



**Tango Tutara O Te Ture
(Ministry of Justice)
GOVERNMENT OF THE COOK ISLANDS
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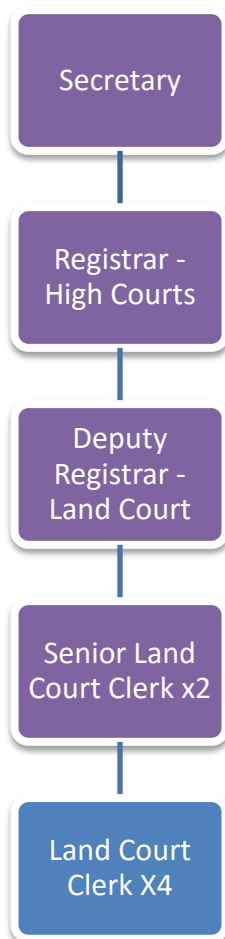
POSITION SUMMARY

Job Title:	Land Court Clerk
Division:	High Courts
Responsible To:	Registrar – High Courts
Responsible For:	None
Job Purpose:	<p>The role of the Land Court Clerk is to facilitate the management and administrative compliance of the land division of the High Courts and related tribunals and boards within the Cook Islands legal framework and Ministry of Justice systems, polices, processes, and procedures. This is a technical role requiring specialized skills and knowledge in legislation, regulations, and custom governing land ownership, tribal titles, legal and court processes, registry and records management, compliance, and information systems, while ensuring accuracy, timely reporting, and efficient and effective administration.</p> <p>The position provides key services that provides the gateway to succeeding, occupying, partitioning, vesting, and leasing land in the Cook Islands and determining tribal titles. These services are integral to maintaining Judiciary functions and the integrity of land and tribal titles records, systems, and legal processes that directly impact the fabric of Cook Islands society.</p> <p>The position must work at a high level of competence in legal and compliance principles and technical requirements to deliver the provision of Ministry land court related services to the public in an environment moving towards greater use of available technology.</p>
Job Classification:	Function: Technical and Service delivery Job band: F Jobwise Code: T3 – First Level Specialist
Date updated:	April 2019

AGENCY VISION

“For a **safe, secure, just** and **fair** society with a **trusted** land management and information and register systems”

ORGANISATIONAL STAFFING STRUCTURE (PROVISIONAL)



KEY RESULT AREAS (KRA'S)/OUTPUTS

KRAs for this position (maximum of 6)	Key Performance Indicators (use SMART principles)
<p>1. Land Court Administration</p> <ul style="list-style-type: none"> Assist in the provision of advice and input into the development, implementation, and updating of policies, procedures, and manuals relating to land court, tribunal, or board matters. Provide timely advice and information to Secretary and senior management when requested, and when there are changes in Ministry operations or applicable legislation, regulations, and government policy. Using available technology, efficiently and effectively manage land court records to ensure the land court records and the registry of titles are organized, updated, preserved, digitized, and compliant with legislation, regulations, and Ministry policies and procedures. Efficiently and effectively manage, review, and facilitate land applications, document filing, and processes, including verifying and authenticating information provided to support such applications and documents (e.g. check genealogies; verify birth and death certificates; etc.), checking with current registry information, ensuring compliance with legislation, regulation, procedures and practice notes (e.g. 	<ul style="list-style-type: none"> Ministry policies and procedures are updated and consistent with legislative and regulatory requirements, and best practices. Accurate and timely advice and information is provided. Land court records and registry of titles are complete, have no errors, and all applicable documents have been scanned and no backlog. Applications, filed documents, and processes are timely reviewed for legislative and regulatory compliance, and appropriately actioned. Monitor compliance and ensure correct processes are adhered to.

