

Instructions for filing Land Court Petitions (effective July 1, 2015)

Petitions to amend Land Court Certificate of Titles made pursuant to §501-196, Hawaii Revised Statutes, may be delivered in person or mailed to:

Land and Tax Appeal Court
777 Punchbowl Street
Honolulu, Hawaii 96813-5093

Faxed and emailed petitions cannot be accepted due to the need for original signed or certified documents and our inability to accept electronic or credit card payments at the present time.

For filing by mail you must submit: 1) a cover letter; 2) the original signed petition and at least two complete copies including all attachments thereto; 3) three self-addressed postages pre-paid envelopes (SASE) Envelopes should be at least 9" x 12" and display your return address. (*Envelope #1 to be used for the return of any original exhibit(s) together with the receipt for filing fees by the Land Court (LC), envelope #2 to be used by the Bureau of Conveyances Land Court Branch (BOC) for return of the conformed copy and envelope #3 to be used for the return of the recorded certified copy after it has been reviewed by the BOC Assistant Registrar*); and 4) payment of exact recording fees due. Failure to include any of these items will result in a delay in the processing of your petition.

Petitions must be filed in triplicate, i.e. original signed petition and at least two complete copies including attachments. The original petition along with any attachments included as evidence will be retained by the Land Court for the court's records. A copy of the petition, together the order issued by the court, either granting or denying it, will be certified by the Registrar of the Land Court (LC).

(If you do not include sufficient copies of your petition and/or the attachments, copies will be made on your behalf and copying charges will apply. Copying charges are \$2.00 for each page. If this is the case, you will be billed for the copies and will have to remit payment before your petition can be processed further.)

NOTICE: The following is a summary of the fees contained in Rule 70, Land Court Rules of Hawaii, as amended, effective July 1, 2015: \$50 for petition for suggestion of death (other than trustee), fact of marriage, termination of marriage, notice of issue of an order in bankruptcy, change of name, or amendment to correct an error, omission, mistake, or memorandum plus \$10 for each exhibit attached. \$100 for petition for suggestion of death of a trustee, removal of a trustee, or acceptance of a successor trustee plus \$10 for each exhibit attached. In addition to the applicable filing fees for petitions, a \$5 fee for certification under seal of the registrar or the land court or its designee shall apply.

(A typical petition for suggestion of death filed in the land court would be calculated as follows: \$50 filing fee for the petition plus \$10 for an attached exhibit such as a Death Certificate plus \$5 for certifying a copy of the petition to be filed at the Bureau of Conveyances, a separate recording fee would apply. Therefore the total amount payable upon filing would be $\$50 + \$10 + \$5 = \65 .) For a detailed description of land court fees refer to Rule 70 Rules of the Land Court.

Make your check payable to: "Land Court". A service fee of \$25 shall be assessed for any returned checks.

If your petition is denied, it will be returned to you noting the reasons for its denial. You may then submit an Amended Petition to make changes or provide additional evidence or otherwise respond to the reasons given for denying your petition. No additional filing fee is due provided you clearly indicate that you are submitting amended petition and you must also indicate the case number that was assigned to your original petition. If you submit additional evidence in the form of new attachments to your petition, there shall be an additional \$10 fee for each new exhibit attached. Please be advised that the personnel at Land Court are strictly prohibited from providing legal advice. Should you have any questions concerning the judge's order you are advised to contact your attorney or legal advisor.

If your petition is granted the certified copy needs to be recorded at the BOC in order to effect the changes petitioned for. You may request in your cover letter that LC forward the certified copy of your petition and order to the BOC on your behalf if it has been granted. LC shall not be responsible for any delays in recording at the BOC. You must also include a separate check made payable to the "Bureau of Conveyances" to cover any recording fees that may be applicable. (See, [Bureau of Conveyances](#) website for their fee schedule.) If you do not request this service, the certified copy and any additional copies provided will be returned to you by mail in the SASE you provided.

Upon receipt by the BOC the certified copy will be recorded and assigned a Land Court Order (LCO) number. BOC will retain the recorded certified copy for further review and one conformed copy. The conformed copy will reflect the date received by the BOC as well as the LCO number and should be retained for your reference until you receive the recorded certified copy. The BOC will use the 2nd SASE to send you the conformed copy.

After the certified copy has been reviewed by a Land Court Assistant Registrar at the BOC the recorded certified copy will be sent to you and the conformed copy can be discarded. Please note that it may take between 12 to 18 months for the recorded certified copy to be sent to you from the BOC.