



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 105 OF 2013

IN THE MATTER OF ADOPTION OF BABY E W alias BABY P (A minor)

And

IN THE MATTER OF THE APPLICATION FOR ADOPTION

BY

C M I

JUDGMENT

The applicant C M I is a single woman and has no child. She wishes to adopt the child known as Baby E W, a minor of female sex. She indicates that she is teacher by profession. She resides in Kakamega.

The child in question was found abandoned by the roadside near Thika Prison on 28th August 2006, and she was approximately one day old.

The child was committed to Cottolengo Sisters' Home, Karen by the Children's Court Thika, on 25th September 2006 vide protection and care case No. 111 of 2006 Thika.

The child was placed with the applicant on 6th May 2008 for the mandatory bonding period. The biological parents of the child were not traced.

Prior to the hearing of the adoption application, the applicant was assessed by the Kenya Children's Home Adoption Society, an adoption society who filed their recommendation vide a letter dated 16th July 2009, the Kakamega Friends Church vide their letter dated 20th January 2008 and the guardian ad litem, Z S I vide her letter dated 18th February 2008 respectively.

This is a local adoption and from the record the Applicant has fulfilled all legal requirements relating to the adoption of the child. The consent of the biological parents was dispensed with since the child was abandoned at one day and the parents could not be traced to give the consent.

The Adoption Society, guardian ad litem and the Director of Children's Services have all made home visits and established that the applicant is both financially and emotionally capable to provide for the up keep and education of the child. The child was in court during the hearing and appeared to have bonded well with the applicant. She considers her as her parent.

After a careful assessment of the reports filed herein and from the observation of the interaction of the Applicant and the child during the hearing, this court has formed the opinion that it would be in the best

interest of the child to be adopted by the Applicant. The application is therefore allowed.

The Applicant C M I is hereby allowed to adopt baby E W alias baby P. She shall henceforth be known as A D M.

Her date of birth shall be 28th August 2006 and the place of birth shall be Thika District. She is presumed to have been born in Kenya. M W a sister to the Applicant is hereby appointed legal guardian of the child should the need arise. I direct the Registrar General to enter this order in the Adoption Register and I hereby discharge the guardian ad litem.

It is so ordered.

SIGNED DATED and DELIVERED in open court this **26th day of November 2014.**

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L. A. ACHODE

JUDGE