



**In re JCM (Child) (Adoption Cause E047 of 2024)
[2025] KEHC 7049 (KLR) (Family) (22 May 2025) (Judgment)**

Neutral citation: [2025] KEHC 7049 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
ADOPTION CAUSE E047 OF 2024
SN RIECHI, J
MAY 22, 2025**

IN THE MATTER OF

CJW APPLICANT

JUDGMENT

1. The Applicant, CJW is a single applicant. The applicant is a Kenyan citizen aged 65 years old having been born on 27th December, 1957 as evidenced by a copy of her national identification card number 40478538 attached to the summons.
2. The applicant wishes to adopt a female child known as JCM aged 14 years 3 months old having been born on 19.04.2010 as evidenced by a copy of a birth certificate serial number 02XXXX attached to the application.
3. From the evidence on record this court finds that the applicant is a paternal grandmother to the child.
4. From the pleadings, the court finds that the applicant is a business lady and nursing assistant. She lives in the United States of America. She professes Christian faith.
5. The evidence on record indicates that child in this matter was born on 19/04/2010 to MWN and AMM. At the time of her birth both parents were living together everything was well. When her younger sister was born, things suddenly changed and they separated. Her mother went back to her parents home and took the child and her younger sibling along.
6. The applicant stated the child's biological mother abandoned the child at her grandfather's place and took off. She would neither visit or provide for the child. The child and her younger sister remained with their grandparents but their life was not good as they lacked basic commodities despite the applicant providing money for the same.



7. The applicant stated that on or about December 2017 during her annual visit to Kenya, she took custody and responsibility over the child upon obtaining consent from the grandparents.
8. The applicant stated she offered to take the child in her care but the child was to stay with her daughter C as she was away in the USA.
9. Prior to the hearing of the adoption application, KKPI Adoption Society prepared and filed a report dated 20.8.2022 .They also issued a Certificate Serial 066 declaring the child free for adoption as evidenced by the copies of report and certificate declaring a child free for Adoption attached to the application.
10. The guardian ad litem Ms. CN filed a report dated 5th December 2024 which was favourable and recommended the adoption of the child by the Applicant.
11. Mr.Ezekiel Kimani an assistant Director from the office of Children Services conducted home visits and established that the applicants are financially and emotionally capable of providing for the upkeep and education of the child and filed a report dated 23.7.2024 recommending the adoption for reasons that the child stands to gain from the opportunities provided by becoming the daughter of the Applicant and that the Applicant has fulfilled the statutory requirements.
12. The legal guardian CN consented to be appointed as legal guardian and she filed a letter of consent attached to the application.
13. From evidence on record the applicant is physically and emotionally fit and healthy to parent, love and care for the child as evidenced by copies of her Medical reports attached to the application.
14. The applicant is financially stable and she is therefore able to provide fully for the child's need as evidence by copies of her financial documents attached to the application.
15. The applicant stated that she has no previous criminal record and no pending criminal prosecution as evidenced by her copy of police clearance certificate attached to the application.
16. This is a Kinship adoption and from the record the Applicant has fulfilled all the legal requirements relating to the adoption of the child.
17. The child's biological father AMM consented to the adoption and filed a consent.
18. The child's biological father AMM was present in court and he testified as follows;
"I know JCM. She is my daughter. She is 14 years old. I want to grant the court to grant her be adopted by my mother CJW. She stays in Atlanta,U.S.A. I have signed the consent. I know and I have read of the consequences of any action."
19. The child was in court and testified as follows;
"I am 14 years old turning 15 years. I am a student in [particulars withheld] Group of schools. I am in Grade 9. It is a boarding school. I stay with my aunt during holidays. She is called CN. I know Applicant. She is mother to AM. My mother is called MW. Caroline stays in U.S.A"
20. This is a kinship adoption and from the record the Applicant has fulfilled all the legal requirements relating to the adoption of the child.
21. I have examined the evidence herein and best interest of the child as required in Article 53 (2) of *the Constitution* and Section 8 the Children's Act,2022. I find that it is in the best interest of the child to



be adopted by the Applicant. I therefore allow the prayers sought in the originating Summons dated 20th September,2022 and Order as follows:

- i. The Applicant Caroline JWD is hereby allowed to adopt JCM.
- ii. The child shall henceforth be known as JCM iii. Ms.CN is hereby appointed the legal guardian of the child.
- iv. The Registrar General is directed to enter this Order in the Register of Adopted Children.
- v. The guardian ad litem is hereby discharged.

DATED AT NAIROBI THIS 22ND DAY OF MAY 2025.

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S. N. RIECHI

JUDGE

