

# White Paper on Attorneys 2016

by Japan Federation of Bar Associations

## **Feature**

International Activities of Lawyers and the Role of Bar Associations

## **Part 1**

Current Situation of Attorneys and Other Legal Professions

## **Part 2**

Activities of Attorneys

## **Part 3**

Activities of the JFBA and Local Bar Associations

## **Part 4**

Comprehensive Legal Support

MISSION STATEMENT ON INTERNATIONAL AFFAIRS

February 18, 2016

The Japan Federation of Bar Associations



The JFBA, being an organization of mandatory membership, represents all attorneys in Japan and maintains a high level of self-governance and independence from any other authority. On the basis that attorneys in Japan are entrusted with the mission to protect fundamental human rights and to achieve social justice, the JFBA has sought to achieve the rule of law and the realization of peace. While recognizing that activities of people, as well as the economy underpinning them have been globalized, and that laws and legal systems have accordingly become internationalized, the JFBA is committed to continue to actively strive to enhance its reputation at the international level bearing in mind its mission and based on the path it has taken.

The JFBA will provide institutional support to its members to facilitate effective engagement in public-interest activities and to expand field practice and activities based on the above-mentioned mission in the globalization and internationalization.

**JFBA** Japan Federation of Bar Associations

# Contents

<b>Feature: International Activities of Lawyers and the Role of Bar Associations</b> .....	1
Chapter 1 Activities relating to Public-interest, Human Rights, Achievement of the Rule of Law, etc. ....	4
1.1. International Human Rights Activities .....	4
1.1.1 Current Situations Surrounding Japan, and Problems Faced by Japan.....	4
(1) Current Situations Surrounding Japan in the Field of Human Rights.....	4
(2) Facing Problems .....	4
(3) Roles expected of legal professionals and bar associations.....	4
1.1.2. Activities at the United Nations (UN) and International Conferences .....	4
1.1.3. Activities Related to the UN Human Rights Bodies and the UPR .....	6
1.2. International Cooperation.....	7
1.2.1. Current Activities of the JFBA and the Role of Attorneys .....	7
1.2.2. Past and Current JFBA Assistance Projects for Bar Associations in Developing Countries (by Country).....	7
1.2.3. JICA Long-Term Experts Achievement .....	10
Chapter 2 Activities relating to the Legal Profession and the Role of Bar Associations.....	12
2.1. International Exchange Activities.....	12
2.1.1. Current Situation and Issues Faced .....	12
2.1.2. Membership of International Organization .....	12
Column: Making the next leap with Asian legal professionals; the 30th LAWASIA Conference 2017 in Tokyo.....	14
2.1.3. MOUs between the JFBA and Overseas Bar Organizations.....	15
2.1.4. MOUs between Local Bar Associations and Overseas Bar Organizations.....	15
2.2 Overseas Visiting Fellow Program .....	17
2.2.1 JFBA Overseas Visiting Fellow Program for Attorneys Engaged in Public Interest Activities .....	17
2.2.2 JFBA Overseas Visiting Fellow Program for Attorneys Practicing in the Field of International Business .....	20
2.3 Support for Working in International Organizations .....	20
2.3.1 Implementation of Various Seminars and Events.....	20
2.3.2 Information Service Using Mailing List, etc. ....	21
2.3.3 Implementation of Judicial Apprentice Training and Internships at the Offices of International Organizations in Japan .....	21
2.3.4 Establishment of Support Organizations .....	21
2.4 Support Program for Attending International Meetings .....	21
Chapter 3 Activities to Strengthen the Structure for Providing Legal Services Supporting Various Legal Needs in Society.....	23
3.1 Promotion of International Practice by Attorneys .....	23
3.1.1 JFBA's Activities to Promote International Practice by Attorneys.....	23
3.1.2 Activities by Local Bar Associations to Promote International Practice by Attorneys.....	25
3.2 Legal Assistance for Overseas Business Development of Small and Medium Sized Enterprises..	26
3.2.1 Current Status of JFBA Activities .....	26
3.2.2 Lawyer Referral System for Japanese SMEs going Overseas and its Partner Organization Accreditation System .....	27
3.3 Relationship between JFBA and Partner Organizations .....	27
Chapter 4 The Future of the JFBA's International Activities .....	29
<b>Part 1 Current Situation of Attorneys and Other Legal Professions</b> .....	30
Chapter 1 Population of Attorneys .....	30
1.1 The Japan Federation of Bar Associations and the Number of Attorneys .....	30
1.2 Constitution According to Age.....	32

Chapter 2 The Number of Populations relating to Legal Professionals .....	33
2.1 The Status of the Number of Applicants for Law Schools and Enrollment of People .....	33
2.2 The Status of Successful Bar Examination Candidates .....	34
2.2.1 Pass Rate of Bar Examination .....	34
2.2.2 Situation Surrounding the Preliminary Examination for the Bar Examination .....	36
2.3 The Number of Legal Apprentices who Have Completed Legal Training per Chosen Profession .....	37
2.4 The Number of Judges, Prosecutors, and Attorneys .....	39
2.5 Comparison of the Total Number of Lawyers, Judges, and Public Prosecutors with those of Foreign Countries .....	40
2.5.1 The Number of People per Lawyer (Cross-country Comparison) .....	40
2.5.2 The Number of People per Judge (Cross-country Comparison) .....	40
2.5.3 The Number of People per Public Prosecutor (Cross-country Comparison) .....	41
2.5.4 The Number of People per Legal Professional (Cross-country Comparison) .....	42
2.6 Changes in Populations of Other Legal Professions .....	45
Chapter 3 Mergers of Law Offices and the Current Situation of Legal Professional Corporations .....	46
3.1 The Number of Attorneys in Law Offices .....	46
3.2 Current Situation of Legal Professional Corporations .....	48
3.2.1 The Number of Legal Professional Corporations .....	48
3.2.2 Size of Legal Professional Corporations .....	50
Chapter 4 Current Situation of Gaikokuho-Jimu-Bengoshi (“Registered Foreign Lawyers”) .....	51
4.1 Changes in the Number of Gaikokuho-Jimu-Bengoshi .....	51
4.2 Registration of Gaikokuho-Jimu-Bengoshi (Registered Foreign Lawyers) .....	52
4.3 Situations regarding Alliances with Foreign Law Joint Enterprises .....	53
4.4 The Number of Foreign Lawyers Employed by Attorneys and Legal Professional Corporations .....	55
4.4.1 By Nationality .....	55
4.4.2 By Home Jurisdiction .....	55
4.5 World Law Firms and Their Entry into the Japanese Market .....	57
<b>Part 2 Activities of Attorneys</b> .....	<b>58</b>
Chapter 1 Criminal Advocacy Activities .....	58
1.1 Duty Attorney (Toban Bengoshi) and Court-Appointed Attorney Systems for Suspects .....	58
1.1.1 Outline of Duty Attorney (Toban Bengoshi) and Court-Appointed Attorney System for Suspects .....	58
1.1.2 Current Situation of the Duty Attorney (Toban Bengoshi) System .....	59
1.1.3 Changes in the Number of Duty Attorney Requested Cases, Appointed Cases, and Criminal Suspect Defense Aid Cases .....	60
1.1.4 Public Defense System Available Prior to Indictment .....	61
1.1.4.1 Operation Status of Court-Appointed Attorney System for Suspects .....	61
1.1.4.2 Permission or Rejection for Detention Requests .....	62
1.2 The Status of Defense Attorneys Involvement in the Overall Criminal Cases .....	63
1.2.1 The Status of Court-Appointed Attorney Contracts and the Number of Defendants with Court-Appointed Attorneys .....	63
1.2.2 Changes in the Percentage of Retaining Criminal Defense Counsel (after Indictment) (Court-Appointed and Privately Retained) at District Courts .....	63
1.2.3 Changes in the Percentage of Retaining Criminal Defense Counsel (after Indictment) (Court-Appointed and Privately Retained) at Summary Courts .....	64
1.2.4 Changes in the Percentage of Defendants Retaining Criminal Defense Counsel (after Indictment) (Court-Appointed and Privately Retained) at High Courts .....	65
1.3 Defense Activities in Juvenile Cases .....	65
1.4 The Lay Judge System .....	67
1.4.1 Cases Determined by Lay Judges .....	67
1.4.2 Actual Practice of Lay Judge Trials .....	69
1.4.2.1 The Number of Persons Who Have Been Subjected to Saiban-in (Lay Judges) Trials and Have Been Finalized .....	69

1.4.2.2 Comparison of the Average Period Taken for Court Deliberations and the Average Period of the Pretrial Conference Procedure (by confession and denial), etc. ....	69
Chapter 2 Activities in Civil and Other Lawsuits.....	72
2.1 Civil Lawsuits .....	72
2.1.1 Attorneys' Involvement in Ordinary Civil Lawsuits before District Courts.....	72
2.1.2 Attorneys' Involvement in Ordinary Civil Lawsuits before Summary Courts .....	73
2.1.3 Changes in the Percentage of Appointed Attorneys in Ordinary Second Instance Trials (before High Courts) .....	74
2.2 Supporting Activities for Criminal Victims.....	75
2.3 JFBA Support Activities for Affected People in Relation to the Great East Japan Earthquake .....	76
2.3.1 Recommendations, etc. the JFBA has Issued and Legislation and Systems Realized.....	76
Chapter 3 Expansion of Attorneys' Activities.....	78
3.1 Current Situation of In-house Attorneys.....	78
3.1.1 Changes in the Number of In-house Attorneys .....	78
3.1.2 Situation of Public Officers with Fixed Terms .....	79
3.2 Actual Situation of Attorneys - From the Survey Conducted in 2015.....	81
3.3 Diet Members and Head of Local Governments Registered as Attorneys .....	81
<b>Part 3 Activities of the JFBA and Local Bar Associations .....</b>	<b>82</b>
Chapter 1 Autonomy of Attorneys.....	82
1.1 Complaints and Dispute Conciliations .....	82
1.1.1 Complaints against Attorneys.....	82
1.1.2 Dispute Conciliation.....	83
(1) Number of Dispute Conciliation Cases Newly Received .....	83
(2) Handling of Dispute Conciliation Cases (All Bar Associations) .....	83
1.2 Disciplinary System for Attorneys and its Operation.....	84
1.2.1 Summary of the Disciplinary System for Attorneys.....	84
(1) Request for Discipline .....	84
(2) Investigation by Disciplinary Enforcement Committee.....	84
(3) Examination by Disciplinary Actions Committee .....	84
(4) Filing of an Objection, etc. ....	85
1.2.2 Statistics Regarding Disciplinary Actions .....	87
(1) Changes in the Number of Newly Accepted Requests for Disciplinary Actions (All Bar Associations) .....	87
(2) Details of Handling the Requests for Disciplinary Actions (All Bar Associations).....	88
(3) Ratio of Disciplinary Actions (All Bar Associations).....	89
1.2.3. Operation of the Disciplinary System .....	90
(1) Cases Handled by Disciplinary Enforcement Committees of Bar Associations and the JFBA.....	90
(2) Cases Handled by Disciplinary Actions Committees of Bar Associations and the JFBA.....	91
(3) Cases Handled by the JFBA Board of Discipline Review .....	93
1.2.4 The Flow and Current Situation of Disciplinary Procedure .....	93
Chapter 2 The JFBA's Activities involving Human Rights Redress .....	94
2.1 The Operation of the Human Rights Redress System .....	94
2.1.1 Procedures for Human Rights Redress System .....	94
2.2 Current Situation Regarding the Retrial Cases Supported by the JFBA .....	97
2.2.1 Retrial Cases Supported by the JFBA .....	97
2.2.2 Achievement by the JFBA for its Support on Retrial Request Cases .....	97
<b>Part 4 Comprehensive Legal Support .....</b>	<b>100</b>
Chapter 1 Japan Legal Support Center (Ho-terasu) .....	100
1.1 Scope of Operations of Ho-terasu .....	100
1.2 Support Operations Entrusted by the JFBA .....	101

## List of Figures

Data (F) 1-1	Major Meetings the JFBA Sent Delegations to in the Last Three Years (2014 to 2016)	5
Data (F) 1-2	JFBA Reports Concerning International Human Rights Documents (Conventions and Covenants)	6
Data (F) 1-3	Activities Related to the Universal Periodic Review (UPR)	7
Data (F) 1-4	Past and Current JFBA Assistance Projects for Bar Associations in Developing Countries	8
Data (F) 1-5	JICA Long-Term Experts (Total by Country)	10
Data (F) 1-6	JICA Long-Term Experts (Fiscal 2007- 2016.7.1)	10
Data (F) 2-1	Overseas Bar Organizations the JFBA holds membership in	12
Data (F) 2-2	MOUs between the JFBA and Overseas Bar Organizations	15
Data (F) 2-3	MOUs between Local Bar Associations and Overseas Bar Organizations	15
Data (F) 2-4	Past Overseas Visiting Fellows through the Overseas Visiting Fellow Program	17
Data (F) 3-1	JFBA's Framework to Promote International Practice by Attorneys	24
Data (F) 3-2	Activities conducted by the Center for Promotion of International Legal Services of the JFBA	24
Data (F) 3-3	Activities conducted by local bar associations with other organizations	25
Data (F) 3-4	Support Activities for the Overseas Business Development of Small and Medium Sized Enterprises by the JFBA (outline)	26
Data (F) 3-5	Implementation Status of Lawyer Referral System for Japanese SMEs going Overseas	27
Data (F) 3-6	JFBA's Major Activities in Providing Legal Assistance for the Overseas Business Development of Small and Medium-size Companies	28
Data 1-1-1	Categories of JFBA Membership	30
Data 1-1-2	The Number of Attorneys (1950 - 2016)	31
Data 1-1-3	Changes in the Number of Attorneys (1950 - 2016)	31
Data 1-1-4	Constitution According to Age	32
Data 1-2-1	Changes in the Number of Applicants for Law Schools	33
Data 1-2-2	Enrollment of People with Work Experience and Non-law Graduates for Law Schools	33
Data 1-2-3	Pass Rate of Bar Examination	34
Data 1-2-4	Pass Rate of Bar Examination (per Law Graduate and Non-law Graduate)	34
Data 1-2-5	Pass Rate (Cumulative Pass Rate) of Law School Graduates who Have Taken Bar Examination per Year	35
Data 1-2-6	Results of Candidates who Have Taken the Preliminary Examination	36
Data 1-2-7	Bar Examination Results of Candidates who Have Passed the Preliminary Examination	36
Data 1-2-8	The Number of Legal Apprentices who Have Completed Legal Training per Chosen Profession	37
Data 1-2-9	Changes in Legal Apprentices who Have Completed Legal Training per Chosen Profession	38
Data 1-2-10	The Number of Judges, Prosecutors, and Attorneys	39
Data 1-2-11	The Number of People per Lawyer	40
Data 1-2-12	The Number of People per Judge	41
Data 1-2-13	The Number of People per Prosecutor	41
Data 1-2-14	The Number of People per Legal Professional	42
Data 1-2-15	The Numbers of Legal Professionals for Certain Foreign Countries (with Closing Dates for Respective Data)	43
Data 1-2-16	Changes in Populations of Other Legal Professions	45
Data 1-3-1	Major Offices (Top 10 Offices)	46
Data 1-3-2	Percentage of Law Offices by Size	47
Data 1-3-3	Changes in the Number of Law Offices by Size	47
Data 1-3-4	Percentages of Attorney by Size of Office	47
Data 1-3-5	Changes in the Number of Attorneys in Each Size of Office	47
Data 1-3-6	Changes in the Number of established LPCs, Corporate Member Attorneys, and Employed Attorneys by Fiscal Year	48
Data 1-3-7	Number of LPC Members of Each Bar Association (2015)	49
Data 1-3-8	Number of LPCs and Attorneys per LPC Size (including Employed Attorneys)	50
Data 1-3-9	Number of LPCs per LPC Size (Corporate Members Only)	50
Data 1-4-1	Changes in the Number of Gaikokuho-Jimu-Bengoshi	51
Data 1-4-2	Details of Registration of Gaikokuho-Jimu-Bengoshi (Registered Foreign Lawyers)	52
Data 1-4-3	Situations regarding Alliances with Foreign Law Joint Enterprises	53
Data 1-4-4 (1)	The Number of Foreign Lawyers Employed by Attorneys and LPCs by Nationality	56

Data 1-4-4 (2)	The Number of Foreign Lawyers Employed by Attorneys and LPCs by Home Jurisdiction .....	56
Data 1-4-5	The Top 100 (by gross revenue) Law Firms in the World, of which GJBs are Running Foreign Law Joint Enterprises with Japanese Attorneys .....	57
Data 2-1-1	Flow of Procedures in Criminal Cases (from Arrest to Indictment) and the Role of Attorneys .....	58
Data 2-1-2	Status of the Duty Attorney System in Recent Years .....	59
Data 2-1-3	Changes in the Number of Duty Attorney Requested Cases, Appointed Cases, and Criminal Suspect Defense Aid Cases .....	60
Data 2-1-4	Situations of Defendants with Attorney from pre-indictment phase at District Courts .....	61
Data 2-1-5	Situations of Defendants with Attorney from pre-indictment phase at Summary Courts .....	61
Data 2-1-6	Changes in the Permission/Rejection Rate of Detention Requests .....	62
Data 2-1-7	Changes in the Number of Persons whose Detention Request has been Rejected .....	62
Data 2-1-8	Number of Defendants per Attorney Contracted as Court-Appointed Attorney .....	63
Data 2-1-9	Changes in the Percentage of Retaining Criminal Defense Counsel (at District Courts) .....	63
Data 2-1-10	Changes in the Percentage of Retaining Criminal Defense Counsel (at Summary Courts) .....	64
Data 2-1-11	Changes in the Percentage of Defendants Retaining Criminal Defense Counsel (after Indictment) (High Courts) .....	65
Data 2-1-12	Changes in the Number of Juvenile Probation Cases (at Family Courts) and the Proportion of Cases in which Attendants are Present .....	66
Data 2-1-13	Changes in the Number of Juvenile Probation Cases (at Family Courts) and the Proportion of Cases in which Attendants are Present .....	67
Data 2-1-14	The Number of Prosecuted Cases per Charges Subject to Saiban-in (Lay Judges) Trials .....	68
Data 2-1-15	Number of Persons Who Have Been Subjected to Saiban-in Trials and Whose Trials Have Been Finalized and the Number of Such Persons per Attorney .....	69
Data 2-1-16	Comparison of the Average Period Taken for Court Deliberations and the Average Period of the Pretrial Conference Procedure (by confession and denial) (by before/after the introduction of the Saiban-in (lay judge) system) .....	70
Data 2-1-17	Number of Persons whose Cases have been Finalized (by period taken for court deliberations) and the Average Period of Court Deliberations in 2015 (by Confession and Denial) .....	71
Data 2-1-18	Number of Persons whose Trials have been Finalized Compared to the Actual Period Taken for Court Deliberations (from the First Trial until the Trial has been Finalized) (by Confession and Denial) and the Average Period Taken for Court Deliberations in 2015 .....	71
Data 2-2-1	Changes in the Rate of Appointed Attorneys' Involvement in the First Instance of Ordinary Civil Lawsuit before District Courts .....	72
Data 2-2-2	Attorneys' Involvement in Lawsuits at District Courts (by Purpose) (2015) .....	73
Data 2-2-3	Changes in the Percentage of Appointed Defense Councils in Ordinary Civil Lawsuits (Summary Courts) .....	74
Data 2-2-4	Changes in the Percentage of Appointed Attorneys in Ordinary Second Instances (High Courts) .....	74
Data 2-2-5	Implementation Status of the Victim Participation System .....	75
Data 2-2-6	Legislation and Systems Realized in response to the Great East Japan Earthquake .....	76
Data 2-3-1	Changes in the Number of In-house Attorneys .....	78
Data 2-3-2	Public Officers with Fixed Terms as of June 1, 2016 .....	79
Data 2-3-3	Employment of In-house Attorneys for Corporations .....	81
Data 2-3-4	Diet Members and Head of Local Governments Registered as Attorneys .....	81
Data 3-1-1	Details of Complaints Received at Public Complaint Desks (by Applicant) (2015) .....	82
Data 3-1-2	Details of Complaints Received at Public Complaint Desks (by Contents) (2015) .....	82
Data 3-1-3	Changes in the Number of Complaints Received at Public Complaint Desks .....	83
Data 3-1-4	Number of Dispute Conciliation Cases Newly Received .....	83
Data 3-1-5	Number of Dispute Conciliation Cases Handled .....	83
Data 3-1-6	Results of Dispute Conciliation Cases .....	84
Data 3-1-7	The Flow of Disciplinary Procedure for Attorneys .....	86
Data 3-1-8	Changes in the Number of Newly Accepted Requests for Disciplinary Actions .....	87
Data 3-1-9	Details of Handling the Requests for Disciplinary Action (All Bar Associations) .....	88
Data 3-1-10	Changes in Numbers of Disciplinary Actions and their Details .....	89
Data 3-1-11	Changes in Ratio of Disciplinary Action wherein Discipline is Imposed to Total Requests .....	89
Data 3-1-12	Changes in Ratio of Disciplinary Action wherein Discipline is Imposed to Total Members .....	90
Data 3-1-13	Details of Accepted Filings of Objections (JFBA Disciplinary Enforcement Committee) .....	91
Data 3-1-14	Details of Resolutions on Objections (JFBA Disciplinary Enforcement Committee) .....	91
Data 3-1-15	Details of Resolutions on Objections (JFBA Disciplinary Actions Committee) .....	92

Data 3-1-16	Details of Resolutions on Appeals (JFBA Disciplinary Actions Committee).....	92
Data 3-1-17	Details of Resolutions on Cases with Applications for Discipline Review (JFBA Board of Discipline Review) .....	93
Data 3-2-1	Flow Chart of the JFBA's Human Rights Redress System .....	95
Data 3-2-2	Changes in the Number of Human Rights Redress Cases (by Category) .....	96
Data 3-2-3	Details of the Number of Human Rights Redress Cases (by Category) .....	96
Data 3-2-4	Cases Supported by the JFBA where a Judgment of Acquittal has been Finalized .....	97
Data 4-1-1	Contents of Ho-terasu Operations.....	100





**Feature: International Activities of Lawyers and the Role of Bar Associations**

With the growing globalization of economic activities, laws and legal systems have also become increasingly globalized. In order to accelerate the development of globalization, the Japan Federation of Bar Associations (JFBA), on the initiative of the president, newly established its Council on Strategy for International Affairs (the “Council”) in April 2015, which is composed of executives of the JFBA, in order to become more proactively involved in the international activities of lawyers and bar associations. Aimed at achieving the effective engagement of lawyers in public-interest activities and the expansion of fields of practice and activities in our internationalized society, the Council works on various activities in coordination with relevant committees which continuously address a diverse range of issues, including those in the international human rights field, on the basis that attorneys in Japan are entrusted with the mission of protecting fundamental human rights and achieving social justice.

In February 2016, the JFBA drafted and published its Mission Statement on International Affairs (the “Mission Statement”) for holding up its ideals in the international activities of the JFBA, and giving fundamental purposes and the specific plans for achieving such ideals, as shown below and followed by the chart illustrating the international activities of the JFBA.

In this feature, the current situations and achievements of the JFBA's various international activities are described in the context of the three fundamental purposes in the Mission Statement.

MISSION STATEMENT ON INTERNATIONAL AFFAIRS

February 18, 2016  
The Japan Federation of Bar Associations

The JFBA, being an organization of mandatory membership, represents all attorneys in Japan and maintains a high level of self-governance and independence from any other authority. On the basis that attorneys in Japan are entrusted with the mission to protect fundamental human rights and to achieve social justice, the JFBA has sought to achieve the rule of law and the realization of peace. While recognizing that activities of people, as well as the economy underpinning them have been globalized, and that laws and legal systems have accordingly become internationalized, the JFBA is committed to continue to actively strive to enhance its reputation at the international level, bearing in mind its mission and based on the path it has taken.

The JFBA will provide institutional support to its members to facilitate effective engagement in public-interest activities and to expand fields of practice and activities based on the above-mentioned mission in the era of globalization and internationalization.

Specifically, such support includes the followings:  
To make proposals and provide training on professional ethics of cross-border activities of attorneys; to engage in activities aiming at the universal achievement of the independence of attorneys, the rule of law, and fundamental human rights; to exchange and cooperate with bar associations and law societies in foreign countries and jurisdictions, international bar organizations, and international organizations, such as the United Nations; to address the needs of corporations and individuals inside and outside Japan that are recipients of legal services arising within internationalization; to provide support to strengthen the base for expanding the supply of legal services in the internationalized field; etc.

**FUNDAMENTAL PURPOSES**

1 Activities relating to public-interest, human rights, achievement of the rule of law, etc.

- (1) To contribute to strengthening and developing international human rights standards and international human rights mechanisms and to engage in activities that address human rights issues inside and outside of Japan and provide remedies for human rights violations.
- (2) To enhance activities supporting the development of legal systems, training of attorneys, and establishing bar associations in foreign states.
- (3) To enhance activities such as establishing a professional ethics for attorneys and promoting attorneys' contribution to society.
- (4) To train and expand a pool of attorneys with full expertise and strong experience in international human rights law and a pool of attorneys competent to participate in the activities described in (2) and (3) above.

2 Activities relating to the legal profession and the role of bar associations

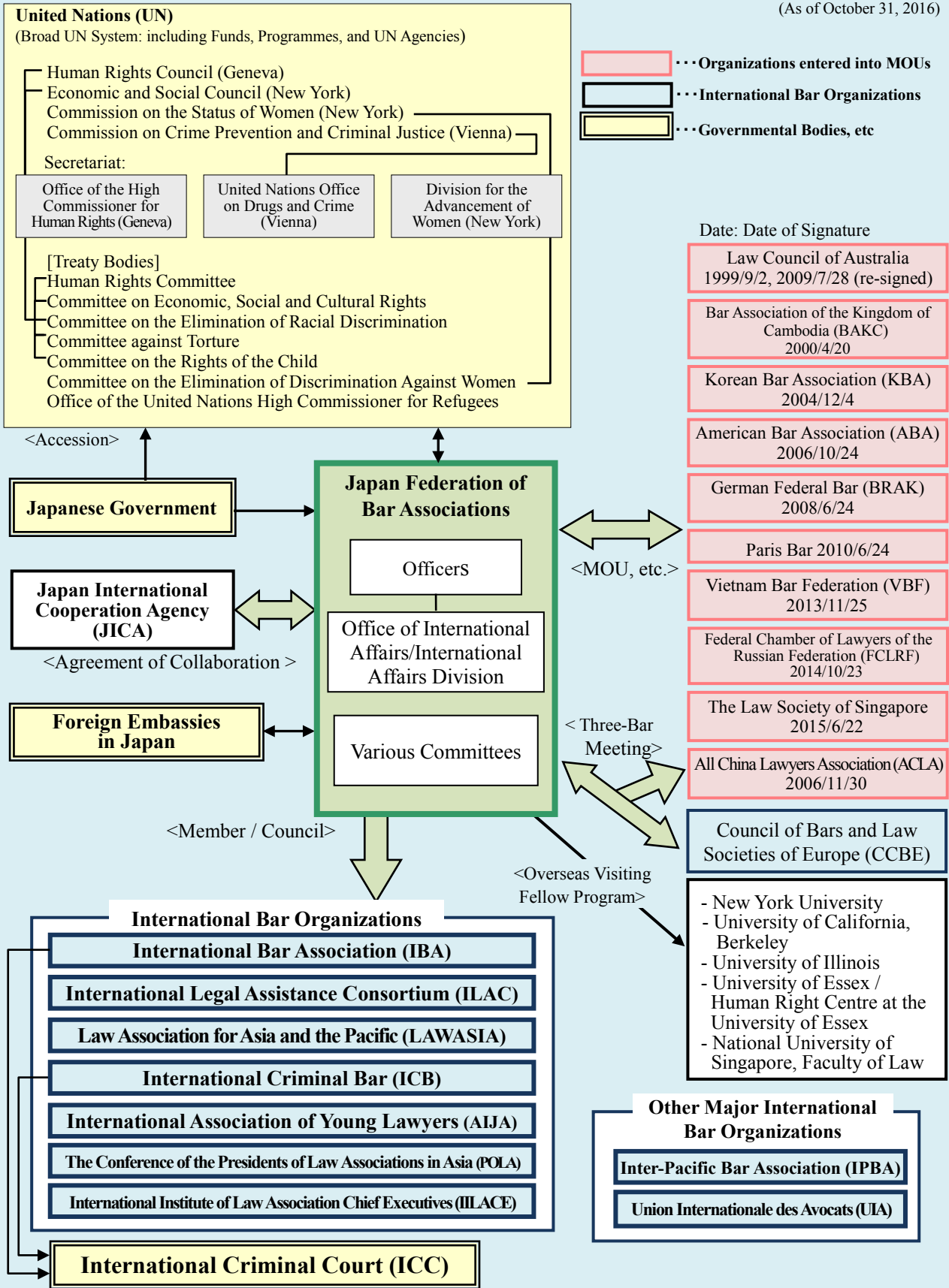
- (1) To accumulate and provide to our members knowledge and experience at the international level on the models of practices of attorneys and the models of bar associations in internationalized society in terms of regulation of practice, establishing of professional ethics for attorneys, etc.
- (2) To actively engage in setting standards by strengthening our organizational structure to respond to internationalization, disseminating information internationally, and cooperating with international bar organizations and international organizations.
- (3) To raise awareness of, respect for, and acceptance of diversity with regard to race, gender, and legal culture, etc. in the course of the above activities as well as to endeavor to reflect such diversity and geographical balance in decision making processes at the international level.

3 Activities to strengthen the structure to provide legal services to meet various legal needs in society

- (1) To improve access to attorneys and the judicial system in Japan for both corporations (both Japanese and foreign corporations) and individuals (including foreign nationals and ethnic minorities) with regard to the legal services expected within internationalization.
- (2) To train and expand a pool of attorneys with full expertise and strong experience with regard to the legal services arising within internationalization and to provide support to strengthen a base for expanding practice areas of attorneys.

## International Activities of the JFBA

(As of October 31, 2016)



## Chapter 1 Activities relating to Public-interest, Human Rights, Achievement of the Rule of Law, etc.

### Fundamental Purposes 1 in the Mission Statement

1 Activities relating to public-interest, human rights, achievement of the rule of law, etc.

- (1) To contribute to strengthening and developing international human rights standards and international human rights mechanisms and to engage in activities that address human rights issues inside and outside of Japan and provide remedies for human rights violations.
- (2) To enhance activities supporting the development of legal systems, training of attorneys, and establishing bar associations in foreign states.
- (3) To enhance activities such as establishing a professional ethics for attorneys and promoting attorneys' contribution to society.
- (4) To train and expand a pool of attorneys with full expertise and strong experience in international human rights law and a pool of attorneys competent to participate in the activities described in (2) and (3) above.

### 1.1. International Human Rights Activities

#### 1.1.1 Current Situations Surrounding Japan, and Problems Faced by Japan

##### (1) Current Situations Surrounding Japan in the Field of Human Rights

In the Kobe Human Rights Declaration adopted in 1988, the JFBA declared that; “Now is the time when we need to completely implement the International Covenants on Human Rights and relevant human rights treaties, and establish an international human rights system in which human-rights protection at the national level is placed under international monitoring. Human-rights protection is currently in the phase of implementation where it must be put into practice by global methods from an international perspective.” Almost 30 years have passed since then, although some improvements have been seen in human-rights situations, international standards for human rights protection have not been achieved yet in many fields, and further, new, important and serious issues that involve human-rights violations have been emerging. Moreover, since human rights are not just domestic matters, Japan should address international human-rights violations, and contribute to the establishment of the rule of law overseas.

##### (2) Facing Problems

Under such circumstances, one of the most urgent issues in the human rights field that Japan must address is the realization of individual complaints mechanism as required by the international human rights treaties. Moreover, in order to ensure that international human rights norms are respected as norms of the court, the need for education and enlightenment on human rights issues for public officers such as judicial officials, police officers, and prison officers has been repeatedly pointed out as an issue to be addressed.

The JFBA's previous efforts in coordination with UN human rights bodies and the UN Human Rights Council must also be further developed by, for example, utilizing the advice and recommendations described in their concluding observations, which the JFBA has released to the public, for improving human rights standards in Japan.

##### (3) Roles expected of legal professionals and bar associations

In order to improve human-rights situations, both domestic and international human-rights protection systems need to be fully developed in accordance with domestic and international human rights laws, respectively, and the proper functioning thereof is absolutely essential. Therefore, legal professionals and bar associations must further work on the establishment of such systems.

#### 1.1.2. Activities at the United Nations (UN) and International Conferences

The JFBA has been accredited with consultative status by the Economic and Social Council, and sends delegations to various UN meetings, such as the UN Human Rights Council, the UN Congress on Crime Prevention and Criminal Justice, the UN Commission on Crime Prevention and Criminal Justice, and the

UN Commission on the Status of Women, at which the JFBA collects information on international movements, and makes speeches to express its opinions. In addition, the JFBA organizes side events at conference sites introducing its activities, through which the JFBA provides information on the human rights situation in Japan, and exchanges information with relevant authorities in other countries. The following table lists the major meetings to which the JFBA sent delegations in the last three years.

Data (F) 1-1 Major Meetings the JFBA Sent Delegations to in the Last Three Years (2014 to 2016)	
Month/Year	Name of Meeting (Venue)
March / 2014	The 58th Session of the Commission on the Status of Women (NY, USA)
May / 2014	The 23rd Session of the UN Commission on Crime Prevention and Criminal (Vienna, Austria)
June / 2014	The 2nd Session of the UN Human Rights Council Working Group on the Right to Peace (Geneva, Switzerland)
July / 2014	The 111th Session of UN Human Rights Committee (Geneva, Switzerland)
September / 2014	The 27th Session of the Human Rights Council (Geneva, Switzerland)
October / 2014	The 7th Session of the Parties to the UN Convention against Transnational Organized Crime and the Protocols thereto(Vienna, Austria)
March / 2015	The 59th Session of the Commission on the Status of Women
April / 2015	The 13th United Nations Congress on Crime Prevention and Criminal Justice (Doha, Qatar)
April / 2015	The 3rd Session of the UN Human Rights Council Working Group on the Right to Peace (Geneva, Switzerland)
May / 2015	The 24th Session of the UN Commission on Crime Prevention and Criminal (Vienna, Austria)
February / 2016	The 65th session of the Committee on the Elimination of Discrimination against Women (Geneva, Switzerland)
March / 2016	The 60th Session of the Commission on the Status of Women (NY, USA)
May / 2016	The 25th Session of the UN Commission on Crime Prevention and Criminal (Vienna, Austria)

#### **UN Human Rights Council (the “UNHRC”)**

The UNHRC is one of the major UN bodies, which is responsible for promoting and protecting human rights and fundamental freedoms, and performs Universal Periodic Reviews (UPR) to examine the human rights records of all UN Member States once every four years.

#### **UN Congress on Crime Prevention and Criminal Justice (the “Congress”)**

The Congress is one of the biggest international conferences in the fields of crime prevention and criminal justice, and has been held every five years since 1955. It has been decided that the 14th session will be held in 2020, after an invitation from the Japanese government.

#### **UN Commission on Crime Prevention and Criminal Justice (the “CCPCJ”)**

The CCPCJ is a functional commission of the ECOSOC, which has the task of formulating and reviewing the UN crime prevention programs in the field of crime prevention and criminal justice. The CCPCJ is convened every year in Vienna to discuss more practical efforts than the Congress which compiles the outline of the programs.

#### **UN Commission on the Status of Women (the “CSW”)**

The CSW is a functional commission of the ECOSOC, which has the task of making recommendations, reports, and suggestions to the ECOSOC in regard to the empowerment of women in the fields of politics, public, society, education, etc. The CSW is convened in February or March every year for two weeks at the UN Headquarters in New York.

### 1.1.3. Activities Related to the UN Human Rights Bodies and the UPR

Japan has ratified various international human rights treaties. Under these treaties, Japan periodically submits reports on its human rights situation to respective UN human rights bodies and they review the Japanese situation based on the reports. The JFBA makes counter reports to governmental reports (the “JFBA reports”) to submit to UN human rights bodies, and also attends their reviews and follows their concluding observations to utilize the same for improving human-rights standards in Japan. Further, in relation to Universal Periodic Reviews (the “UPR”), a system conducted by the Human Rights Council which was established under the reforms made to the UN human rights mechanism in 2006, and under which the human rights situation in all UN member states is reviewed once every four years by the Human Rights Council, the JFBA is engaged in various activities such as providing information in writing to the Human Rights Council, attending their reviews, expressing opinions, etc.

#### Data (F) 1-2 JFBA Reports Concerning International Human Rights Documents (Conventions and Covenants)

(As of Oct. 31, 2016)

##### International Covenant on Civil and Political Rights (ratified in 1979)

April 1993 (3rd Periodic Report) / September 1998 (4th Periodic Report) / December 2007 (5th Periodic Report) / August 2008 (Updated Report on 5th Periodic Report) / January 2010 (Opinion Paper regarding the Japanese Government’s Comments on the Concluding Observations of the Human Rights Committee on its 5th Periodic Report) / May 2013 (Report to the Pre-Sessional Working Group of the Committee on Civil and Political Rights for the 6th Periodic Report) / March 2014 (6th Periodic Report)

##### International Covenant on Economic, Social and Cultural Rights (ratified in 1979)

March 2001 (2<sup>nd</sup> Periodic Report) / February 2012 (Report to the Pre-Sessional Working Group of the Committee on Economic, Social and Cultural Rights for the 3rd Periodic Report) / January 2013 (3rd Periodic Report)

##### Convention on the Elimination of All Forms of Discrimination against Women (ratified in 1985)

December 1993 (3rd Periodic Report) / November 2001 (4th Periodic Report) / May 2003 (5th Periodic Report) / September 2008 (6th Periodic Report) / May 2009 (Updated Report on 6th Periodic Report) / July 2011 (Report on the Japanese Government’s Follow-up to the Concluding Observations of the Committee on the Elimination of Discrimination against Women for the 6th Periodic Report) / November 2012 (Report on the Japanese Government’s Additional Report to the Concluding Observations of the Committee on the Elimination of Discrimination against Women for the 6th Periodic Report) / March 2015 (Report to the Pre-Sessional Working Group of the Committee on the Elimination of Discrimination against Women for the 7th and 8th Periodic Report) / December 2015 (Updated Report on 7th and 8th Periodic Reports)

##### Convention on the Rights of the Child (ratified in 1994)

June 1997 (1st Periodic Report) / May 2003 (2nd Periodic Report) / July 2009 (3rd Periodic Report) / January 2010 (Additional Information to the 3rd Periodic Report)

##### International Convention on the Elimination of All Forms of Racial Discrimination (acceded to in 1995)

January 2001 (1st and 2nd Periodic Reports) / June 2009 (3rd, 4th, 5th, 6th Periodic Reports) / February 2010 (Additional Information to the 3rd, 4th, 5th, 6th Periodic Reports) / July 2014 (the 7th, 8th, 9th Periodic Reports)

##### Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (acceded to in 1999)

January 2007 (1st Periodic Report) / September 2008 (The JFBA Report on Comments by the Japanese Government on the Conclusions and Recommendations of the Committee Against Torture) / February 3 (2nd Periodic Report) / July 2015 (The JFBA Report on Comments by Japanese Government concerning the Second Conclusions and Recommendations of the Committee Against Torture)

Data (F) 1-3 Activities Related to the Universal Periodic Review (UPR)	
(As of Oct. 31, 2016)	
February 2007	Prepared a JFBA written statement on the UPR (submitted to the 4th session of the Human Rights Council).
February 2008	Prepared a JFBA report for the Summary of the Human Rights Situation in Japan to be prepared by the UN Office of High Commissioner for Human Rights.
March 2008	Prepared a JFBA written statement “Universal Periodic Review: Review of Japan and Modalities of the Universal Periodic Review” (submitted to the 8th session of the Human Rights Council).
February 2011	Prepared a JFBA written statement on the UPR for review by the UN Human Rights Council (submitted to the 16th session of the Office of the UN High Commissioner for Human Rights (OHCHR))
April 2012	Prepared a JFBA report for the Summary of the Human Rights Situation in Japan to be prepared by the UN Office of the High Commissioner for Human Rights.

