

THE REPUBLIC OF UGANDA

IN THE HIGH COURT OF UGANDA AT SOROTI

FAMILY CAUSE 3 OF 2013

IN THE MATTER OF CATHERINE ADONGO.....AN INFANT

AND

IN THE MATTER OF AN APPLICATION FOR

GUARDIANSHIP ORDER BY

STEVEN ANDREW TIESENGA AND

ZYLSTRA TANYA RENEE TIESENGAAPPLICANTS

BEFORE HON. LADY JUSTICE H. WOLAYO

RULING

This is an application for legal guardianship brought under article 139 (1) of the Constitution , Section 14 of the Judicature Act Cap 13; Sections 2,3,4,5,6 of the Children Act and order 52 rules 1 and 3 of the Civil Procedure Rules.

Applicants were represented by Mr. Ekirapa and in attendance were the Senior Probation Officer Soroti Mr. Ekallam Oteko , AIP Adongo Florence of Child Protection Unit Soroti, the mother the child Ms. Anna Grace Imamat , the child Adongo Catherine and the two applicants.

The grounds for allowing an application for guardianship is that it is in the best interests of the child.

I have examined the affidavits and documents accompanying this application. The record shows that the child was rescued by AIP Adongo Florence of Police Child and Protection Unit in a very mal-nourished state in February 2012 . The photographs taken at the time are self-explanatory. The child was placed in Amecet's children's Home from where the applicants picked interest in her and fostered her.

The affidavits of Steven Andrew Tiesenga and Zylstra Tanya Renee Tiesenga shows they are American citizens, married and have three biological children. The family lives in Uganda and have fostered the child since April 2012. They have the means to support the child.

I also note that the mother of the child Anna Grace Imamat signified her consent in writing and also in court when informed that she would cease to have parental rights over the child. The father of the child Olemo Moses signified his consent in writing but he was not in court because he was medically certified as a person undergoing treatment for mental ill health.

For the reasons given above, i am convinced that it is in the best interests of the child that this application be allowed.

I hereby make the following orders,

1. Legal guardianship of Catherine Adongo is granted to the two applicants Steven Andrew Tiesenga and Zylstra Tanya Renee Tiesenga.
2. The applicants are to accord the child all the rights conferred by the Children Act .
3. The applicants will exercise parental responsibility over the child and take decisions that will promote the best interests of the child.
4. Costs in the cause.

DATED AT SOROTI THIS 5TH DAY OF FEBRUARY 2014.

HON. LADY JUSTICE H. WOLAYO