



REPUBLIC OF KENYA



KENYA LAW
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**In re LA (Baby) (Adoption Cause E301 of 2025)
[2026] KEHC 1474 (KLR) (Family) (13 February 2026) (Judgment)**

Neutral citation: [2026] KEHC 1474 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
ADOPTION CAUSE E301 OF 2025
PM NYAUNDI, J
FEBRUARY 13, 2026
IN THE MATTER OF THE CHILDREN'S ACT, 2022
AND
IN THE MATTER OF BABY LA
AND
IN THE MATTER OF AN APPLICATION FOR ADOPTION
BY MWG
JUDGMENT**

1. Vide application filed by the Applicant on 29th October, 2025 seeking the following orders THAT:-
 - a. She be authorized to adopt BABY LA a minor who is to be known as KNW and the Registrar General be directed to enter this adoption into the register of Adoptions.
 - b. JWM and JMG be appointed as the legal guardians of the minor who shall be presumed to have been born in Kenya.
2. The Applicant is a single businesswoman residing in Ongata Rongai. She has the means to provide for the child. The child is 2 years old. She fully understands the implications of an adoption order. She has no biological children of her own hence her desire to adopt.
3. The Child herein is a female Child presumed to have been born on 14th January, 2024. The minor was found abandoned at Daraja ya Ngai in Mururi, Kirinyanga County, Mwea East Sub-County on 13th June, 2025 by a Good Samaritan. The child was rescued and the matter was reported to Mururi Patrol Base Vide OB No. 03/20/01/2024. That the child was admitted to Kerugoya General Hospital for medical attention. That on 5th February 2025, Gathoge Police Station issued a final Police letter



stating that the matter was reported at Mururi Police Base and nobody has come to claim the child. On 12th February 2024, the Child was placed temporarily at New Life Home Trust as a Child in need of Care and Protection. The child was later committed to the said Home by the Principal Magistrate's Court in Kerugoya on 12th February, 2024 Vide Care and Protection File E004/2024.

4. That the Applicant approached Change Trust Adoption Society, she was taken through an explanatory memorandum and duly signed the requisite forms. Consequently, the child was declared free for adoption by the case committee on 25th February, 2025 vide freeing Certificate Serial No. 00785. The child was placed with the Applicant on 13th June, 2025.
5. All the Statutory Reports that have been filed in respect of the proposed adoption of the child by the Applicant has recommended that this Court allows the Applicant to adopt the child. AWK, County Coordinator Children Services in Kajiado, submitted a favourable report dated 9th December, 2025 confirming that the Child and the Applicant has bonded well, Applicant is socially and financially capable of raising the Child. It also confirmed that the Applicant had a clean bill of health and that she had no criminal record as evidenced by copy of her certificate of good conduct and medical records attached. Another positive report dated 23rd November, 2025 by PM, Guardian Ad litem recommended the adoption.
6. The proposed legal guardians JWM and JMG both attended Court and confirmed that they have given their consent to act as Legal Guardians.
7. The Court interviewed the minor and it was observed that she at ease with the applicant.

Determination

8. The Court has evaluated the facts of this local adoption from the Reports filed. It is evident that the Applicant has fulfilled all the legal requirements of a local adoption as required under Section 184 of the Children's Act, 2022. All the necessary Reports and consents required for this Adoption have been filed. The consent of the biological parents of the child was dispensed with since the child was abandoned at birth.
9. Article 14 (4) of *the Constitution* of Kenya 2010 provides that: -

“(4)A child found in Kenya who is, or appears to be less than eight years of age and whose nationality and parents are not known, is presumed to be a citizen by Birth.”
10. This court is therefore of the opinion that this Adoption would be in the best interest of the child and allows the Applicants' application that;
 - a. The Applicant, MWG is hereby allowed to adopt BABY LA.
 - b. Henceforth, the child shall be known as KNW.
 - c. Her date of birth shall be 14TH JANUARY, 2024.
 - d. She is presumed to be a citizen of Kenya by birth.
 - e. JWM AND JMG is hereby appointed as legal guardians of the child
 - f. The Registrar General to enter this order in the Adoption Children Register.
 - g. The Registrar General be authorised to issue the child with Birth Certificate.
 - h. The Director Immigration be authorised to issue the child with a Kenyan Passport.



i. The guardian ad litem is hereby discharged.

It is so ordered.

SIGNED DATED AND DELIVERED IN VIRTUAL COURT THIS 13TH DAY OF FEBRUARY, 2026.

P. M NYAUNDI

HIGH COURT JUDGE

In the presence of:

Fardosa Court Assistant

Ambaka for Applicant