## 1.2. International Cooperation

### 1.2.1. Current Activities of the JFBA and the Role of Attorneys

The JFBA, led by its Committee on International Relations, has been engaged in legal and judicial cooperation, mainly with countries across the Asian region, since the 1990's. Under the recognition that the JFBA conducts such cooperation activities in a different position from the government as a human rights NGO which assumes a primary role in protecting fundamental human rights and achieving social justice, the JFBA adopted the Basic Policies for International Legal Technical Assistance by the Japan Federation of Bar Associations (the “Basic Policies”) in 2009 (JFBA resolution dated March 18, 2009).

The JFBA is continuously conducting its international cooperation activities in accordance with the Basic Policies which state that, with the purpose of realizing the fundamental principles of protecting fundamental human rights, permanent pacifism, and the rule of law, the JFBA’s international cooperation activities should be performed, with political neutrality, to support the independence of citizens as ultimate beneficiaries, and what should be encouraged most is the support for attorneys and bar associations which assume a critical role as a defender of human rights protection and also as an actor for access to justice, as well as advice about the establishment of the attorney system.

### 1.2.2. Past and Current JFBA Assistance Projects for Bar Associations in Developing Countries (by Country)

In accordance with the Mission Statement and the Basic Policies, the JFBA has carried out cooperation programs, mainly with bar associations in developing countries, in the field of improving access to justice, and the operation and development of professional legal training and the legal education system. With the initiative of the International Legal Cooperation Center of the Committee on International Relations, such programs are drafted and implemented by the JFBA itself or in coordination with relevant domestic organizations such as the Japan International Cooperation Agency (“the JICA”). Necessary funding for internal cooperation is provided by the JICA and other external financial groups, besides the funds established in the JFBA for such cooperation.

Among such programs, for instance, the JFBA had implemented a support project for the Bar Association of the Kingdom of Cambodia (the “BAKC”), from 2001 to 2010, under which the JFBA mainly provided assistance for educational reform at the Cambodian lawyers’ training center. For another case, the JFBA worked with the Laos Bar Association from 2012 on a number of projects under which the JFBA provided assistance to their mobile legal counseling service, or achieved improvement in the legal training system at the newly established Legal Training and Research Institute of the Supreme Court. (*see* Data (F) 1-4 below for more details.)

In the future as well, the JFBA will continue to implement international collaboration programs according to the circumstances of the legal sectors in each country at the time, utilizing various ways to raise necessary funds.

## Data (F) 1-4 Past and Current JFBA Assistance Projects for Bar Associations in Developing Countries

(As of Oct. 31, 2016)

Cambodia	
The JFBA's legal technical assistance in Cambodia has the longest history in its assistance activities. Specific activities conducted are as follows:	
1996-2000	The JFBA cooperated in the 1st through 5th Cambodia Justice Training Sessions organized by the JICA.
1999 to date	The JFBA has dispatched its members to the Ministry of Justice of Cambodia (10 in total, including 9 nominated by the JFBA) on a continuous basis to provide support in drafting the Civil Code and the Code of Civil Procedure of Cambodia. Some JFBA members have been participating in the JICA's support committees in Japan, such as the committee for drafting the Civil Code and the Code of Civil Procedure of Cambodia, and the committee for the civil education improvement project on the training of judges and prosecutors in Cambodia. The JFBA also dispatches instructors when training programs for Cambodian lawyers are held in Japan by the JICA or the Research and Training Institute of the Ministry of Justice.
Oct. 2000	The JFBA conducted a seminar for Cambodian lawyers.
2001-2002	The JFBA conducted a project of legal and judicial cooperation for the BAKC as part of the JICA small-scale partner program (such as training seminars for lawyers and proposals for a legal aid system)
2002-2005	The JFBA was entrusted and conducted a JICA partner program to provide assistance for the BAKC (such as assistance for the Lawyers' Training Center and provision of continuous legal education and gender training programs for lawyers).
2007-2010	The JFBA was entrusted and conducted a JICA project to provide legal technical assistance to the BAKC (such as assistance for the Lawyer's Training Center, provision of continuous legal education programs for lawyers, and gender training). From 2008-2010, the JFBA sent a member to Cambodia as a JICA long-term expert.
2012 to date	The JFBA has been holding a special lecture on an annual basis at the Cambodian Lawyers' Training Center, sending its members to the site.

Vietnam	
<p>Since 1995, the JFBA has been involved in JICA projects for supporting improvement of the legal system, including amendment of the Civil Code and other legislation, conducting training for legal education, and providing support to the bar association. Specifically, the JFBA members have been participating in a JICA support group in Japan and a total of nine JFBA members have been sent to Vietnam as JICA long-term experts. In addition, many JFBA members participated in JICA seminars in Vietnam and training programs in Japan as instructors.</p> <p>In May 2009, with the help of the JFBA, the first integrated national bar association in Vietnam was established. Since 2009, entrusted by the JICA, the JFBA has been inviting members, etc. of the Vietnam Bar Federation and conducting training programs regarding the organizational operations of the bar association and the enhancement of the capacity of attorneys.</p>	

Laos	
<p>The JFBA conducted research on judicial issues in Laos in May 2000. Based on the results, the JFBA is providing assistance as follows:</p> <p>The JFBA cooperated in a JICA legal technical assistance project and enhancement of fostering legal professional project for Laos, and seven JFBA members, four as short-term experts and three as long-term experts, were sent to Laos. Another JFBA member has also been working in Laos since July 2010 as a long-term expert. In addition, the JFBA sent its members as instructors in response to a request from the Research and Training Institute of the Ministry of Justice for its seminars in Laos. However, the number of lawyers in Laos is still around 200. Since 2012, with a grant from the Toshiba International Foundation, a public interest incorporated foundation, the JFBA has been conducting support activities, such as holding conferences on the enhancement of access to justice and fostering legal professionals, conducting training programs in Laos, as well as in Japan, by inviting members of the Laos Bar Association to Japan.</p>	



Mongolia

The JFBA sent a total of two members to Mongolia as JICA long-term experts; one as a JICA advisor to Mongolia from 2004 to 2006 and the other for a project to strengthen the functions of the Association of Mongolian Advocates (AMA) from 2006 to 2008. Specifically, they assisted in enhancing the Conciliation Center of the AMA including training programs in Japan. In addition, a number of members have been sent as short-term experts to seminars conducted in Mongolia. A JFBA member had been sent to Mongolia as a JICA long-term expert from 2010 to 2015 under the mediation system enhancement project (Phases 1 & 2) for supporting the establishment of a mediation system in the courts of first instance in Mongolia. In the meantime, entrusted by the JICA, the JFBA invites judicial officials to participate in training programs regarding the mediation system. Since 2013, a group of a dozen Mongolian attorneys who are members of the AMA have come to Japan at their own expense to participate in lectures, site tours, and social programs prepared mainly by the JFBA Committee on International Relations.

Indonesia

A JFBA member has been working in Indonesia since 2007 for a JICA project to assist in enhancing settlement and mediation systems in Indonesia. He is drafting rules concerning settlement and mediation while collaborating with local counterparts including the Supreme Court as well as providing training for mediators. A JFBA member was sent to the JICA Indonesia Office as a planning designer from 2003 to 2004. Further, some JFBA members have participated in the support committee in Japan for the JICA project, which commenced in 2015, regarding intellectual property protection and increasing legal consistency in order to improve the business environment.

China

The JFBA has sent a total of two members to China as JICA long-term experts. The JFBA also sent commissioners in a project aimed at cooperating to bring about improvements to China's Code of Civil Procedure and arbitration system, which was conducted from 2007 to 2010. Further, a number of JFBA members have worked as JICA short-term experts in the project for formulating business and corporate laws, which was conducted from 2004 to 2009. In addition, a JFBA member has become a member of the study group on the Civil Procedure Law of China in relation to the JICA's Improvement of Civil Procedure Law and Arbitration Law Project. Currently, the JFBA is sending one of its members as a commissioner to a study group reviewing China's Code of Civil Procedure and laws related to the civil law.

Nepal

The JFBA has been cooperating in a JICA legal technical assistance project for drafting the Civil Code of Nepal, under which three members have been sent to Nepal as advisors on legal technical assistance since July 2010. A JFBA member, currently the second person to do so, has also been working in Nepal since September 2013 as a JICA long-term expert for JICA's Project for Strengthening the Capacity of the Court in Nepal.

Uzbekistan

The JFBA has sent a member to Uzbekistan as a JICA long-term expert to help draft the commentary on the insolvency law so that judges dealing with bankruptcy cases can interpret and apply insolvency law in an integrated and consistent manner.

Myanmar

A JFBA member has been sent to Myanmar as a JICA long-term expert (\*) since 2014, and such member has been engaged in providing support for improving the capacity for drafting and reviewing legislation, and for developing human resources.

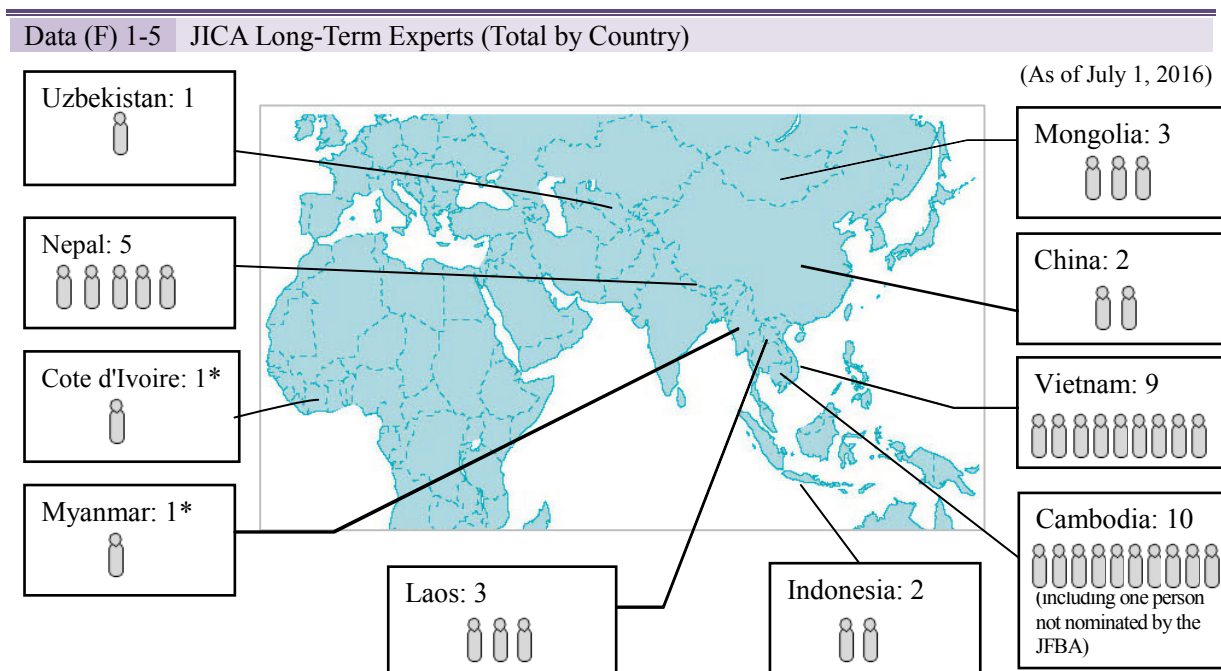
Cote d'Ivoire

A JFBA member has been sent to Cote d'Ivoire as a JICA long-term expert (\*) since 2014, and such member has been working on developing human resources in the field of criminal justice, as well as on improving access to justice for citizens in eight French-speaking African countries.

\*: Not nominated by the JFBA

### 1.2.3. JICA Long-Term Experts Achievement

The JFBA has been engaging in international cooperation since 1994 and sending instructors to seminars organized by various domestic organizations that invite overseas trainees and also dispatching attorneys to countries such as Cambodia, Vietnam, Laos, Indonesia, Mongolia, China, and Nepal as JICA (Japan International Cooperation Agency) long-term experts. Data (F) 1-5 and (F) 1-6 below show the detailed achievements in the JFBA's dispatching of JICA long-term experts.



\*: Not nominated by the JFBA

**Data (F) 1-6 JICA Long-Term Experts (Fiscal 2007- 2016.7.1)**

Term	Country	Activity
Apr. 2006 - Oct. 2007	Uzbekistan	Assist in drafting the commentary on the insolvency law
Mar. 2007 - Mar. 2009	Indonesia	Enhancing the settlement and mediation system (amendments to the rules of the Supreme Court on its mediation system, provided advice to improve training curricula for mediators)
Apr. 2007 - Mar. 2009	Vietnam	Assist in reforming the legal system (mainly laws on civil execution, real property registration, and security transaction registration), and advise on judicial reforms (establishment of a national federation of bar associations)
Sep. 2007 - Sep. 2008	Cambodia	Legal technical assistance (with a focus on improving laws and regulations related to the Civil Code and coordination of donors engaging in drafting other related laws)
Apr. 2008 - Oct. 2010	China	Assist with improving the Civil Procedure Law, the Arbitration Law, and other laws related to civil affairs (meetings with the National People's Congress and advice upon request)
May 2008 - Jun. 2010	Cambodia	Assist the Bar Association of the Kingdom of Cambodia (to improve the operation of the Lawyers' Training Center and its training materials)
Mar. 2009 - Mar. 2011	Cambodia	Assist in drafting laws and regulations (mainly drafting laws and regulations related to the Civil Code and the Civil Procedure Code and coordination of other donors)

Term	Country	Activity
May 2009 - Mar. 2011	Vietnam	Assist with judicial reforms related to the interests of lawyers (advice on how to work with counter partners, workshops, etc.)
Mar. 2010 - Mar. 2012	Cambodia	Assist in drafting laws associated with the Civil Code and the Code of Civil Procedure
May 2010 - Dec. 2015	Mongolia	Mediation System
Jul. 2010 - Jul. 2016	Laos	Civil law /Judicial reform
Jul. 2010 - Sep. 2013	Nepal	Advisor on legal technical assistance
Jan. 2011 - Oct. 2013	China	The Civil Procedure Law and laws related to Chinese civil affairs
Mar. 2011 - Apr. 2012	Vietnam	Enhancing the capacity of lawyers / Assisting in drafting laws
Mar. 2011 - Mar. 2013	Cambodia	Development of human resources / Assisting in drafting laws and regulations/ Conducting practical operations of civil law
Nov. 2012 - Mar. 2014	Vietnam	Enhancing the capacity of lawyers / Assisting in drafting laws
Mar. 2013 - Sep. 2016	Cambodia	Development of human resources (Conducting practical operations of civil law)
Apr. 2013 - Mar. 2014	Cambodia	Development of human resources (Conducting practical operations of civil law)*
Sep. 2013 - Sep. 2015	Nepal	Enhancing court capacity (Management of cases / Mediation)
Sep. 2013 - Sep. 2015	Nepal	Advisor on legal technical assistance
Jan. 2014 - Nov. 2016	Myanmar	Drafting and reviewing legislation, legal advice, human resource development*
Mar. 2014 - Mar. 2018	Vietnam	Assisting in drafting laws / Enhancing the capacity of lawyers
Jun. 2014 - Jun. 2016	China	Advisor on legal technical assistance
Oct. 2014 - Oct. 2016	Laos	Civil and economic-related laws / Judicial reform
Dec. 2014 - Dec. 2016	Cote d'Ivoire	Legal advisor*
Sep. 2015 - Mar. 2017	Nepal	Strengthening the capacity of the courts (Chief Advisor)
Sep. 2015 - Aug. 2017	Nepal	Advisor on legal technical assistance
Mar. 2016 - Mar. 2017	Cambodia	Development of human resources (Conducting practical operations of civil law)*

\*: Not nominated by the JFBA

## Chapter 2 Activities relating to the Legal Profession and the Role of Bar Associations

### Fundamental Purposes 2 in the Mission Statement

#### 2 Activities relating to the legal profession and the role of bar associations

- (1) To accumulate and provide to our members knowledge and experience at the international level on the models of practices of attorneys and the models of bar associations in internationalized society in terms of regulation of practice, establishing of professional ethics for attorneys, etc.
- (2) To actively engage in setting standards by strengthening our organizational structure to respond to internationalization, disseminating information internationally, and cooperating with international bar organizations and international organizations.
- (3) To raise awareness of, respect for, and acceptance of diversity with regard to race, gender, and legal culture, etc. in the course of the above activities as well as to endeavor to reflect such diversity and geographical balance in decision making processes at the international level.

### 2.1. International Exchange Activities

#### 2.1.1. Current Situation and Issues Faced

In line with the increasing globalization of Japan, the JFBA has expanded its international exchange activities with more variation in countries and the range of activities. The overseas bar associations that the JFBA and local bar associations have entered into MOUs with are shown in Data (F) 2-1-2 and Data (F) 2-1-3, respectively, based on which it is clear to see that the amount of international exchange activities has seen a remarkable increase since the beginning of the 2010s.

#### 2.1.2. Membership of International Organization

The JFBA is a member of five international organizations: the IBA (International Bar Association), LAWASIA (The Law Association for Asia and the Pacific), the ICB (International Criminal Bar), the ILAC (International Legal Assistance Consortium), and the AIJA (International Association of Young Lawyers). The JFBA also operates the information center that provides information for POLA (The Conference of the Presidents of Law Associations in Asia) member organizations. Further, the JFBA Secretary General is individually a member of the IILACE (International Institute of Law Association Chief Executives) although not as a representative of an organization (i.e. the JFBA).

#### Data (F) 2-1 Overseas Bar Organizations the JFBA holds membership in

(As of Oct 31, 2016)

Bar Organizations	Outline
International Bar Association (IBA)	The IBA, established in 1947, is the largest international legal association and is composed of individual lawyers and bar associations from around the world. As of 2016, the membership of the IBA stands at more than 80,000 individual lawyers and more than 190 bar associations and law societies spanning over 160 countries. Its annual meeting always attracts over 5,000 legal professionals from all around the world. For two years from January 2011, Mr. Akira Kawamura (Daini Tokyo Bar Association) served as the president of the IBA. The JFBA joined the IBA in 1951.

Bar Organizations	Outline
The Law Association for Asia and the Pacific (LAWASIA)	LAWASIA, established in Canberra, Australia, in 1966, is an organization of legal professionals and organizations from the Asia-Pacific region. The JFBA joined LAWASIA in 2002. LAWASIA's Annual Conference, in conjunction with the Council Meeting, is held once a year, and Executive Committees are held several times a year. Currently, a JFBA member is serving as the Country Councillor of Japan. At the Council Meeting held in 2013, Mr. Isomi Suzuki (Daini Tokyo Bar Association) was elected to be the President of LAWASIA, and he served as the President and also the Country Councillor of Japan until the 28th LAWASIA Conference and Council Meeting held in Sydney from November 6 to 9 in 2015. It has now been officially decided that the 30th LAWASIA Conference will be held in Tokyo in 2017.
International Criminal Bar (ICB)	The ICB, based in the Hague, the Netherlands, was established in June 2002 to provide assistance to the procedures in the ICC (International Criminal Court; Intergovernmental organization founded by the Rome Statute of the International Criminal Court in June 2002; Japan became a member state of the ICC in October 2007). The JFBA joined the ICB in August 2002, and a JFBA member currently serves as a Council member.
International Legal Assistance Consortium (ILAC)	The ILAC, established in 2002 and headquartered in Stockholm, Sweden, is a network organization comprised of individual and organizational members such as legal and human-rights experts and organizations. The ILAC has been engaged in support activities for restructuring the justice system in post-conflict countries. The JFBA was initially involved in the ILAC as an observer, and subsequently became a member in January 2008.
International Association of Young Lawyers (AIJA)	The AIJA, established in 1962, is an association devoted to legal professionals aged 45 and under. The membership is about 3,000 people in 85 countries, mainly from the European region. The AIJA aims at promoting mutual cooperation and respect among young lawyers from around the world. In 2017, the annual meeting is to be held in Tokyo. The JFBA joined the AIJA in 2016.
The Conference of the Presidents of Law Associations in Asia (POLA)	The POLA is an organization providing a forum for the leaders of bar associations from across the Asia-Pacific region to promote establishment of bar associations, work on the professional independence of bar associations, strengthen relationships among legal societies, encourage involvement in public-interest activities by legal professional, etc. The POLA Conference was launched in 1990 in Tokyo in response to a joint-call between the Korean Bar Association (the "KBA") and the JFBA, and since then, the POLA Conference has been held annually in various Asian cities.
"International Institute of Law Association Chief Executives (IILACE)	The IILACE, established in 1999 in Edinburgh, Scotland, is an association of more than 70 secretaries-general (chief executives of secretariats) of law societies and bar associations from around the world, including the IBA, ABA, and LAWASIA. The IILACE is the only international organization dedicated to the interests in the operation and management of bar associations, and works on the establishment of the status of lawyers and bar associations as well as the promotion of the rule of law by sharing perspectives and information about the important issues affecting law associations.

Column: Making the next leap with Asian legal professionals; the 30th LAWASIA Conference 2017 in Tokyo

The 30th LAWASIA Conference in 2017 will be held in Tokyo for four days from September 18 in 2017 to commemorate the 50th anniversary of the establishment of LAWASIA. At the 29th LAWASIA Conference 2016 in Colombo, Sri Lanka in August last year, a commemorative ceremony was held which was attended by the Sri Lankan President and Prime Minister, as well as the Chief Justice of the Supreme Court. The LAWASIA Conference 2016 was driven by the eagerness of the Bar Association of Sri Lanka which was motivated to show both domestically and internationally its commitment to the success of the Conference in efforts of promoting the social and economic development based on the strong domestic political framework formed by the nationwide election held in the previous year.

On the theme of “Big Leap through the Rule of Law - LAWASIA Legacy and Future Role,” the 30th LAWASIA Conference in Tokyo will mark the momentous inaugural year of the next half century for LAWASIA. For the 30th LAWASIA Conference co-organized by the JFBA and LAWASIA, the JFBA has established an Organizing Committee jointly with the Japan Bar Association and the Japan LAWASIA Friendship Association to bring forward the preparatory activities. Currently, around 30 sessions are planned to take place in the field of business, human rights, family law, public interest, ADR, and criminal justice in the main part of the program. In addition, it is also planned that a moot court by law students from various countries will take place in coordination with relevant universities. This will be a featured event of the LAWASIA Conference.

Further, the Conference of Chief Justices of Asia and the Pacific, which will be held in conjunction with the 30th LAWASIA Conference, has been organized in such a way that it can be a major achievement from all types of legal professionals in Japan through a broad invitation to JFBA members, court officials, academics and researchers, the Ministry of Justice, legal staff from economic organizations and business enterprises, etc. to participate in preparatory activities therefor.

The 30th LAWASIA Conference is a wonderful opportunity to consider the immediate legal issues in the Asia-Pacific region from the diversified perspectives of participating countries through meetings and opinion exchanges with attorneys from other nations. This will surely bring a valuable contribution to the further development of the roles of Japanese legal professionals.

I believe that the further preparatory activities themselves for the 30th LAWASIA Conference for the year ahead will be one of the most important activities for moving toward the further globalization of Japanese legal professionals.



Shot from the closing ceremony at the 29th LAWASIA Conference 2016 in Colombo

(Written by Mr. Isomi Suzuki, Member of the Daini Tokyo Bar Association,  
Chair of the Board of Committees on International Affairs of the JFBA)

### 2.1.3. MOUs between the JFBA and Overseas Bar Organizations

As of the end of October 2016, the JFBA has entered into MOUs with bar organization from ten countries. The JFBA has been engaged in continuous exchange activities with such overseas bar associations by sending delegation groups to the international conferences organized by these organizations, making or receiving courtesy visits, organizing joint seminars, and so on. As an example, the JFBA has been having exchange meetings with the Korean Bar Association on a regular basis since 1987, and such meetings were renamed as the Japan-Korea Bar Leaders' Conference in 2011. At the same time, the JFBA and the All China Lawyers Association (ACLA) also have regular mutual visits (on a biennial basis) by organizing joint seminars. In addition, the JFBA, the ACLA, and the Conseil des Barreaux de la Communauté Européenne (CCBE) have also held the Three-Bar Meeting every year since 2005.

Data (F) 2-2 MOUs between the JFBA and Overseas Bar Organizations

(As of October 31, 2016)

Bar Organizations	Date of Signature
The Law Council of Australia	1999/09/02, 2009/07/28 (Re-signed)
The Bar Association of the Kingdom of Cambodia	2000/04/20
Korean Bar Association	2004/12/04
The American Bar Association	2006/10/24
All China Lawyers Association	2006/11/30
The German Federal Bar	2008/06/24
Paris Bar	2010/06/24
Vietnam Bar Federation	2013/11/25
Federal Chamber of Lawyers of the Russian Federation	2014/10/23
The Law Society of Singapore	2015/06/22

### 2.1.4. MOUs between Local Bar Associations and Overseas Bar Organizations

Local bar associations across Japan have also individually signed MOUs with overseas bar associations. Moreover, some local bar associations are involved in international exchange activities without having MOUs. Currently, nearly half of the local bar associations in Japan are engaged in some form of exchange activities with overseas local bar associations.

Data (F) 2-3 MOUs between Local Bar Associations and Overseas Bar Organizations

(As of October 31, 2016)

Bar Associations and Federation of Bar	Overseas Bar Associations to which MOU is signed	Date of Signature
Hokkaido Federation of Bar Associations	Bar Chamber of Sakhalin Region (Russia)	2008/11/07
Sapporo Bar Association	Uijeongbu Bar Association (Korea)	2008/12/08
Tokyo Bar Association	Chicago Bar Associations (US)	2007/3/26
	Paris Bar (France)	2010/06/24
	Hong Kong Bar Association (China)	2012/02/20
	Law Society of Hong Kong (China)	2012/02/20

Bar Associations and Federation of Bar Associations	Overseas Bar Associations to which MOU is signed	Date of Signature
Dai-ichi Tokyo Bar Association	Law Society of England and Wales (UK)	2003/10/03
	Hawaii State Bar Association (US)	2005/10/20
	Shanghai Bar Association (China)	2006/01/23
	International Law Section, the State of California (US)	2007/04/30
	Section of International Law, American Bar Association (US)	2008/07/09
	Chamber of Lawyers Frankfurt am Main (Germany)	2009/07/10
	Lawyers Council of Thailand (Thailand)	2015/06/16
Daini Tokyo Bar Association	Seoul Bar Association (Korea)	1989/08/11
	Taipei Bar Association (Taiwan)	2010/03/31
	Barreau de Toulouse (France)	2012/06/05
	Law Society of Singapore (Singapore)	2015/03/15
	Paris Bar (France)	2015/12/10
	Ho Chi Minh City Bar Association (Vietnam)	2015/12/15
	Association of Mongolian Advocates (Mongolia)	2016/01/25
	Shenzhen Lawyers Association (China)	2016/02/29
Kanagawa Bar Association	Suwon Bar Association (Korea)	2003/12/26
	Shanghai Bar Association (China)	2009/04/28
Saitama Bar Association	Incheon Bar Association (Korea)	2005/05/21
Shizuoka Bar Association	Zhejiang Provincial Lawyers Association (China)	2012/04/01
	Hue Bar Association (Vietnam)	2014/11/22
	Ha Noi Bar Association (Vietnam)	2014/11/24
Aichi Bar Association	Association of Mongolian Advocates (Mongolia)	2008/09/19
Osaka Bar Association	Seoul Bar Association (Korea)	1993/10/04
	International Law Section, the State Bar of California (US)	2012/10/13
	Barcelona Bar Association (Spain)	2014/02/08
	Law Society of Hong Kong (China)	2014/10/22
	Taipei Bar Association (Taiwan)	2016/01/09
	Shenzhen Lawyers Association (China)	2016/01/10
	Law Society of Singapore (Singapore)	2016/10/18
Nara Bar Association	Australian Capital Territory Law Society (Australia)	1995/06/29
Hiroshima Bar Association	Deagu Bar Association (Korea)	1998/05/08
Okayama Bar Association	Hsin Chu Bar Association (Taiwan)	2014/09/04
Fukuoka Bar Association	Busan Bar Association (Korea)	1990/03/03
	Dalian Bar Association (China)	2010/02/27
Saga Bar Association	Ulsan Bar Association (Korea)	2006/04/21
Nagasaki Bar Association	Tainan Bar Association (Taiwan)	2003/03/25
	Daejeon District Bar Association (Korea)	2012/11/24
Oita Bar Association	Jeju Bar Association (Korea)	2010/02/27
Kumamoto Bar Association	Gyeongnam Bar Association (Korea)	2004/03/26
Kagoshima Bar Association	Taichung Bar Association (Taiwan)	2006/03/11
	Jeollabukdo District Bar Association (Korea)	2012/02/22
Miyazaki Bar Association	Chungbuk Bar Association (Korea)	2009/06/12
Okinawa Bar Association	Taipei Bar Association (Taiwan)	1994/02/25
	Law Society of Hong Kong (China)	2015/05/06



## 2.2 Overseas Visiting Fellow Program

### 2.2.1 JFBA Overseas Visiting Fellow Program for Attorneys Engaged in Public Interest Activities

With the advancement of internationalization in the public interest activities of attorneys, an ever increasing number of attorneys have been engaged in international issues. Consequently, even some domestic matters must be addressed from an international perspective or according to international standards.

Under such situation, the JFBA offers a visiting fellow program for those attorneys who are engaged in public interest activities such as human rights protection, international cooperation and contributions hoping to study further about the relevant fields. Specifically, the JFBA has entered into an agreement with New York University School of Law (NYU) in 1977, the University of California, Berkeley (UCB) in 1999, the University of Illinois at the Urbana-Champaign College of Law (UIUC) in 2007, and the School of Law at the University of Essex in 2011, under which attorneys nominated by the JFBA can be accepted as visiting fellows, or as students in the LL.M. (Master of International Business Law) course at the University of Essex. As visiting fellows, they can conduct and pursue their studies in many ways by, for example, taking courses related to the research subjects of their choice without regard to any mandatory number of credits, enjoying the use of school facilities such as libraries, interviewing practicing legal professionals and NGOs, etc. As LL.M. students, besides conducting their studies, they can receive a master's degree in law after achieving the specified law school credits. The JFBA members who are engaged in public interest activities can have such opportunity without age restrictions.

As can be seen in the table below that lists information of the members sent as visiting fellows for the past decade, members working in a diverse range of public interest activities have participated in the program.

Those who return to Japan after completing the program are required to deliver their papers on their study findings to JFBA's journal, "Jiyu-to-Seigi" (Liberty & Justice), and, are expected to work in cooperation with the JFBA to develop and maintain this overseas visiting fellow program, and to continue their contribution to the JFBA and the local bar associations through their activities in the JFBA committees, etc. In addition, in order to relieve the burden of their expenses related to overseas studies, the JFBA offers to shoulder part of the expenses, 1 million yen in principle, on the condition that they should contribute papers on their study results to Jiyu-to-Seigi.

Data (F) 2-4 Past Overseas Visiting Fellows through the Overseas Visiting Fellow Program

Year	University	Bar Assoc.	Year of Adm. to Bar	Study Theme
2007	NYU	Tokyo	1992	International human rights law Legal systems to eliminate racial discrimination Educational systems for children of foreign residents and ethnic minorities
	UCB	Aichi	1999	Interview with suspects, electronic recording of investigations Treatment of criminals Death penalty system
2008	NYU	Aichi	2003	Individual Communications under the International Covenant on Civil and Political Rights Present situation of law clinics in U.S. law schools and the possibility of introducing them into Japanese law schools
	UCB	Daini Tokyo	2004	The Freedom of Information Act and the Privacy Act Current citizens' movements for information disclosure
2009	NYU	Kyoto	2002	Child abuse
	UCB	Tokyo	2004	Roles of attorneys in assisting crime victims
	UIUC	Kagoshima	2002	Access to justice through legal clinics and non-profit legal organizations
2010	NYU	Tokyo	2000	Comparative research of in-house counsels in the U.S. and Japan today
	UCB	Daini Tokyo	2008	Treatment and rehabilitation countermeasures for juvenile crime in the United States
	UIUC	Tokyo	2000	Environmental laws, global warming prevention systems and lawsuits related to this field

Year	University	Bar Assoc.	Year of Adm. to Bar	Study Theme
2011	NYU	Daini Tokyo	1999	Legal practices to protect consumers from illicit activities on the Internet, particularly focusing on the legal frameworks of: (i) Class action systems in the United States for consumers suffering from fraudulent online transactions in which the damage in each individual case is small but the effect nationwide is extensive. (ii) Measures to obtain personal information to identify anonymous online offenders in cases of fraud, defamation and/or invasion of privacy. (including the relationships between “privacy of communications”)
	UCB	Osaka	2002	The rights of sick and injured children in medical institutions
	UIUC	Daini Tokyo	2009	(1) Development of laws in order to enforce the Hague Convention on the Civil Aspects of International Child Abduction in the U.S. (2) The American system of Law-Related Education (LRE)
2012	NYU	Tokyo	2002	Possible criminal defense activities for preventing the miscarriage of justice at each stage of the investigation and the trial
	UCB	Tokyo	2002	The method of carrying out organized crime group eradication in the U.S. Examination of the Witness Protection Program
	UIUC	Akita	2000	Comparative study of bankruptcy law of the United States and Japan focusing on their functions to rehabilitate individual debtors
2012	Essex (LL.M.)	Shiga	2005	Protection of fundamental human rights in developing countries through international development assistance
2012	Essex (Visiting fellow)	Daini Tokyo	2000	Legal, judicial, and administrative systems established by European countries to ensure the effectiveness of the rights of the child guaranteed by the United Nations’ Convention on the Rights of the Child and the effectiveness of such systems
2013	NYU	Okinawa	2005	Military law, especially procedural law on military trials Legal regulation on military activities and operation of military bases
	UCB	Tokyo	2007	To investigate and analyze the U.S. immigration system, specifically in regard to legalization of undocumented migrants in the U.S., and to comparatively analyze such system with the operation of the special permission to stay system in Japan
	UIUC	Chiba	2008	To study and research parent-child interactions, such as exchange and visitation during and after divorce proceedings and other themes relevant to this issue
2013	Essex (Visiting fellow)	Tokyo	2006	Protection of foreign nationals’ human rights in criminal trials and immigration procedures.
2014	NYU	Tokyo	2005	How victims of defective products can ascertain the causes of accidents and pursue the liability of manufacturers
	UCB	Tokyo	1978	To study the state of biodiversity conservation in the United States. Focus will be put on researching the effectiveness and legal framework of biodiversity offset, while considering possible application in Japan.
	UCB	Daini Tokyo	2005	Research on the Employment and Labor Law System for Gender Equality in the United States
	UIUC	Tokyo	1999	International protection of consumer rights
	Essex (LL.M.)	Tokyo	2008	The Right to Fair Trial for Prisoners under International Human Rights Law: Study on Legal Aid at Penal Institutions
	Essex (Visiting fellow)	Niigata	2008	Analyzing legal social work in the UK and making proposals for the establishment of an Office of the Public Guardian and reforming the Adult Guardianship system in Japan

Chapter 2 Activities relating to the Legal Profession and the Role of Bar Associations

Year	University	Bar Assoc.	Year of Adm. to Bar	Study Theme
2015	NYU	Daini Tokyo	2008	Governmental surveillance and data collection activities and their impact on human rights, especially from the viewpoints of constitutional law, criminal law and international civil rights
	UCB	Tokyo	2011	Studying the implementation of the Americans with Disabilities Act (ADA) in the United States, and researching how people with disabilities live under the ADA in the United States
	UCB	Daini Tokyo	2012	(1) Optimal defense practice and theory in death penalty cases (2) Strategies for achieving the abolition of the death penalty
2015	UIUC	Saitama	2008	International protection of consumer rights
	Essex (LL.M.)	Saitama	2011	Human rights issues caused by international development and their counter-measures - Possibility of preventing human rights violations by enhancing the judicial function -
	Essex (Visiting fellow)	Shimane	2007	The rights of the elderly and the adult guardianship system
2016	NYU	Sapporo	2004	The way legal and social systems in the areas of labor and criminal justice should be to protect the rights of sexual minorities (LGBT)
	UCB	Saitama	2004	Comparative analysis of correctional treatments for convicts sentenced to death or long-term imprisonment in the U.S. and Japan
	UCB	Osaka	2008	1. Analyzing the practice of defense counsel in the United States under legal systems such as the audio/video recording of interrogations and plea bargaining which are being introduced into Japan through the amendment of the Code of Criminal Procedure 2. Criminal trial advocacy in the jury system in the United States
	UIUC	Daini Tokyo	2009	Comparative study of advertising regulations on stealth marketing in Japan and the United States

Note: The above information is current as of September 2016.

### **2.2.2 JFBA Overseas Visiting Fellow Program for Attorneys Practicing in the Field of International Business**

In the light of fostering human resources capable of international practice in the field of business law as part of the policies to support the internationalization of younger members, the JFBA commenced a program in 2014 under which attorneys recommended by the JFBA can take the LL.M (Master of International Business Law) course at the National University of Singapore (NUS). In this program, students are required to take a course on domestic business law, etc. for half a year at NUS and another half year at the East China University of Political Science and Law (ECUPL) (in Shanghai).