<p>requirements for Adoption, interim injunction, power of attorney, Succession, Lease, Occupation Right, Partition, or Vesting order), scheduling for court where necessary, and monitoring outcomes, status, and progression of such applications and documents.</p> <ul style="list-style-type: none"> • Ensure prescribed fees are paid and receipted, recorded, and trading revenue is collated and timely reported within policies and procedures. • Assist in retrieving and preparation of land and tribal title records for public enquiries and Land Court hearings (including High Court, Court of Appeal, Privy Council, Tribunals and Boards). • Monitor, manage and update relevant information systems and ensure data entered, and any related registries and lists, are verified and accurate, maintained and secure. • Review and verify Court orders relating to land are accurate, sealed and witnessed where applicable, and compliant with legislation and regulations, and assist with drafting such orders where necessary. • Execute applicable Court orders relating to land and facilitate updating the register of titles accordingly while ensuring data integrity. • Manage the issuance of required advertisements and notices, including reminder notices to applicants, lawyers, and agents, within legislative requirements, policy, procedures, and best practices. • Assist in preparing and organizing, and providing secretarial services and logistical support for tribunal, board, and MOAO meetings, when required. • Assist in facilitating the provision of court transcripts. 	<ul style="list-style-type: none"> • Appropriate fees are collected, receipted, recorded, and reported. • Land and tribal records are properly prepared to facilitate court hearings and public enquiries within agreed parameters. • Information systems data and registries and lists are accurate and kept up to date. • Court orders are reviewed, accurate and timely issued. • Register of titles is accurately and timely updated to reflect Court orders received. • Appropriate advertisements and notices are provided. • LAT hearings and MOAO meetings are appropriately supported when required. • Requests for court transcripts are provided to the Stenographers and monitored until completion.
<p>2. Records and Courtroom Management</p> <ul style="list-style-type: none"> • Manage hard copy documents so they are timely and properly scanned, digitized, preserved, filed, and maintained according to Ministry policies and procedures. • Digital records are organized, internally accessible and searchable, and configured for public access in accordance with Ministry policy, procedures and set parameters. • Undertake faxing, photocopying, scanning, printing, laminating, binding, filing, distribution and dissemination as required. • Regularly liaise with IT staff to ensure digital backups of division files and records are being done and are maintained. • Ensure management of records meets legislative and regulatory requirements, and best practices, and maintained in a manner to facilitate quick and easy reporting and appropriate access. • Prior to court hearings, organize the courtroom, calibrate and check audio recording system is operational, ensure appropriate courtroom 	<ul style="list-style-type: none"> • Physical records are organized, cared for, digitized, and properly stored. • Digital records are organized, backed up, secured, complete, and timely updated when necessary, and properly maintained to ensure referential integrity and prevent corruption and unauthorized access or duplication. • Tasks are completed within set parameters. • Digital records are actively being backed up, and backups are maintained. • Records management meets requirements and best practices.

<p>security and access (e.g. public, media, police, etc.), and Judge(s) and Justice(s) of the Peace have accurate and complete information available relating to cases being heard.</p> <ul style="list-style-type: none"> • Manage courtroom sessions to ensure court protocol and processes are adhered to, court applications are efficiently and effectively managed, requested translation services are available, audio recording equipment is functional, and Judges and Justices of the Peace are supported and secure before, during, and after court hearings. • Ministry records and information systems are accurately and timely updated after court hearings, tribunals, and board meetings to reflect the status and disposition of cases. • Assists in ensuring record storage and courtroom areas are kept clean, healthy, tidy, safe, secure, organized and clear of clutter, within Ministry policy and procedures. 	<ul style="list-style-type: none"> • Any backlog in records management is timely reported to senior management and properly dealt with, and any indexing completed. • Courtroom and audio equipment are prepared prior to court. • Members of the Judiciary are safeguarded when performing judicial functions. • Courtroom processes and protocols are followed and organized. • Translation services are available when requested within set parameters. • Record storage and courtroom areas are tidy, secure, and regularly cleaned in a manner to maximize efficiency and effectiveness of court and tribunal hearings, and coordinated with the Janitor or HR & Asset Manager.
<p>3. High Courts Division and Pa Enea</p> <ul style="list-style-type: none"> • Assist with general queries relating to services provided by the High Courts division and Land Administration, and facilitate accurate and timely responses. • Assist with divisional tasks and logistical support when required. • Assist in the training of divisional staff, outer island staff, and other relevant persons on matters relating to land court, tribunal, and board matters. • Provide support and advice to, and collect data from, Pa Enea staff on matters relating to land court, tribunal, and board matters, and facilitate processing of applications, court filings and the provision of information where appropriate. • Inform and consult with Secretary, HR & Asset Manager, and relevant senior manager in relation to any management issue. • Support the Secretary and senior management in resolving conflicts related to work related issues. • Assist with the verification and processing of landownerships for High Courts and Land Administration staff. • Take on responsibilities of divisional staff in their absence or vacancy where required. 	<ul style="list-style-type: none"> • General enquiries relating to the High Courts division are facilitated and responded to. • Tasks are timely completed within set parameters. • Appropriate persons are trained on relevant matters. • Pa Enea staff are provided accurate and timely advice and support, and appropriate data is obtained. • Secretary, HR & Asset Manager, and relevant senior management are provided with accurate and relevant information and management support to resolve work related issues. • Processes regarding landownership information is reviewed, improved when possible, and followed.

