



Succession Hearings at the Māori Land Court

The Māori Land Court is a court of record. They ensure the correct details of Māori land owners are recorded against the whenua they own.



Before the hearing

The Māori Land Court (MLC) hold regular succession hearings in each rohe around the country to hear whānau submissions, and record successions.

When you submit a succession application, your MLC case manager will schedule a hearing for you. You can choose where you'd like to have the hearing — you could have it at the MLC venue closest to where you live, or in the same rohe as your whenua.

When you decide where you'd like to have your hearing, your case manager will send you a court notice confirming the time, date and place. You'll get this at least 2 weeks before your hearing.

If you make an application to succeed, it's important that you attend your hearing. If you miss 3 hearings in a row, the Judge could dismiss your application.

If you can't go to your hearing

If you can't attend a hearing for any reason, let your case manager at MLC know as soon as possible. There are other options available if you can't be there in person. For example, you could:

- ask to have your hearing adjourned to another time you can attend (subject to the Judge's approval)
- phone in on the day
- ask your case manager to help you prepare a written submission to be sent to the hearing instead.



You could also organise to have someone else in the whānau go on your behalf. They'll need to:

- answer any questions that the Judge might have about your application, and
- swear that the information in your application is true and correct.

Your case manager will work with you to schedule a hearing that suits you and your whānau.

Ask to have your hearing in te reo

If you would prefer to have your hearing in te reo, rather than english, let your case worker know in advance. They can make sure there are other te reo speakers there on the day.



Let your **case worker** you would prefer to have your hearing in **te reo**.

Taking someone with you for support

If you don't want to go into the hearing by yourself, you can take whānau in with you for support. You can take anyone you choose in with you — it doesn't have to be someone who's applying for succession with you.

Let your case manager know who will be going in with you before the day of your hearing.

On the day of your hearing

On the day of your hearing, try to be at the venue at least 15 minutes before your hearing is due to start. It'll give you time to:

- meet up with your case manager and any whānau who are joining you for the hearing
- sign the attendance register, and
- ask any questions you have about what will happen in the hearing.

What happens at the hearing

Most straightforward succession hearings only take about 5-10 minutes. During the hearing, the Judge will ask you to:

- state your name and address, and
- confirm that your submission to the Court is true and accurate.

The Judge will already have reviewed your draft submission, so they'll ask you any questions they might have about it. For example, if whānau have said that whāngai children should succeed to the whenua too, they may ask you to confirm that.

Then, if anyone at the hearing wants to oppose your succession, the Judge will give them a chance to say so and explain why. If that happens, you'll get an opportunity to respond.

The Judge's role is to ensure your succession meets the rules set out in Te Ture Whenua Māori Act 1993. For example, they will discuss things with you like who should receive a life interest in the whenua, who should succeed, and who may not be eligible to an interest at all.

They will end the hearing by recognising your succession, and directing the Court to add it to the official record.

After your hearing

After your hearing is over, MLC will create a "court minute", which is an official record of your hearing. It will include:

- a summary of your application and draft submission
- a transcript of what was said at your hearing
- the judge's instructions.

This isn't a legally binding document about your succession — it's a record of the hearing only. You'll get a copy of the court minute in the mail after your hearing. If you haven't received it within a month or so, check with your case manager to see where it's at.

Your succession application will become official and be entered into the MLC record about 2 months after your hearing. This is to make sure there's enough time for whānau or other interested parties to appeal any decision made by the judge.

Find out about making an appeal to the Māori Land Court

Getting a formal record of your succession

When your succession becomes official, MLC will update the ownership records for your whenua, and you'll be able to see them in Māori Land Online (MLOL).

MLC will also send you a copy of the formal record of your succession. This record is known as the "Court order". It shows the legal ruling about your succession made by the Judge, and will be stamped with the court's seal.

Keep a copy of the documents you get about your succession somewhere safe — your whānau will need them in the future.