NUS has one of the strongest reputations in Asia and has a highly cosmopolitan character accepting foreign students from more than one hundred countries, including those from Southeast Asia, China, Europe and Africa and it conducts education and research mainly from an Asian viewpoint.

ECUPL is one of the leading institutes for legal education and professional legal training in China and is visited by government leaders, judges, attorneys, and professors from various countries every year, and it devotes significant efforts on international exchange programs.

### **2.3 Support for Working in International Organizations**

In recent years, more members, mainly younger members, have been expressing their interests in working at international organizations and want to do so to further develop their careers. Without a doubt, there are various positions that require a certain level of legal expertise at international organizations such as the UN or the World Bank, where many attorneys or those who have legal qualifications from around the world are actually working. From the perspective of making valuable international contributions, it is highly desirable to have more Japanese people who are originally attorneys play active roles in various fields around the world. In order to realize this situation, the JFBA is conducting the support activities detailed below for those who want to work in international organizations. Especially since such organizations have a very specific hiring system which differs from general law firms, governmental organizations, or industrial firms in Japan, besides strong language skills, they need to have specific information on expected skills and qualities, and the knowledge of how to fill in applications and succeed in interviews.

#### **2.3.1 Implementation of Various Seminars and Events**

For its members, judicial apprentices, law school students, etc., the JFBA has organized various events including seminars on international organizations. For example, in coordination with the Recruitment Center for International Organizations, one of the foreign policy bureaus of the Ministry of Foreign Affairs of Japan (MOFA), the JFBA has held the Information Seminar on Careers in International Organizations annually since 2004 to provide information on the expected qualities for the staff of international organizations, job descriptions, and practical ways to get hired, such as the Junior Professional Officer (JPO) Program\*.

As another example, the JFBA, in cooperation with the Ministry of Justice (MOJ) and the MOFA and supported by the Japan Association of Law Schools and the Japanese Society of International Law, has held a two-day seminar entitled “International Career Seminar for Legal Professions” every summer since 2010 for those wishing to become specialists in international fields. In an annual International Organization session as part of such seminar, attorneys who are or used to be staff members at international organizations give presentations, as lecturers, on their experiences and information including their respective motivations for working in international organizations, the duties and challenges they have faced.

Occasionally, taking the opportunities of staff members or recruit missions of international organizations returning to or visiting Japan, the JFBA, in cooperation with such parties, holds seminars or events to introduce their organizations and activities, or to provide information on job opportunities at their organizations. Some JFBA members have been motivated by these seminars to work in international organizations and have actually obtained such a job.

\* Junior Professional Officer (JPO) Program:

This is the program operated by the MOFA to send young Japanese people (under 35), who want to work in international organizations in the future, to international organizations for a period of two years. In the 2016 fiscal year, two former attorneys were sent to the Office of the United Nations High Commissioner for Refugees (UNHCR) as junior professional officers under this program.

### **2.3.2 Information Service Using Mailing List, etc.**

For those who are interested in working in international organizations, in 2008, the JFBA launched the “Attorney Roster System for Working in International Organizations,” in collaboration with the MOFA. In such System, in registering his/her career details, etc. in the Recruitment Center for International Organizations of the MOFA, such registered attorneys who wish to work in international organizations will receive information from the JFBA regarding posts in international organizations introduced to the MOFA.

In addition, for the purpose of supporting attorneys and future attorneys in finding jobs in international organizations and sufficiently providing relevant information, the JFBA has created a database (Listserve) of the members who want to work in international organizations as well as the persons involved in previous JFBA support activities for working in international organizations. Listserv works in a manner where employment information such as job offerings or career seminars that the JFBA obtains is distributed to those who have registered their names, affiliations, and mail addresses. As of September 2016, about 200 people were registered on Listserv. The details of the above-mentioned Roster System and Listserv can be found on the JFBA website.

### **2.3.3 Implementation of Judicial Apprentice Training and Internships at the Offices of International Organizations in Japan**

In order to produce legal professionals who work in international organizations, the JFBA requested four international organizations (the UN High Commissioner for Refugees Representation in Japan, the International Organization for Migration Japan, the Japan International Cooperation Agency, and the Economic Affairs Bureau of the Ministry of Foreign Affairs) to accept judicial apprentices during their practical training programs at the Legal Training and Research Institute of the Supreme Court. In response to our request, these organizations have started to accept judicial apprentices since 2009. Since 2010, the International Labour Organization (ILO) Office in Japan has also started to accept them. Further, internship schemes at the ILO office, the International Committee of the Red Cross (ICRC) office, and the Office of the United Nations High Commissioner for Refugees (UNHCR) in Japan were introduced in 2010, 2012, and 2015, respectively, targeting JFBA members.

### **2.3.4 Establishment of Support Organizations**

With a view to providing more strategic and efficient support to JFBA members to find employment in international organizations, the JFBA established its Working Group on Career Support for International Public Service in the Center for Promotion of International Legal Services (described later in 3.1 of this Feature) in 2016, in order to work more closely with the authorities concerned, such as the MOFA.

## **2.4 Support Program for Attending International Meetings**

In order to encourage young attorneys to be more internationally active and to help expand the area of their activities, the JFBA has conducted a system of subsidizing the cost of attending international meetings organized by international bar associations since 2011. As of September 2016, a total of 129 JFBA members have attended international meetings through receiving financial aid from this system.

The meetings subject to grants under this system are: (i) meetings held overseas by international bar associations; or (ii) international meetings held by bar associations under MOUs with the JFBA. Such meetings actually attended by members using this system include: (i) annual meetings, meetings in specific fields, and regional meetings held by the IBA, the IPBA\* annual meeting, the annual meeting and meetings in specific fields held by LAWASIA, the AIJA annual meeting, and the UIA\*\* annual meeting; and (ii) annual meetings and meetings in specific fields held by the ABA\*\*\*.

Usually, applications to this system are accepted twice a year: once for international meetings held in the first half of the year (i.e. Apr. 1 to Sep. 30) and once for those in the second half of the year (i.e. Oct. 1 to Mar. 31). Qualified applicants are members who have been enrolled for less than 10 years as of the closing date for applications (less than 10 years after the initial registration for re-registered members) and they must be nominated by the local bar association to which they belong or by a JFBA committee.

Under the system, the JFBA provides a subsidy according to the meeting venues; up to 100,000 yen for each person for Asian and Oceanian countries, or up to 200,000 yen for American, European, and African countries. The subsidized members are expected to fulfil the specified requirements such as attending as many sessions as possible at the meeting and submitting a report after returning to Japan, etc.

Other than the above semi-annual occasions, the JFBA also provides financial support for young members

(usually for members who have been enrolled for less than 10 years) in the event of international meetings being convened in Japan by international bar associations or by bar associations under MOUs with the JFBA. In recent cases, the JFBA supported young members when attending the IBA annual meeting held in Tokyo in 2014, and the Fall Meeting held by the ABA Section of International Law in Tokyo in 2016.

Notes:

1. The above information is current as of October 31, 2016.
2. Details about the IBA, LAWASIA, and the AIJA are described separately in “Data (F) 2-1 Overseas Bar Organizations the JFBA holds membership in” in 2.1.2 of this Feature.

**\* IPBA (Inter-Pacific Bar Association):**

The IPBA, established in 1991 in Tokyo, is a bar association of business and commercial lawyers who live in, or otherwise have a strong interest in, the Asia-Pacific Region. Currently, the IPBA has more than 1,450 members from over 65 jurisdictions worldwide and its annual meeting is held on a large-scale of over 1,000 people.

**\*\*UIA (Union Internationale des Avocats/Unión Internacional de Abogados):**

The UIA is a global bar association composed of over 2,000 individual lawyers and about 200 legal organizations from around world. It is characterized by its multilingualism and multiculturalism, which can be known even from its association name placed differently as Union Internationale des Avocats in French (for English and French speakers), and Unión Internacional de Abogados in Spanish.

**\*\*\*ABA (American Bar Association):**

The ABA, established in 1878 in the U.S., is a voluntary professional organization on a national basis with 413,700 members (as of 2007), and is one of the largest national bar associations in the world. Its annual meeting, providing a wide variety of sessions, is attended by many lawyers from around the world and is basically equivalent to the biggest international conferences in terms of scale. The JFBA entered into an MOU with the ABA in 2006.

## **Chapter 3 Activities to Strengthen the Structure for Providing Legal Services Supporting Various Legal Needs in Society**

### **Fundamental Purposes 3 in the Mission Statement**

3. Activities to strengthen the structure to provide legal services to meet various legal needs in society
  - (1) To improve access to attorneys and the judicial system in Japan for both corporations (both Japanese and foreign corporations) and individuals (including foreign nationals and ethnic minorities) with regard to the legal services expected within internationalization.
  - (2) To train and expand a pool of attorneys with full expertise and strong experience with regard to the legal services arising within internationalization and to provide support to strengthen a base for expanding practice areas of attorneys.

### **3.1 Promotion of International Practice by Attorneys**

#### **3.1.1 JFBA's Activities to Promote International Practice by Attorneys**

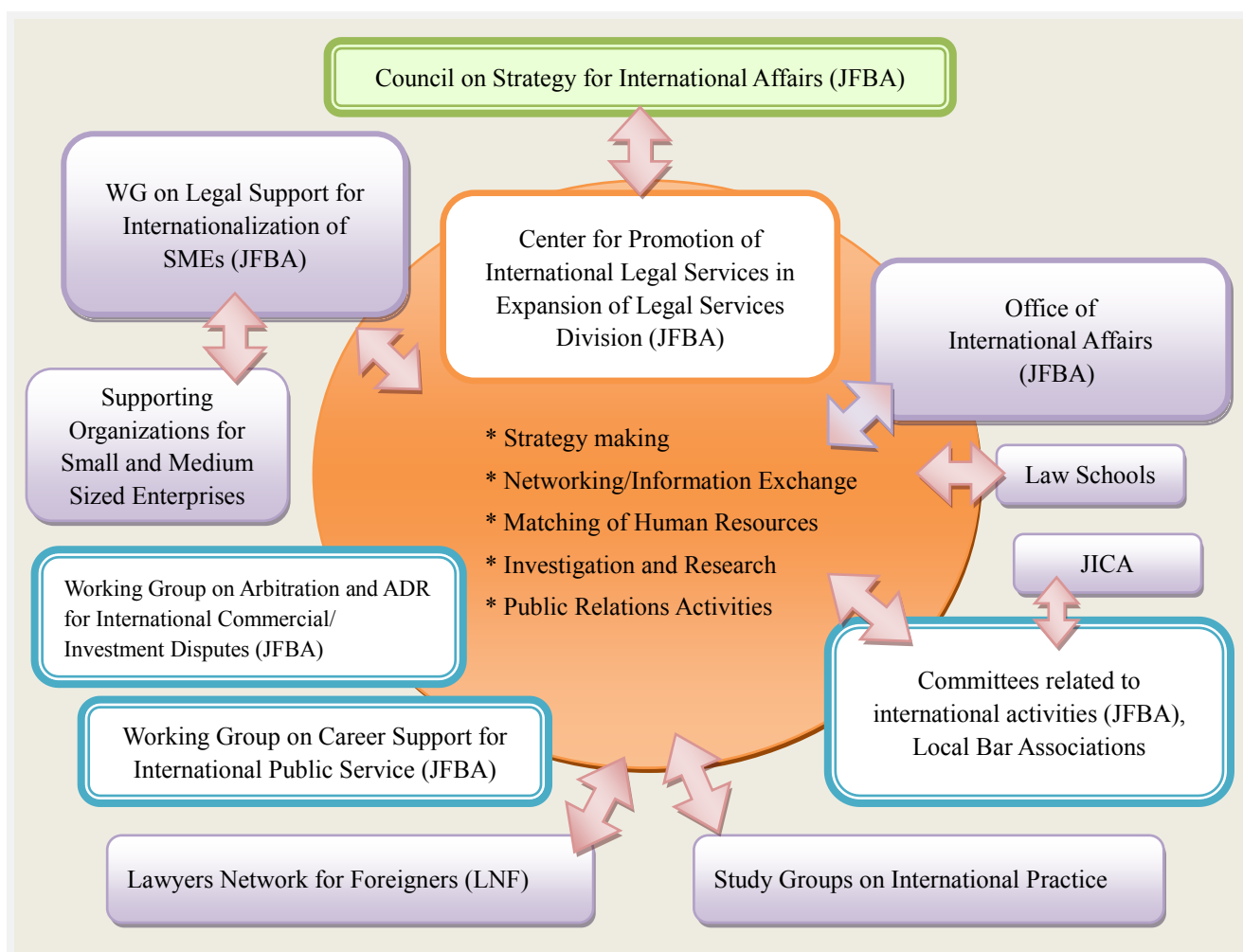
The JFBA has established the “Center for Promotion of International Legal Services” (the “Center”) in the “Expansion of Legal Services Division” to promote international practice by attorneys.

In addition to research activities and publicity activities, the Center is working on a wide range of activities assuming the primary missions of formulating strategy for expanding attorneys’ overseas practice, exchanging information (networks) with relevant internal and external organizations engaged in attorneys’ international practice, and matching human resource development with international legal practice.

Such activities involve many internal and external bodies such as the JFBA's Working Group on Legal Support for Internationalization of SMEs (SMEWG), the JFBA's Office of International Affairs, the Lawyers Network for Foreigners (LNF), law firms working on overseas development or international activities, etc. Further, the Center has a central role in the information network in coordination with concerned ministries and agencies such as the MOJ and the MOFA, and also promotes programs for comprehensive overseas development.

More specifically, the Center has conducted a national scale of symposia on international practice and seminars on international arbitration, enlightenment activities such as the implementation of practical training courses in series in the field of public international law, in addition to considering the investigation of family issues in the Philippines, including the dispatch of short-term investigators, and providing backup, etc. to investigations to determine the needs for legal support in Asian countries.

Data (F) 3-1 JFBA's Framework to Promote International Practice by Attorneys



Data (F) 3-2 Activities conducted by the Center for Promotion of International Legal Services of the JFBA

Date	Event Name
Mar. 27, 2015	Symposium on "International Practice by Attorneys - Spreading Their Wings Around the World" (in Aichi)
May 22, 2015	Symposium on "Judiciary Proceedings in Japan in the International Era," hosted by the LNF in coordination with the JFBA
June 22, 2015	"Globalization of Legal Practices - An Asian Perspective" co-hosted with the Law Society of Singapore
Sep. 25, 2015	International Arbitration Seminar "International Dispute Resolution, and Settlement by Arbitration - Achieving Easier Access to Arbitration" (in Fukuoka)
Nov. 2, 2015	"Legal Issues Involved with the Children Born to Parents of Japanese and Philippine origins (JFC)" hosted by the LNF in coordination with the JFBA
Feb. 27, 2016	"Symposium on International Practice by Attorneys - for the World Stage" (in Niigata)
Mar. 25, 2016	International Arbitration Seminar "International Dispute Resolution, and Settlement by Arbitration - Achieving Easier Access to Arbitration" (in Sapporo)
Aug. 29, 2016	"Basic Knowledge on Philippines Family Law" hosted by the LNF in coordination with the JFBA
Oct. 17, 2016	"Singapore Experience in International Mediation and Family Law" co-hosted with the Law Society of Singapore



### 3.1.2 Activities by Local Bar Associations to Promote International Practice by Attorneys

In conjunction with this Feature article, the JFBA conducted a Questionnaire on International Legal Practice for local bar associations around the country for the purpose of investigating the capabilities of handling international legal practice in Japan, and also the current status of activities of the relevant committees, etc. The results are as described below.

#### Questionnaire on International Legal Practice

Term: Friday, June 17 to Tuesday, July 19, 2016

Respondents: Local bar associations around the country

Conducted by: Fax or e-mail

Number of Respondents: 52; Valid Responses: 52 (Response Rate 100%)

33 of the 52 local bar association answered that they have committees or organs to address the issues of international legal practice. The table below lists major activities by the local bar associations which said that they have conducted activities in coordination with other organizations such as municipal organizations in regard to the overseas business development of domestic enterprises.

Data (F) 3-3 Activities conducted by local bar associations with other organizations

Bar Association	Major Activities
Sapporo	Facilitated exchange and cooperation with a municipal government through the arrangement of a lecture for the international arbitration seminar (“International Dispute Resolution, and Settlement by Arbitration - Achieving Easier Access to Arbitration”) organized by the JFBA
Tokyo	Entered into an MOU with the Credit Guarantee Corporation of Tokyo (CGCT) on cooperation in the development of SMEs, etc., and introduced an appropriate lawyer if necessary for supporting any SME (including overseas business development) when the CGCT provides business consulting or support for their clients
Tokyo	Sent a lecturer for a seminar on overseas business development of SMEs held by the Japanese Institute of Certified Public Accountants, Tokyo Chapter
Daini Tokyo	Conducted a seminar on legal practice in overseas business fields in coordination with JETRO
Kanagawa	Conducted a support seminar on overseas business development for SMEs with the support of Kanagawa prefecture, Yokohama city, Kawasaki city, Japan Finance Corporation, the Yokohama Chamber of Commerce & Industry, etc.
Kanagawa	Conducted a seminar on business expansion to ASEAN countries with the support of the Bureau of Industrial and Labor Affairs of Kanagawa prefecture, Yokohama city (Economic Affairs Bureau), the Economic and Labor Affairs Bureau of Kawasaki city, the Kanagawa Federation of Small Business Association, etc.
Niigata	Established an overseas assistance network in Niigata called “Ambitious” with some banking institutions, certified tax accountant associations and JETRO, in order to support overseas development of companies in Niigata
Aichi	Conducted a seminar jointly with JETRO
Aichi	Conducted a seminar jointly with JICA
Aichi	Exhibited at Messe Nagoya (corporate exhibition)
Osaka	Conducted a briefing by attorneys on support services for overseas business development for local banks in Osaka prefecture, Shinkin banks, municipal governments in Osaka prefecture, JETRO Osaka, the Kinki Finance Bureau, etc.
Kyoto	Conducted study session inviting lecturers from JETRO or business enterprises

Bar Association	Major Activities
Kyoto	Participated in the seminars related to overseas development held by banks, etc.
Kyoto	Conducted a briefing on the Lawyer Referral System for Japanese SMEs going Overseas by the JFBA for supporting overseas business development of SMEs
Shimane	Delivered a lecture on support measures for overseas business development of SMEs at a business management seminar for SMEs held by the Matsue branch office of Japan Finance Corporation
Fukuoka	Conducted a seminar on international arbitration with the support of ten organizations including the Kyushu Bureau of Economy, Trade and Industry, the Fukuoka Chamber of Commerce & Industry, and JETRO

### 3.2 Legal Assistance for Overseas Business Development of Small and Medium Sized Enterprises

#### 3.2.1 Current Status of JFBA Activities

Reflecting the situation wherein SMEs are facing various legal risks in the course of expanding their business overseas and need various forms of assistance such as legal advice to avoid or reduce such risks, in January 2012, the JFBA established the Working Group on Legal Support for Internationalization of SMEs. In May 2012, the JFBA launched a pilot referral program in cooperation with partner organizations to make referrals to attorneys in order to support the overseas development of SMEs. This system has been operating officially since April 2016.

#### Data (F) 3-4 Support Activities for the Overseas Business Development of Small and Medium Sized Enterprises by the JFBA (outline)

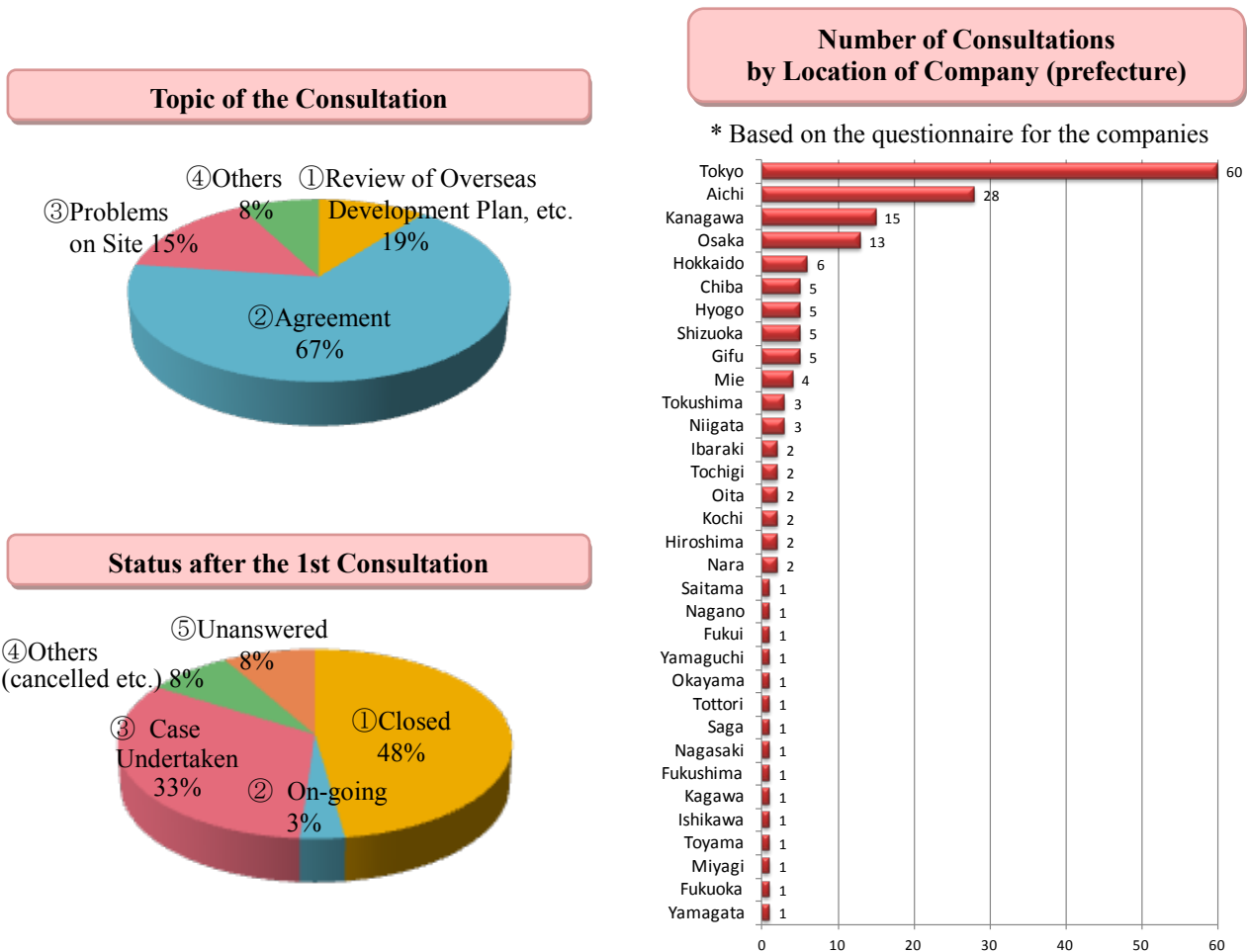
Date	Outline of Activities
January 2012	Established Working Group on Legal Support for Internationalization of SMEs
May 2012	Launched a pilot attorneys referral program "Lawyer Referral System for Japanese SMEs going Overseas" for supporting the overseas development of SMEs in Tokyo, Kanagawa, Aichi, Osaka, and Fukuoka
March 2014	Launched the above program in Niigata
October 2014	Launched the above program in the Sapporo region
April 2015	Launched the above program in Kagawa
May 2015	Launched the above program in Hiroshima
February 2016	Launched the above program in Kyoto
March 2016	Launched the above program in Miyagi, by way of which all of the regions in which High Courts are located have been covered
April 2016	Commenced official operation of the above program.

### 3.2.2 Lawyer Referral System for Japanese SMEs going Overseas and its Partner Organization Accreditation System

This program is designed to refer the SMEs introduced by partner organizations to attorneys who have broad experience in international corporate legal affairs and practice in the field of international transactions, under which the attorney's fees for the first 30 minutes in the first session are free of charge and become 10,000 yen per 30 minutes up to 10 hours (as of July 1, 2016, excluding consumption tax). The total number of consultations provided as of July 1, 2016 was approximately 180 since the launch of the program in May 2012. The details and contents of the consultations are shown in the figures below.

Data (F) 3-5 Implementation Status of Lawyer Referral System for Japanese SMEs going Overseas

(as of July 1, 2016)



### 3.3 Relationship between JFBA and Partner Organizations

Under the above referral program, JFBA introduces attorneys for the SMEs referred by partner organizations, and the JFBA values SME support groups which regularly receive inquiries from the SMEs. In addition, for the partner organizations having MOUs with the JFBA and other SME support groups, the JFBA dispatches lecturers to seminars relevant to legal assistance for the overseas business development of SMEs, as well as dispatching consultants to legal consultation events.

Data (F) 3-6 JFBA's Major Activities in Providing Legal Assistance for the Overseas Business Development of Small and Medium-size Companies

Date		Outline of Activities
2012	May	Launched a pilot program for supporting overseas business development of SMEs in coordination with JETRO and the Tokyo Chamber of Commerce & Industry
	September	Formed a partnership with the Japan Finance Corporation
	October	Participated in an SME exhibition "JISMEE 2012" held by the Organization for Small & Medium Enterprises and Regional Innovation
	December	Held an exchange meeting with partner organizations and attorneys supporting the overseas business development of SMEs
2013	March	Formed a partnership with the Shinkin Central Bank
	May	Participated in an SME general exhibition in Kansai held by the Organization for Small & Medium Enterprises and Regional Innovation, Japan
	October	Formed a partnership with the Japan Bank for International Cooperation
	October	Participated in an SME general exhibition in Tokyo held by the Organization for Small & Medium Enterprises and Regional Innovation, Japan
	December	Held an exchange meeting with partner organizations and attorneys supporting the overseas business development of SMEs
2014	February	Participated in a program "Fast Pass to Overseas Development of SMEs"
	April	Held a seminar on the support work for the overseas business development of SMEs, jointly with the Niigata Bar Association
	September (to January 2015)	Sent lecturers to the (basic/advanced) seminar on overseas development for the accredited support institutions held around Japan by the Organization for Small & Medium Enterprises and Regional Innovation, Japan
	September 2014	Held a seminar on the Lawyer Referral System for Japanese SMEs going Overseas, and a briefing on the Fast Pass to the Overseas Development of SMEs program, both jointly with the Sapporo Bar Association
2015	December 2014	Held an exchange meeting with partner organizations and attorneys supporting the overseas business development of SMEs
	February	Held a briefing on the Lawyer Referral System for Japanese SMEs going Overseas and its partner organization accreditation system, jointly with the Yokohama Bar Association (currently known as the Kanagawa Bar Association)
	February	Held a briefing on overseas business development by attorneys, jointly with the Osaka Bar Association
	July to November	Sent lecturers to the (basic/advanced) seminar on overseas development for the accredited support institutions held around Japan by the Organization for Small & Medium Enterprises and Regional Innovation, Japan
2016	August	Held a briefing on the Lawyer Referral System for Japanese SMEs going Overseas and its partner organization accreditation system, jointly with the Hiroshima Bar Association
	February	Held a briefing on the Lawyer Referral System for Japanese SMEs going Overseas and its partner organization accreditation system, jointly with the Kyoto Bar Association
	April	Participated in the Consortium for New Export Nations in which the Fast Path to the Overseas Development of SMEs program has been incorporated
	June	Held a symposium on the Lawyer Referral System for Japanese SMEs going Overseas

## Chapter 4 The Future of the JFBA's International Activities

Gaining momentum through the formulation of the Mission Statement, the JFBA has been working in an increasingly proactive manner on international activities, including existing ones, in order to achieve its Fundamental Purposes.

*For Fundamental Purpose #1: Activities relating to public-interest, human rights, achievement of the rule of law, etc.,* the JFBA faces challenges such as the realization of an individual complaints mechanism, the promotion of conformity to international human rights norms in Japan, continued efforts to follow the advice and recommendations by international human rights organizations, and involvement in overseas human-rights related issues. Further, the JFBA has started to address the creation of international human rights norms for the right to peace, and started activities related to business and human rights as well as the UN Congress on Crime Prevention and Criminal Justice in 2020.

In addition, in the field of improving access to justice abroad, and the operation and development of professional legal training and the legal education system, the JFBA has continuously worked on the expansion of joint projects with bar associations in developing countries, wherein such projects are organized by the JFBA itself or in coordination with relevant domestic organizations such as JICA.

*For Fundamental Purpose #2: Activities relating to the legal profession and the role of bar associations,* the JFBA has to work on the enhancement of existing exchange programs and the further expansion of exchanges with other countries, considering the enhancement of human resources in the Committee on International Relations, as well as the promotion of the international activities conducted by local bar associations, and the contributions of achievements in international exchange activities to individual JFBA members.

*For Fundamental Purpose #3: Activities to strengthen the structure to provide legal services to meet various legal needs in society,* the JFBA established the Working Group on Career Support for International Public Service in 2012 and the Center for Promotion of International Legal Services in 2014 to formulate strategies for expanding the international practice of attorneys, to exchange information (networks) with relevant internal and external organizations engaged in attorneys' international practice, to match human resource development with international legal practice.

Recognizing that the development of human resources is a common issue for all these activities, the JFBA has newly launched practical training courses one by one in the field of public international laws (international criminal law, international humanitarian law, international maritime law, international trade law, etc.) in addition to the implementation of Overseas Study Program and Support Programs for Attending International Meetings, and the enhancement of career support for international public service in international organizations, the MOJ, the MOFA, etc.

For the 30th LAWASIA Conference to be held in Tokyo in September 2017, the JFBA is providing its full cooperation with the organization committee. In addition, the JFBA is looking forward to the annual meeting of the AIJA to be held in Tokyo in August 2017. It is hoped that the development of human resources, especially among young attorneys, as well as the globalization of local attorneys and local bar associations, will be further advanced through the preparatory activities for these conferences.

## Part 1 Current Situation of Attorneys and Other Legal Professions

### Chapter 1 Population of Attorneys

#### 1.1 The Japan Federation of Bar Associations and the Number of Attorneys

“The Japan Federation of Bar Associations (“JFBA”) is a juridical person established in September 1949 based on the Attorney Act enacted in the same year. It consists of its membership, which includes attorneys, legal professional corporations, and 52 local bar associations throughout Japan. Individual attorneys and legal professional corporations across Japan are required to register with the JFBA at the same time as they are admitted to their local bar associations. Registered Foreign Lawyers (Gaikokuho-Jimu-Bengoshi) and Registered Foreign Lawyer Corporations (Gaikokuho-Jimu-Bengoshi-Hojin) are also registered with the JFBA as foreign special members.

Furthermore, Article 44 of the Attorney Act stipulates that bar associations situated in an area within the jurisdictional district of the same high court may, in order to jointly perform certain matters, formulate rules and establish a federation of bar associations with the approval of the JFBA. Currently, a total of eight federations of bar associations are established in regions such as Hokkaido, Tohoku, Kanto, Chubu, Kinki, Chugoku, Shikoku and Kyushu.

The population of attorneys was approximately 5,800 when the JFBA was established and has now grown to 37,680 at the end of March 2016.

Please note that “attorneys” in this White Paper means JFBA regular members. (cf. “Categories of JFBA Membership” as follows:

Data 1-1-1 Categories of JFBA Membership

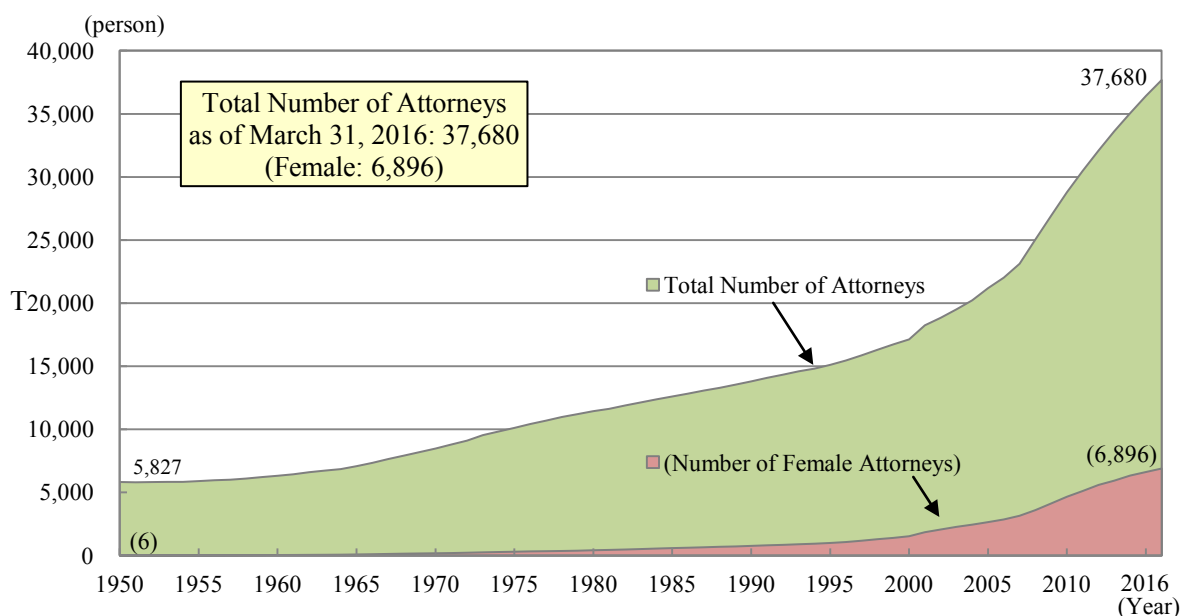
Regular Members	Those who have been qualified in accordance with Articles 4, 5, and 6 of the Attorney Act and have been registered in the roster of attorneys held by the JFBA.
Foreign Special Member	Those who have been qualified as lawyers in foreign jurisdictions and, after obtaining approval of the Minister of Justice of Japan, have been registered with the JFBA as Registered Foreign Lawyers (Gaikokuho-jimu-bengoshi).
Quasi Members	Foreign lawyers who were approved by the Supreme Court of Japan pursuant to Article 7 of the Attorney Act before its major revision in 1955 and Article 65 of the Act on Special Measures Incidental to Reversion of Okinawa to engage in practice as stipulated in Article 3 of the Attorney Act. *As of March 31, 2016, there is no applicable person.
Special Members in Okinawa	Those who had been qualified pursuant to the laws and regulations of Okinawa before the reversion of Okinawa in 1972, and after the reversion, were permitted to engage in practice as stipulated in Article 3 of the Attorney Act with the title of “Okinawa Bengoshi (attorney)” within Okinawa Prefecture. *As of March 31, 2016, there are nine applicable persons.

Data 1-1-2 The Number of Attorneys (1950 - 2016)

As of the end of March per year

Year	Total Number of Attorneys (Female Attorneys)	Percentage of Female Attorneys	Year	Total Number of Attorneys (Female Attorneys)	Percentage of Female Attorneys	Year	Total Number of Attorneys (Female Attorneys)	Percentage of Female Attorneys	Year	Total Number of Attorneys (Female Attorneys)	Percentage of Female Attorneys
1950	5,827 (6)	0.1%	1967	7,645 (128)	1.7%	1984	12,377 (554)	4.5%	2001	18,243 (1,849)	10.1%
1951	5,804 (6)	0.1%	1968	7,918 (149)	1.9%	1985	12,604 (590)	4.7%	2002	18,838 (2,063)	11.0%
1952	5,822 (9)	0.2%	1969	8,198 (166)	2.0%	1986	12,830 (620)	4.8%	2003	19,508 (2,273)	11.7%
1953	5,836 (9)	0.2%	1970	8,478 (180)	2.1%	1987	13,074 (654)	5.0%	2004	20,224 (2,448)	12.1%
1954	5,837 (10)	0.2%	1971	8,797 (197)	2.2%	1988	13,288 (694)	5.2%	2005	21,185 (2,648)	12.5%
1955	5,899 (11)	0.2%	1972	9,106 (224)	2.5%	1989	13,541 (721)	5.3%	2006	22,021 (2,859)	13.0%
1956	5,967 (14)	0.2%	1973	9,541 (254)	2.7%	1990	13,800 (766)	5.6%	2007	23,119 (3,152)	13.6%
1957	6,009 (17)	0.3%	1974	9,830 (279)	2.8%	1991	14,080 (811)	5.8%	2008	25,041 (3,599)	14.4%
1958	6,100 (24)	0.4%	1975	10,115 (303)	3.0%	1992	14,329 (846)	5.9%	2009	26,930 (4,127)	15.3%
1959	6,217 (31)	0.5%	1976	10,421 (330)	3.2%	1993	14,596 (894)	6.1%	2010	28,789 (4,660)	16.2%
1960	6,321 (42)	0.7%	1977	10,689 (344)	3.2%	1994	14,809 (938)	6.3%	2011	30,485 (5,115)	16.8%
1961	6,439 (46)	0.7%	1978	10,977 (362)	3.3%	1995	15,108 (996)	6.6%	2012	32,088 (5,595)	17.4%
1962	6,604 (54)	0.8%	1979	11,206 (384)	3.4%	1996	15,456 (1,070)	6.9%	2013	33,624 (5,936)	17.7%
1963	6,732 (60)	0.9%	1980	11,441 (420)	3.7%	1997	15,866 (1,176)	7.4%	2014	35,045 (6,336)	18.1%
1964	6,849 (69)	1.0%	1981	11,624 (446)	3.8%	1998	16,305 (1,295)	7.9%	2015	36,415 (6,618)	18.2%
1965	7,082 (86)	1.2%	1982	11,888 (477)	4.0%	1999	16,731 (1,398)	8.4%	2016	37,680 (6,896)	18.3%
1966	7,343 (105)	1.4%	1983	12,132 (514)	4.2%	2000	17,126 (1,530)	8.9%			

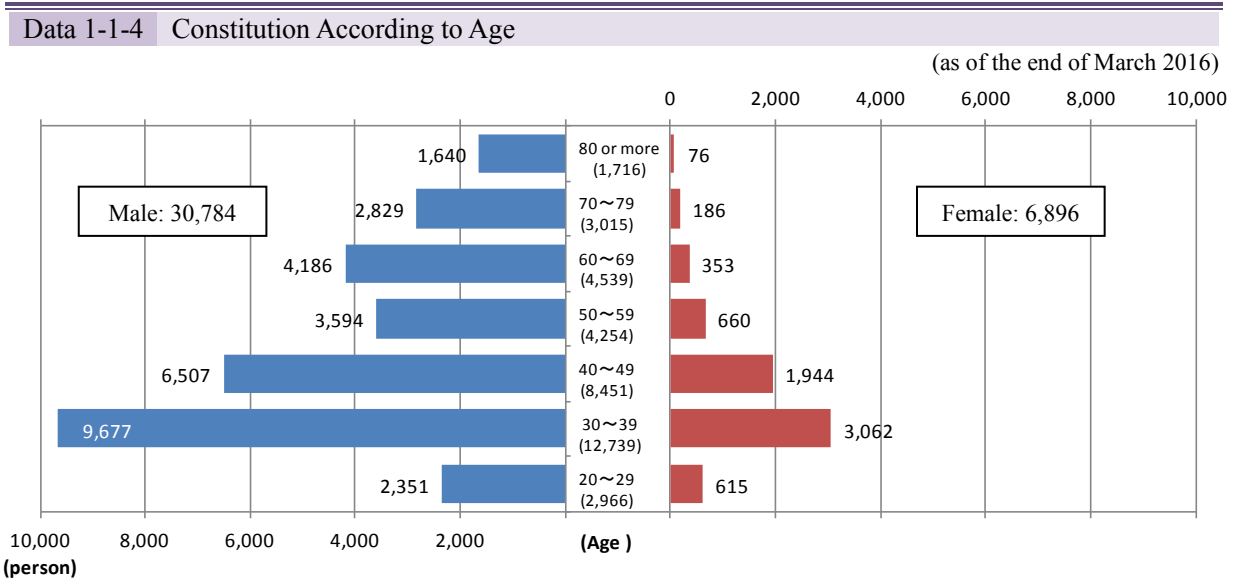
Data 1-1-3 Changes in the Number of Attorneys (1950 - 2016)



[Note] The figures above were those as of March 31 per year. The figure within the brackets is the number of female attorneys.

