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"You may not change
the whole world but
can change the
world of one person"

EVERY LIFE MATTERS

ADOPTION PROCEDURES

Section 1.1

FOR KENYAN CITIZENS AND RESIDENTS

A. Preliminary /Initial Interview

Make an Appointment with the Social worker regarding:-

- Pre-requisites for adoption
- Procedures
- Recommended advocates
- Home visits/ social worker's visits
- Guardian to be appointed
- References required
- Application forms
- Costs involved

B. Formal Application- If you meet the requirements given by the law, e.g. age limit, you will be issued with the application forms. Your application is only considered formal when you hand in your duly completed application forms.

The following should be attached:-

- 2 full sized recent photos of the applicant(s)
- Copy of ID (Kenyan citizens)
- Copy of Passport and Work permit (Non- Kenyans Residents)
- Marriage certificate (where necessary)
- Medical Report
- Proof of financial status-Pay slip, Bank Statement etc.

C. Home visit- Upon return of the application forms an appointment is fixed for the home visit.

The aim of the visit is to:-

- Know the applicants physical location (where the child will be living)
- To assess the suitability of the applicant(s) to adopt/ foster a child – living conditions are also assessed.
- To have an in depth interview with the applicant(s) in the privacy of their home

NOTE: In case of a joint application, both applicants **MUST** be present during the Home visit.

D. Medical Check-up – This **MUST** be done by a doctor recommended by the Society and the report forwarded to Little Angels confidentially. Note that the adoption regulations require that a HIV test is carried out as part of the medical examination.

- E. Case Committee Decision** – The LANS Case Committee will then go through your application and Home Study Report. The Committee will either; **Approve, Defer** or **Reject** your application. In the event that your application is Deferred or Rejected-Reasons for the same will be given in writing.
- F. Counseling** – For those approved by the case committee, a three session mandatory counseling **MUST** be done prior to identification of a child. Prospective parents will be referred to counselors for this purpose.
- G. Identification of the child** – Prospective parents will be referred to children’s homes for identification and subsequent placement. Please note that a referral letter **MUST** be obtained from the society before identification is done.
- H.** Please indicate preference of age and sex of child to simplify the identification process.

NOTE: A single female applicant cannot adopt a male child (and vice versa)

- I. Bonding period** After identifying a child, the applicant(s) will be required to make at least 6 visits to the relevant home over a 1 -2 week period.

Reasons for the visits:-

- a. To bond with the baby before taking him/ her home.
 - b. Medical check-up; during the 2 weeks, it is optional for the applicant(s) to seek a second medical opinion on the child from an independent doctor. This should be arranged with the matron/Nursing manager of the relevant home
 - c. Preparations to receive the baby at home e.g. buying clothes, beddings etc.
- J. Foster period** After the two weeks bonding process, the child is discharged to the prospective parent(s) who then begin the fostering process. This period should last 3 months.
- K. Follow-Up Assessments**- During the 3 months foster period, the social worker will conduct follow-ups to assess the progress of the child in the new family.

The follow-up schedule is as follows:-

- a. **1st Follow-up**:- one month after discharge of the baby. Done from the LANS Office.
- b. **2nd Follow-up**:- Two months after discharge of the baby. Also conducted in the LANS Office.
- c. **Final Follow-up**:- three months after discharge. It **MUST** be conducted at the applicant’s home- to observe the adjustment of the child in the home environment. Then a Final Report is compiled.

NOTE: The relevant home will also conduct their independent follow –ups on agreed intervals e.g. two weekly, monthly e.t.c.Please consult with the home on this.

- L. Legal Process** - The legal process should commence immediately after the 3 months foster period. For this process, you will need:-
- i. **A lawyer** - to represent you in court. The lawyer’s fees vary depending on the lawyer you choose.
NOTE: you should **NOT** commence the legal procedure before a written consent is granted by the respective home.

- ii. **Guardian ad litem-** To protect the best interest of the child during the adoption proceedings. Preferably a social worker, though a friend can also act as thus. The guardian ad litem must do a report and file it in court.
- iii. **Declaration from a Registered Adoption Society-** for this purpose, the Society's social worker will make a visit to your home.
- iv. **Report from the Children's Department** (Ministry of Home Affairs) - A Children's Officer will conduct a Home Study and File a report in court.

NOTE:

- The legal process varies in time depending on the court schedule, the advocate you engage, and sometimes how fast the reports (mentioned in (ii), (iii), (iv) above are done and filed in court. On average it takes between 4-6 months.
- You should not make any arrangements to travel out of the country with the child until the Adoption/Guardianship order has been granted by the court. LANS does not support such travel as it is against the law.
- Custody; It must be clearly understood that the child is in the legal custody of the relevant home until the Guardian ad Litem is appointed. The applicant therefore has no legal claim over the child until the High Court of Kenya has granted the Adoption/Guardianship order.
- If you do not comply with the above procedures, the child may be **withdrawn** from you and returned to the relative homes.

Section 1.2**ADOPTING A SECOND /THIRD CHILD**

- The applicant **MUST** have obtained Adoption / Guardianship orders for the first adoption before a second child can be released to them.
- Otherwise section 1.1 is applicable.
- The Social Worker will visit the family to assess the progress of the first child.
- An updated 'Home Study Report' shall be written to facilitate the Second/ Third adoption proceedings.

Your co-operation in following these guidelines will be appreciated as they aim at ensuring that the best interests of the Kenyan children are protected and failure to comply may lead to the process being terminated.