

# Bringing a claim to a court or tribunal

If you have a claim, there are a variety of avenues available to pursue the matter (eg Disputes Tribunal, District Court, High Court or other specialist tribunals).

## Dispute Tribunal

For claims up to \$15,000 (or \$20,000 with both parties' consent) you can file a claim in the Disputes Tribunal (\$50 filing fee).

The paperwork required is a simple form stating the parties, the facts and the claimed loss or outcome required.

The claim is decided by an adjudicator after hearing both parties and relevant witnesses.

You will need to present your case to the tribunal because lawyers are not allowed to appear (unless it is their own claim).

A lawyer can help you prepare for your claim (or to defend one) by drafting the claim, preparing witness statements, sorting relevant documents and preparing legal submissions.



## LEGAL MATTERS

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trict Court for amounts up to \$200,000. Filing fees and hearing fees vary depending on the claim and stage. You can be represented by a lawyer.

There is also a form to fill out to start the process (a Notice of Claim). The Defendant files a Notice of Response to the claim within a set time frame.

You then provide an Information Capsule, setting out all relevant documents and the defendant provides their list in return. Parties supply copies of documents to each other.

The next step is to notify the court and the other side that you are proceeding with the claim.

The court will then set down the matter for either a hearing

documents are filed in court.

At court, witnesses give their evidence and can be questioned by the other party.

Submissions are then made on the facts and law and the judge will give a decision (either on the day or later in writing).

## High Court

A similar process is followed in the High Court for claims over \$200,000 (plus other complex claims).

Filing and hearing fees are more expensive than the District Court.

The Court of Appeal and Supreme Court hear appeals from the lower courts.

## Specialist Tribunals

These exist for many matters. The Employment Relations Authority and the Tenancy Tribunal are the two most common for people to have dealings with.

■ Column courtesy of Rainey Collins Lawyers, phone