### 1.2 Constitution According to Age

The following graph shows the age distribution of attorneys, divided into male and female. As can be seen in the graph, the greatest number of attorneys for both male and female are those in their 30s.



[Note] Values within the brackets show the total number of attorneys in each age range.

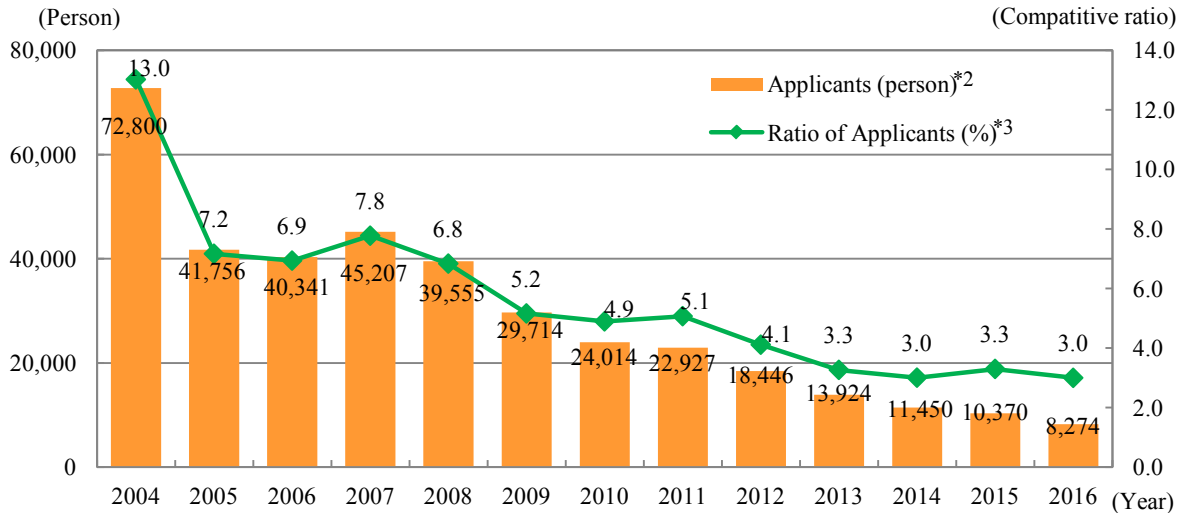


## Chapter 2 The Number of Populations relating to Legal Professionals

### 2.1 The Status of the Number of Applicants for Law Schools and Enrollment of People

The graphs below show the number of applicants for law schools (Data 1-2-1) and the enrollment of people with work experience and non-law graduates for law schools (Data 1-2-2). The total number of applicants for law schools has been declining and the number of applicants across the nation totaled 8,274 in 2016.

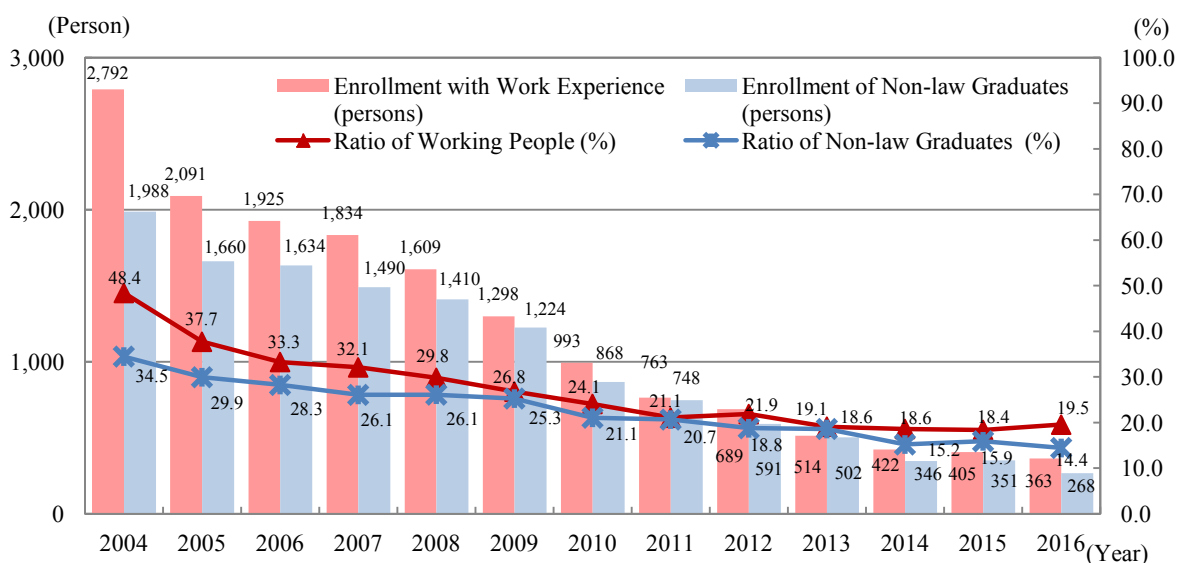
Data 1-2-1 Changes in the Number of Applicants for Law Schools



[Note]

1. The above graph was made by the JFBA, based on materials published by the “Central Education Deliberation Council Sectional Meeting, Special Committee for Law School in MEXT (the 74th).”
2. The number of Applicants refers to the total number of applicants across Japan taking an admission test for law school conducted individually at each law school after conducting an aptitude test. For example, in the case that an applicant has applied to both “A” law school and “B” law school, it would be calculated as one applicant to each “A” and “B” law schools, meaning “two” in the total.
3. The Ratio of Applicants: The number of applicants for law schools (total for all of Japan) is divided by the maximum number of admissions (total for all of Japan).

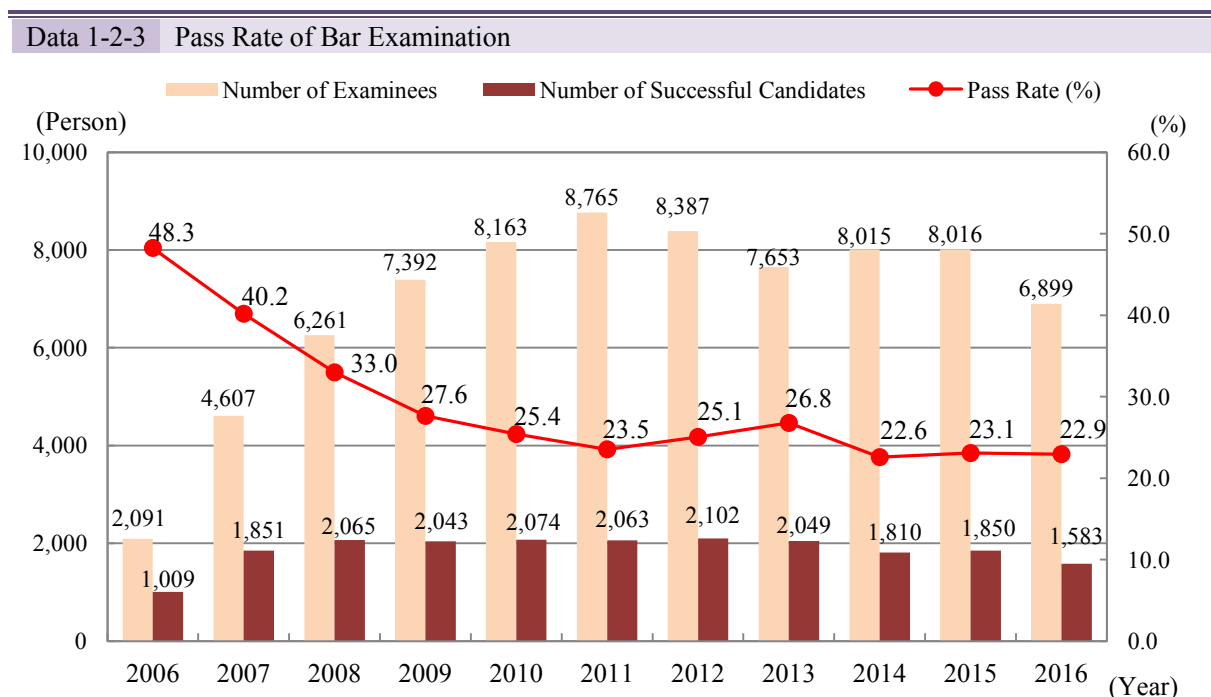
Data 1-2-2 Enrollment of People with Work Experience and Non-law Graduates for Law Schools



[Note] The above graph was made by the JFBA, based on materials published by the “Central Education Deliberation Council Sectional Meeting, Special Committee for Law School in MEXT (the 74th).”

## 2.2 The Status of Successful Bar Examination Candidates

### 2.2.1 Pass Rate of Bar Examination



Data 1-2-4 Pass Rate of Bar Examination (per Law Graduate and Non-law Graduate)

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Law Graduates (A)* <sup>2</sup> (person)	893	1,439	1,618	1,617	1,679	1,689	1,685	1,582	1,397	1,385	1,143
Examination Pass Rate* <sup>3</sup>	48.8%	41.9%	35.0%	29.4%	27.5%	25.9%	26.8%	27.7%	23.1%	23.2%	22.3%
Non-law Graduates (B)* <sup>2</sup> (person)	116	412	447	426	395	374	359	347	250	279	205
Examination Pass Rate* <sup>3</sup>	44.6%	35.2%	27.3%	22.6%	19.2%	16.7%	17.7%	19.6%	14.4%	16.1%	14.7%
Total (A + B) (person)	1,009	1,851	2,065	2,043	2,074	2,063	2,044	1,929	1,647	1,664	1,348
Examination Pass Rate* <sup>3</sup>	48.3%	40.2%	33.0%	27.6%	25.4%	23.5%	24.6%	25.8%	21.2%	21.6%	20.7%

[Note]

1. The above graph was made by the JFBA, based on materials published by “the Central Education Deliberation Council Sectional Meeting, Special Committee for Law School in MEXT (the 76th).”
2. “Law Graduates” refers to those who graduated from law-related faculties of universities, and “Non-law Graduates” refers to those who graduated from faculties other than law-related faculties of universities, both including those who have studied at two-year and three-year courses at law schools, respectively.
3. Examination pass rate indicates the relative ratio to the number of examinees.

Data 1-2-5 Pass Rate (Cumulative Pass Rate) of Law School Graduates who Have Taken Bar Examination per Year

(As of the end of Sep. 2016)

The Year when Studying at Law is Completed	The Number of People Completing Their Studies at Law School (person)	The Cumulative Number of Successful Candidates (person)	Cumulative Pass Rate		
			Total	The Number of People who Completed Law as Under-Graduates	The Number of People who did not Study Law as Under-Graduates
Law School Graduates in 2005 (Qualified for taking a bar exam between 2006 and 2010)	2,176	1,518	69.8%	69.8%	—
Law School Graduates in 2006 (Qualified for taking a bar exam between 2007 and 2011)	4,418	2,188	49.5%	63.4%	39.5%
Law School Graduates in 2007 (Qualified for taking a bar exam between 2008 and 2012)	4,911	2,273	46.3%	65.4%	32.6%
Law School Graduates in 2008 (Qualified for taking a bar exam between 2009 and 2013)	4,994	2,355	47.2%	68.7%	31.9%
Law School Graduates in 2009 (Qualified for taking a bar exam between 2010 and 2014)	4,792	2,261	47.2%	67.4%	33.4%
Law School Graduates in 2010 (Qualified for taking a bar exam between 2011 and 2015)	4,535	2,200	48.5%	65.9%	36.1%
Law School Graduates in 2011 (Qualified for taking a bar exam between 2012 and 2016)	3,937	1,937	49.2%	65.2%	36.1%
Law School Graduates in 2012 (Qualified for taking a bar exam between 2013 and 2017)	3,459	1,767	51.1%	67.0%	34.2%
Law School Graduates in 2013 (Qualified for taking a bar exam between 2014 and 2018)	3,037	1,518	50.0%	66.2%	29.9%
Law School Graduates in 2014 (Qualified for taking a bar exam between 2015 and 2019)	2,511	1,053	41.9%	56.8%	22.5%
Law School Graduates in 2015 (Qualified for taking a bar exam between 2016 and 2020)	2,187	667	30.5%	41.5%	13.6%

## [Note]

1. Data has been made by the JFBA based on data materials provided by the Ministry of Education, Culture, Sports, Science and Technology (MEXT).
2. Cumulative Pass Rate is a ratio showing how many applicants have passed under the limitation on the number of times an applicant may sit for the bar examination (currently limited to three times within a period of five years after completion of law school.) The revised Bar Examination Act was enacted in May 2014. Starting from the bar examination in 2015, candidates are able to sit the bar examination an unlimited number of times within the period of five years after having (i) completed law school, or (ii) passed the preliminary examination for the bar examination.

### 2.2.2 Situation Surrounding the Preliminary Examination for the Bar Examination

The “preliminary examination for the bar examination” is an examination which has been established to open a path to obtain a legal qualification for persons who have not gone to law school for reasons such as financial reasons or having sufficient work experience, etc. Candidates who have passed the preliminary examination are eligible to take the bar examination with the same qualification as law school graduates.

**Data 1-2-6 Results of Candidates who Have Taken the Preliminary Examination**

	2011			2012			2013			2014			2015		
	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female
Candidates	6,477	5,444	1,033	7,183	5,996	1,187	9,224	7,567	1,657	10,347	8,308	2,039	10,334	8,229	2,105
Successful Candidates	116	103	13	219	197	22	351	307	44	356	319	37	394	354	40
Pass Rate	1.8%	1.9%	1.3%	3.0%	3.3%	1.9%	3.8%	4.1%	2.7%	3.4%	3.8%	1.8%	3.8%	4.3%	1.9%

[Note] This table is based on the materials published by the Ministry of Justice.

**Data 1-2-7 Bar Examination Results of Candidates who Have Passed the Preliminary Examination**

	2011			2012			2013			2014			2015		
	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female
Candidates	85	76	9	167	150	17	244	212	32	301	267	34	382	343	39
Successful Candidates	58	52	6	120	108	12	163	146	17	186	166	20	235	209	26
Pass Rate	68.2%	68.4%	66.7%	71.9%	72.0%	70.6%	66.8%	68.9%	53.1%	61.8%	62.2%	58.8%	61.5%	60.9%	66.7%

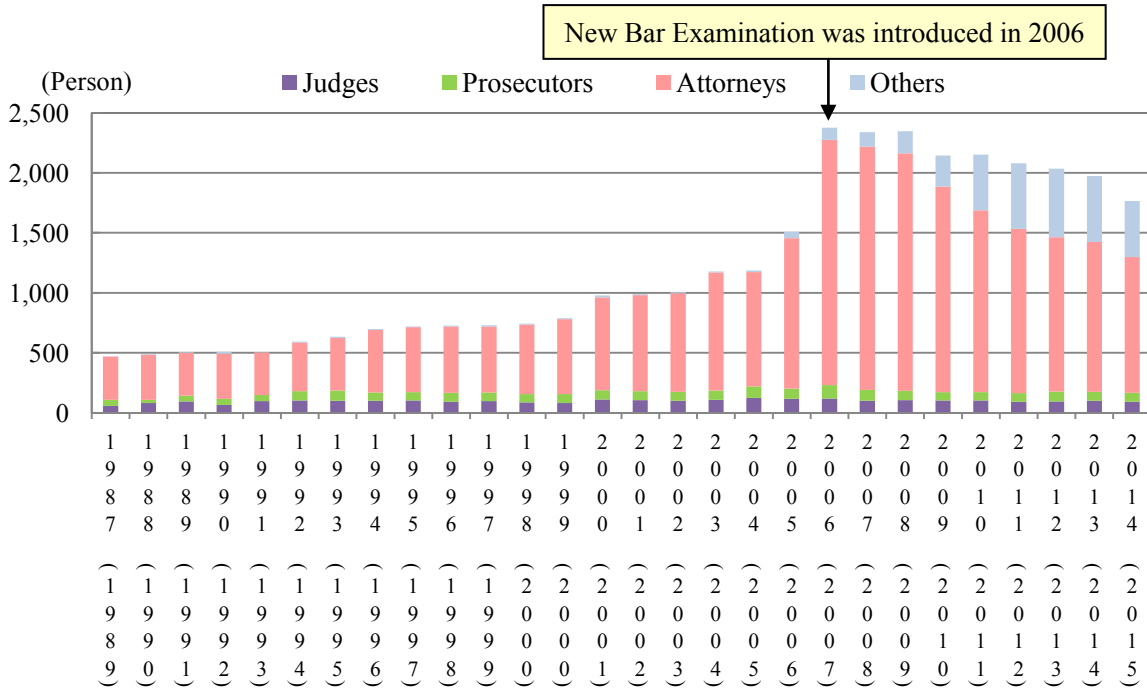
[Note] This table is based on the materials published by the Ministry of Justice.

## 2.3 The Number of Legal Apprentices who Have Completed Legal Training per Chosen Profession

Data 1-2-8 The Number of Legal Apprentices who Have Completed Legal Training per Chosen Profession

Year of Entrance to (Completion of) Legal Training Institute	The Number of Those who Have Completed Legal Training		Judges		Prosecutors		Attorneys		Others	
	Total (Female)	Ratio of Female	Total (Female)	Ratio of Female	Total (Female)	Ratio of Female	Total (Female)	Ratio of Female	Total (Female)	Ratio of Female
1987 (1989)	470 (57)	12.1%	58 (10)	17.2%	51 (6)	11.8%	360 (40)	11.1%	1 (1)	100.0%
1988 (1990)	489 (63)	12.9%	81 (16)	19.8%	28 (3)	10.7%	376 (44)	11.7%	4 (0)	0.0%
1989 (1991)	506 (58)	11.5%	96 (20)	20.8%	46 (4)	8.7%	359 (34)	9.5%	5 (0)	0.0%
1990 (1992)	508 (70)	13.8%	65 (16)	24.6%	50 (8)	16.0%	378 (45)	11.9%	15 (1)	6.7%
1991 (1993)	506 (72)	14.2%	98 (20)	20.4%	49 (8)	16.3%	356 (44)	12.4%	3 (0)	0.0%
1992 (1994)	594 (84)	14.1%	104 (18)	17.3%	75 (11)	14.7%	406 (55)	13.5%	9 (0)	0.0%
1993 (1995)	633 (123)	19.4%	99 (34)	34.3%	86 (16)	18.6%	438 (70)	16.0%	10 (3)	30.0%
1994 (1996)	699 (142)	20.3%	99 (26)	26.3%	71 (12)	16.9%	521 (102)	19.6%	8 (2)	25.0%
1995 (1997)	720 (155)	21.5%	102 (26)	25.5%	70 (16)	22.9%	543 (113)	20.8%	5 (0)	0.0%
1996 (1998)	726 (144)	19.8%	93 (21)	22.6%	73 (11)	15.1%	553 (110)	19.9%	7 (2)	28.6%
1997 (1999)	729 (167)	22.9%	97 (18)	18.6%	72 (16)	22.2%	549 (132)	24.0%	11 (1)	9.1%
1998 (2000)	742 (202)	27.2%	87 (22)	25.3%	69 (16)	23.2%	579 (164)	28.3%	7 (0)	0.0%
1999 (2000)	788 (196)	24.9%	82 (26)	31.7%	74 (10)	13.5%	625 (158)	25.3%	7 (2)	28.6%
2000 (2001)	975 (281)	28.8%	112 (31)	27.7%	76 (20)	26.3%	774 (225)	29.1%	13 (5)	38.5%
2001 (2002)	988 (269)	27.2%	106 (30)	28.3%	75 (22)	29.3%	799 (214)	26.8%	8 (3)	37.5%
2002 (2003)	1,005 (225)	22.4%	101 (29)	28.7%	75 (19)	25.3%	(822) 175	21.3%	7 (2)	28.6%
2003 (2004)	1,178 (277)	23.5%	109 (35)	32.1%	77 (19)	24.7%	983 (222)	22.6%	9 (1)	11.1%
2004 (2005)	1,187 (279)	23.5%	124 (34)	27.4%	96 (30)	31.3%	954 (213)	22.3%	(13) 2	15.4%
2005 (2006)	1,477 (360)	24.4%	115 (35)	30.4%	87 (26)	29.9%	1,254 (291)	23.2%	21 (8)	38.1%
2006 (2007)	2,376 (568)	23.9%	118 (43)	36.4%	113 (39)	34.5%	2,043 (457)	22.4%	102 (29)	28.4%
2007 (2008)	2,340 (619)	26.5%	99 (36)	36.4%	93 (32)	34.4%	2,026 (527)	26.0%	122 (24)	19.7%
2008 (2009)	2,346 (635)	27.1%	106 (34)	32.1%	78 (31)	39.7%	1,978 (523)	26.4%	184 (47)	25.5%
2009 (2010)	2,144 (563)	26.3%	102 (32)	31.4%	70 (22)	31.4%	1,714 (443)	25.8%	258 (66)	25.6%
2010 (2011)	2,152 (597)	27.7%	102 (34)	33.3%	71 (24)	33.8%	1,515 (418)	27.6%	464 (121)	26.1%
2011 (2012)	2,080 (479)	23.0%	92 (28)	30.4%	72 (22)	30.6%	1,370 (316)	23.1%	546 (113)	20.7%
2012 (2013)	2,034 (528)	26.0%	96 (38)	39.6%	82 (31)	37.8%	1,286 (336)	26.1%	570 (123)	21.6%
2013 (2014)	1,973 (443)	22.5%	101 (29)	28.7%	74 (29)	39.2%	1,248 (269)	21.6%	550 (116)	21.1%
2014 (2015)	1,766 (418)	23.7%	91 (38)	41.8%	76 (25)	32.9%	1,131 (239)	21.1%	468 (116)	24.8%

Data 1-2-9 Changes in Legal Apprentices who Have Completed Legal Training per Chosen Profession



[Note]

1. Data is based on the “Courts Data Book 2016.”
2. Regarding legal apprentices who started training between 1987 and 1998, such apprentices completed their training in the April of the second year afterward. (Their training period was two years.) For those who started between 1999 and 2005, they completed their training in October, one and a half years later. (The training period was one year and six months.) For those between 2006 and 2008, they completed their training in September or December of the following year. For those who started in 2009 and 2010, they completed their training in August or December of the following year. For those who started in 2011 and afterwards, they completed their training in December of the following year.
3. This number was calculated based on the timing immediately after the completion of legal training.

## 2.4 The Number of Judges, Prosecutors, and Attorneys

Data 1-2-10 The Number of Judges, Prosecutors, and Attorneys									
Year	Judges* <sup>1</sup> (excl. those in summary courts)			Prosecutors* <sup>2</sup> (excl. deputy prosecutors)			Attorneys* <sup>3</sup>		
	Total (person)	Ratio of Male	Ratio of Female	Total (person)	Ratio of Male	Ratio of Female	Total (person)	Ratio of Male	Ratio of Female
1991	2,022	—	—	1,172	96.2%	3.8%	14,080	94.2%	5.8%
1992	2,029	—	—	1,174	95.9%	4.1%	14,329	94.1%	5.9%
1993	2,036	—	—	1,184	95.4%	4.6%	14,596	93.9%	6.1%
1994	2,046	—	—	1,190	95.0%	5.0%	14,809	93.7%	6.3%
1995	2,058	—	—	1,229	94.3%	5.7%	15,108	93.4%	6.6%
1996	2,073	—	—	1,270	93.6%	6.4%	15,456	93.1%	6.9%
1997	2,093	—	—	1,301	92.9%	7.1%	15,866	92.6%	7.4%
1998	2,113	—	—	1,325	92.0%	8.0%	16,305	92.1%	7.9%
1999	2,143	—	—	1,363	91.6%	8.4%	16,731	91.6%	8.4%
2000	2,213	—	—	1,375	90.8%	9.2%	17,126	91.1%	8.9%
2001	2,243	—	—	1,443	89.4%	10.6%	18,243	89.9%	10.1%
2002	2,288	—	—	1,484	88.4%	11.6%	18,838	89.0%	11.0%
2003	2,333	—	—	1,521	87.4%	12.6%	19,508	88.3%	11.7%
2004	2,385	—	—	1,563	87.2%	12.8%	20,224	87.9%	12.1%
2005	2,460	83.5%	16.5%	1,627	86.2%	13.8%	21,185	87.5%	12.5%
2006	2,535	83.1%	16.9%	1,648	85.2%	14.8%	22,021	87.0%	13.0%
2007	2,610	82.6%	17.4%	1,667	84.4%	15.6%	23,119	86.4%	13.6%
2008	2,685	81.4%	18.6%	1,739	82.8%	17.2%	25,041	85.6%	14.4%
2009	2,760	80.4%	19.6%	1,779	81.8%	18.2%	26,930	84.7%	15.3%
2010	2,805	79.7%	20.3%	1,806	81.0%	19.0%	28,789	83.8%	16.2%
2011	2,850	79.1%	20.9%	1,816	80.3%	19.7%	30,485	83.2%	16.8%
2012	2,850	78.1%	21.9%	1,839	80.2%	19.8%	32,088	82.6%	17.4%
2013	2,880	77.5%	22.5%	1,847	79.6%	20.4%	33,624	82.3%	17.7%
2014	2,944	76.9%	23.1%	1,877	78.6%	21.4%	35,045	81.9%	18.1%
2015	2,944	76.0%	24.0%	1,896	77.6%	22.4%	36,415	81.8%	18.2%
2016	2,755	74.4%	25.6%	1,930	77.1%	22.9%	37,680	81.7%	18.3%

[Note]

1. The number of judges is based on the surveys by the Supreme Court of Japan, which are as of the end of April of each year excluding the number of judges in summary courts. (However, the number in 2016 is as of December of the previous year due to a change in the recording method.) The “—” indicates the ratio is unknown.
2. The number of prosecutors is based on the surveys by the Ministry of Justice of Japan, which are as of the end of March 31 of each year excluding the number of deputy prosecutors.
3. The number of attorneys is the number of regular members of the JFBA as of March 31 of each year.

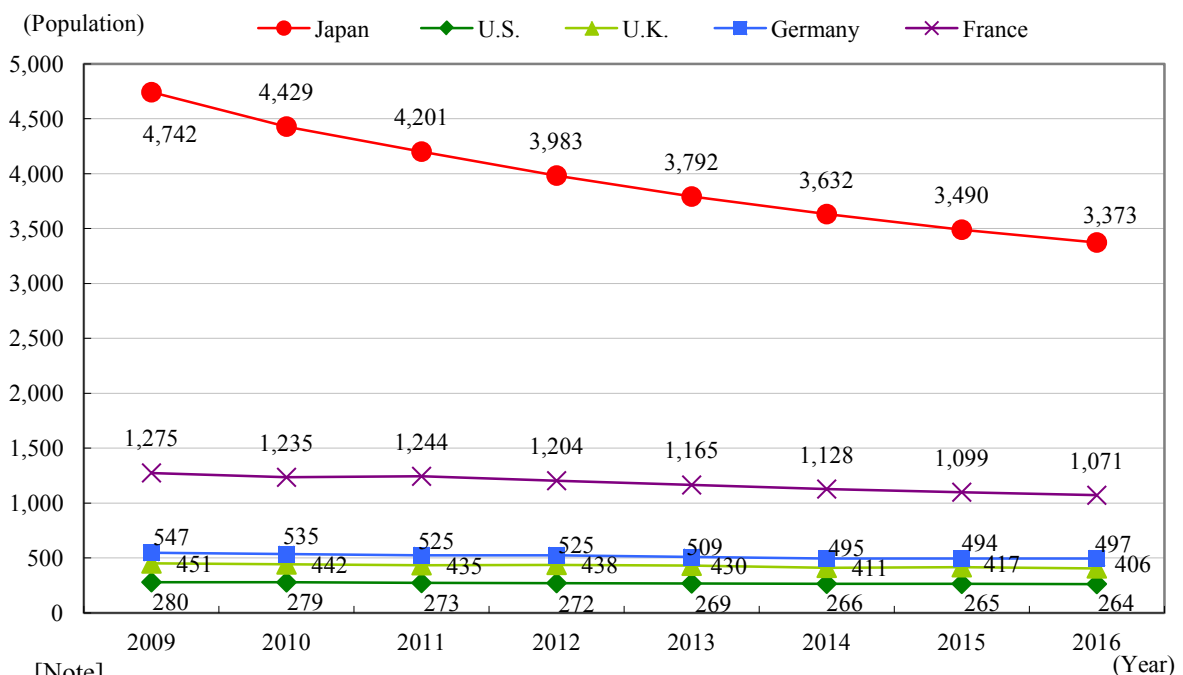
## 2.5 Comparison of the Total Number of Lawyers, Judges, and Public Prosecutors with those of Foreign Countries

The graph below compares the numbers of lawyers, judges, and public prosecutors of major foreign countries. It uses the statistics of the numbers of legal professionals of each country obtained by the Supreme Court of Japan (except for the number of attorneys in Japan) and compares the population per judge, public prosecutor, and legal professionals in each country. Regarding each country's population of legal professionals, *see* Data 1-2-15.

### 2.5.1 The Number of People per Lawyer (Cross-country Comparison)

The graph below is a cross-country comparison of “the number of people per lawyer.” In 2016, there were approximately 3,400 people per attorney in Japan, while the number of people per lawyer in the other four countries was all below 1,100.

Data 1-2-11 The Number of People per Lawyer



[Note]

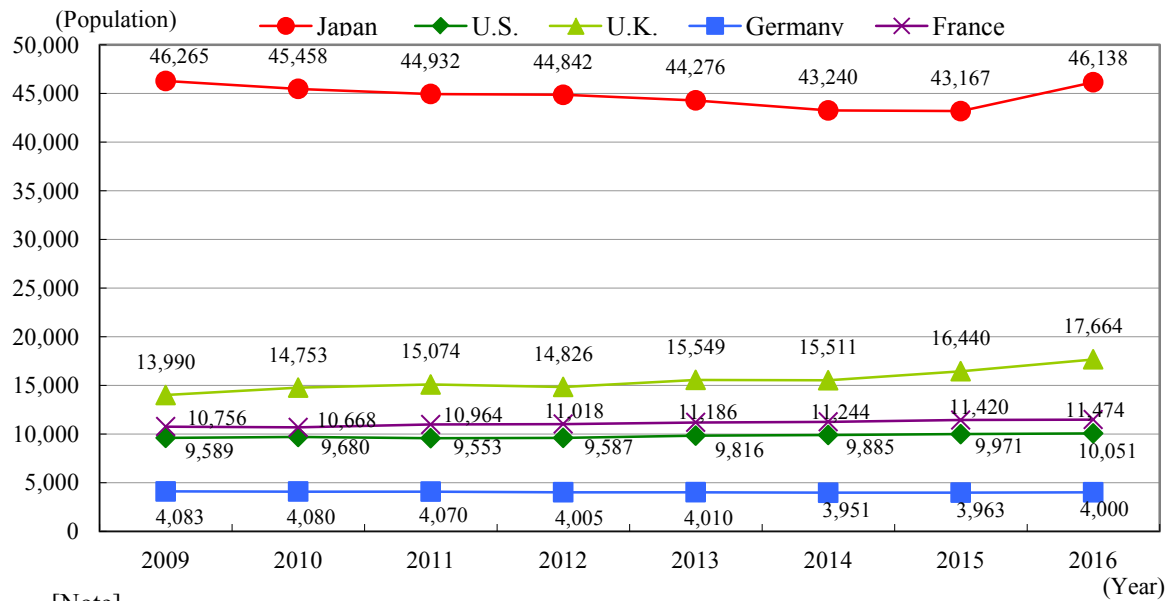
1. The statistics of the graph above are the population divided by the number of lawyers in each country.
2. The numbers of lawyers in Japan are as of the end of March of each year.
3. The statistics of the populations of legal professionals are obtained from the “Courts Data Book (by the Supreme Court of Japan)” of the relevant year except for that of attorneys in Japan.
4. The numbers of the lawyers in the U.S., the U.K., Germany, and France are shown in the Data 1-2-15.

### 2.5.2 The Number of People per Judge (Cross-country Comparison)

The graph below is a cross-country comparison of the number of people per judge. In 2016, there were approximately 46,000 people per judge in Japan, while the number was below approximately 18,000 people per judge in the other four countries.



Data 1-2-12 The Number of People per Judge



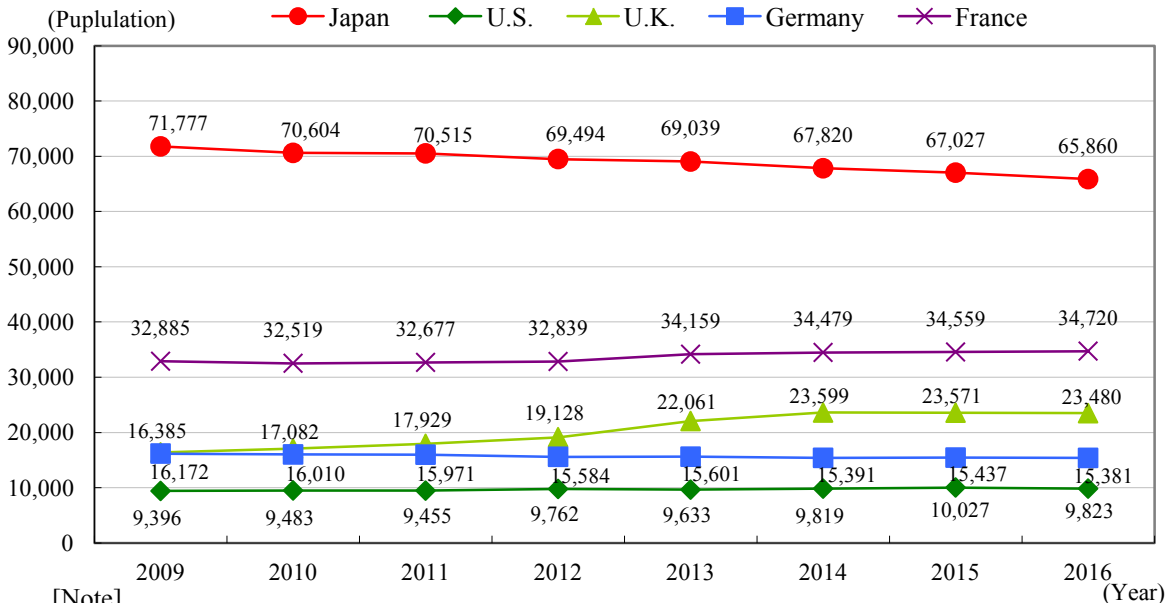
[Note]

1. The statistics of the graph above are calculated by dividing the population by the number of judges in each country.
2. The numbers of judges in Japan are shown in the Data 1-2-10.
3. The statistics of the populations of legal professionals are obtained by the “Courts Data Book (by the Supreme Court of Japan)” of the relevant year except for that of judges in Japan.
4. The numbers of the judges in the U.S., the U.K., Germany, and France are shown in the Data 1-2-15.

### 2.5.3 The Number of People per Public Prosecutor (Cross-country Comparison)

The graph below is a cross-country comparison of the number of people per public prosecutor. In 2016, there were approximately 66,000 people per prosecutor in Japan.

Data 1-2-13 The Number of People per Prosecutor

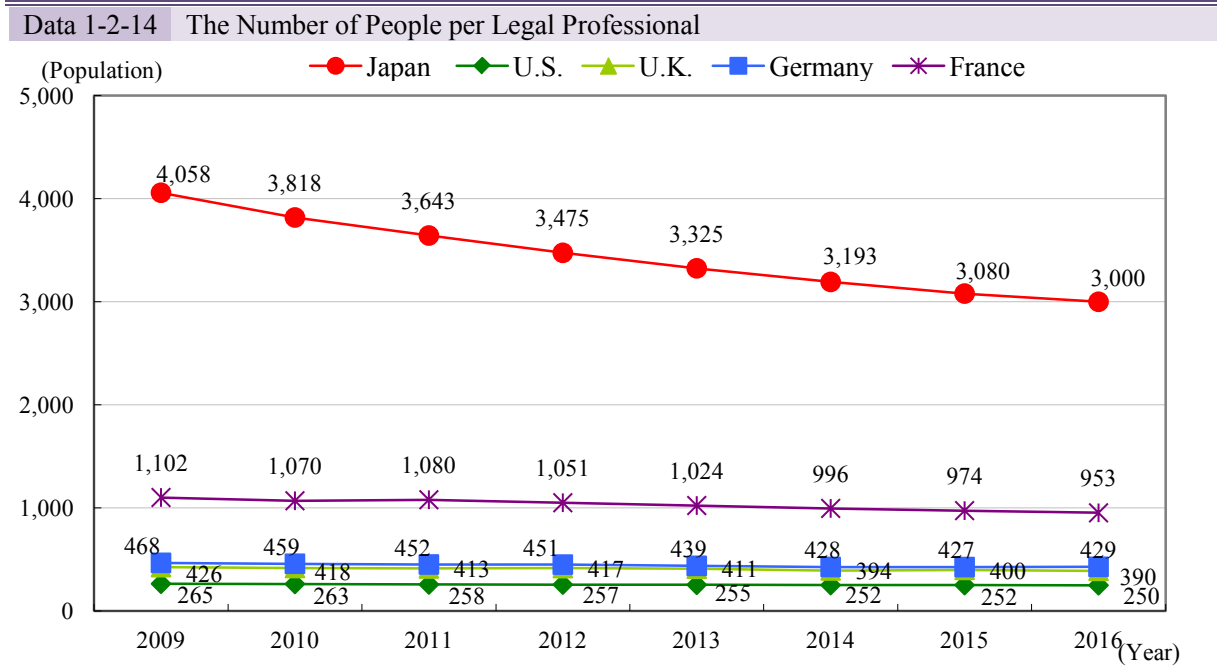


[Note]

1. The statistics of the graph above are calculated by dividing the population by the number of public prosecutors in each country.
2. The numbers of public prosecutors in Japan are as of the end of March of each year (from which the numbers of deputy prosecutors are excluded).
3. The statistics of the populations of legal professionals are obtained by the “Courts Data Book (by the Supreme Court of Japan)” of the relevant year except for that of public prosecutors in Japan.

