

IN THE MATTER OF THE CHILDRENS ACT

AND

IN THE MATTER OF BABY D N alias Z N

AND

IN THE MATTER OF AN APPLICATION FOR ADOPTION

BY

R A W and D M W

J U D G M E N T

The applicants of this adoption application are R A W and his wife D M W both citizens of the United States of America. The two have lived and worked in Kenya for the past eight years. They intend to continue working and residing in Kenya. The husband is about 35 years old while his wife is about 41 years old.

The applicants earn about Ksh.160,000/- a month. Their accommodation and other living requirement are made by their employer.

The Government of the United States has shown willingness to recognize the intended adoption and the United States legal framework shows that any child below 16 adopted by a citizen of the United States will be entitled to apply for United States residence and later citizenship.

There is a back-home study of the applicants by Carolina Adoption Services annexed to these proceedings – annexure “u” and Kenya Study and report by the Little Angels Network confirming not only the suitability of the applicants to adopt Baby D N but showing the child has fitted in the applicant’s family with their natural children. Other reports recommending adoption came from the Director of Children Services and from the Guardian ad litem.

I have examined the factors recommended by the National Adoption Committee to be complied with. I am satisfied that the applicants have complied with almost all of them.

The reports filed in support of this application concentrate in what would be and is the best interest and welfare of Baby D N who was declared free for adoption by the Little Angels Network on 16th May, 2007. She had been freed and delivered to the Applicants for foster care and the child still lives with them. She is happy and enjoys the company of the applicant’s natural children.

I have considered this case. I am satisfied that the child in her best interest should be adopted by the applicants. In that way Baby D N alias Z N, will remain having a secure home and care, living with and brought up by the people who are about her welfare and being loved by the people who care. Tearing her away from the applicants will be exposing her to the cruel world. In the circumstances, the best thing would be to grant this application by the following orders: -

ORDERS

1. R A W and D M W are hereby authorized to forthwith adopt Baby D N alias Z N who future name will now be C M Z W.
2. The Registrar-General shall enter this adoption in his Adoption Register.

3. The Principal Immigration Officer, will when the time comes, assist the applicants to travel out of the Republic of Kenya.

Dated and delivered at Nairobi on 19th day of June, 2009.

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D A ONYANCHA

JUDGE