	<ul style="list-style-type: none"> • Court, tribunal, and board related duties are met and managed during staff absence or vacancy, and High Courts division is supported.
<p>4. Reporting and Compliance</p> <ul style="list-style-type: none"> • Review and verify submitted applications and other documents for compliance with legislative and regulatory requirements and processes. • Compile and submit regular accurate reports on land court, tribunal, and board applications, including the number and type of applications, court status and outcomes, and related revenue and information. • Assist in the development and implementation of appropriate policies and procedures, and ensure compliance with legislation and regulations. • Alert relevant senior management to discrepancies, errors, and concerns. • Provide reports to Secretary and senior management regularly and as requested. • Collect daily information and statistical data for periodic reports and ministry use. • Assist in developing Pa Nui lists for court scheduling and publication. 	<ul style="list-style-type: none"> • Documents are timely reviewed to determine compliance and actioned in accordance with policies, procedures, and legislative requirements. • Reports are accurate, timely, and submitted at least monthly, and within set parameters. • Appropriate policies and procedures are in place, regularly updated, and complied with. • Timely reporting of discrepancies, errors, and concerns. • Requested reports are accurate and timely provided. • Statistical data is collected, accurate, complete, and collated for reports. • The Pa Nui list is timely and properly compiled and published, with copies sent to lawyers and land agents.
<p>5. Customer Service and Risk Management</p> <ul style="list-style-type: none"> • Efficiently and effectively manage and respond to local and international enquiries by phone, email, or over the counter, relating to land court, tribunal, or board information, applications and court processes and their outcomes, and any other relevant matters. • Ensure Ministry data and information, including customer and financial information, are kept secure. • Provide timely advice to senior management regarding matters that may impact the operation of Ministry services. • Assist in the organizing, coordination, and logistical support of all Ministry led and staff related events and activities. • Support the implementation of Ministry Plans, policies, and procedures endorsed by the Secretary. 	<ul style="list-style-type: none"> • Enquiries are professionally managed with accurate and appropriate advice, and complaints and attempts to resolve them are documented. • Timely respond to enquiries (including phone and email) within set parameters. • No breaches in data and information security. • Advice to senior management is accurate, timely, and appropriately communicated. • Ministry led and staff related events and

<ul style="list-style-type: none"> Where appropriate, educate and inform customers of services and processes, and facilitate appropriate access to information. 	<p>activities are timely organized within set parameters.</p> <ul style="list-style-type: none"> Ministry plans, policies, and procedures are supported, and a performance management agreement is in place. Customer Satisfaction. Performance management agreement targets are met.
<p>6. Systems Development</p> <ul style="list-style-type: none"> Assist in the development, implementation, and improvement of IT systems that improve efficiency, effectiveness, reporting, management and accessibility to Ministry services (e.g. online payment methods; case management system; online accessibility to land information) related to the High Courts division. Assist in community outreach programs, initiatives, and events relating to High Courts division. Undertake any project or task assigned that is reasonably expected to support the Ministry. 	<ul style="list-style-type: none"> IT solutions are identified, and implemented where approved by the Secretary and where resources are available. Community outreach programs, initiatives, and events are appropriately supported. Projects and tasks are completed within agreed parameters.