**2.5.4 The Number of People per Legal Professional (Cross-country Comparison)**

The graph below is a cross-country comparison of “the number of people per legal professional” by each country.



[Note]

1. The statistics of the graph above are calculated by dividing the population of each country by the number of legal professionals in each country.
2. The statistics of the populations of legal professionals are obtained by the “Courts Data Book (by the Supreme Court of Japan)” of the relevant year except for that of legal professionals in Japan.
3. The statistics on the graph are based on those as of a particular day of each year in each country and for each profession (see Data 1-2-15).

**Data 1-2-15 The Numbers of Legal Professionals for Certain Foreign Countries (with Closing Dates for Respective Data)**  
(Upper Cell: Closing Date, Lower Cell: The Number of Persons)

Japan	2009	2010	2011	2012	2013	2014	2015	2016
Population	Oct. 1, 2008	Oct. 1, 2009	Oct. 1, 2010	Oct. 1, 2011	Oct. 1, 2012	Oct. 1, 2013	Oct. 1, 2014	Oct. 1, 2015
	127,692,000	127,510,000	128,056,026	127,799,000	127,515,000	127,298,000	127,083,000	127,110,000
Attorneys	Mar. 31, 2009	Mar. 31, 2010	Mar. 31, 2011	Mar. 31, 2012	Mar. 31, 2013	Mar. 31, 2014	Mar. 31, 2015	Mar. 31, 2016
	26,930	28,789	30,485	32,088	33,624	35,045	36,415	37,680
Judges (excl. Judges at Summary Courts)	Apr. 2009	Apr. 2010	Apr. 2011	Apr. 2012	Apr. 2013	Apr. 2014	Apr. 2015	Dec. 2015
	2,760	2,805	2,850	2,880	2,912	2,944	2,944	2,755
Public Prosecutors (excl. Assistant Prosecutors)	Mar. 31, 2009	Mar. 31, 2010	Mar. 31, 2011	Mar. 31, 2012	Mar. 31, 2013	Mar. 31, 2014	Mar. 31, 2015	Mar. 31, 2016
	1,779	1,806	1,816	1,839	1,847	1,877	1,896	1,930

U.S.	2009	2010	2011	2012	2013	2014	2015	2016
Population	Jul. 1, 2008	Jul. 1, 2009	Jul. 1, 2009	Jul. 1, 2011	Jul. 1, 2012	Jul. 1, 2013	Jul. 1, 2014	Jul. 1, 2015
	304,059,724	307,006,550	307,006,550	311,591,917	313,914,040	316,128,839	318,857,056	321,418,820
Lawyers	Dec. 2007	Dec. 2008	Jan. 2011	Dec. 31, 2010	Dec. 31, 2010	Dec. 31, 2010	Dec. 31, 2010	Dec. 31, 2010
	1,084,396	1,102,106	1,124,077	1,146,668	1,166,269	1,188,537	1,202,380	1,219,607
Judges (Federal)	Jan. 2009	Jan. 2010	Jan. 2011	Mar. 2012	Mar. 2013	Mar. 2014	Mar. 2015	Mar. 2016
	1,818	1,826	1,829	1,823	1,823	1,824	1,822	1,822
Judges (States)	2007	2007	2008	2009	2010	2010	2010	2010
	29,891	29,891	30,309	30,678	30,157	30,157	30,157	30,157
Prosecutors (Federal)	Apr. 2009	Mar. 2010	Mar. 2011	Apr. 2012	Mar. 2013	Mar. 2014	Mar. 2015	Mar. 2016
	5,836	5,852	5,947	5,465	5,812	5,392	5,001	5,945
Prosecutors * (States)	2005	2005	2005	2007	2007	2007	2007	2007
	26,524	26,524	26,524	26,453	26,777	26,803	26,798	26,775

\*: The numbers of prosecutors in the U.S. from the same year can vary due to occasional updates within a year.

U.K.	2009	2010	2011	2012	2013	2014	2015	2016
Population	Jun. 2007	Jun. 2008	Jun. 2009	Jun. 2010	Mar. 27, 2011	Jun. 30, 2012	Jun. 30, 2013	Jun. 30, 2014
	54,072,000	54,439,700	54,809,100	55,240,500	56,100,000	56,567,800	56,948,200	57,408,600
Lawyers (Barristers) (Solicitors)	Dec. 2008	Dec. 2009	Dec. 2010	Dec. 2010	Dec. 2010	Dec. 2011	2012	2015
	Jul. 2008	Jul. 2009	Jul. 2010	Jul. 2010	Jul. 2011	Jul. 2012	Jul. 31, 2013	Jul. 31, 2014
	119,839	123,289	125,997	125,997	130,474	137,645	136,666	141,355
Judges* (Full-time judges)	Apr. 2008	Sep. 2009 Feb. - Apr. 2010	Feb. & Mar. 2011	Apr. 1, 2011	Apr. 1, 2012 Mar. 21, 2013	Apr. 1, 2013 Mar. 21, 2014	Mar. 2015	Mar. 2016
	Apr. 2008 Mar. 2009	Apr. & Oct. 2009	Apr. 2010 Oct. 2009	Apr. 1, 2011 Mar. 2012	Apr. 1, 2012 Mar. 2013	Apr. 1, 2013 Mar. 2014	Apr. 1, 2014	Apr. 1, 2014
	3,865	3,690	3,636	3,726	3,608	3,647	3,464	3,250
Prosecutors	Jan. 2009	Feb. 2010	Mar. 2011	Mar. 2012	Feb. 2013	Dec. 2013	Mar. 31, 2014	Mar. 31, 2015
	3,300	3,187	3,057	2,888	2,543	2,397	2,416	2,445

\*: The numbers of judges in the U.K. were collected at different dates depending on the categories of judges.

Germany	2009	2010	2011	2012	2013	2014	2015	2016
Population	Dec. 31,	Dec. 31,	Dec. 31,	Dec. 31,	Dec. 31,	Dec. 31,	Dec. 31,	Dec. 31,
	82,217,830	82,002,356	81,802,257	81,751,602	81,843,743	80,523,746	80,767,463	81,197,537
Lawyers	Jan. 1, 2009	Jan. 1, 2010	Jan. 1, 2011	Jan. 1, 2011	Jan. 1, 2013	Jan. 1, 2014	Jan. 1, 2015	Jan. 1, 2015
	150,375	153,251	155,679	155,679	160,894	162,695	163,540	163,513
Judges	Dec. 31, 2006	Dec. 31, 2008	Dec. 31, 2008	Dec. 31, 2010	Dec. 31, 2010	Dec. 31, 2012	Dec. 31, 2012	Dec. 31, 2014
	20,138	20,101	20,101	20,411	20,411	20,382	20,382	20,301
Public Prosecutors	Dec. 31, 2006	Dec. 31, 2008	Dec. 31, 2008	Dec. 31, 2010	Dec. 31, 2010	Dec. 31, 2012	Dec. 31, 2012	Dec. 31, 2014
	5,084	5,122	5,122	5,246	5,246	5,232	5,232	5,279

France	2009	2010	2011	2012	2013	2014	2015	2016
Population	Jan. 2009	Jan. 2010	Jan. 1, 2011	Jan. 1, 2012	Jan. 1, 2013	Jan. 1, 2014	Jan. 1, 2015	Jan. 1, 2016
	62,448,977	62,793,432	65,026,885	65,350,181	65,585,857	65,820,916	66,317,994	66,627,602
Lawyers (avoué près la Cour d'appel)	Dec. 31, 2007	Jan. 1, 2009	Jan. 1, 2010	Jan. 1, 2011	Jan. 1, 2012	Jan. 1, 2013	Jan. 1, 2014	Jan. 1, 2015
	Dec. 31, 2007	Jan. 1, 2009	Jan. 1, 2010	Jan. 1, 2011	-	-	-	-
(avocat au Conseil d'Etat et a la Cour de cassation)*	Dec. 31, 2007	Jan. 1, 2009	Jan. 1, 2010	Jan. 1, 2011	Oct. 1, 2011	Jan. 1, 2013	Jan. 1, 2014	Jan. 1, 2015
	48,983	50,844	52,286	54,273	56,278	58,329	60,329	62,184
Judges	Dec. 31, 2007	Dec. 31, 2008	Dec. 31, 2009	Dec. 31, 2009	Dec. 31, 2011	Dec. 31, 2012	Oct. 1, 2014	Oct. 1, 2014
	5,806	5,886	5,931	5,931	5,863	5,854	5,807	5,807
Public Prosecutors	Dec. 31, 2007	Dec. 31, 2008	Dec. 31, 2009	Dec. 31, 2009	Dec. 31, 2011	Dec. 31, 2012	Oct. 1, 2014	Oct. 1, 2014
	1,899	1,931	1,990	1,990	1,920	1,909	1,919	1,919

\*: The numbers of avoué près la Cour d'appel in France were integrated into the numbers of lawyers as of January 1, 2012.

[Note]

The statistics of the populations of legal professionals are obtained by the “Courts Data Book (by the Supreme Court of Japan)” of the relevant year except for that of legal professionals in Japan.

## 2.6 Changes in Populations of Other Legal Professions

There are several qualified professions which deal with the law: judicial scriveners, certified public tax accountants, patent attorneys, certified public accountants and administrative scriveners, etc. In cross-country comparisons of populations, it should be noted that attorneys in some other countries handle the matters which are dealt with by these other legal professions in Japan.

The table below shows the populations of the other legal professions.

Data 1-2-16 Changes in Populations of Other Legal Professions										
(As of the End of March of Each Year except for *2)										
(Unit: Person)										
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Attorneys	23,119	25,041	26,930	28,789	30,485	32,088	33,624	35,045	36,415	37,680
Number of Female	3,152	3,599	4,127	4,660	5,115	5,595	5,936	6,336	6,618	6,896
Ratio of Female	(13.6%)	(14.4%)	(15.3%)	(16.2%)	(16.8%)	(17.4%)	(17.7%)	(18.1%)	(18.2%)	(18.3%)
Patent Attorneys	7,186	7,732	7,789	8,148	8,684	9,145	9,644	10,171	10,655	10,871
Number of Female	826	933	949	1,012	1,107	1,201	1,300	1,428	1,530	1,596
Ratio of Female	(11.5%)	(12.1%)	(12.2%)	(12.4%)	(12.7%)	(13.1%)	(13.5%)	(14.0%)	(14.4%)	(14.7%)
Those who may represent clients in specified infringement litigation										
	1,736	1,974	2,221	2,409	2,563	2,735	2,863	2,971	3,089	3,199
Certified Public Tax Accountants	70,068	70,664	71,177	71,606	72,039	72,635	73,725	74,501	75,146	75,643
Number of Female	8,242	8,580	8,858	9,097	9,438	9,710	10,039	10,312	10,593	10,859
Ratio of Female	(11.8%)	(12.1%)	(12.4%)	(12.7%)	(13.1%)	(13.4%)	(13.6%)	(13.8%)	(14.1%)	(14.4%)
Judicial Scriveners*2	18,520	18,877	19,394	19,766	20,313	20,670	20,979	21,366	21,658	22,013
Number of Female	2,362	2,529	2,706	2,850	3,020	3,171	3,262	3,395	3,506	3,639
Ratio of Female	(12.8%)	(13.4%)	(14.0%)	(14.4%)	(14.9%)	(15.3%)	(15.5%)	(15.9%)	(16.2%)	(16.5%)
Those who may represent clients before Summary Courts										
	9,986	10,880	11,674	12,415	13,258	13,898	14,483	15,096	15,613	16,108
Administrative Scriveners*2	38,883	39,203	39,846	40,475	41,584	42,177	43,126	44,057	44,740	45,441
Number of Female	4,102	4,212	4,403	4,559	4,827	4,977	5,216	5,460	5,711	5,910
Ratio of Female	(10.5%)	(10.7%)	(11.1%)	(11.3%)	(11.6%)	(11.8%)	(12.1%)	(12.4%)	(12.8%)	(13.0%)
Certified Public Accountants	17,257	17,915	18,943	20,038	21,325	23,119	24,964	26,260	27,316	28,289
Number of Female	1,798	1,904	2,102	2,320	2,560	2,853	3,141	3,388	3,598	3,818
Ratio of Female	(10.4%)	(10.6%)	(11.1%)	(11.6%)	(12.0%)	(12.3%)	(12.6%)	(12.9%)	(13.2%)	(13.5%)
Public Consultants on Social and Labour	31,137	32,332	33,671	34,732	35,801	36,850	37,784	38,445	39,331	40,110
Number of Female	—	—	8,420	9,076	9,489	9,987	10,383	10,790	11,275	11,773
Ratio of Female	—	—	(25.0%)	(26.1%)	(26.5%)	(27.1%)	(27.5%)	(28.1%)	(28.7%)	(29.4%)
Land and House Investigators*2	18,146	18,002	17,820	17,617	17,487	17,328	17,269	17,112	17,017	16,940
Number of Female	—	—	—	—	—	—	—	—	—	—
Ratio of Female	—	—	—	—	—	—	—	—	—	—
Total	224,316	229,766	235,570	241,171	247,718	254,012	261,115	266,957	272,278	276,987

[Note]

1. The statistics are based on the research conducted by association of each profession.
2. The statistics of Judicial Scriveners (from 2007 to 2015), Administrative Scriveners, and Land and House Investigators are as of April 1 of each year.
3. “—” means that the statistics are not tracked.

## Chapter 3 Mergers of Law Offices and the Current Situation of Legal Professional Corporations

### 3.1 The Number of Attorneys in Law Offices

The table below ranks law offices nationwide by the number of attorneys. Mergers of law offices are progressing mainly in urban areas. Recently, law offices with more than two attorneys have increased. There are ten offices with more than 100 attorneys as of the end of March 2016. Among them, there are five offices with 100 - 200 attorneys, four offices with 300 - 400 attorneys, and one office with more than 400 attorneys. The tables and graphs below show the changes in the number of law offices and attorneys classified by size.

Data 1-3-1 Major Offices (Top 10 Offices)

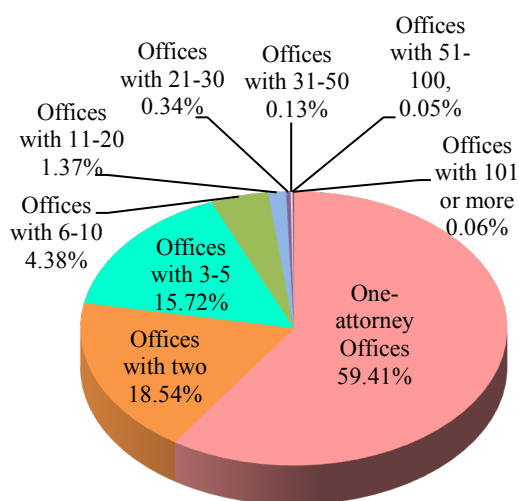
(As of the end of March 2016)

Ranking	Office Name	Location* <sup>1</sup>	Number of Attorneys
1	Nishimura Asahi Horitsu Jimusho	Tokyo	508
2	Anderson Mori Tomotsune Horitsu Jimusho	Tokyo	396
3	Mori Hamada Matsumoto Horitsu Jimusho	Tokyo	360
4	Nagashima Ohno Tsunematsu Horitsu Jimusho	Tokyo	353
5	TMI Sogo Horitsu Jimusho	Tokyo	350
6	Bengoshi Hojin Adire Horitsu Jimusho	Tokyo	162
7	City-Yuwa Horitsu Jimusho	Tokyo	136
8	Bengoshi Hojin Oh-Ebashi Horitsu Jimusho	Osaka	122
9	Baker & McKenzie Horitsu Jimusho Gaikokuho Kyodo Jigyo	Tokyo	111
10	Bengoshi Hojin Very Best Horitsu Jimusho	Tokyo	105

[Note]

1. The locations for the legal professional corporations are those of their principal offices.
2. The number of attorneys for the legal professional corporation includes their principle offices, secondary offices, and partner offices.

Data 1-3-2 Percentage of Law Offices by Size



(As of the end of March, 2016)

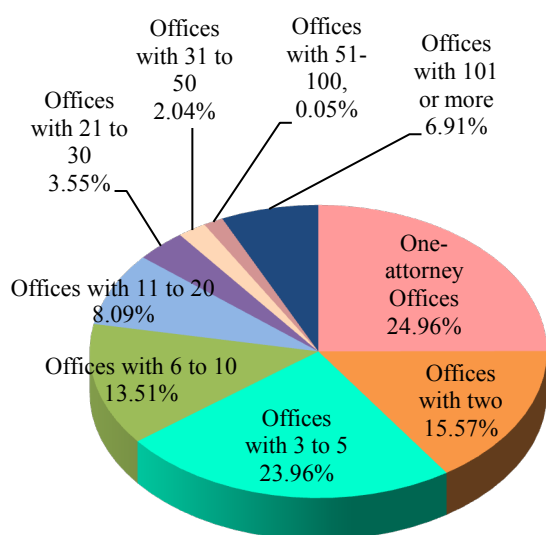
Data 1-3-3 Changes in the Number of Law Offices by Size

(Unit: the number of offices)

	2014	2015	2016
One-attorney Offices	8,772	9,125	9,404
Offices with two	2,693	2,751	2,934
Offices with 3 to 5	2,376	2,471	2,489
Offices with 6 to 10	652	677	693
Offices with 11 to 20	212	221	217
Offices with 21 to 30	49	47	54
Offices with 31 to 50	20	21	20
Offices with 51 to 100	8	9	8
Offices with 101 or more	9	9	10
Total	14,791	15,331	15,829

[Note] As of March in each year.

Data 1-3-4 Percentages of Attorney by Size of Office



(As of the end of March, 2016)

Data 1-3-5 Changes in the Number of Attorneys in Each Size of Office

	2014	2015	2016	
			Total	Female
One-attorney Offices	8,772	9,125	9,404	1,087
Offices with two	5,386	5,502	5,868	1,218
Offices with 3 to 5	8,593	8,929	9,027	1,813
Offices with 6 to 10	4,741	4,958	5,092	1,103
Offices with 11 to 20	2,857	3,036	3,047	674
Offices with 21 to 30	1,199	1,163	1,339	257
Offices with 31 to 50	782	818	769	154
Offices with 51 to 100	532	601	531	88
Offices with 101 or more	2,183	2,283	2,603	502
Total	35,045	36,415	37,680	6,896

[Note] As of March in each year.

### 3.2 Current Situation of Legal Professional Corporations

The system of Legal Professional Corporations (LPCs) came into effect on April 1, 2002. Under this system, law offices, which have been managed mainly by individual attorneys, are allowed to be juridical persons in order to ensure continuity in dealing with legal matters as well as to accelerate streamlining and mergers of law offices.

An LPC becomes a member of the bar association in the district where its principal office is located. In the event an LPC opens a branch office, the LPC also becomes a member of the bar association in the district where the branch office is located.

#### 3.2.1 The Number of Legal Professional Corporations

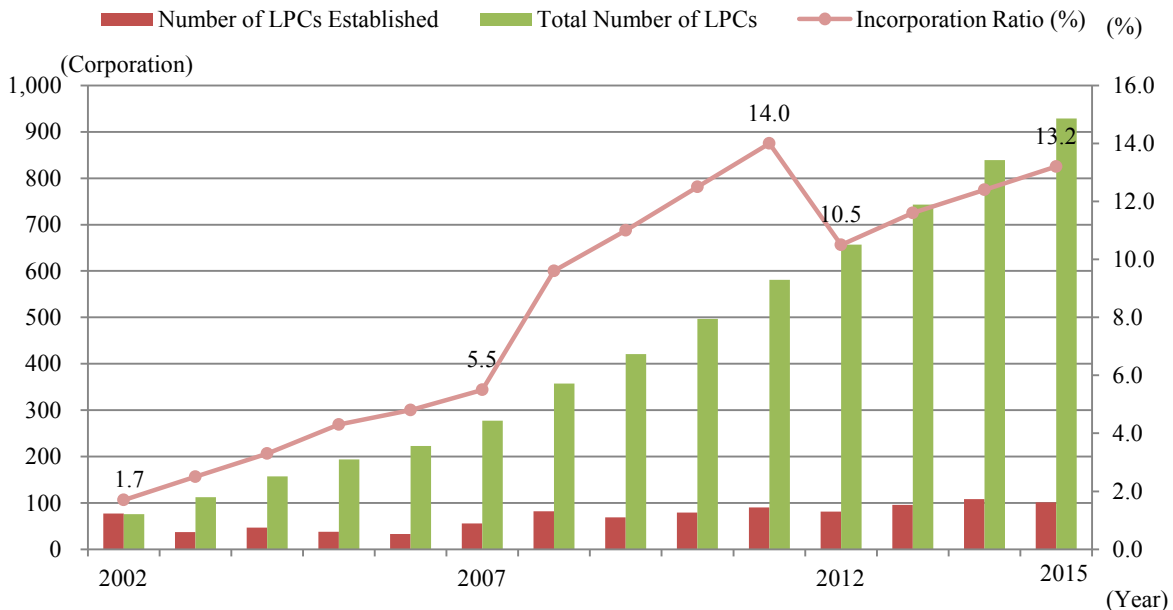
101 LPCs were established from April 2015 to March 2016. As of the end of March 2016, the number of LPCs nationwide was 929 (including corporations in liquidation).

The tables below classify LPCs by the year of establishment and bar association.

Data 1-3-6 Changes in the Number of established LPCs, Corporate Member Attorneys, and Employed Attorneys by Fiscal Year

Established Year (Fiscal)	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Number of LPCs Established	77	37	47	38	33	56	82	69	79	90	81	96	108	101
Total Number of LPCs	76	112	157	194	223	277	357	421	497	581	657	743	839	929
Number of Corporate Member Attorneys (person)	200	274	365	448	497	613	790	956	1,156	1,366	1,548	1,778	1,999	2,186
Number of Employed Attorneys (person)	128	226	331	508	613	759	1,787	2,209	2,660	3,126	1,988	2,289	2,527	2,793
Incorporation Ratio* (%)	1.7	2.5	3.3	4.3	4.8	5.5	9.6	11.0	12.5	14.0	10.5	11.6	12.4	13.2

[Note] The incorporation ratio is obtained by dividing the sum of Corporate Member Attorneys and Employed Attorneys by the total number of individual attorneys as of the end of March each year.

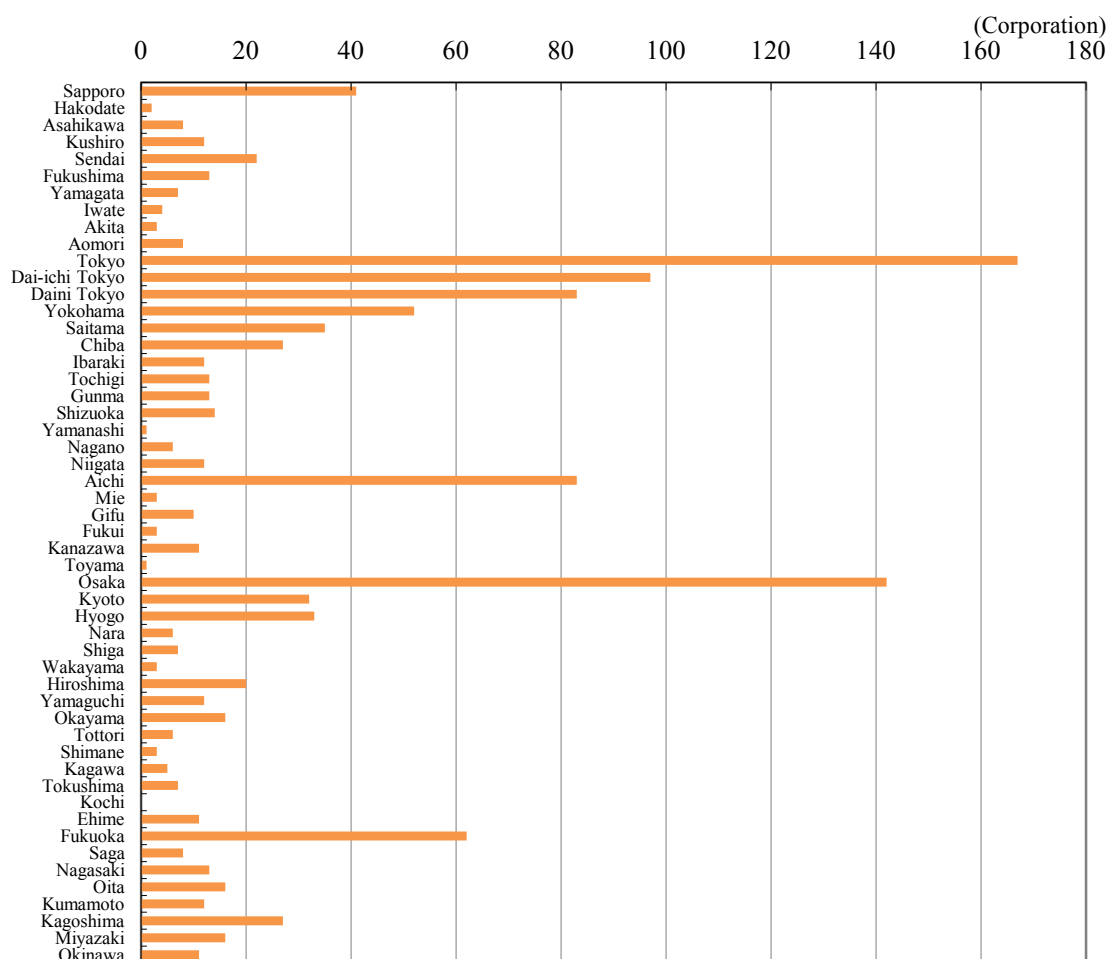




Data 1-3-7 Number of LPC Members of Each Bar Association (2015)

(Unit: corporation)

Sapporo	41	Dai-ichi Tokyo	97	Niigata	12	Shiga	7	Fukuoka	62
Hakodate	2	Daini Tokyo	83	Aichi	83	Wakayama	3	Saga	8
Asahikawa	8	Kanagawa	52	Mie	3	Hiroshima	20	Nagasaki	13
Kushiro	12	Saitama	35	Gifu	10	Yamaguchi	12	Oita	16
Sendai	22	Chiba	27	Fukui	3	Okayama	16	Kumamoto	12
Fukushima	13	Ibaraki	12	Kanazawa	11	Tottori	6	Kagoshima	27
Yamagata	7	Tochigi	13	Toyama	1	Shimane	3	Miyazaki	16
Iwate	4	Gunma	13	Osaka	142	Kagawa	5	Okinawa	11
Akita	3	Shizuoka	14	Kyoto	32	Tokushima	7	Total	1,231
Aomori	8	Yamanashi	1	Hyogo	33	Kochi	0		
Tokyo	167	Nagano	6	Nara	6	Ehime	11		



[Note]

1. The total of the “Number of LPC Members of Each Bar Association” is more than the number of LPCs as of the end of March 2016, because some LPCs belong to several bar associations.
2. The statistics are based on notifications by the end of March 2016.

### 3.2.2 Size of Legal Professional Corporations

The table below classifies the number of attorneys (by representative members, corporate member attorneys and employed attorneys) who belong to LPCs.

Data 1-3-8 Number of LPCs and Attorneys per LPC Size (including Employed Attorneys)

Number of Attorneys per LPC* <sup>2</sup>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Number of LPCs	161	181	145	97	84	46	44	31	20	16	10	9	5	7	6
Total Number of Attorneys* <sup>3</sup>	161	362	435	388	420	276	308	248	180	160	110	108	65	98	90
Number of Female	16	46	69	58	79	60	63	42	44	33	20	29	12	25	14
Total Number of GJBs* <sup>4</sup>	0	0	0	0	0	1	1	0	2	3	0	4	0	0	0

Number of Attorneys per LPC* <sup>2</sup>	16	17	18	19	20	21	23	24	25	26	29	30	31	32	37
Total Number of LPCs	3	3	5	1	1	1	3	2	5	2	1	1	2	1	1
Total Number of Attorneys* <sup>3</sup>	48	51	90	19	20	21	69	48	125	52	29	30	62	32	37
Number of Female	9	7	20	3	2	6	12	6	22	3	5	6	14	10	4
Total Number of GJBs* <sup>4</sup>	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0

Number of Attorneys per LPC* <sup>2</sup>	41	43	45	46	53	58	71	87	106	130	157	Total
Total Number of LPCs	1	1	1	1	1	1	1	1	1	1	1	905
Total Number of Attorneys* <sup>3</sup>	41	43	45	46	53	58	71	87	106	130	157	4,979
Number of Female	7	8	5	1	9	7	9	23	25	27	21	881
Total Number of GJBs* <sup>4</sup>	0	1	1	0	0	0	0	4	1	6	0	26

[Note]

1. The statistics are based on notifications submitted by the end of March 2016.
2. The numbers of LPCs exclude those in liquidation.
3. The numbers of attorneys who belong to LPCs are counted by each LPC including its principal and branch offices.
4. The number of GJBs means the number of Gaikokuho-Jimu-Bengoshi (Registered Foreign Lawyers). Please refer to the next page.

Data 1-3-9 Number of LPCs per LPC Size (Corporate Members Only)

(Unit: corporation)

Number of Attorneys per LPC* <sup>2</sup>	1	2	3	4	5	6	7	8	9	10	11	13	14	15	17	20	21	24	25	84	Total
Number of LPCs	397	276	98	49	33	18	5	8	2	4	3	2	1	1	2	1	2	1	1	1	905

[Note]

1. The statistics are based on notifications submitted by the end of March 2016.
2. The numbers of LPCs exclude those in liquidation.

## Chapter 4 Current Situation of Gaikokuho-Jimu-Bengoshi (“Registered Foreign Lawyers”)

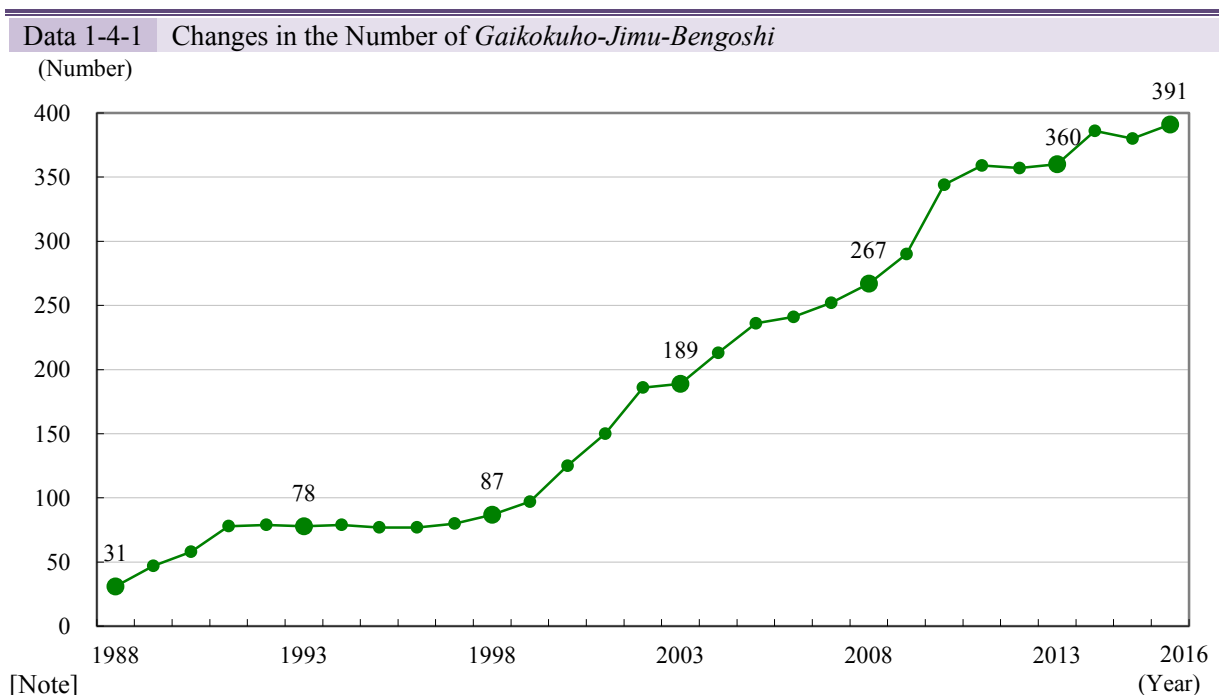
The system of gaikokuho-jimu-bengoshi (GJB) was introduced by the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers (Act No. 66 of 1986) (hereinafter referred to as “GJB Act”). A GJB, a registered foreign lawyer, is a person whose professional duties are providing legal services in a foreign jurisdiction, with a qualification equivalent to the Japanese attorney qualification (a qualification to be a foreign lawyer) and who has obtained approval of the Minister of Justice and registered in the Roll of Registered Foreign Lawyers kept by the JFBA.

The GJB Act before the revision (hereinafter referred to as “Old GJB Act”) prohibited GJBs from employing Japanese attorneys (Old GJB Act Art. 49, para. 1). In addition, joint enterprises and profit sharing between GJBs and Japanese attorneys or Legal Professional Corporations (LPCs) were restricted in principle (Old GJB Act Art. 49, para. 2). As an exception, specified joint enterprises were allowed under certain requirements (Old GJB Act para. 49-2), by which a GJB aimed to do a certain range of legal services by making a partnership contract or other continuous contract with an attorney who had five or more years of experience.

In the rapid globalization of Japanese economic society, however, the needs for comprehensive and inclusive legal services of Japanese and foreign laws increased and correspondingly the necessity to construct closer cooperation and collaboration of Japanese attorneys and GJBs has grown. Accordingly the GJB Act was partially revised (enforced on April 1, 2005) to lift the prohibitions on employment of attorneys by GJBs, joint enterprises and profit distributions. Instead, the Revised GJB Act requires GJBs who are to employ or engage in joint enterprises with Japanese attorneys to notify the JFBA (Revised GJB Act Art. 49-3). Furthermore, in order to prevent GJBs from engaging in conduct beyond the scope of permitted practices, the law puts a certain restriction on the conducts of GJBs and employed attorneys (Revised GJB Act Art. 49 and Art. 49-2).

### 4.1 Changes in the Number of Gaikokuho-Jimu-Bengoshi

The next graph shows the changes in the numbers of GJB registrations. Since the GJB system was launched in 1987, registrations tended to see year-upon-year increases as a whole, though registrations have remained at almost the same level for the few years in the past. The number of registered GJBs was 391 as of April 2016.



## 4.2 Registration of Gaikokuho-Jimu-Bengoshi (Registered Foreign Lawyers)

### Data 1-4-2 Details of Registration of *Gaikokuho-Jimu-Bengoshi* (Registered Foreign Lawyers)

(As of April 1, 2015)

[by bar association]	(Total: 391)	[by home jurisdiction]* <sup>2</sup>	Numbers in brackets show female lawyers. (Total: 381 (60))
Daini Tokyo .....	162	U.S. ....	220(24)
Dai-ichi Tokyo .....	126	New York .....	110(14)
Tokyo .....	73	California .....	49(1)
Osaka .....	10	Hawaii .....	16
Aichi-ken .....	5	Washington DC .....	12
Kanagawa-ken .....	3	Illinois .....	10(3)
Fukuoka-ken .....	3	Virginia .....	6(1)
Gifu-ken .....	2	Massachusetts .....	3(2)
Hyogo-ken .....	2	New Jersey .....	2(1)
Okinawa .....	2	North Carolina .....	2(1)
Iwate .....	1	Florida .....	2
Ibaraki-ken .....	1	Maryland .....	2
Shizuoka-ken .....	1	Washington .....	2
		Georgia .....	1
		Louisiana .....	1(1)
		Texas .....	1
		Connecticut .....	1
		U.K. ....	65(7)
		China .....	35(12)
		Australia .....	23(7)
		New South Wales .....	15(5)
		Queensland .....	3(1)
		Victoria .....	2(1)
		Western Australia .....	2
		Capital Territory .....	1
		Canada .....	9
		Ontario .....	5
		British Columbia .....	4
		Germany .....	6
		France .....	6
		Brazil .....	5 (2)
		India .....	4 (1)
		Philippines .....	3 (3)
		Singapore .....	3 (3)
		Hong Kong .....	3 (2)
		New Zealand .....	2 (2)
		Switzerland .....	2
		Italy .....	1
		South Korea .....	1
		Spain .....	1
		Nepal .....	1
		Taiwan .....	1 (1)
		Paraguay .....	1 (1)
[by nationality]* <sup>1</sup>	(Total: 398)		
U.S. ....	144		
Japan .....	79		
U.K. ....	41		
China .....	35		
Australia .....	30		
Canada .....	16		
Germany .....	10		
France .....	6		
Brazil .....	5		
India .....	5		
Singapore .....	4		
New Zealand .....	3		
Philippines .....	3		
Switzerland .....	2		
Ireland .....	2		
Netherlands .....	1		
Poland .....	1		
Italy .....	1		
Bulgaria .....	1		
South Korea .....	1		
Spain .....	1		
Nepal .....	1		
Samoa .....	1		
Paraguay .....	1		
Greece .....	1		
Sweden .....	1		
Belgium .....	1		
Taiwan .....	1		

## [Note]

1. Regarding nationalities, some persons have dual nationalities and in that case, both nationalities were counted.
2. Regarding home jurisdictions, some persons have been licensed in multiple jurisdictions and in that case, all were counted.
3. The names of the countries in the above list are shown in line with those shown in the list of gaikokuho-jimu-bengoshi (Registered Foreign Lawyers).

### 4.3 Situations regarding Alliances with Foreign Law Joint Enterprises

A foreign law joint enterprise means an enterprise jointly operated by a GJB and an attorney or a LPC under a partnership contract or other continuous contract for the purpose of providing legal services (Article 2-15 of the GJB Act). The Revised GJB Act which came into effect on April 1, 2005, lifted the ban on running joint enterprises and sharing profits between GJBs and attorneys/LPCs and instead required GJBs who were going to enter into foreign law joint enterprises to submit notifications to the JFBA (Article 49-3 of the Revised GJB Act). Foreign law joint enterprises of which notifications have been submitted are as follows.

