



REPUBLIC OF KENYA



KENYA LAW
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**In re Baby JO (Adoption Cause E317 of 2025)
[2026] KEHC 4089 (KLR) (Family) (19 March 2026) (Judgment)**

Neutral citation: [2026] KEHC 4089 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

FAMILY

ADOPTION CAUSE E317 OF 2025

SN RIECHI, J

MARCH 19, 2026

IN THE MATTER OF KINSHIP ADOPTION OF BABY JO

IN THE MATTER OF

EMN APPLICANT

JUDGMENT

1. The Applicant EMN is a single applicant. The applicant is a Kenyan citizen aged 50 years old having been born on 18th May 1976 as evidenced by a copy of her National Identification Card number 1XXXXXX23 attached to the application.
2. The applicant is a widow and does not have biological children of her own. The applicant now wishes to adopt a male child known as JO an originating summons dated 14th November, 2026.
3. From the pleadings, the court finds that the applicant is a Civil Servant employed by Machakos County as a support staff. The applicant resides at Matungulu. She professes Christian faith.
4. The evidence on record indicates that the child is aged 3 years and the biological son of one LA. The biological mother of the child opted to give him up for adoption. The child was born out of incest.
5. The applicant stated that upon her decision to adopt she made an application to Change Trust Adoption Services. She stated further the adoption agency approved the application. She stated she has had custody of the child whom they have fully bonded.
6. The biological mother of the child consented to the adoption. She further signed a certificate of Acknowledgement on the Explanatory Memorandum for Biological Parents with Change Trust on 2nd August, 2022 as evidenced by a copy of the certificate attached to the application.
7. Prior to the hearing of the adoption application, Change Trust prepared and filed a report dated 10th June, 2022. They also issued a Certificate serial number 00536 declaring the child free for adoption as



evidenced by a copy of a report and a copy of certificate declaring a child free for Adoption attached to the application.

8. The applicant stated that she no previous criminal record and no pending criminal prosecution as evidenced by a copy of police clearance certificates attached to the application.
9. The applicant is physically and emotionally fit and healthy to parent, love and care for the child as evidenced by copy of her Medical report attached to the application.
10. The applicant is financially stable and is therefore able to provide fully for the child's need as evidenced by copies of her financial statements attached to the application.
11. The guardian ad litem Ms.Nzula Katei filed a report dated 21st September, 2026 which was favourable and recommended the adoption of the child by the the Applicant.
12. Mr. Nathan Kyule , Children Officer working with Director 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 14th January,2026 recommending the adoption for reasons that the child stands to gain from the opportunities provided by becoming the daughter of the male Applicant and the applicant has fulfilled the statutory requirements.
13. Ms. RSM consented to be appointed as legal guardian of the child, she signed and filed her letter of consent attached to the application.
14. The child was in court during the virtual hearing and appeared to have bonded well with the Applicant.
15. This is a kinship adoption and from the record the Applicant has fulfilled all the legal requirements relating to the adoption of the child.
16. 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 14th November,2025 and Order as follows:
 - i. The Applicant EMN is hereby authorized to adopt Baby JO who shall henceforth be known as IJMN.
 - ii. The child is presumed to have been born in the Republic of Kenya.
 - iii. Ms. RSM is hereby appointed the legal guardian of the child.
 - iv. The Registrar General is directed to enter this Order in the Adopted Children's Registry .
 - v. The guardian ad litem is hereby discharged.

DATED AT NAIROBI THIS 19TH DAY OF MARCH 2026

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S. N. RIECHI

JUDGE

