



**In re Baby JO (Adoption Cause E222 of 2024)
[2025] KEHC 3170 (KLR) (Family) (27 February 2025) (Judgment)**

Neutral citation: [2025] KEHC 3170 (KLR)

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

FAMILY

ADOPTION CAUSE E222 OF 2024

SN RIECHI, J

FEBRUARY 27, 2025

IN THE MATTER OF ADOPTION OF BABY JO

IN THE MATTER OF

DOM 1ST APPLICANT

JKO 2ND APPLICANT

JUDGMENT

1. The Applicants DOM and JKO are in a monogamous marriage which was solemnized on 12th November 2019 at the Registrar’s of Marriages Office in Kisii as evidenced by a copy of Marriage Certificate serial number xxxxx attached to the application.
2. The male applicant is a Kenyan citizen aged 65 years old having been born on 25th May 1959 as evidenced by a copy of his national identification card number xxxxxxx attached to the summons. The female applicant is a Kenyan citizen aged 62 Years old having been born on 1st January 1963 as evidenced by a copy of her national identification card number xxxxxxx attached to the application.
3. The male applicant is Technician currently working at Health Side Food Solutions. The female applicant is self-employed working as a farmer. The applicants reside in Nyankongo in Kisii County and they currently reside in USA, Minnesota. They both profess Christian Faith.
4. The applicants have 5 biological children namely JBO ,EMO,MAO, JMO and SAO. MAO is the biological father of the child to be adopted. The applicants now wish to adopt a male child known as Baby JO through an originating summons dated 14th October 2024.
5. The evidence on record indicates that child was born on 17th July 2020 to his biological parents MAO and CBM as evidenced by a copy of his Birth Certificate serial number xxxxxxx attached to the summons.



6. The applicants stated that they have been meeting the child's need since he was put in their custody as they are stable financially.
7. The applicants stated they made an application to KKPI Adoption Society seeking to adopt the child as evidenced by attached copy of Certificate of Acknowledgement for the application.
8. From the pleadings, this court finds that the parents were taken through an explanatory Memorandum for Biological Parent/Guardian as evidenced by a copy of a Certificate of Acknowledgement certifying they have read and understood the attached memorandum.
9. The evidence on record indicates that the child's biological parents have consented to the adoption of the child and the signed a consent dated 24th March 2024 attached to the application.
10. Prior to the hearing of the adoption application, KKPI Agency prepared and filed a report dated 26th June 2024. They also issued a Certificate Serial No xxx 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.
11. The applicants stated that they do not have previous criminal record and no pending criminal prosecution as evidenced by a copies of police clearance certificate attached to the application.
12. The applicants stated they are physically and emotionally fit and healthy to parent, love and care for the child as evidenced by copies of their Medical report attached to the application.
13. The applicant stated they are financially stable and therefore able to provide fully for the child's need as evidenced by copies of their financial documents attached to the application.
14. The guardian ad litem Ms.MKK filed a report dated 15th November 2024 which was favourable and recommended the adoption of the child by the Applicants.
 1. Mr.Ezekiel Kimani, Assistant Director Children Services Children 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 3rd January 2025 recommending the adoption for reasons that the child stands to gain from the opportunities provided by becoming the son of the Applicant and that the Applicant has fulfilled the statutory requirements.
 2. The legal guardian Ms.JBO consented to be appointed as legal guardian of the child and she signed and filed her letter of consent dated 14th October 2024 attached to the application.
 3. This is a kinship adoption and from the record the Applicant has fulfilled all the legal requirements relating to the adoption of the child.
 4. 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 October 2024 and Order as follows:
 - i. The Applicants DOM and JKO are hereby allowed to adopt Baby JO
 - ii. Ms.JBO is hereby appointed the legal guardian of the child.
 - iii. The Registrar General is directed to enter this Order in the Adopted Children Registry.
 - iv. The guardian ad litem is hereby discharged.

DATED AT NAIROBI THIS 27TH DAY OF FEBRUARY, 2025



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S. N. RIECHI
JUDGE