Data 1-4-3 Situations regarding Alliances with Foreign Law Joint Enterprises

(As of April 1, 2016, in order of date of notification submission)

(Unit: person)

Name of GJB Offices	Name of Law Firms	Attorneys <sup>*1</sup> (Female)	LPCs <sup>*2</sup>	GJBs <sup>*3</sup> (Female)	Employed Attorneys <sup>*4</sup>	Employed GJBs <sup>*5</sup>
Freshfields Bruckhaus Deringer Gaikokuho Jimu Bengoshi Jimusho	Freshfields Bruckhaus Deringer Horitsu Jimusho	4 (1)		2	14	3
Gaikokuho Kyodojigyo O'Melveny & Myers Horitsu Jimusho	Gaikokuho Kyodojigyo O'Melveny & Myers Horitsu Jimusho	1		1	4	0
White & Case Gaikokuho Jimu Bengoshi Jimusho	White & Case Horitsu Jimusho	3 (1)		1	2	6
Skadden Arps Gaikokuho Jimu Bengoshi Jimusho	Skadden Arps Horitsu Jimusho	1		1	6	0
Clifford Chance Horitsu Jimusho Gaikokuho Kyodo Jigyo	Clifford Chance Horitsu Jimusho Gaikokuho Kyodo Jigyo	4		2 (1)	25	4
Gaikokuho Kyodo Jigyo Horitsu Jimusho Linklaters	Gaikokuho Kyodo Jigyo Horitsu Jimusho Linklaters	4 (1)		2	21	0
Orrick, Herrington & Sutcliffe Gaikokuho Jimu Bengoshi Jimusho	Orrick Tokyo Horitsu Jimusho Gaikokuho Kyodo Jigyo	4 (1)		4	14	3
Ashurst Horitsu Jimusho Gaikokuho Kyodo Jigyo	Ashurst Horitsu Jimusho Gaikokuho Kyodo Jigyo	1		1	4	3
Gaikokuho Kyodo Jigyo Jones Day Horitsu Jimusho	Gaikokuho Kyodo Jigyo Jones Day Horitsu Jimusho	8 (1)		4 (1)	31	3
Latham & Watkins Gaikokuho Kyodo Jigyo Horitsu Jimusho	Latham & Watkins Gaikokuho Kyodo Jigyo Horitsu Jimusho	1		3	3	0
Morrison & Foerster Gaikokuho Jimu Bengoshi Jimusho	Ito Mitomi Horitsu Jimusho	5 (1)		2 (1)	7	0
Morgan, Lewis & Bockius Gaikokuho Jimu Bengoshi Jimusho	TMI Sogo Horitsu Jimusho	8 (1)		2 (1)	4	0
Kitahama Horitsu Jimusho Gaikokuho Kyodo Jigyo	Kitahama Horitsu Jimusho Gaikokuho Kyodo Jigyo	14 (4)	1	1	64	1
Wakely Gaikokuho Jimu Bengoshi Jimusho	TMI Sogo Horitsu Jimusho	10		1	5	0
Sullivan & Cromwell Gaikokuho Kyodo Jigyo Horitsu Jimusho	Sullivan & Cromwell Gaikokuho Kyodo Jigyo Horitsu Jimusho	2		1	1	0
Allen & Overy Gaikokuho Kyodo Jigyo Horitsu Jimusho	Allen & Overy Gaikokuho Kyodo Jigyo Horitsu Jimusho	1		1	6	6
Baker & McKenzie Horitsu Jimusho Gaikokuho Kyodo Jigyo	Baker & McKenzie Horitsu Jimusho Gaikokuho Kyodo Jigyo	31 (4)		13 (2)	71	6
Nishikawa Sidley Austin Horitsu Jimusho Gaikokuho Kyodo Jigyo	Nishikawa Sidley Austin Horitsu Jimusho Gaikokuho Kyodo Jigyo	2		1	9	0
DLA Piper Tokyo Partnership Gaikokuho Kyodo Jigyo Horitsu Jimusho	DLA Piper Tokyo Partnership Gaikokuho Kyodo Jigyo Horitsu Jimusho	2 (1)		2	0	0

Name of GJB Offices	Name of Law Firms	Attorneys <sup>*1</sup> (Female)	LPCs <sup>*2</sup>	GJBs <sup>*3</sup> (Female)	Employed Attorneys <sup>*4</sup>	Employed GJBs <sup>*5</sup>
Hogan Lovells Horitsu Jimusho Gaikokuho Kyodo Jigyo	Hogan Lovells Horitsu Jimusho Gaikokuho Kyodo Jigyo	1		1	0	7
Tokyo Akasaka Horitsu Jimusho-Gaikokuho Kyodo Jigyo	Tokyo Akasaka Horitsu Jimusho-Gaikokuho Kyodo Jigyo	2		1	1	0
Simmons & Simmons Gaikokuho Jimu Bengoshi Jimusho	TMI Sogo Horitsu Jimusho	19 (1)		1	4	0
Arqis Gaikokuho Kyodo Jigyo Horitsu Jimusho	TMI Sogo Horitsu Jimusho	9		1	1	1
Arqis Gaikokuho Kyodo Jigyo Horitsu Jimusho	Arqis Gaikokuho Kyodo Jigyo Horitsu Jimusho	1		1	2	1
Maritax Nagatani Gaikokuho Jimu Bengoshi Jimusho	Maritax Horitsu Jimusho	1		1	2	0
K&L Gates Gaikokuho Kyodo Jigyo Horitsu Jimusho	K&L Gates Gaikokuho Kyodo Jigyo Horitsu Jimusho	5		4	6	0
Nihon Saitu Gaikokuho Jimu Bengoshi Jimusho	Bengoshi Hojin Akasaka Horitsu Jimusho	0	1	1	1	0
Kobe Sejong Gaikokuho Kyodo Jigyo Horitsu Jimusho	Kobe Sejong Gaikokuho Kyodo Jigyo Horitsu Jimusho	3		1	0	0
Janssen Foreign Law Joint Enterprise with Atsumi & Sakai	Atsumi Sakai Horitsu Jimusho-Gaikokuho Kyodo Jigyo	8 (4)	1	1	86	4
Atsumi Sakai Horitsu Jimusho-Gaikokuho Kyodo Jigyo	Atsumi Sakai Horitsu Jimusho-Gaikokuho Kyodo Jigyo	0	1	3	84	4
Okuno Sogo Horitsu Jimusho-Gaikokuho Kyodo Jigyo	Okuno Sogo Horitsu Jimusho-Gaikokuho Kyodo Jigyo	1		1	29	0
Squire Gaikokuho Kyodo Jigyo Horitsu Jimusho	Squire Gaikokuho Kyodo Jigyo Horitsu Jimusho	5		4	18	2
Broad & Bright Gaikokuho Jimu Bengoshi Jimusho	Toranomon Chuo Horitsu Jimusho	1		1	19	0
Morgan, Lewis & Bockius Gaikokuho Jimu Bengoshi Jimusho	Morgan, Lewis & Bockius Horitsu Jimusho	1 (1)		1 (1)	2	5
Shikuma Gaikokuho Jimu Bengoshi Jimusho	Takagi Horitsu Jimusho	1		1	0	0
Wheeler Gaikokuho Jimu Bengoshi Jimusho	Ohashi Horitsu Jimusho	1		1	0	0
Southgate Horitsu Jimusho-Gaikokuho Kyodo Jigyo	Southgate Horitsu Jimusho-Gaikokuho Kyodo Jigyo	1		1	1	0
Pillsbury Winthrop Shaw Pittman Horitsu Jimusho	Pillsbury Winthrop Shaw Pittman Horitsu Jimusho	1		1	2	4
Debevoise & Plimpton Gaikokuho Kyodo Jigyo Horitsu Jimusho	Debevoise & Plimpton Gaikokuho Kyodo Jigyo Horitsu Jimusho	1 (1)		1	0	0
	Total	168 (23)	4	73 (7)	549	63

[Note]

1. "Attorneys" is the number of attorneys who are engaged in foreign law joint enterprises. The figure within the brackets indicates the number of female attorneys.
2. "LPCs" is the number of LPCs which are engaged in foreign law joint enterprises.
3. "GJBs" is the number of GJBs who are engaged in foreign law joint enterprises. The figure within the brackets indicates the number of female attorneys.
4. "Employed Attorneys" is the number of attorneys who are hired by attorneys or GJBs operating foreign law joint enterprises.
5. "Employed GJBs" is the number of GJBs who are hired by attorneys or GJBs operating foreign law joint enterprises.

#### **4.4 The Number of Foreign Lawyers Employed by Attorneys and Legal Professional Corporations**

Attorneys and LPCs should submit notifications to the JFBA if they employ foreign lawyers\*.

\*: Foreign lawyer is “a person whose professional duties are to provide legal services as a practice in a foreign jurisdiction (in the case of a federal state stipulated by Ordinance of the Ministry of Justice, the term “foreign jurisdiction” means its constituent unit such as a state, territory and others stipulated by Ordinance of the Ministry of Justice)” and “who is equivalent to an Attorney at Law” (according to Article 2(ii) of the Act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers)

The tables below show the number of employed foreign lawyers by nationality and by home jurisdiction in descending order. Foreign lawyers do not include GJBs. (*See* Page 51 for the information on GJBs.)

##### **4.4.1 By Nationality**

Those who have U.S. nationality form the largest number followed by the U.K., Japan, Australia, and China (Top 5).

##### **4.4.2 By Home Jurisdiction**

Looking at the number of employed foreign lawyers by home jurisdiction, the number of those whose home jurisdiction is in the U.S. is more than that of those who have U.S. nationality mentioned previously. It indicates how many people have obtained qualifications in the U.S. The next largest number is those whose home jurisdiction is in the U.K. followed by Australia.

Data 1-4-4 (1) The Number of Foreign Lawyers Employed by Attorneys and LPCs by Nationality

(As of April 1, 2016) (Unit: person)

Year (Fiscal) \ Nationality	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total*3
U.S.	24	24	33	14	18	13	15	12	14	9	176
U.K.	4	15	21	9	11	10	14	3	6	8	101
Japan*1	8	13	13	11	11	14	11	8	2	4	95
Australia	3	12	10	3	3	8	21	12	10	9	91
China	4	4	5	2	7	2	6	3	4	2	39
Canada	4	4	3		3	1	2	3		4	24
New Zealand	3	3	6	1	2	1					16
Singapore		2	1		1	1	3	1	5	2	16
Germany		4	1		1		1	3	1	4	15
South Korea			1	2	3		1	2	2	1	12
Philippines	1	1	2		1			1	1	1	8
India			1				2	3		1	7
France			1					3		2	6
Taiwan				1		1	1	1	1		5
Russia	1				1	1				1	4
Brazil					1				2	1	4
Indonesia							2			2	4
Ireland			1		1			1			3
Iceland	1						2				3
Malaysia								1	1	1	3
Finland		1	1								2
Sweden		1			1						2
Italy								1	1		2
Slovakia				1						1	2
Belgium				1							1
Bulgaria		1									1
Mexico		1									1
Jamaica						1					1
Malta								1			1
Vietnam									1		1
Holland										1	1
Sri Lanka										1	1
Total	53	86	100	45	65	53	81	59	51	55	648

[Note]

1. "Japan" in "Nationality" means the number of those who have Japanese nationality but have been qualified in foreign jurisdictions.
2. The above numbers of employed foreign lawyers are based on the date of their employment in the notifications submitted by April 1, 2016. Those whose employment has been terminated are not reflected in the numbers so that the total number is not equal to the number of those actually employed at the time of April 1, 2016.
3. The total number does not include the numbers in the notifications submitted before 2006.

Data 1-4-4 (2) The Number of Foreign Lawyers Employed by Attorneys and LPCs by Home Jurisdiction

(As of April 1, 2016) (Unit: person)

Year (Fiscal) \ Home Jurisdiction	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total*3
U.S.	35	43	48	26	34	20	28	24	18	17	293
U.K.	6	22	27	14	18	20	32	9	12	15	175
Australia	4	11	10	4	3	7	18	6	9	10	82
China	3	3	5	2	6	2	5	3	4	2	35
Germany		4	1		1		1	2	1	4	14
Singapore		1			1	1	4		3	2	12
New Zealand	2	2	3	1	1	1					10
Philippines	1	1	2		1			1	1	1	8
India			1				2	4		1	8
Hong Kong		1	1	1	1	1	1				6
Canada	1	2	1			1				1	6
Russia					1	1				2	4
Taiwan				1			1	1	1		4
Brazil					1				2	1	4
Bulgaria								3			3
South Korea								1	1	1	3
Indonesia							1			2	3
France								1		2	3
Italy								1	1		2
Malaysia									1		1
Mexico		1									1
Jamaica						1					1
Ireland								1			1
Vietnam									1		1
Holland										1	1
Total	52	91	99	49	68	55	93	57	55	62	681

[Note]

1. Regarding the above numbers of employed foreign lawyers, see [Note] 2 on the left.
2. Some persons hold qualifications in multiple jurisdictions so that the total number of the above table is not equal to that of the table on the left.
3. The total number does not include the numbers in the notifications submitted before 2006.



#### 4.5 World Law Firms and Their Entry into the Japanese Market

The wave of internationalization is coming into the Japanese legal market and world's major law firms have built their presence in Japan. The table below shows law firms by the number of lawyers among those of the top 100 (by gross revenue) in the world, of which GJBs are running foreign law joint enterprises with Japanese attorneys.

Data 1-4-5 The Top 100 (by gross revenue) Law Firms in the World, of which GJBs are Running Foreign Law Joint Enterprises with Japanese Attorneys

Law Firms	Country of Main Office	Number of Lawyers	Countries in which Firm Has Offices	Lawyers Outside of the Country of Main Office	Rank by Gross Revenue	Gross Revenue (\$)
Baker & McKenzie	U.S.	4,363	47	85%	3	2,430,000,000
DLA Piper	U.S.	3,702	31	66%	2	2,480,500,000
Jones Day	U.S.	2,510	18	33%	10	1,850,000,000
Clifford Chance	U.K.	2,495	26	72%	5	2,225,500,000
Hogan Lovells	U.S.	2,360	20	63%	12	1,779,500,000
Linklaters	U.K.	2,252	20	62%	8	2,088,000,000
Allen & Overy	U.K.	2,172	32	68%	7	2,112,000,000
Latham & Watkins	U.S.	2,100	14	32%	1	2,612,000,000
Freshfields Bruckhaus Deringer	U.K.	2,035	18	58%	9	2,052,500,000
K&L Gates	U.S.	1,952	17	36%	27	1,145,500,000
White & Case	U.S.	1,878	27	70%	14	1,503,000,000
Sidley Austin	U.S.	1,761	9	17%	13	1,753,500,000
Skadden, Arps, Slate, Meagher & Flom	U.S.	1,654	13	19%	4	2,315,000,000
Ashurst	U.K.	1,478	16	72%	37	925,000,000
Squire Patton Boggs	U.S.	1,356	20	56%	40	870,500,000
Morgan, Lewis & Bockius	U.S.	1,338	10	8%	17	1,317,000,000
Morrison & Foerster	U.S.	988	7	25%	35	968,500,000
Orrick, Herrington & Sutcliffe	U.S.	891	8	33%	39	877,000,000
Paul Hastings	U.S.	873	9	22%	34	1,000,500,000
Sullivan & Cromwell	U.S.	805	7	20%	18	1,276,000,000
Simmons & Simmons	U.K.	735	18	49%	78	478,000,000
O'Melveny & Myers	U.S.	663	8	14%	55	665,000,000
Debevoise & Plimpton	U.S.	615	6	25%	49	710,500,000
Pillsbury Winthrop Shaw Pittman	U.S.	591	5	7%	71	560,000,000

[Note]

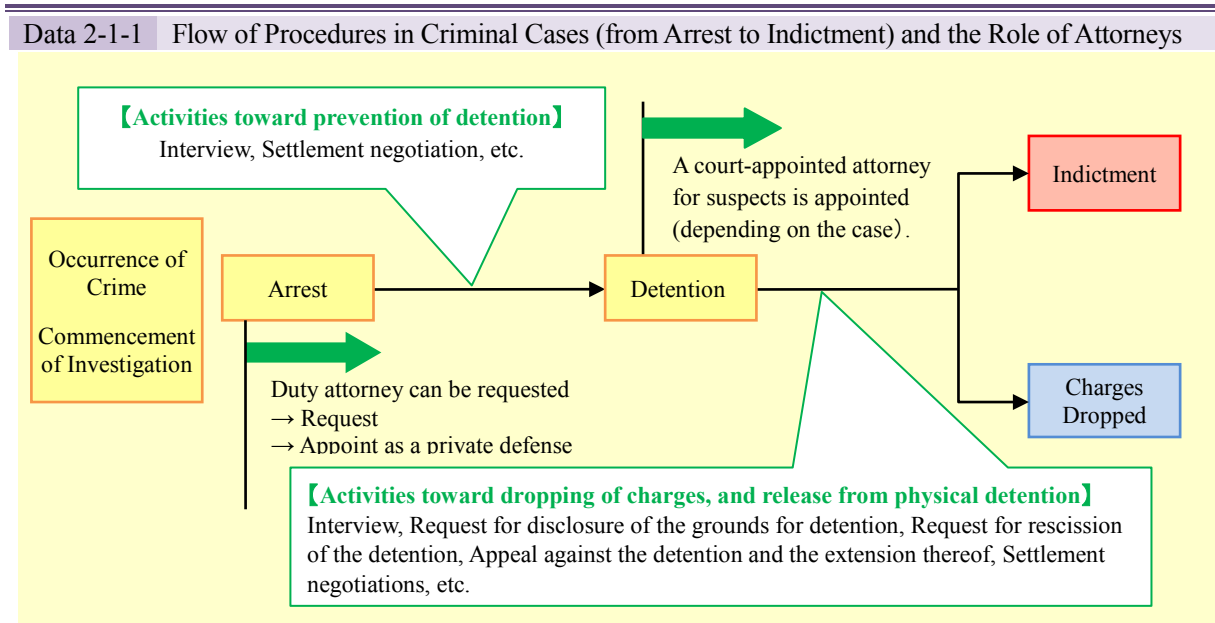
1. The above ranks and numbers are taken from 'The Global 100', The American Lawyer (October 2015).
2. Law firms in the table are listed in order of the number of lawyers among those within the top 100 law firms in the world ranked by gross revenue and are assumed as the same law firms that have submitted notifications concerning foreign law joint enterprises to the JFBA as of April 1, 2016.

## Part 2 Activities of Attorneys

### Chapter 1 Criminal Advocacy Activities

Attorneys have wide-ranging duties that are continually expanding. One of the most important activities in which only attorneys are allowed to engage is that of acting as a criminal advocate. Recently, various changes in criminal defense practices have started to occur, due partly to the series of criminal justice reforms such as the implementation of trials before lay judges. The various ways in which attorneys are engaged as criminal advocates are outlined below.

#### 1.1 Duty Attorney (Toban Bengoshi) and Court-Appointed Attorney Systems for Suspects



[Note]

1. At any stage, it is possible to appoint a private defense counsel.
2. In appointing a private defense counsel, the Criminal Suspect Defense Aid System can be used under certain conditions.

##### 1.1.1 Outline of Duty Attorney (Toban Bengoshi) and Court-Appointed Attorney System for Suspects

Under the duty attorney system, a bar association dispatches an attorney when it receives a request from an arrested and detained suspect or from a member of their family, etc. In principle, an attorney visits them on the day of the request, and the first interview is free.

The court-appointed attorney system is a system in which a court appoints an attorney as counsel for a defendant (a person who has been indicted) and a suspect (a person who has not been indicted) when a defendant or a suspect is unable to appoint counsel privately because of indigence or other reasons and requests the court to appoint an attorney. Also, a court may appoint one ex-officio under certain conditions.

Until September 2006, there was no court-appointed attorney system for suspects. Since October 2006, the court-appointed attorney system for suspects has been introduced to cover cases that should be tried by a collegiate panel, and it has been further extended since May 2009 to cover all cases in which the presence of defense counsel is mandatory. In 2014, the Legislative Council of the Ministry of Justice concluded that the cases to be covered should be expanded to include “cases where a detention warrant has been issued to the suspect,” and the Code of Criminal Procedure was amended accordingly on May 24, 2016. In accordance with this amendment, it is expected that all cases for detained suspects are to be covered by the court-appointed attorney system for suspects. For cases which will not be covered by such system, suspects can use the Criminal Suspect Defense Aid System which has been self-funded by the JFBA and other bar associations.

### 1.1.2 Current Situation of the Duty Attorney (Toban Bengoshi) System

Even though the court appointed attorney system for suspects has been introduced, a court appointed attorney is allowed to be appointed only after the detention order has been issued to the suspect after a maximum of 72-hour detention, with some conditions, following arrest. Therefore, the duty attorney system plays an important role for any suspect whose detention has not been decided yet, and any other type of suspect whose case falls outside the scope of cases in which a court appointed attorney is to be provided.

The following table shows the status of the duty attorney system in recent years.

The number of “Cases Undertaken” is the number of cases in which attorneys who had interviewed suspects or defendants as duty attorneys accepted to privately undertake the cases. The number of “Criminal Suspect Defense Aid Cases” is the number of cases for which the Criminal Suspect Defense Aid System granted aid for defense expenses due to financial difficulties of the suspects. The number of “Juvenile Attendant Aid Cases” is the number of the juvenile cases for which the Juvenile Attendant Aid System granted aid for attendant expenses. Attorneys who were dispatched as duty attorneys undertook most of the cases covered by both systems.

Data 2-1-2 Status of the Duty Attorney System in Recent Years

Year	Duty Attorney Registrations* <sup>1</sup>		Duty Attorney Requests		Cases Undertaken by Duty Attorneys		
	Attorneys Registered (persons)	Rate of Attorneys Registered	Cases	Rate of Increase	Cases	Rate of Increase	Rate of Cases Undertaken* <sup>2</sup>
2008	10,016	40%	64,708	2%	13,808	11%	22%
2009	10,806	40%	51,462	-20%	14,250	3%	30%
2010	11,402	40%	38,074	-26%	13,050	-8%	37%
2011	12,356	41%	37,952	0%	14,901	14%	42%
2012	13,843	43%	43,674	15%	18,179	22%	45%
2013	14,447	43%	45,803	5%	20,310	12%	49%
2014	16,590	47%	48,210	5%	21,554	6%	48%
2015	16,840	46%	50,705	5%	22,858	6%	49%

Year	Criminal Suspect Defense Aid Cases* <sup>3</sup>		Juvenile Attendant Aid Cases* <sup>3</sup>		Number of Detention Requests* <sup>4</sup>	
	Cases	Rate of Increase	Cases	Rate of Increase	Cases	Rate of Increase
2008	11,457	52%	4,361	29%	121,811	-4%
2009	6,956	-39%	6,429	47%	121,398	0%
2010	5,318	-24%	7,276	13%	115,804	-5%
2011	6,565	23%	8,013	10%	111,699	-4%
2012	8,503	30%	8,104	1%	113,617	2%
2013	10,059	18%	7,781	-4%	111,476	-2%
2014	11,182	11%	4,887	-37%	109,258	-2%
2015	11,716	5%	3,423	-30%	109,845	1%

[Note]

1. Statistics related to duty attorneys are based on calendar years (from January 1 to December 31 of each year), except for the number of duty attorney registrations and the rate of duty attorneys registered, which are as of April 1 from 2008 to 2009, and from 2010, are as of February 1 of each year.

2. The denominator of “Rate of Cases Undertaken” is the number of cases undertaken by duty attorneys except for cancelled, unclear, or uncertain cases.

3. The number of “Criminal Suspect Defense Aid Cases” and “Juvenile Attendant Aid Cases” is that of completed cases in each financial year of the Japan Legal Support Center.

4. The “Number of Detention Requests” is based on the added number of cases involving both “detention permitted” and “detention rejected” in the “measures taken after arrest” section of the “Annual Report of Statistics on Prosecution” for each year.
5. Numbers are rounded to the nearest whole numbers.

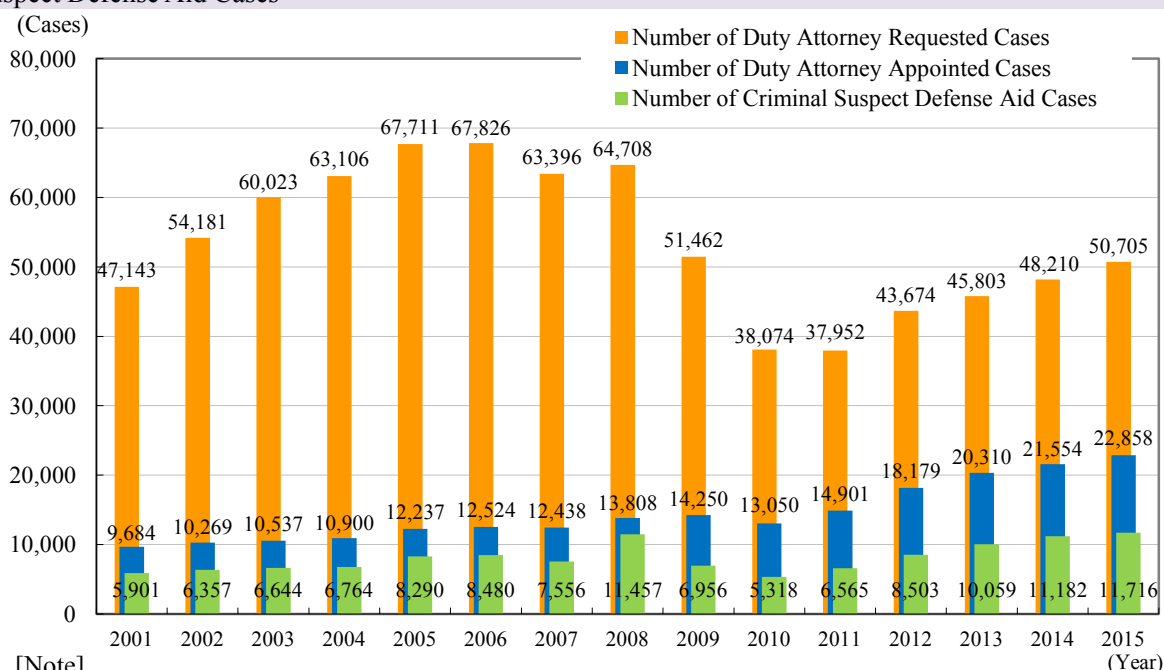
### 1.1.3 Changes in the Number of Duty Attorney Requested Cases, Appointed Cases, and Criminal Suspect Defense Aid Cases

The number of requests for duty attorneys nationwide has gradually decreased from the peak seen in 2006, due to the court-appointed attorney system for suspects launched on October 2, 2006. Since 2012, however, the number of requests has been increasing. Even after the scope of the court-appointed attorney system for suspects was expanded in 2009, there are still 40,000 to 50,000 cases undertaken by duty attorneys each year. This illustrates the fact that the duty attorney system still retains its own meaning and importance.

The number of “Criminal Suspect Defense Aid Cases” is the number of cases in which suspects without enough financial resource used the Criminal Suspect Defense Aid System and were granted aid for defense expenses before indictments. In 2015, there were 11,716 cases.

The Criminal Suspect Defense Aid System was operated by the Japan Legal Aid Association from 1990 by the request of the JFBA. The system provided aid for defense expenses in cases where attorneys were privately appointed but it was difficult for the suspects to pay the attorneys' expenses. This system has always suffered from budget shortages so the JFBA established the Emergency Fund for Duty Attorney System in 1995 to support the system. This fund was replaced with the Fund for Juvenile and Criminal Defense in June 2009.

**Data 2-1-3** Changes in the Number of Duty Attorney Requested Cases, Appointed Cases, and Criminal Suspect Defense Aid Cases



[Note]

1. The number of Duty Attorney Requested Cases and the number of Duty Attorney Appointed Cases are based on calendar years (from January 1 to the end of December each year).
2. The number of Criminal Suspect Defense Aid Cases in 2007 is the sum of the cases for which aid was actually granted by the JFBA from April to September 2007 (statistics taken as of the end of March 2008) and the number of cases in which aid commencements were decided by the Japan Legal Support Center from October 2007 to March 2008. The number after 2008 is that of completed cases of each fiscal year at the Japan Legal Support Center. The numbers before 2006 are the numbers of cases for which aid was actually granted by the Japan Legal Aid Association.

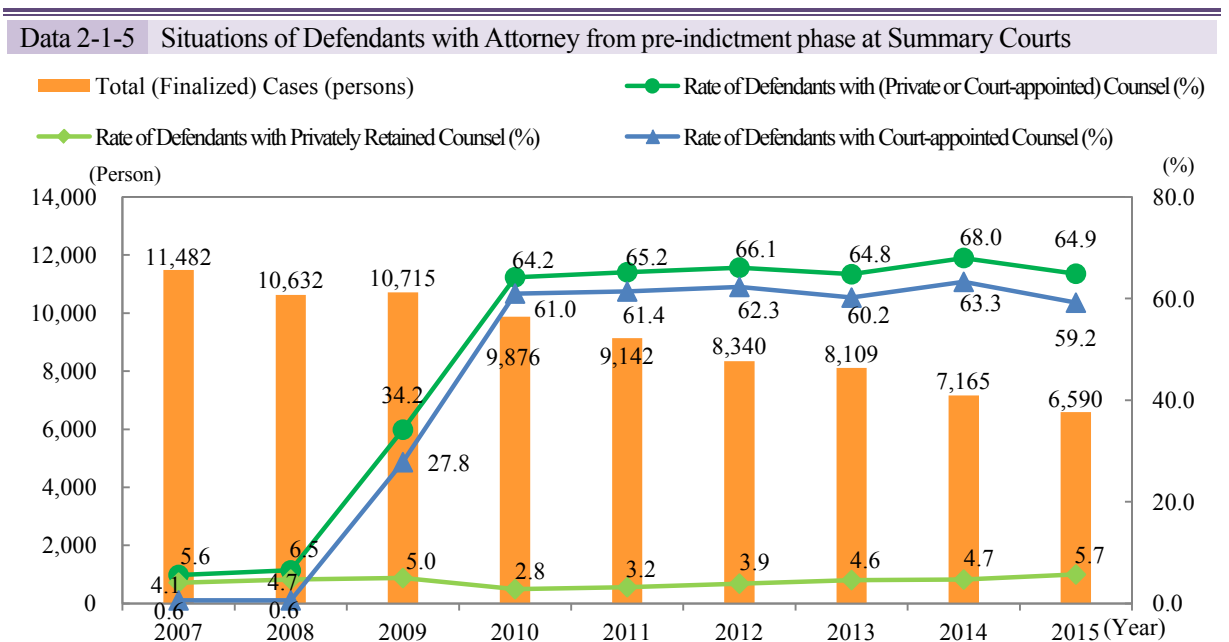
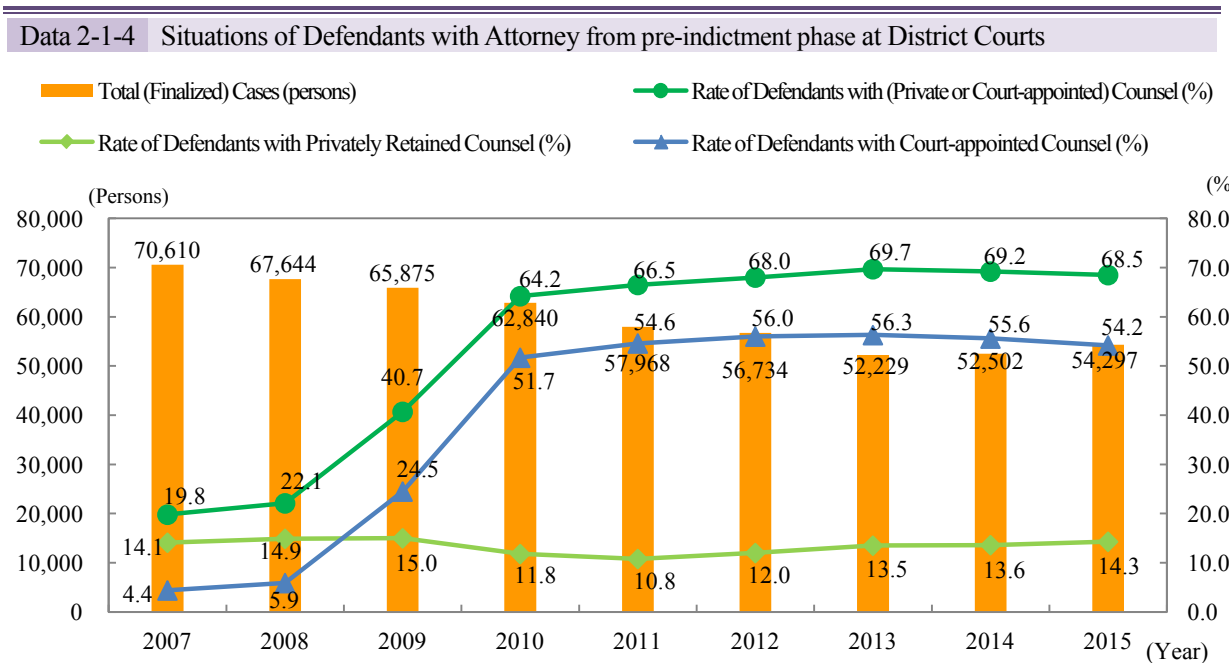
### 1.1.4 Public Defense System Available Prior to Indictment

#### 1.1.4.1 Operation Status of Court-Appointed Attorney System for Suspects

Since the Court-Appointed Attorney System for Suspects has been introduced, the rate of cases in which attorneys are appointed prior to indictment has remarkably increased.

In the phase shortly after arrest, attorneys are required to provide various types of support, such as giving advice on how to deal with interrogation by the investigating authority and working on earlier release from detention, among others. The court-appointed attorney system for suspects will be expanded to all cases for detained suspects, but it is desirable that the scope of the public defense system should be expanded in future until it includes arrested suspects prior to the decision of detention.

The following tables show the situations of defendants who have been represented by attorneys from the pre-indictment phase of ordinary first instance cases at district or summary courts.



[Notes]

1. The data is based on the “Judicial Statistics Annual Report (Criminal Part)”.
2. “Total (Finalized) Number of Cases” indicates the actual number of persons whose cases have been finalized, namely, by either the rendering of a judgment of conviction, the making of a decision to close a trial, or the withdrawal of a claim for a formal trial, in the applicable period (year).
3. In cases in which a defendant has retained private counsel and has had counsel appointed by the court, both counsel are counted.
4. All the rates are relative to “Total (Finalized) Number of Cases”.

**1.1.4.2 Permission or Rejection for Detention Requests**

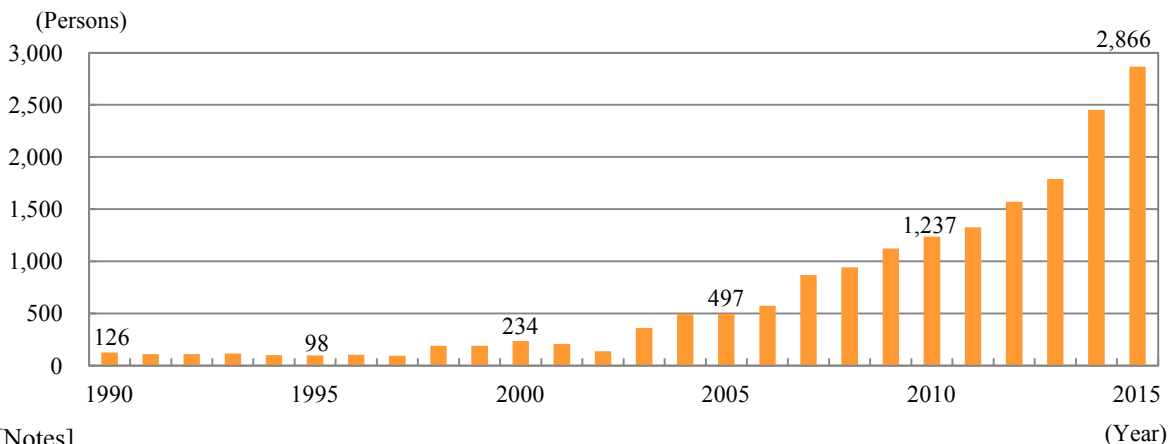
It is difficult to quantify the results from the increased appointments of attorneys in the pre-indictment phase. However, some results could be inferred from the statistics of permission or rejection of requests for detention.

Although the number of persons for whom a detention request was dropped had remained roughly under 200 from 1990 to 2002, it has increased since 2003, and continues to rise to 2,866 persons in 2015 (see Data 2-1-7 below). An increasing trend can also be seen in the rejection rate of requests for detention even with slight changes. Thus, it appears that the early involvement of attorneys in criminal cases through the Duty Attorney System has contributed to these trends.

**Data 2-1-6 Changes in the Permission/Rejection Rate of Detention Requests**

Year	Detention Request (persons)	Permitted (persons)	Rejected (persons)	Permission Rate	Rejection Rate
1990	72,597	72,471	126	99.8%	0.2%
1995	87,156	87,058	98	99.9%	0.1%
2000	115,625	115,391	234	99.8%	0.2%
2005	142,272	141,775	497	99.7%	0.3%
2010	115,804	114,567	1,237	98.9%	1.1%
2011	111,699	110,373	1,326	98.8%	1.2%
2012	113,617	112,047	1,570	98.6%	1.4%
2013	111,476	109,686	1,790	98.4%	1.6%
2014	109,258	106,806	2,452	97.8%	2.2%
2015	109,845	106,979	2,866	97.4%	2.6%

**Data 2-1-7 Changes in the Number of Persons whose Detention Request has been Rejected**



[Notes]

1. The above graph was made by the JFBA based on the statistics of measures taken at the time of and after arrest in the “Annual Report of Statistics on Prosecution”.
2. The “Detention Request” in persons is obtained by adding the number of “Permitted” and “Rejected” persons.

## 1.2 The Status of Defense Attorneys Involvement in the Overall Criminal Cases

### 1.2.1 The Status of Court-Appointed Attorney Contracts and the Number of Defendants with Court-Appointed Attorneys

Since October 2006, courts, etc. appoint court-appointed attorneys from the list of court-appointed attorneys contracted with the Japan Legal Support Center (“Contracted attorneys”).

The table below shows the number of Contracted attorneys, the number of defendants with court-appointed attorneys, and the number calculated by dividing the number of defendants with court-appointed attorneys by the number of Contracted attorneys.

