



**REPUBLIC OF KENYA**

**IN THE MATTER OF: CHILDREN'S ACT NO. 8 OF 2001**

**AND**

**IN THE MATTER OF: E M**

**IN THE MATTER OF: APPLICATION FOR ORDERS OF ADOPTION OF THE MINOR E M  
BY L S L AND J W S**

**BETWEEN**

**1. L S L**

**2. J W S.....APPLICANTS**

**RULING**

By their application dated 14<sup>th</sup> May 2009, by way of Originating Summons, **LSL** and **JWS** (hereinafter "the Applicants") seek two primary orders namely that **CL** be appointed guardian *Ad Litem* and that the applicants be authorized to adopt the minor **EM**.

**CKL** has sworn an affidavit in which she depones that she is the first born child of the applicants who are husband and wife and have the means to maintain and bring up the said minor including provision of proper social and basic human needs. She has further deponed that the adoption will serve the best interest of the minor and that she has no interest adverse to that of the minor.

Having perused the affidavit of **CKL** and having considered the application to appoint her a Guardian Ad Litem, I am satisfied that she is qualified and fit to be so appointed. Accordingly, **CKL** is hereby appointed Guardian Ad Litem

I have also considered the application for an adoption order made by the applicants. The application is accompanied by a statutory statement of the applicants. There is further an affidavit verifying the facts contained in the said statement. The applicants state that they are married to each other and have been so married for the last 29 years. They further state that they have three children of their own and are medically fit to adopt the said minor who is aged fifteen years and has been living with them since December 2005. **LSL** states that he runs a Non-Governmental Organization and has a stable income therefrom. **JWS** on her part states that she is a medical counselor at Jomo Kenyatta University of Agriculture and Technology and together with her husband they run Baraka Academy at Mtito Andei and they are financially stable. Annexed to the application are the following documents:

- 1) A Certificate to Declare a child free for adoption issued by Little Angels Network in respect of the minor.
- 2) A Pre-Placement Report containing an evaluation and assessment of the applicant's prepared by Little Angels Network, a Registered Adoption Society.

3) A declaration Report containing a recommendation by Little Angels Network Society Case Committee that the minor is available for adoption.

I have considered the application, the statement, the affidavits filed, the evaluation and assessment report on the applicants, the supporting affidavit of the Guardian Ad Litem, the Declaration Report by Little Angels Network, a registered adoption society, that the minor is available for adoption. Having done so, I am satisfied that the applicants have complied with all the prerequisites before the making of an adoption order. The Originating summons dated 14<sup>th</sup> May 2009 is accordingly allowed as prayed.

I make no order as to costs.

Orders accordingly.

**DATED AND DELIVERED AT MOMBASA THIS 3<sup>RD</sup> DAY OF JUNE 2009.**

**F. AZANGALALA**

**JUDGE**

Read in the presence of:-

Ms. Kipsang for the Applicants.

**F. AZANGALALA**

**JUDGE**

**3<sup>RD</sup> JUNE 2009**