WORK COMPLEXITY

<i>Indicate most challenging problem solving duties typically undertaken (3-4 examples):</i>	
1	Time Management: Efficiently and effectively prioritizing and multitasking in order to timely respond to daily enquiries by email, phone, and over the counter, while ensuring proper prescribed fees are paid, applications and their determination are verified and compliant with legal requirements and court orders, records are properly managed, customers are efficiently educated on legal requirements, courtroom duties are properly performed, and reports are timely submitted.
2	Counselling customers and managing their land and tribal concerns, and assisting with advice on Ministry and Court processes.
3	Assisting in troubleshooting and resolving accessibility issues to online platforms and liaising with Ministry IT Technicians, ICT, Bluesky, and international service providers.
4	Assisting land research that necessitates the enquiry into several old and disparate legacy systems that retain errors and omissions, and physical records that may be incomplete due to lost documents or documents damaged by the old courthouse fire.
5	Negotiating the correction of records using Ministry records, processes and procedures, consistent with applicable legislation and regulation.
6	Processing succession applications that involves a large number of landowners (e.g. One application may have 10 lands, each with over 100 landowners, resulting in the processing of over 1,000 landowner records).

AUTHORITY

Authority levels expressed in terms of routine expenditure, granting loans, and recruiting and dismissing staff. (*Explain the authority if any*)

Financial	None
Staff	None
Contractual	None

FUNCTIONAL RELATIONSHIPS

The requirement for human relations skills in dealing with other personnel and external contacts. *(List the external and internal types of functional relationships)*

Internal	Nature of Contact	External	Nature of Contact
<p>Secretary of Justice</p> <p>Registrar – High Courts, Deputy Registrar – Land Court, Senior Land Court Clerk, Land Court Clerk(s)</p> <p>Deputy Registrar – Criminal & Civil Court, Senior Criminal & Civil Court Clerk, Criminal & Civil Court Clerk(s), Bailiff & Court Orderly</p> <p>Chief Surveyor and survey staff</p> <p>Land Administration staff</p>	<p>Light: Providing advice on any activities that may impact on the operations of the High Courts division during the absence of the senior management in the division.</p> <p>Heavy: Coordinates tasks, projects, and courtroom and service counter administration, prepares and delivers reports, facilitates court filings and proper witnessing, sealing, and any official endorsements, and seeks advice on complex issues. Where necessary, assumes responsibilities of Senior Land Court Clerk in his/her absence.</p> <p>Medium: Assist with general queries, tasks, courtroom and service counter administration, and logistical support when requested.</p> <p>Heavy: Exchange information to facilitate land applications, maps and surveys, public enquiries, and any related instructions or court orders.</p> <p>Heavy: Exchange information, coordinates file preparation, data correction, and compiling court hearing lists, executes relevant court</p>	<p>Service Providers</p> <p>Lawyers and Land agents</p> <p>Government Ministries and Agencies</p> <p>Banks</p> <p>Media</p> <p>General public</p>	<p>Minimal: System support for online platform(s).</p> <p>Routine: Exchanges information to facilitate appropriate responses to enquiries and compliance with court orders, and the registration of instruments, deed documents, and mortgages.</p> <p>Routine: Provides information to facilitate other Ministries and Agencies functions and services (e.g. call MOAO meetings to facilitate road works; assist with adoption applications). Assist with government and government facilitated enquiries.</p> <p>Routine: Facilitate registration of instruments, deed documents, mortgages, and exchange of information.</p> <p>Medium: Advertises required notices (publication of Panui lists).</p> <p>Routine: Manages and responds to enquiries, facilitates research of Ministry land records, provides advice, training, and community outreach, ensures payment of prescribed fees, manages land court application processes and facilitates OIA requests.</p>

Stenographers	<p>orders, and progresses applications and enquiries.</p> <p>Heavy: Manages courtroom audio recording and exchanges information to facilitate timely production and availability of court hearing transcripts.</p>		
Judges and Justices of the Peace	<p>Heavy: Provide information requested by Judiciary, executes relevant court orders, provides logistical support, and ensures court protocol, efficiency, order and security.</p>		
Lease Approval Tribunal	<p>Heavy: Schedules hearings, provides information, executes decisions, provides logistical support and secretarial services, and ensures protocol, efficiency, order and security.</p>		
Corporate Services staff	<p>Medium: Provides and obtains information and support relating to finance, IT, and HR matters.</p>		
Janitor	<p>Medium: Assists in the proper cleaning, maintenance, and security of record storage and courtroom areas.</p>		
Pa Enea offices	<p>Medium/Heavy: Provides information, advice, support, and training to Pa Enea staff related to court, tribunal, and board responsibilities.</p>		
All Ministry staff	<p>Medium: Provides information and assists with logistical support and the facilitation of Ministry services. Cultivates staff cohesion.</p>		

QUALIFICATIONS

Level of education required to perform the functions of the position. This combines formal and informal levels of training and education.