Data 2-1-8 Number of Defendants per Attorney Contracted as Court-Appointed Attorney

Number of Contracted Attorneys		Total Number of Attorneys (person) (2015.12.31)* <sup>2</sup>	Number of Defendants with Court-Appointed Attorneys (person)* <sup>3</sup> (2015)	Number of Defendants per Contracted Attorney (person)
Number of Contracted Attorneys (person)	Percentage of Contracted Attorneys			
25,533	68.2%	37,445	51,653	2.0

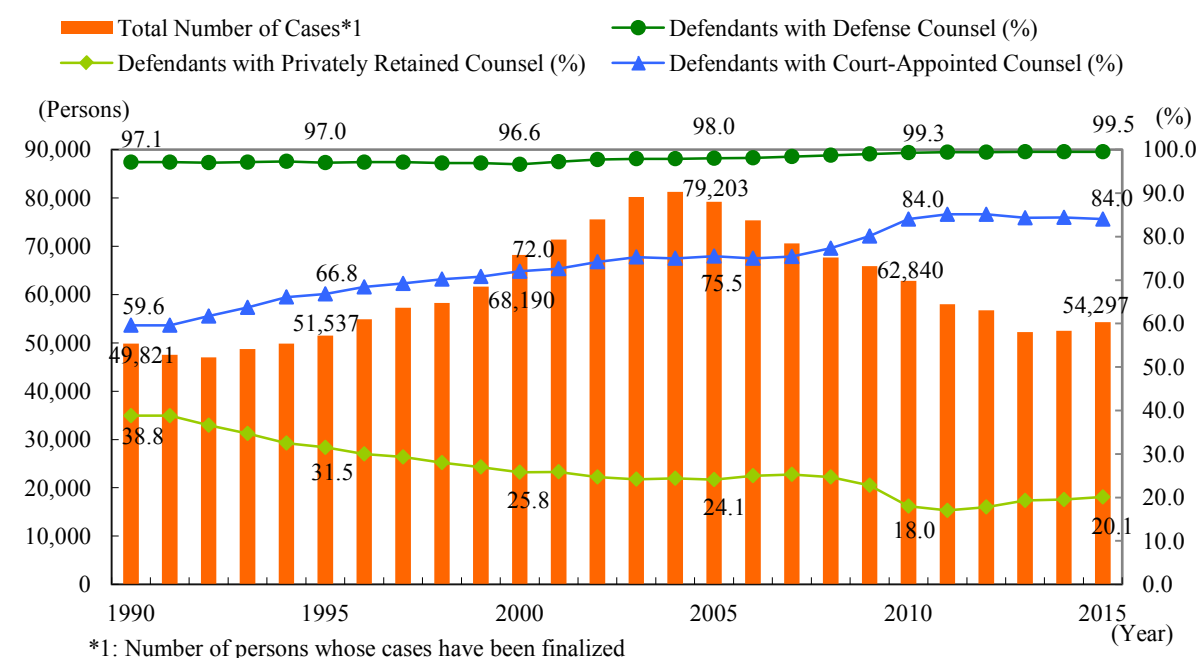
[Note]

1. The number of Contracted Attorneys is as of December 1, 2015 from the statistics taken by the Japan Legal Support Center.
2. The total number of attorneys as of December 31, 2015 is used in line with the number of defendants with court-appointed attorneys taken as of December 2015.
3. The number of defendants with court-appointed attorneys is obtained by adding the numbers of all the district and summary courts based on the “2015 Judicial Statistics Annual Report (Criminal Part)”.

### 1.2.2 Changes in the Percentage of Retaining Criminal Defense Counsel (after Indictment) (Court-Appointed and Privately Retained) at District Courts

The total number of criminal cases (the total number of persons whose cases have been finalized) handled at district courts peaked in 2003, 2004 at approximately 80,000, and has gradually been decreasing. In these cases, almost 100% of defendants had defense counsel. When observing the percentage of defendants with privately retained counsel and those with court-appointed counsel, the number of court-appointed counsel cases has been increasing year after year, and was at 84.0% in 2015. On the other hand, the private counsel cases have decreased to the level of 20%.

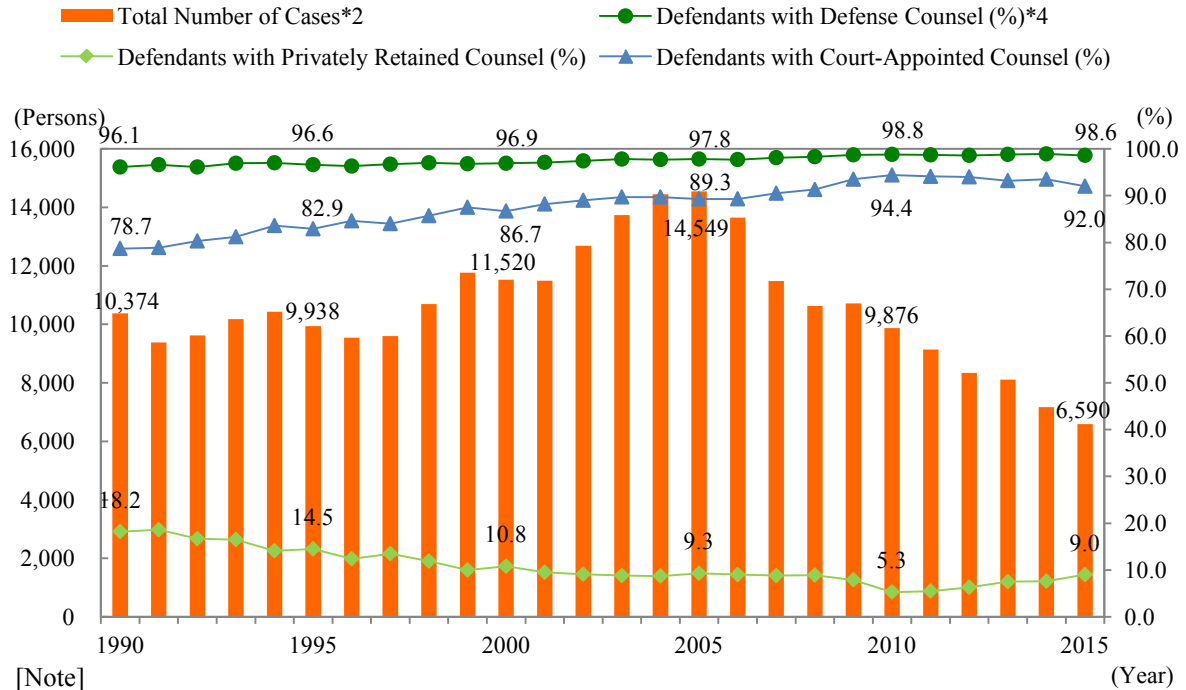
Data 2-1-9 Changes in the Percentage of Retaining Criminal Defense Counsel (at District Courts)



### 1.2.3 Changes in the Percentage of Retaining Criminal Defense Counsel (after Indictment) (Court-Appointed and Privately Retained) at Summary Courts

The total number of criminal cases (the total number of persons whose cases have been finalized) at summary courts has been decreasing in recent times. Defense counsel is retained in almost 100% of the cases, mostly appointed by courts.

Data 2-1-10 Changes in the Percentage of Retaining Criminal Defense Counsel (at Summary Courts)



[Note]

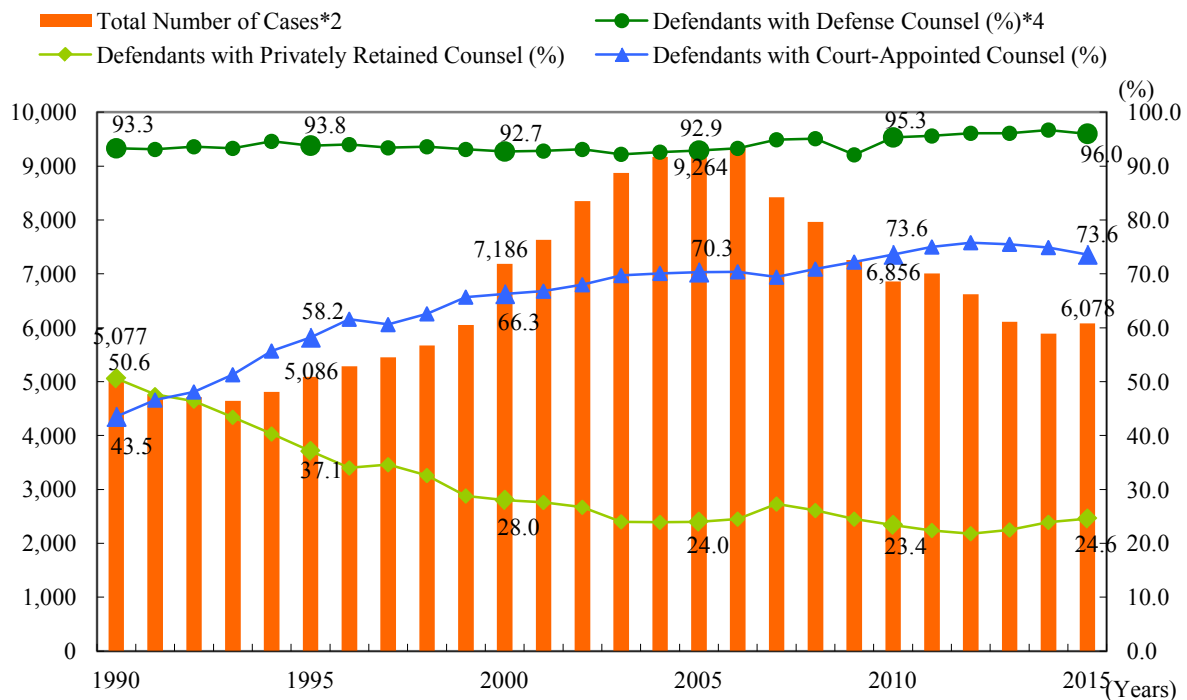
1. The data is based on the “Judicial Statistics Annual Report (Criminal Part)”.
2. “Total Number of Cases” indicates the actual number of persons whose cases have been finalized, namely, by either the rendering of a judgment of conviction, the making of a decision to close a trial, or the withdrawal of a claim for a formal trial, in the applicable period (year).
3. In the case of both a privately retained counsel and a court-appointed counsel being appointed to the same defendant, both appointments are counted.
4. The percentage of “Defendants with Defense Counsel” is relative to “Total Number of Cases”(the total number of persons whose cases have been finalized).



### 1.2.4 Changes in the Percentage of Defendants Retaining Criminal Defense Counsel (after Indictment) (Court-Appointed and Privately Retained) at High Courts

The percentage of defendants with court-appointed counsel at the high court level has also increased similar to the tendency seen at the district and summary court level.

Data 2-1-11 Changes in the Percentage of Defendants Retaining Criminal Defense Counsel (after Indictment) (High Courts)



[Note]

1. The data is based on the “Judicial Statistics Annual Report (Criminal Part)”.
2. “Total Number of Cases” indicates the actual number of persons whose trials have been finalized, namely, by either the rendering of a judgment of conviction, the making of a decision to close a trial, or the withdrawal of a claim for a formal trial, in the applicable period (year).
3. In the case of both a privately retained counsel and a court-appointed counsel being appointed to the same defendant, both appointments are counted.
4. The percentage of “Defendants with Defense Counsel” is relative to the “Total number of Cases” (the total number of persons whose trials have been finalized).

### 1.3 Defense Activities in Juvenile Cases

Juveniles who are accused of having committed crimes are referred to the family court to attend juvenile proceedings. This can be contrasted to the situation for adults who are accused of having committed a crime, as they are required to attend criminal trials. Unlike in criminal trials, at juvenile proceedings, there is no system for appointing attorneys as defense counsel for juveniles. However, for juvenile cases, a juvenile may, at any, time appoint an attendant acting in the role of providing protection for the juvenile’s rights. In the Juvenile Act, attendants are not limited to attorneys; however, in practice, most attendants are attorneys.

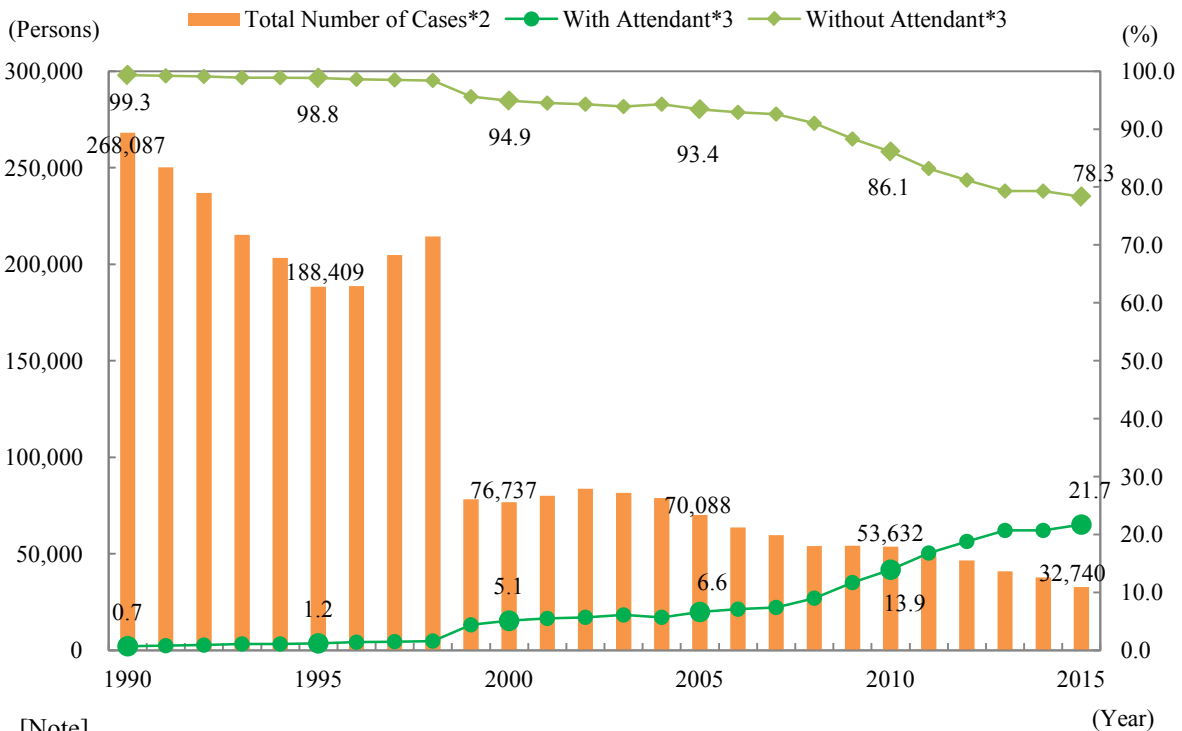
In order to have facts properly verified, attorney attendants conduct activities such as listening to the juvenile, examining evidence and making various assertions to the family court, etc. Since juveniles have not yet reached full maturity, there is greater risk of juveniles, as opposed to adults, being subjected to making false confessions even though they did not commit a crime. Thus, attorney attendants are under a duty to protect juveniles from being subjected to miscarriages of justice. Furthermore, attorney attendants support the rehabilitation of juveniles who have engaged in delinquency and criminal acts. In terms of the background of juveniles committing such acts, in most cases, the juveniles in question have relationship problems with their family, such as having been

subjected to physical abuse from their parents or guardians. The activities of attorney attendants have been leading to the achievement of the rehabilitation of juveniles; namely, working on helping juveniles to achieve improvements in their family relationships or improving their environment by finding an appropriate school or work place for them. In addition, attorney attendants conduct activities such as meeting with the victim to convey an apology from the juvenile, and performing necessary activities concerning the provision of compensation for the damage suffered by the victim.

Even though attorney attendants have been playing such an important role for juveniles, among the juveniles who have attended juvenile proceedings, the rate of cases with appointed attorney attendants has been extremely and disappointingly low for a long time. The main reason for this is that the system for providing court-appointed attorney attendants for juveniles through public funds for juveniles with limited financial sources did not exist until 2000 when the Juvenile Act was revised. In addition, even after the introduction of such system, the juvenile cases for which court-appointed attorney attendants are able to attend are limited to certain serious types of cases.

Amid such situation, the JFBA has established the Duty Attorney Attendant System and the legal aid system for attorney attendants in juvenile protection cases in order to help as many juveniles as possible to receive legal aid by attorney attendants. Moreover, the JFBA has sought a substantial expansion in the scope of the court-appointed attorney attendant system. As a result, the number and the rate of appointed attorney attendants has risen dramatically in the 2000s (see Data 2-1-12), and the activities the JFBA has been addressing have achieved a significant expansion in the scope of cases to which court-appointed attorney attendants are to be appointed from June 2014 (see Data 2-1-13).

**Data 2-1-12** Changes in the Number of Juvenile Probation Cases (at Family Courts) and the Proportion of Cases in which Attendants are Present



[Note]

1. The statistics are based on the materials given by the Supreme Court.
2. The total number of cases from 1999 excludes those cases referred to summary courts, those involving death or injury through negligence in the pursuit of social activities when driving vehicles, those transferred to other courts, or those jointly tried that were not counted as completed cases (subordinate cases). From 2002, the number also excludes cases involving death or bodily injury through dangerous driving.
3. A person other than an attorney may be an attendant. The statistics of “with attendant” and “without attendant” above include attendants other than attorneys.

**Data 2-1-13** Changes in the Number of Juvenile Probation Cases (at Family Courts) and the Proportion of Cases in which Attendants are Present

Year	Total Number of Juvenile Probation Cases (Person)	Cases with Attendants (person)								Number of Cases for which Measures for Detention and Shelter Care have been Decided (Persons)
			Attorneys				Guardian	Others		
			Privately Retained		Court-appointed					
			Number of Cases	Rate	Number of Cases	Rate				
2004	78,969	4,468	4,135	4,134	100.0%	1	0.0%	62	271	16,736
2005	70,088	4,623	4,358	4,353	99.9%	5	0.1%	56	209	15,476
2006	63,630	4,489	4,233	4,230	99.9%	3	0.1%	60	196	14,124
2007	59,697	4,423	4,149	4,102	98.9%	47	1.1%	67	207	12,391
2008	54,054	4,876	4,651	4,200	90.3%	451	9.7%	43	182	11,527
2009	54,253	6,344	6,137	5,625	91.7%	512	8.3%	45	162	11,241
2010	53,632	7,474	7,248	6,906	95.3%	342	4.7%	61	165	10,639
2011	48,886	8,217	8,033	7,655	95.3%	378	4.7%	35	149	10,186
2012	46,583	8,745	8,612	8,291	96.3%	321	3.7%	31	102	10,047
2013	40,987	8,477	8,366	8,046	96.2%	320	3.8%	31	80	9,196
2014	37,713	7,790	7,701	6,009	78.0%	1,692	22.0%	24	65	8,160
2015	32,740	7,114	7,026	3,837	54.6%	3,189	45.4%	29	59	7,255

[Note]

1. The statistics are based on the materials given by the Supreme Court.
2. In cases where both a privately retained attendant and a court-appointed attendant are appointed to the same juvenile probation case, such as the case where a court-appointed attendant is dismissed because of the appointment of a privately retained attendant, the appointment of the court-appointed attendant is counted.

## 1.4 The Lay Judge System

### 1.4.1 Cases Determined by Lay Judges

On May 29, 2009, the Act on Criminal Trials Examined under the *Saiban-in* (lay judges) system was enacted and the *Saiban-in* (lay judges) system was implemented. After approximately 65 years since the expiration of the Jury Act in 1943, a system allowing citizens to participate in the judicial process was once again implemented.

The *Saiban-in* system aims to achieve “better criminal trials,” where citizens having a wide range of experiences and coming from many different backgrounds participate in trials directly, and where penal trial principles, such as the presumption of innocence, are honored. Moreover, it is a further aim of the system to assist in bringing about common sense being more heavily reflected in the judicial process as well as to revitalize the democracy of the country and to strengthen the national foundations in relation to its judicial system.

Under the *Saiban-in* system, lay judges (numbering six, in principle) selected from the general public, serve alongside professional judges (numbering three, in principle) in examining cases involving certain serious crimes, namely, (1) crimes punishable under statute by the death penalty or indefinite penal servitude/imprisonment, and (2) crimes punishable under statute by short-term imprisonment of one year or more, and which are legally prohibited to be tried by judicial panels consisting of a single judge (i.e., the cases stipulated in Article 26, Paragraph (2), item (ii) of the Court Act), in addition to cases in which victims have died through deliberate criminal acts. Lay judges are heavily involved in all steps of the criminal proceedings, help to determine the facts and decide on sentences with an authority that is basically equivalent to that of the professional judges involved. The lay judges provide a strong contribution to criminal trial procedures in that they assist with the determining of facts and the assessing of cases. *Saiban-in* (lay judges) trials are conducted at District Courts (50 places) in addition to certain branches

thereof (10 places).

The table below shows the number of prosecuted cases before saiban-in (lay judges) in 2015 based on the charges brought in the case.

Data 2-1-14 The Number of Prosecuted Cases per Charges Subject to *Saiban-in* (Lay Judges) Trials (January 2015 - December 2015)

Charge	Number of Cases
Robbery Causing Injury	291
Homicide	303
Arson of Inhabited Buildings	165
Rape Causing Death or Injury	108
Injury Causing Death	113
Indecent Assault Causing Death or Injury	112
Rape and Armed Robbery	34
Robbery Causing Death or Injury	35
Dispersion of Counterfeit Currency	22
Counterfeiting Currency	10
Gang Rape Causing Death or Injury	8
Dangerous Driving Causing Death	27
Abandonment Causing Death by a Person Responsible for Protection	6
Other Crimes under the Penal Code	4
Violations of the Stimulants Control Act	54
Violations of the Narcotics and Psychotropic Control Act	37
Violations of the Criminal Regulations to Control Explosives	2
Violations of the Act for Controlling the Possession of Firearms or Swords and Other Such Weapons.	17
Crimes Other than those stipulated in the Penal Code	18
Total	1,366

[Note]

1. The above data was collected and prepared by the JFBA based on materials provided by the Supreme Public Prosecutors' Office.
2. The numbers shown above were calculated on the basis of one prosecution case per accused.
3. In the above data, in cases of the prosecution of crimes to be subjected to *Saiban-in* (lay judges) trials featuring more than one crime contained in a written indictment, the most severe crime in terms of the severity of statutory penalties available has been chosen to be counted as one crime. If the severity of the applicable statutory penalty is the same, a) in the case of crimes stipulated in the Penal Code and crimes other than those stipulated in the Penal Code, crimes stipulated in the Penal Code were chosen to be counted as the one crime, and b) in the case of more than one crime being stipulated in the Penal Code, the crime first set forth therein, i.e. in an earlier Article, was chosen.
4. In terms of crimes committed and attempts thereof, not only the crimes themselves but also the attempts have been included.
5. Regarding the number of crimes other than those stipulated in the Penal Code, only cases processed by *Saiban-in* (lay judges) trials are counted.

## 1.4.2 Actual Practice of Lay Judge Trials

### 1.4.2.1 The Number of Persons Who Have Been Subjected to Saiban-in (Lay Judges) Trials and Have Been Finalized

The following table shows the number of persons who have been subjected to trials which have been tried before judges that include lay judges (hereafter referred to as “*Saiban-in* trials”) over which the final judgments thereof have been rendered between the period of January and December 31, 2015. Based on the number of attorneys, the number of persons whose trials have been finalized per attorney was calculated.

**Data 2-1-15** Number of Persons Who Have Been Subjected to *Saiban-in* Trials and Whose Trials Have Been Finalized and the Number of Such Persons per Attorney

Number of persons whose trials have been finalized* <sup>2</sup> (Persons)	January 2015 to December 31, 2015					Number of attorneys* <sup>4</sup> (2015.12.1) (Persons)	Number of persons whose trials have been finalized per attorney (Persons)
	Convicted	Convicted, but partly acquitted	Acquitted	Transferred to the family court	Others* <sup>3</sup>		
1,206	1,160	11	8	2	25	33,011	0.04

[Note]

1. The data is based on the “Materials relating to the actual practice status of lay judge trials in 2015,” created by the Supreme Court of Japan, i.e., the actual number of persons recorded in the sheet for criminal cases processed at courts of first instance over ordinary criminal cases.
2. “Number of persons whose trials have been finalized” indicates the actual number of defendants finalized, namely, either the rendering of a judgment of conviction, the making of a decision to close a trial, or the withdrawal of a claim for a formal trial, in the applicable period (year).
3. “Others” indicates dismissing the prosecution, transferring the case to other courts, and so on. The “number of attorneys” is as of December 1, 2015.

### 1.4.2.2 Comparison of the Average Period Taken for Court Deliberations and the Average Period of the Pretrial Conference Procedure (by confession and denial), etc.

The amount of time taken for court deliberation at *Saiban-in* trials varies greatly between “denial” cases in which the issue of whether or not the crime has been committed is in dispute, and “confession” cases in which the issue of whether or not the crime has been committed is no longer in dispute. The tables below show the average period taken for court deliberations for confession and denial cases, the average periods of the pretrial conference procedure (compared to those in the past) (*see* Data 2-1-16) and the periods taken for court deliberations (*see* Data 2-1-17), as well as the actual period taken for court deliberations (*see* Data 2-1-18) for *Saiban-in* trials and that have been finalized during the year 2015 (from January 2015 to December 2015).

**Data 2-1-16** Comparison of the Average Period Taken for Court Deliberations and the Average Period of the Pretrial Conference Procedure (by confession and denial) (by before/after the introduction of the *Saiban-in* (lay judge) system)

Trials by professional judges only* <sup>6</sup> (2006-2008)			<i>Saiban-in</i> trials							
			Total	2009	2010	2011	2012	2013	2014	2015
Total	Number of persons whose cases have been finalized* <sup>1,4</sup>	3,080	8,444	142	1,506	1,525	1,500	1,387	1,202	1,182
	Average period (months) taken for court deliberations* <sup>2,3</sup>	6.6	8.8	5.0	8.3	8.9	9.3	8.9	8.7	9.2
	Pretrial conference procedure	2.9	6.5	2.8	5.4	6.4	7.0	6.9	6.8	7.4
	Other trial procedures	3.7	2.3	2.2	2.9	2.5	2.3	2.0	1.9	1.8
Confession	Number of persons whose cases have been finalized* <sup>1,4</sup>	1,783	4,767	114	970	885	806	725	644	623
	Average period (months) taken for court deliberations* <sup>2,3</sup>	5.3	7.2	4.8	7.4	7.3	7.2	7.1	7.0	7.4
	Pretrial conference procedure	2.4	5.1	2.8	4.6	5.0	5.2	5.4	5.4	5.8
	Other trial procedures	2.9	2.1	2.0	2.8	2.3	2.0	1.7	1.6	1.6
Denial	Number of persons whose cases have been finalized* <sup>1,4</sup>	1,297	3,677	28	536	640	694	662	558	559
	Average period (months) taken for court deliberations* <sup>2,3</sup>	8.3	10.9	5.6	9.8	10.9	11.7	10.9	10.6	11.2
	Pretrial conference procedure	3.7	8.4	3.1	6.8	8.3	9.1	8.5	8.5	9.1
	Other trial procedures	4.6	2.5	2.5	3.0	2.6	2.6	2.4	2.1	2.1

[Note]

1. The number of persons whose cases have been finalized indicates the actual number of persons.
2. The period taken for court deliberation indicates the period from indictment to finalization of the trial, including the preparation period for the trial.
3. The average period (months) taken for pretrial conference procedure was calculated excluding the cases which had opened without involvement of lay judges, but due to subsequent changes in the applicable penal code, were tried at *Saiban-in* trials, and thus had their conference procedures after the opening of the case.
4. The number of persons whose cases have been finalized includes cases which were eventually transferred to a family court, as stipulated in Article 55 of the Juvenile Act. However, the above figures exclude cases in which the prosecution has been dismissed without deliberations, even if having been conducted by a collegiate panel that includes lay judges.
5. The above figures do not include cases which have been determined as exceptional cases and were tried by professional judges only, as stipulated in Article 3-1 of the Act on Criminal Trials Examined under Lay Judge System.
6. Trials which have been tried by professional judges only are calculated by adding up the number of cases that are found guilty and not guilty among the cases that were included in the scope of *Saiban-in* trials and held pretrial conference procedures.

**Data 2-1-17** Number of Persons whose Cases have been Finalized (by period taken for court deliberations) and the Average Period of Court Deliberations in 2015 (by Confession and Denial)

	Number of persons whose cases have been finalized (person)	Period taken for court deliberations							Average duration (months)
		3 months or less	Between 3 - 4 months	Between 4 - 5 months	Between 5 - 6 months	Between 6 - 9 months	Between 9 months - 1 year	Over 1 year	
Total	1,182	7	65	140	177	406	201	186	9.2
Confession	623	6	55	118	124	217	65	38	7.4
Denial	559	1	10	22	53	189	136	148	11.2

[Note]

1. This data is based on the actual number of persons recorded in the sheet for criminal cases processed at courts of first instance over ordinary criminal cases.
2. This data includes the number of cases whose trials opened without being subject to *Saiban-in* trials, but during the process were added other cases subject to *Saiban-in* trials.

**Data 2-1-18** Number of Persons whose Trials have been Finalized Compared to the Actual Period Taken for Court Deliberations (from the First Trial until the Trial has been Finalized) (by Confession and Denial) and the Average Period Taken for Court Deliberations in 2015

	Number of persons whose cases have been finalized (person)	Period taken for court deliberations* <sup>2,3,4,5</sup>									Average duration (days)
		2 days	3 days	4 days	5 days	Less than 10 days	Less than 20 days	Less than 30 days	Less than 40 days	40 days or more	
Total	1,182	3	118	171	121	469	229	47	11	13	9.4
Confession	623	3	114	137	85	236	41	7	-	-	6.2
Denial	559	-	4	34	36	233	188	40	11	13	13.0

[Note]

1. This data is based on the actual number of persons recorded in the sheet for criminal cases processed at courts of first instance over ordinary criminal cases as well as the results of the individual research conducted by the Criminal Affairs Bureau of the Supreme Court of Japan.
2. As for the cases in which sectional deliberations were conducted, the total of all periods taken for deliberations as *Saiban-in* trials was counted as the actual period taken for deliberation.  
Sectional deliberation: In the event of a defendant being indicted for more than one (criminal) case in a *Saiban-in* trial, the trial may be divided into multiple sections/parts (each trial in charge of one or more of the cases involved), and lay-judges are assigned for each section to conduct deliberations. After a ruling has been rendered for each section, a collegiate panel, to which newly appointed lay judges are added, conducts a deliberation on all the cases for which the defendant is indicted, in order to decide on the final sentencing.
3. As for the cases in which trials were first conducted only by professional judges, and which, at a later date, were subjected to *Saiban-in* trials due to indictment of another case and then a collegiate panel that includes lay judges conducted deliberations, the period for deliberations during which lay judges participated is counted as the actual period taken for deliberations.
4. As for the cases in which initially assigned lay judges were dismissed due to the delay of trial date, only the actual deliberation period during which re-assigned lay judges participated in is counted.
5. Regarding those other than the periods described in Notes 2, 3, and 4, the actual deliberation periods are calculated as from the time of the first trial until the closing of the trial.
6. The figures in this page are based on the "Materials relating to the actual practice status of lay judge trials in 2015," created by the Supreme Court of Japan, as well as the materials provided by the Supreme Court of Japan.

## Chapter 2 Activities in Civil and Other Lawsuits

Activities in relation to civil cases are one of the important practices for attorneys. Such activities range widely to include civil, family affairs and administrative proceedings at courts, Alternative Dispute Resolution (ADR), administrative tribunals, various hearing procedures, negotiations, legal counseling, and so on. The role attorneys play in the lives of civilians and in corporate activities is clearly quite significant.

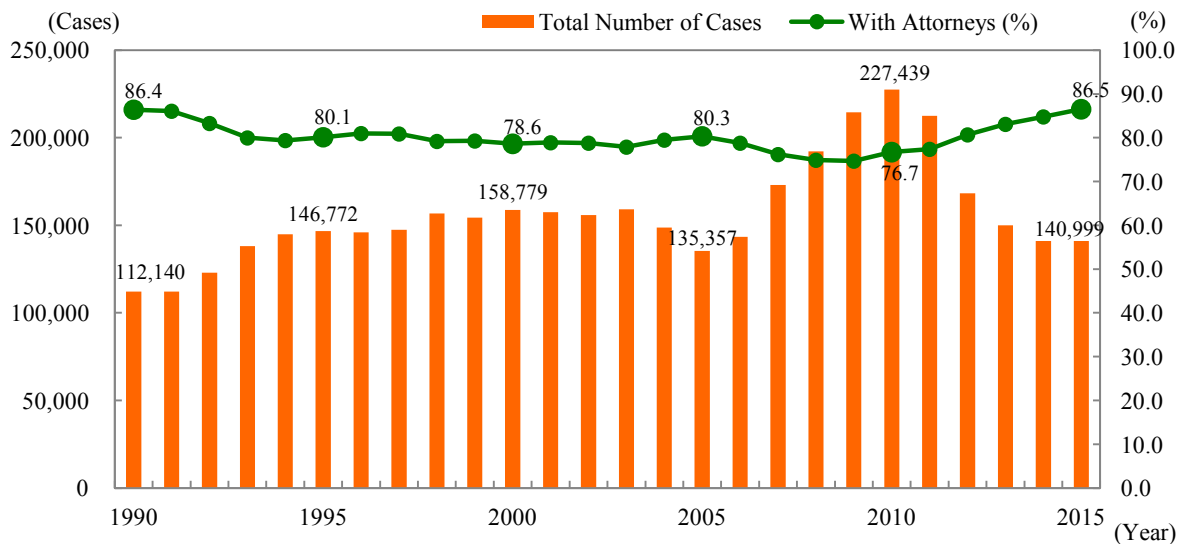
This chapter contains matters related to civil affairs at courts and attorneys' activities concerning civil cases, which have been compiled based on statistical data.

### 2.1 Civil Lawsuits

#### 2.1.1 Attorneys' Involvement in Ordinary Civil Lawsuits before District Courts

Although the total number of lawsuits tend to be on the increase until recent years, it has been decreasing since 2011. Attorneys' involvement is approximately 86.5% in total in 2015. Observing the data by the purpose of the lawsuit, the percentage of appointment is high in lawsuits concerning labor and intellectual property.

Data 2-2-1 Changes in the Rate of Appointed Attorneys' Involvement in the First Instance of Ordinary Civil Lawsuit before District Courts





Data 2-2-2 Attorneys' Involvement in Lawsuits at District Courts (by Purpose) (2015)

Purpose of Lawsuit	Total Number	Cases with Attorneys				
		Total Number	Percentage of Involvement	Both Sides	One Side	
					Plaintiff Side	Defendant Side
Personnel Affairs	—	—	—	—	—	—
Money	99,729	89,383	89.6%	50,071	35,616	3,696
Payment for Contracted Construction	(1,518)	(1,445)	(95.2%)	(1,041)	(352)	(52)
Damages through Construction Defects	(446)	(437)	(98.0%)	(390)	(33)	(14)
Damages through Medical Treatment	(750)	(728)	(97.1%)	(621)	(47)	(60)
Damages through Pollution	(65)	(58)	(89.2%)	(48)	(7)	(3)
Labor	(2,298)	(2,232)	(97.1%)	(1,888)	(203)	(141)
Intellectual Property	(239)	(225)	(94.1%)	(182)	(26)	(17)
Other	(94,413)	(84,258)	(89.2%)	(45,901)	(34,948)	(3,409)
Buildings	22,585	16,916	74.9%	3,083	13,659	174
Land	8,007	7,220	90.2%	3,385	3,618	217
Labor (Except for Lawsuits Concerning Money)	982	959	97.7%	837	54	68
Intellectual Property (Except for Lawsuits Concerning Money)	286	276	96.5%	239	20	17
For Injunction against Pollution	6	6	100.0%	3	2	1
Other	9,404	7,138	75.9%	4,664	1,958	516
Total	140,999	121,898	86.5%	62,282	54,927	4,689

[Note]

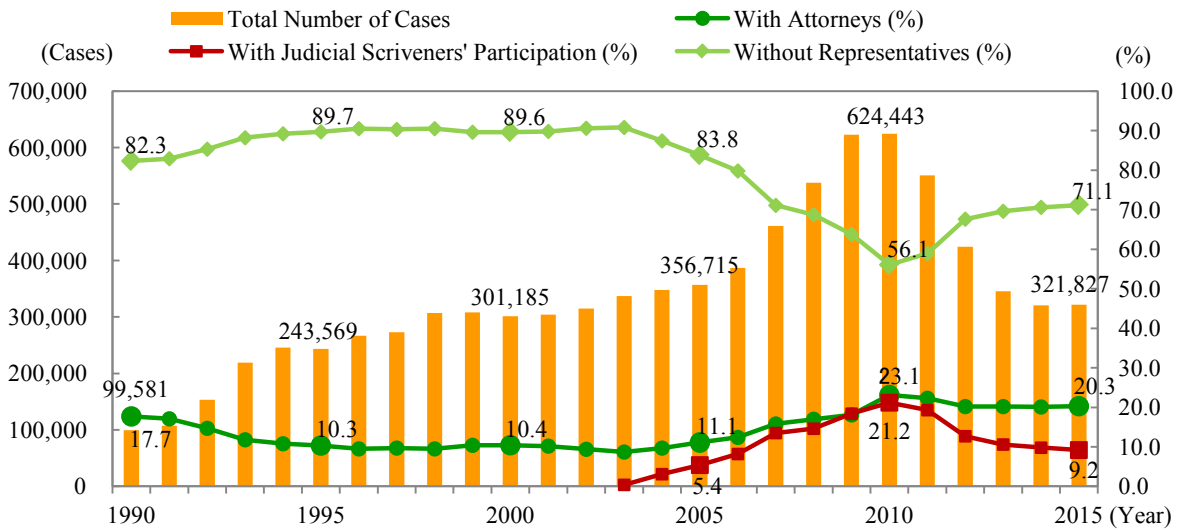
1. The statistics of the graph and table are based on the “Judicial Statistics Annual Report (Civil and Administrative Affairs Part).” “With Attorneys” on the graph means cases in which attorneys were appointed by one party or both parties.
2. The jurisdiction over lawsuits related to personal status such as divorce was transferred to family courts on April 1, 2004.

### 2.1.2 Attorneys' Involvement in Ordinary Civil Lawsuits before Summary Courts

The number of lawsuits has been increasing since 2000; however, it dropped in 2011. The recent increase in the number of lawsuits is said to have been influenced by lawsuits relating to excessive payments of interest (lawsuits related to requests for the return of excessive or usurious interest filed against money lenders). However, the number of such lawsuits is likely to decline gradually in the near future.

Regarding attorneys and other representatives' involvement (in ordinary civil lawsuits before summary courts), the percentage of parties involved without legal representation (denoted by “Without Representatives” in the graph below) is quite high.

