDGE**

In the presence of;

.....**For the Applicant**

.....**Court Clerk**