Essential: (least qualification to be competent)	Desirable: (other qualifications for job)
<ul style="list-style-type: none"> A bachelor's degree, preferably in law, information systems, political science, pacific island studies, or management. 	<ul style="list-style-type: none"> Post-graduate qualifications in law, information systems, political science, pacific island studies, or management.

EXPERIENCE

The length of practical experience and nature of specialist, operational, business support or managerial familiarity required. This experience is in addition to formal education.

Essential: (least number of years to be competent)	Desirable: (target number of years you are looking for)
2 – 3 years of work experience in legal, compliance, clerical, office management, pacific island studies, or similar role.	4 – 5 years of work experience in legal, compliance, clerical, office management, pacific island studies, or similar role.

KEY SKILLS /ATTRIBUTES/JOB SPECIFIC COMPETENCIES

Level of ability required for the job	
Expert	<ul style="list-style-type: none"> Understands Ministry of Justice policies and procedures, role and functions, and committed to public service. Excellent attention to detail and customer service. Communicates with clarity and vision, actively listens to others and responds with respect. Takes ownership and acknowledges important outcomes of decisions. Knowledge of Cook Islands court protocol, processes, and procedures. Understands the workings of government. Ability to negotiate and solve problems quickly. Highly developed written and oral communication skills, preferably both English and Maori.
Advanced	<ul style="list-style-type: none"> Knowledge of the Cook Islands Act 1915 relating to court orders, land and adoptions (especially sections 389 and 492), Part IV of the Constitution, Unit Titles Act 2005, Land (Facilitation of Dealings) Act 1970, Leases Restrictions Act 1976, Judicature Act 1980-81, Code of Civil Procedure of the High Court Act 1981, Evidence Act 1968, Justices of the Peace Act 2017, and any related amendments, legislation, and regulations. Models high level of accuracy, professionalism, and dedication to high performance and ethical behaviour. Ability to work in harmony with conflicting perspectives and diverse activities in a large organization. Ability to prioritize and multitask, and work both independently and cooperatively.
Working	<ul style="list-style-type: none"> Knowledge of tribal titles in the Cook Islands and the House of Ariki. Knowledge of bench book and manuals relevant to court operation. Knowledge of processes and procedures relating to administration of land and titles registry, and survey.

	<ul style="list-style-type: none"> • Familiarity with legislation enabling all services provided through the Ministry of Justice. • Knowledge of Ministry of Justice prescribed fees, and court processes involving payments to and from the Ministry. • Knowledge of Microsoft Office suite (Word, Excel, Powerpoint). • Knowledge of Microsoft Windows operating system interface and basic IT troubleshooting. • Average computer typing speed of at least 36 words per minute. • Knowledge of scanning and preserving legal documents for archiving. • Knowledge of case management software, record management, online platforms facilitating case management, and online payment processes. • Proven ability in collating factual information and producing reports. • Ability to think on one's feet and has a sound sense of judgement. • Ability to handle confidential and sensitive information. • Recognises the boundaries between politics, governance and management and acts accordingly. • Knowledge of the Cook Islands culture, language, protocol and history for engagement, including safe appropriate communication. • Knowledge of conflict resolution.
Awareness	<ul style="list-style-type: none"> • Knowledge of Land Agents Registration Act 2009, Law Practitioners Act 1993-94, House of Arikis Act 1966, Aitutaki Motus Prohibition of Leases Act 1970, Rarotonga Motus Prohibition of Leases Act 1981-82, and any related amendments, legislation, and regulations. • Issues that impact land and vulnerable records. • Knowledge of the Official Information Act 2008. • Understands and exemplifies Ministry and public service values. • Knowledge of policy and guideline development and implementation. • Applies understanding of the unique and special nature of the Cook Islands to decisions and actions.

CHANGE TO JOB DESCRIPTION

Changes to the Job description may be made from time to time in response to the changing nature of the Agency work environment - including technological or statutory changes.

Approved:
