



**In re Baby LN (Adoption Cause E249 of 2024)
[2025] KEHC 3168 (KLR) (Family) (27 February 2025) (Judgment)**

Neutral citation: [2025] KEHC 3168 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
ADOPTION CAUSE E249 OF 2024**

SN RIECHI, J

FEBRUARY 27, 2025

IN THE MATTER OF AN APPLICATION FOR THE ADOPTION OF BABY LN

IN THE MATTER OF

JNW APPLICANT

JUDGMENT

1. The Applicant, JNW is a single applicant. The Applicant has not been blessed with a child of her own and wishes to adopt a female child known as Baby LN through the Originating summons dated 28th October 2024.
2. The applicant is a female adult of sound mind who is 44 years old having been born on 14th February 1980 as evidenced by a copy of national identification card number 2200xxxx attached to the application.
3. From the pleadings, the court notes that the applicant, is a Banker employed by xxxxxxxxx Bank. The applicant resides in Kiambu County. She professes the Christian faith.
4. The evidence before the court indicate that the minor was presumably born on 19th October 2022 with weight of 2300g. The applicant stated the minor was found abandoned at on 28th October 2022 by her mother at Kisii Teaching and Referral Hospital.
5. The minor was later transferred to New Born Unit. The social worker at the hospital stated that effort had been made to trace the child’s next of kin but nobody has been found.
6. The case was reported at Kisii Police Station by the hospital medical social worker one Vincent Obaga and the matter was booked as OB.NO.69/x/xx/2022 as evidenced by police Initial Letter dated 13th December 2022 attached to the summons.



7. On 16th December 2022, the Sub County Children Officer sought for a vacancy of the minor at New Life Home trust which was availed. The minor was admitted at the said home as a child in need of care and protection on 16th December 2022 as evidenced by a copy of the placement letter, rescue referral form and admission form attached to the application.
8. On 16th December 2022, the Sub-County Children's officer-Kisii Central, made an application at Chief Magistrate's Court at Kisii requesting the child to be committed at New Life Home Trust and on the same date the Children's Court Kisii committed the child to New Life Home Trust under care and protection case number 13xx of 2022 as evidenced by a copy of committal order attached to the application.
9. From evidence on Court record, final police letter was issued on 1st July 2024 by Kisii Central Police Station and it confirmed that no one went to the station to claim the abandoned child and their efforts to trace the kindred of the child have been futile as shown by a copy of final letter attached to the summons.
10. Prior to the hearing of the adoption application, Buckner Kenya Adoption Society prepared and filed a report dated 7th October 2025. They also issued a Certificate Serial No 07xx declaring the child free for adoption as evidenced by the copies of a report and certificate declaring a child free for Adoption attached to the application.
11. The guardian ad litem Ms. Elizabeth Wangui Wang'ondy filed a report dated 20th January 2025 which was favourable and recommended the adoption of the child by the Applicant.
12. The Assistant Director Mr. Ezekiel Kimani from the office of the Director of Children Services conducted home visits and established that the applicant is financially and emotionally capable of providing for the upkeep and education of the child and filed a report dated 15th January 2025. The report is positive and recommended 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.
13. Mr. FGK and Ms. RNM consented to be appointed as legal guardians for the child and they filed letters of consent attached to the application.
14. This is a local adoption and from the record the Applicant has fulfilled all the legal requirements relating to the adoption of the child. The consent of the biological parents was dispensed with since the child's biological parents whereabouts is unknown. The child was in court during the virtual hearing and appeared to have bonded well with the Applicant.
15. I have examined the evidence herein against the best interest of the child as required in Article 53 (2) of *the Constitution* and Section 8 of the Children's Act, 2022. I do 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 23rd October 2024 and Order as follows:
 - i. The Applicant JNW is hereby allowed to adopt BABY LN who shall henceforth be known as LNW.
 - ii. She is presumed to have been born in Kisii County Kenya in accordance with Article 14(4) of the Constitution.
 - iii. Mr. FGK and Ms. RNM are hereby appointed as the legal guardians 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.

DELIVERED AT NAIROBI THIS 27TH DAY OF FEBRUARY 2025.

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S. N. RIECHI

JUDGE

