

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA

FAMILY CAUSE NO 33 OF 2005

[In the matter of an application by meadow Merrill for the legal guardianship of Ruth Alysia Hodkins (infant)]

12th July 2005

BEFORE: HON. MR. JUSTICE ELDAD MWANGUSYA:

RULING:

The applicant, MEADOW MERRIL through this motion seeks an order appointing her legal guardian of RUTH ALYSIA HODKINS, an infant aged about two years. The applicant is an American Citizen.

The motion is supported by the affidavit of the applicant herself, that of her husband, DANA MERRIL that of MUFORD JANET KAY, an administrator of M/S WELCOME HOME MINISTRIES AFRICA and of DR. EDWIN KIBIRANGO of International Air Ambulance.

From these affidavits and other documents attached to the application it is clearly indicated that the infant has a serious medical problem that requires treatment abroad. She is already receiving the treatment but further treatment is required. The applicant is already fostering the infant who is receiving treatment in the U.S.A.

The infant has no known biological parents or relatives. She was abandoned at birth by her biological mother and the only mother she knows is the applicant.

In an application of this nature court is to be guided by the principles set out by the First Schedule to the Children Act. The paramount principle is the welfare of the infant, and in my

view the welfare of this infant would dictate that the person willing to care for her in the medical Condition that she in is best suited to guarantee her welfare as she grows up and gets more treatment for her medical complications.

Therefore I will allow this application and appoint MEADOW MERRIL legal guardian of RUTH ALYSIA HODKINS. The infant shall remain a citizen of Uganda though her legal guardian may take her anywhere within or outside Uganda. For the purpose of travel the infant shall be issued with a Uganda passport.

Eldad Mwangusya

JUDGE

12/07/2005