**Data 2-2-3** Changes in the Percentage of Appointed Defense Councils in Ordinary Civil Lawsuits (Summary Courts)



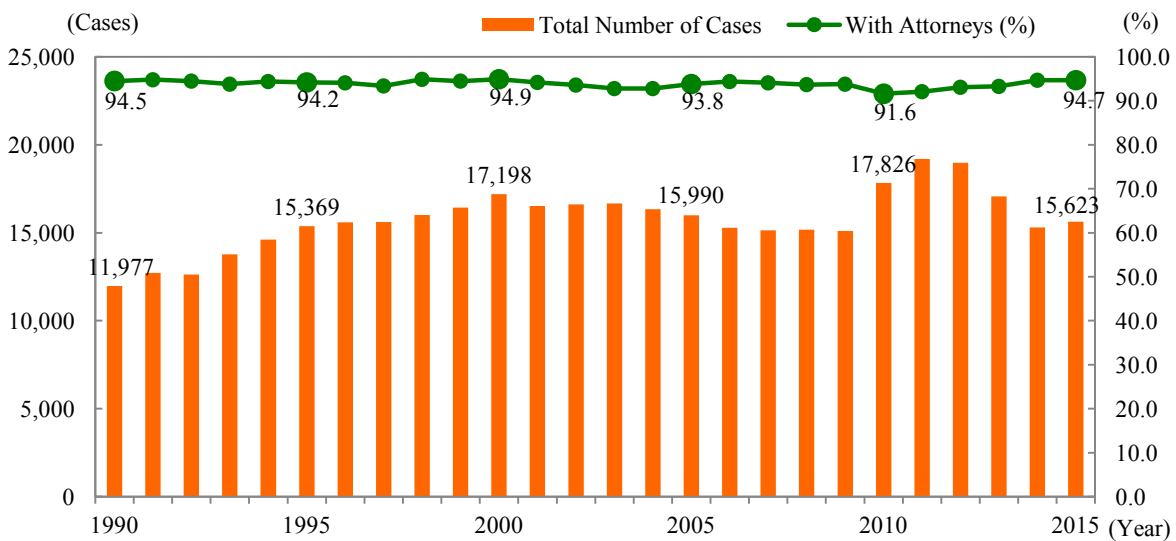
[Note]

1. The statistics are based on the “Judicial Statistics Annual Report (Civil and Administrative Affairs Part).”
2. It includes ordinary lawsuits which were transferred from actions on small claims.
3. Statistics of lawsuits with judicial scriveners’ participation are taken from 2003.
4. Summary courts have the jurisdiction over lawsuits claiming an amount of up to 1,400,000 yen raised from 900,000 yen since April 2003.
5. “With Attorneys” and “With Judicial Scriveners' Participation” on the graph means lawsuits in which attorneys or judicial scriveners were appointed by one party or both parties.

**2.1.3 Changes in the Percentage of Appointed Attorneys in Ordinary Second Instance Trials (before High Courts)**

There has not been any major change in the total number of cases in the middle and long term. The percentage of appointed attorneys has remained stable at approximately 94%.

**Data 2-2-4** Changes in the Percentage of Appointed Attorneys in Ordinary Second Instances (High Courts)



[Note]

1. The statistics are based on the “Judicial Statistics Annual Report (Civil and Administrative Affairs Part).”
2. “With Attorneys” on the graph means cases in which attorneys were appointed by one party or both parties.
3. The total number of cases in 2004 and 2005 include one case received as an appeal of a civil case but had a final judgment as an appeal of an administrative case.

## 2.2 Supporting Activities for Criminal Victims

Supporting activities for criminal victims is also an important duty for attorneys.

In accordance with the Basic Act on Crime Victims established in 2004, which provides that all crime victims' individual dignity will be respected and that appropriate measures of treatment will be taken accordingly, various rights and interests of crime victims are recognized by law, including the right to claim for damages and the right to participate in the criminal procedures for the alleged perpetrator and provide opinions.

Further, the systems to provide support for victims have been established in December 2008: the Victim Participation System<sup>\*1</sup> and the Court-appointed Attorney System for Victims<sup>\*2</sup>.

The activities that attorneys perform to support victims consist mainly of the following: i) explain relevant procedures; ii) create letter of complaints; iii) accompanying the victim during questioning, etc.; iv) negotiate with perpetrators for settlement as a representative; v) deal with the press; vi) claim damages, vii) act as a Court-appointed Attorney for Victims (when criminal victims participate in the criminal trials of the alleged perpetrator).

Attorneys' fees for such supporting activities may be subsidized or paid by installment under a financial assistance system established for criminal victims.

\*1: The Victim Participation System is a system under which the victims of certain serious crimes, as well as relatives and attorneys who are entrusted by such persons, can attend criminal trials. This system has been applied to cases in which an indictment was made on or after December 1, 2008.

\*2: The Court-appointed Attorney System for Victims is a system under which remuneration and expenses for attorneys who are engaged in the activities to support victims' participation may be paid by the national government under certain conditions.

Data 2-2-5 Implementation Status of the Victim Participation System

(Cumulative Numbers)								
Year	Participating Victims* <sup>2</sup> (subject to lay judge trial)	Entrustment to Attorneys (Court-Appointed Attorney)	Examination of Witnesses* <sup>3</sup>	Questions to the Accused* <sup>4</sup>	Closing Arguments* <sup>5</sup>	Statement of Sentiments	Testimony with Attendants	Putting Shield at Trail
2009	560 (22)	367 (131)	130	344	288	359	24	50
2010	839 (262)	557 (272)	217	484	428	522	40	115
2011	902 (320)	632 (275)	176	459	454	591	30	104
2012	1,002 (327)	677 (324)	193	475	479	639	38	95
2013	1,297 (366)	873 (410)	257	596	605	833	47	147
2014	1,227 (366)	951 (462)	261	587	596	804	93	195
2015	1,377 (417)	1,081 (533)	269	604	686	938	87	249

[Note]

1. This data is based on the "Judicial Statistics Annual Report (Criminal part)".
2. "Participating Victims" refers to the number of victims or others (in total) who have been approved as participants in court at the ordinary first instance. The figures within the brackets indicate the number of victims who have participated in the cases examined under the Saiban-in (lay judge) system. The figures in 2009 refer to the figures from May 21 to the end of December.
3. "Examination of Witnesses" is based on Article 316-36 of the Code of Criminal Procedure, and in examining witnesses, the participating victim or the entrusted attorney can examine the witness on matters necessary to challenge the probative value of the statements of the witness with regard to the matters relating to the circumstances affecting the sentence (except for matters relating to fact-finding).

4. “Questions to the Accused” is based on Article 316-37 of the Code of Criminal Procedure.
5. “Closing Arguments” is based on Article 316-38 of the Code of Criminal Procedure. The participating victim or the entrusted attorney can state an opinion on the finding of facts or the application of law (including an opinion regarding the sentencing) within the scope of the facts specified as counts.
6. “Statement on the Sentiments” is based on Article 292-2 of the Code of Criminal Procedure. The participating victim, etc., or the legal representative of such victim can state an opinion on the sentiments or other opinions relating to the case.

### 2.3 JFBA Support Activities for Affected People in Relation to the Great East Japan Earthquake

The JFBA set up an Emergency Headquarters shortly after the Great East Japan Earthquake and the Fukushima No.1 Nuclear Power Plant Accident. In cooperation with bar associations, federations of bar associations and the Japan Legal Support Center (*Ho-terasu*), the JFBA has conducted consultations over the telephone and/or visiting shelters, local governments and/or temporary housing to conduct free legal aid consultations. In order to resolve various kinds of issues that have surfaced from those consultations, the JFBA has been engaged in various activities to support the affected people by way of releasing a wide variety of legislative and policy recommendations, etc.

#### 2.3.1 Recommendations, etc. the JFBA has Issued and Legislation and Systems Realized

The following list outlines the legislation and systems realized from the time of the Great East Japan Earthquake in March 2011 up until the end of September 2016.

Legislation and systems significantly related to recovery from damage and reconstruction of the lives of the affected and the victims of the nuclear power plant accident have been realized as shown in the table below, such as the realization of the Act on Special Measures regarding Extinctive Prescription of Rights to Claim Damages Caused by the Nuclear Accident, the Special Act Concerning the Extension of the Period for Due Consideration of Acceptance or Renunciation of Inheritance, and the revision of the Act on Provision of Disaster Condolence Grants, as well as the establishment of two ADR institutions.

Data 2-2-6 Legislation and Systems Realized in response to the Great East Japan Earthquake

Opinions and Recommendations Issued by the JFBA			Legislation and Systems Realized	
2011.4.22	Issued the “Recommendations on Relief from Unreasonable Debt including Double Loan Payments as a Result of the Great East Japan Earthquake.”	➔	2011.8.22	Operations of the Guidelines for Individual Debtor Out-of-Court Workouts were launched.
2011.5.19	Issued a “Draft Outline (the first draft) for Emergency Measures Act on Support for Recovery from the Great East Japan Earthquake.”		2011.11.14	“The Act on Corporation for Revitalizing Earthquake affected Business” was enacted.
2011.5.26	Issued an “Opinion Paper on the Extension of the Period for Due Consideration of Acceptance or Renunciation of Inheritance.”	➔	2011.6.21	“The Special Act Concerning the Extension of the Period for Due Consideration of Acceptance or Renunciation of Inheritance” was enacted.
2011.5.26	Issued an “Opinion Paper Calling for Early Revision of the Special Act on (Temporary Treatment of) Land and Building Leases of Stricken Cities.”	➔	2011.9.30	Non-application of “the Special Act on (Temporary Treatment of) Land and Building Leases of Stricken Cities” was decided.

Opinions and Recommendations Issued by the JFBA			Legislation and Systems Realized	
2011.5.27	Issued the “62nd JFBA General Meeting Resolution on Relief for Victims of the Great East Japan Earthquake, the Nuclear Plant Accident and the Restoration and Recovery of Affected Areas.”	➔	2012.3.23	“The Act on Special Measures on Operations of the Japan Legal Support Center to Support Victims of the Great East Japan Earthquake (the Act on Special Measures for Disaster)” was enacted.
2011.6.23	Issued an Opinion Paper Calling for the Revision of laws including the “Act on Provision of Disaster Condolence Grants.”	➔	2011.7.25	“The Act on Provision of Disaster Condolence Grants” was revised. (The scope of the subjects who were able to receive such grants was extended to siblings who live together.)
2011.7.29	Issued an “Opinion Paper Concerning Revision of and Improvement of the Operations of the Act on Support for Reconstructing the Livelihoods of Disaster Victims.”		2011.8.23	“The Act on Provision of Disaster Condolence Grants and the Act on Support for Reconstructing Livelihoods of Disaster Victims” were revised. (Prohibition of seizure of disaster condolence grants, etc.)
2011.6	Made recommendations to the government regarding improvements on the readiness of and preparations for Nuclear Damage Compensation Dispute Resolution (ADR).	➔	2011.9.1	The Dispute Settlement Center for Nuclear Disaster Compensation started to receive applications for mediated settlements.
2012.2.16	Issued an “Opinion Paper Concerning the Enactment of Special Legislation to Support the Rebirth of Fukushima, and the Victims of the Fukushima Nuclear Power Plant Accident.”	➔	2012.6.21	“The Act on Protection and Support for the Children and Other Victims of the TEPCO Disaster” was enacted.
2013.7.18	Issued an “Opinion Paper Calling for the Legislation of the Act on Special Measures to Extend the Period during Which Victims can Claim Compensation with Reference to the Statute of Limitations for Victims of the Nuclear Accident to Seek Compensatory Damages caused by Tokyo Electronics Power Company (TEPCO)’s Fukushima No.1 Nuclear Power Plant Accident.”	➔	2013.12.4	“The Act on Special Measures regarding Extinctive Prescription of Rights to Claim (Compensatory) Damages Caused by the Nuclear Accident” was enacted.
2014.3.19	Issued an “Opinion Paper Calling for Special Measures to Secure Land for Reconstruction Work”	➔	2014.4.23	“The Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake” was revised.

## Chapter 3 Expansion of Attorneys' Activities

The traditional image of attorneys was that they established their offices near courts and mainly acted as representatives or defense counsel in trials and subordinately engaged in negotiations and review of contracts for individual cases other than trials. Many attorneys still mainly engage in trials but their fields of activity have been broadening in order to meet the diverse range of legal needs which have emerged from the increasingly complex social and economic situations of recent times. The JFBA is providing various kinds of support for the activities of individual attorneys but unfortunately is unable to grasp every lawyer's individual situations. The following information is based on the limited data which the JFBA currently possesses.

### 3.1 Current Situation of In-house Attorneys

#### 3.1.1 Changes in the Number of In-house Attorneys

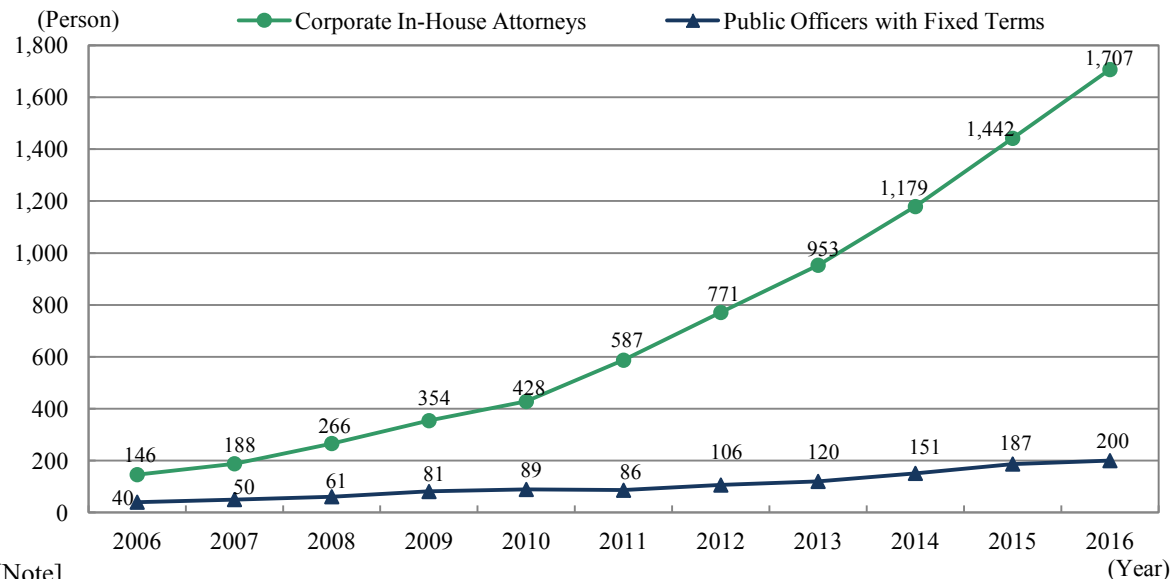
As attorneys are gaining work in a more diverse range of fields, the number of attorneys working in companies, ministries, local governments, and other bodies while utilizing their special knowledge and experiences as attorneys is increasing. An in-house attorney refers to an attorney who is a staff member or employee or is engaged as a director, board member or other officer of a government office or public or private organization except for legal professional corporations (Art. 50, Basic Rules on the Duties of Practicing Attorneys).

#### Forms of In-house Attorneys

- Corporate In-house Attorney:  
An attorney who is working as an employee, worker, or officer of a corporation
- Public Officer with a Fixed Term:  
An attorney who is employed by a central or local governmental organization for a fixed term in accordance with the related laws.

The number of in-house attorneys in Japan was 1,707 as of the end of June, 2016, while the number of public officers with fixed terms was 200 as of June 1, 2016. Only the number of public officers registered with the JFBA as of June 1, 2016 is counted.

Data 2-3-1 Changes in the Number of In-house Attorneys



[Note]

1. The number of corporate in-house attorneys was researched by the Japan In-House Lawyers Association (JILA) based on a survey conducted by the JFBA.
2. The number of public officers with fixed terms was researched by the JFBA. Data collection dates were Dec. 2006 and as of June of each year from 2007 to 2016.

### 3.1.2 Situation of Public Officers with Fixed Terms

The “Act on Special Measures of Employment and Remuneration of Officials with Fixed Term of Office in the Regular Service” which came into force in November 2000 introduced a system enabling central government ministries and agencies to employ persons with expert knowledge and experience or advanced insights from outside sources for fixed terms by offering them appropriate salary levels.

In addition, through the implementation of the Act on Employment of Fixed-Term Local Public Officers Engaged in Regular Services, since July 2002, local governments have also been able to employ persons from outside sources in accordance with the ordinances of each local government.

Previously, attorneys were, in principle, unable to take up paid public positions (Old Art. 30, Para. 1, Attorney Act). When attorneys wished to work for government ministries or agencies, they were required to work as part-time staff members while retaining their registration as attorneys or rescind their registration before taking such public positions. Under such a situation, a system which enabled central and local governmental organizations to employ persons from outside sources for fixed terms was introduced and Article 30 of the Attorney Act was revised, more particularly, paragraphs 1 and 2 of Old Article 30 which restricted the assumption of public positions by attorneys were deleted (enforced on April 1, 2004).

The table below shows the ministries, agencies and local governments which employ attorneys as of June 1, 2015, as confirmed by the JFBA (Only the number of attorneys registered with the JFBA as of June 1, 2016 is counted.). Other than public officers with fixed terms, there are also attorneys who work for government ministries, agencies or local governments as full-time employees.

Data 2-3-2 Public Officers with Fixed Terms as of June 1, 2016

Ministries	Total Number of Attorneys (Female)
Cabinet Office	4 (2)
Japan Fair Trade Commission	5 (0)
Financial Services Agency	14 (2)
Ministry of Internal Affairs	5 (1)
Consumer Affairs Agency	8 (2)
Ministry of Justice	7 (0)
Ministry of Foreign Affairs	4 (1)
Ministry of Finance	12 (4)
National Tax Agency	29 (9)
Agency for Cultural Affairs	1 (1)
Ministry of Economy, Trade and Industry	18 (4)
Japan Patent Office	5 (2)
Ministry of Health, Labour and Welfare	2 (0)
Ministry of Land, Infrastructure, Transport and Tourism	8 (4)
Japan Tourism Agency	1 (0)
Ministry of Environment	2 (2)
Subtotal	125 (34)

Local Government	Total Number of Attorneys (Female)	Local Government	Total Number of Attorneys (Female)
Ishinomaki City, Miyagi Prefecture	1 (0)	Kasugai City, Aichi Prefecture	1 (0)
Kesenuma City, Miyagi Prefecture	1 (0)	Toyota City, Aichi Prefecture	2 (1)
Higashimatsuyama City, Miyagi Prefecture	1 (0)	Yokkaichi City, Mie Prefecture	1 (0)
Fukushima Prefecture	1 (0)	Matsusaka City, Mie Prefecture	1 (0)
Soma City, Fukushima Prefecture	1 (0)	Nabari City, Mie Prefecture	1 (0)
Minamisoma City, Fukushima Prefecture	1 (0)	Taki-Cho, Mie Prefecture	1 (0)
Miyako City, Iwate Prefecture	1 (0)	Minamiise-Cho, Mie Prefecture	1 (0)
Hanamaki City, Iwate Prefecture	1 (0)	Gifu City, Gifu Prefecture	1 (0)
Yamada-Cho, Iwate Prefecture	2 (0)	Toyama City, Toyama Prefecture	1 (0)
Hirosaki-City, Aomori Prefecture	1 (0)	Osaka City, Osaka	2 (0)
Special local public body for Tokyo 23 wards	1 (1)	Sakai City, Osaka	1 (0)
Itabashi-ku, Tokyo	1 (0)	Ibaraki City, Osaka	1 (1)
Katsushika-ku, Tokyo	1 (1)	Neyagawa City, Osaka	1 (0)
Ome City, Tokyo	1 (0)	Kawachinagano City, Osaka	1 (0)
Chofu City, Tokyo	1 (0)	Matsubara City, Osaka	1 (0)
Machida City, Tokyo	1 (0)	Osakasayama City, Osaka	1 (1)
Kokubunji City, Tokyo	2 (2)	Himeji City, Hyogo Prefecture	2 (1)
Hiratsuka City, Kanagawa Prefecture	1 (1)	Akashi City, Hyogo Prefecture	7 (4)
Saitama City, Saitama Prefecture	1 (0)	Itami City, Hyogo Prefecture	1 (0)
Kawagoe City, Saitama Prefecture	1 (1)	Nara City, Nara Prefecture	1 (0)
Soca City, Saitama Prefecture	1 (0)	Wakayama Prefecture	1 (0)
Chiba Prefecture	1 (1)	Wakayama City, Wakayama	1 (1)
Funabashi City, Chiba Prefecture	1 (1)	Hashimoto City, Wakayama	1 (0)
Nagareyama City, Chiba Prefecture	1 (1)	Higashiroshima City, Hiroshima	1 (0)
Tsukuba City, Ibaraki Prefecture	1 (0)	Yamaguchi Prefecture	1 (0)
Tochigi City, Tochigi Prefecture	1 (1)	Akaiwa City, Okayama Prefecture	2 (0)
Oyama City, Tochigi Prefecture	1 (0)	Takamatsu City, Kagawa Prefecture	1 (0)
Niigata Prefecture	1 (1)	Kitakyushu City, Fukuoka	1 (0)
Niigata City, Niigata Prefecture	1 (0)	Nagasaki City, Nagasaki Prefecture	1 (0)
Nagoya City, Aichi Prefecture	2 (2)	Kagoshima City, Kagoshima	1 (0)
Toyohasi City, Aichi Prefecture	1 (0)	Minamisatsuma City, Kagoshima	1 (0)
		Subtotal	75 (21)

Total	200 (55)
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[Note] Only the number of attorneys registered with the JFBA as of June 1, 2016 is counted.



### 3.2 Actual Situation of Attorneys - From the Survey Conducted in 2015

The JFBA has conducted the “Survey on the Employment of Attorneys” for companies to investigate the actual situation of attorneys' activities. The following table shows the employment situation of attorneys found from the results of the survey.

The outlines of the surveys regarding the situation of attorneys' activities by the JFBA are as follows:

	2009	2012	2015
Number of Surveyed Companies	5,215	5,932 (excluding undelivered surveys)	7,273 (excluding undelivered surveys)
Number of Survey Responses	Domestic 3,879 Foreign 1,336 *Not disclosed 9	Domestic 3,583 Foreign 1,860 Unlisted 540 (Including unlisted) *Joint Venture 4, Not disclosed 19	Domestic 3,648 Foreign 3,098 Unlisted 600 (Including unlisted) *Not disclosed 2

#### Data 2-3-3 Employment of In-house Attorneys for Corporations

	2009		2012 <sup>*1</sup>		2015 <sup>*1</sup>	
	Number of Respondents (companies)	Rate	Number of Respondents (companies)	Rate	Number of Respondents (companies)	Rate
Employs In-house Attorneys	47	3.9%	78	6.2%	151	12.5%
Does not employ In-house Attorneys	1,149	96.1%	1,182	93.8%	1,057	87.5%
Total	1,196	100.0%	1,260	100.0%	1,208	100.0%

[Notes]

1. The presence of In-house attorneys “as a regular/full-time employee” was asked in the question in the surveys in 2012 and 2015
2. The above data shows only the employment of attorneys by the companies which responded to the surveys, and does not show the employment of all In-house attorneys for corporations.

### 3.3 Diet Members and Head of Local Governments Registered as Attorneys

The table below shows the number of diet members and heads of local governments registered as attorneys as of October 1, 2016.

#### Data 2-3-4 Diet Members and Head of Local Governments Registered as Attorneys

Organization	Number of Attorneys
House of Representatives	26
House of Councilors	13
Heads of Local Governments <sup>*1</sup>	9

[Notes]

1. The number of the Heads of Local Governments is based on the JFBA's knowledge of such as of November 2016.
2. Only the members registered to the JFBA as of November 1, 2016 are counted.

## Part 3 Activities of the JFBA and Local Bar Associations

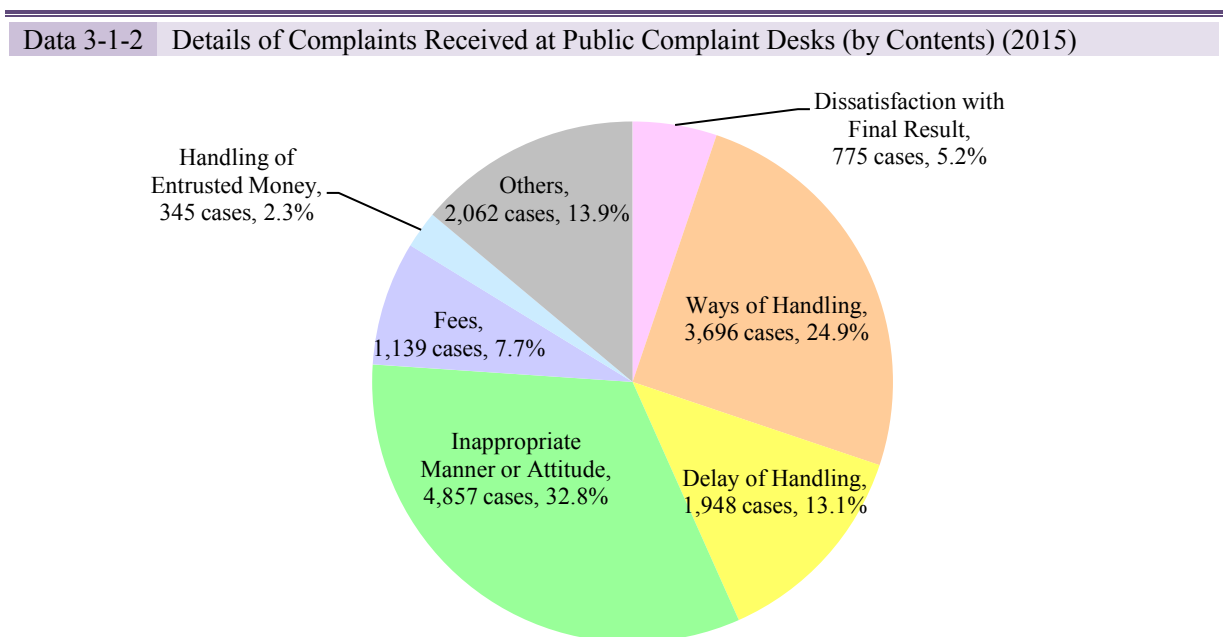
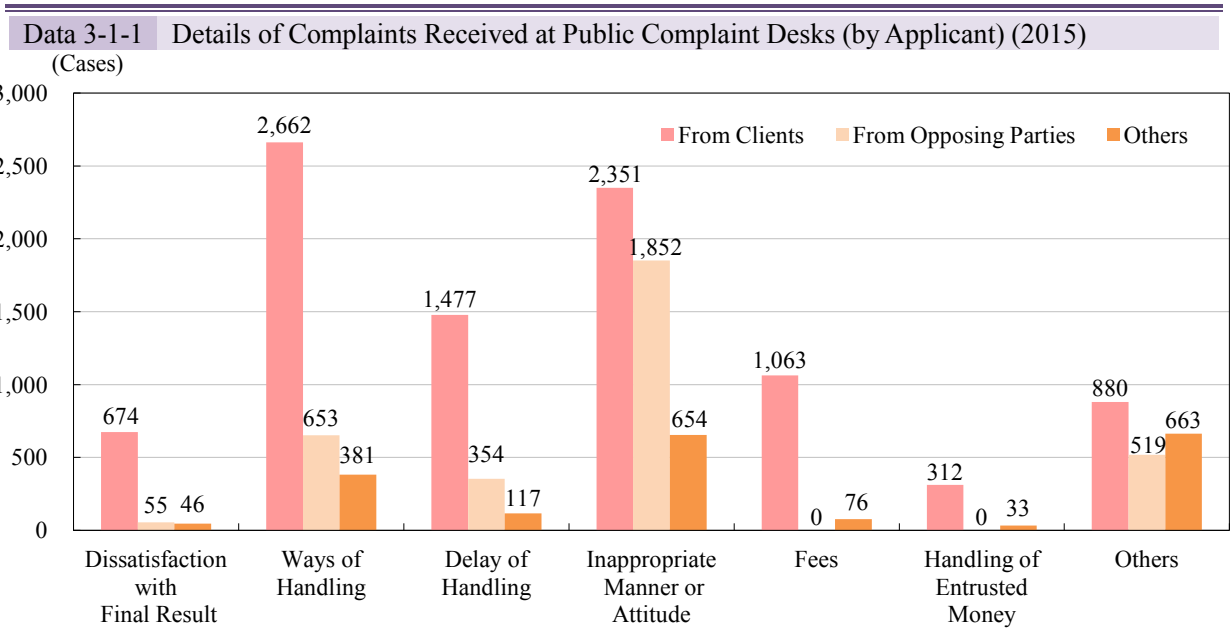
### Chapter 1 Autonomy of Attorneys

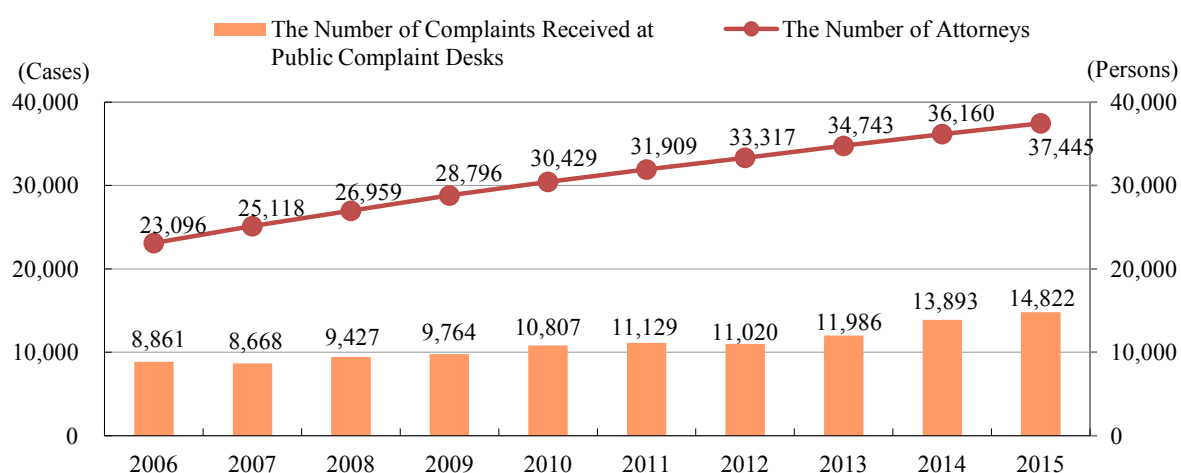
#### 1.1 Complaints and Dispute Conciliations

##### 1.1.1 Complaints against Attorneys

In the event that opposing parties or clients have complaints about attorneys or legal professional corporations, they may file their complaints to bar associations. Each bar association has established a “Public Complaint Desk” as a reception to receive and deal with complaints from citizens.

The graphs below show the number of complaints filed at public complaint desks of bar associations from January to December of 2015 classified by applicants and contents. They also show the changes in the number of cases received at public complaint desks from 2006 to 2015.



**Data 3-1-3 Changes in the Number of Complaints Received at Public Complaint Desks**

[Note]

1. Data are collected by calendar years (from January 1 to the end of December).
2. The number of attorneys is as of December 31 of each year.

### 1.1.2 Dispute Conciliation

#### (1) Number of Dispute Conciliation Cases Newly Received

The Dispute Conciliation System was created for resolving disputes with clients with regard to the duties of attorneys and the practices of law firms. Under this system, bar associations autonomously hear arguments from both parties and conciliate fairly and properly to settle amicably in the context of the actual situation (Article 41 of the Attorney Act).

The table below shows the total number of dispute conciliation cases newly received from 2006 to 2015.

**Data 3-1-4 Number of Dispute Conciliation Cases Newly Received**

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Total Number of Cases Received	512	504	512	619	717	641	633	645	701	650

[Note]

1. Data are collected by calendar years (from January 1 to the end of December).
2. The number of attorneys is as of December 31 each year.

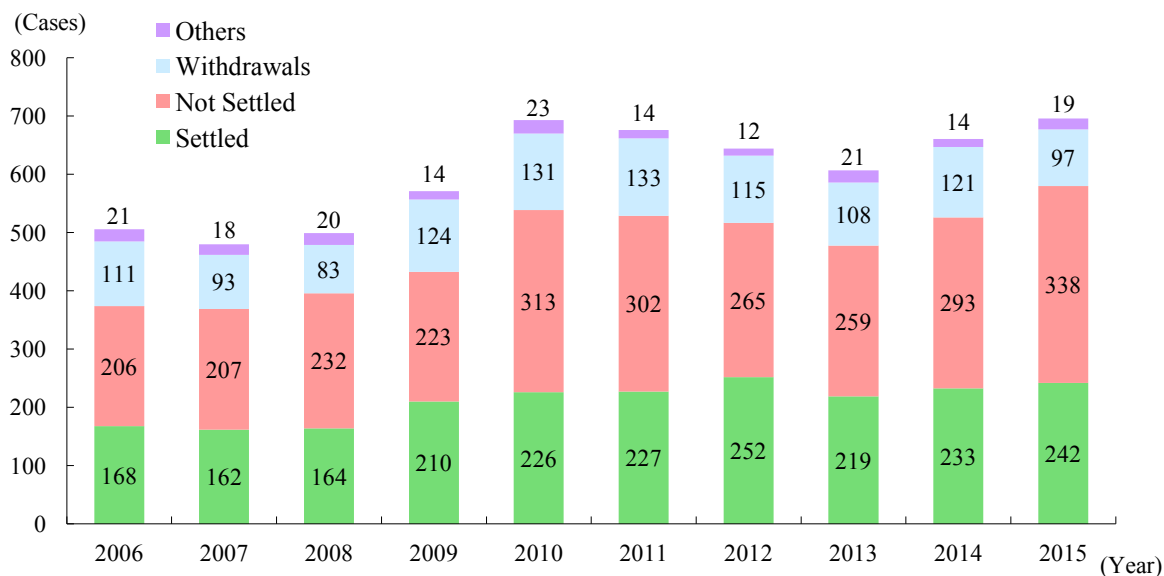
#### (2) Handling of Dispute Conciliation Cases (All Bar Associations)

The graph below shows changes in the number of dispute conciliation cases handled by all bar associations from 2006 to 2015 and also the details of the cases handled.

**Data 3-1-5 Number of Dispute Conciliation Cases Handled**

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Total Number of Cases Handled	506	480	499	571	693	676	644	607	661	696

Data 3-1-6 Results of Dispute Conciliation Cases



## 1.2 Disciplinary System for Attorneys and its Operation

### 1.2.1 Summary of the Disciplinary System for Attorneys

Before the current Attorney Act (Act No.205 of 1949) was entered into force, the government had been authorized to supervise attorneys. The current Attorney Act has realized the autonomy of attorneys, by which the JFBA, the autonomous organization of attorneys, has been authorized to deal with the registration of attorneys on the roster of attorneys and the JFBA and bar associations have been authorized to take disciplinary actions against attorneys and legal professional corporations (hereinafter referred to as “attorneys, etc.”). Attorneys, etc. are entrusted with the mission to protect fundamental human rights and realize social justice (Article 1 of the Attorney Act, hereinafter referred to as “Act”). The self-disciplinary system has been established because if the government has the disciplinary authority, it is difficult for attorneys, etc. to complete their mission in case citizens’ fundamental human rights conflict with the government.

A disciplinary action is interpreted as an administrative action in the broad sense, which is taken under the public authority given to the bar associations and the JFBA. This explains why an attorney etc. who has had a disciplinary action imposed on them by a bar association may appeal under the Administrative Appeal Act (Act Art. 59) and may file a lawsuit for revocation of such decision (Act Art. 61).

Below is the summary of the disciplinary system under the current Act.

#### (1) Request for Discipline

Any person who believes that there are grounds for disciplining an attorney, etc. may make a request for disciplinary action to the bar association to which said attorney, etc. belongs (Act Art. 58, para. 1).

#### (2) Investigation by Disciplinary Enforcement Committee

If there has been a request for discipline, the bar association shall cause its Disciplinary Enforcement Committee to make an investigation (Act Art. 58, para. 2). The same shall apply if a bar association itself finds that there are grounds for disciplining an attorney, etc. (Act Art. 58, para. 2). The Disciplinary Enforcement Committee investigates the case and decides whether it would be appropriate to refer the matter to the Disciplinary Actions Committee to examine the case.

#### (3) Examination by Disciplinary Actions Committee

When the Disciplinary Enforcement Committee (including its subcommittee) makes a resolution that it is appropriate to refer a matter to the Disciplinary Actions Committee to examine the case, the bar association

shall refer the matter to the Disciplinary Actions Committee for examination (Binding effect of resolutions, Act Art. 58, para. 3). The same shall apply if the JFBA Disciplinary Enforcement Committee or the JFBA Board of Discipline Review makes a resolution that it is appropriate to refer the case back to the Disciplinary Actions Committee of the original bar association for investigation and the JFBA has referred the case back to the original bar association based on the resolution (Act Art. 64-2, para. 2 and 3, Art. 64-4, para. 1 through 3).

If the Disciplinary Actions Committee finds with its resolution that it is appropriate to discipline the accused attorney, etc. and sets forth the details of the disciplinary action to be undertaken, the bar association (or JFBA) shall discipline the accused attorney, etc. (Act Art. 58, para. 5.).

(4) Filing of an Objection, etc.

A Discipline-requesting party may file an objection thereto with the JFBA under the following circumstances (Act Art. 64, para. 1):

- (i) the Disciplinary Enforcement Committee of a bar association adopts a resolution that it shall not refer the matter to the Disciplinary Actions Committee for examination and the bar association issues a ruling not to discipline the accused attorney, etc.
- (ii) the Disciplinary Actions Committee of a bar association adopts a resolution that it is appropriate not to discipline the accused attorney, etc. and the bar association issues a ruling not to discipline the accused attorney, etc.
- (iii) a bar association has not concluded disciplinary procedures within a reasonable period
- (iv) the discipline-requesting party finds that disciplinary actions imposed by the bar association were unjustly lenient.

An objection shall be filed within 3 months (Act Art. 64, para. 2). Also in the case of (i), a discipline-requesting party may apply to the JFBA for a discipline review by the JFBA Board of Discipline Review (composed of academic experts, excluding legal professionals) (Act Art. 64-3, para. 1) if the JFBA Disciplinary Enforcement Committee dismissed or rejected the objection and if the JFBA adopted a resolution to that effect (Act Art. 64-2, para. 5). In that case, the application shall be made (Act Art. 64-3, para. 1) within 30 days (Act Art. 64-3, para. 2).

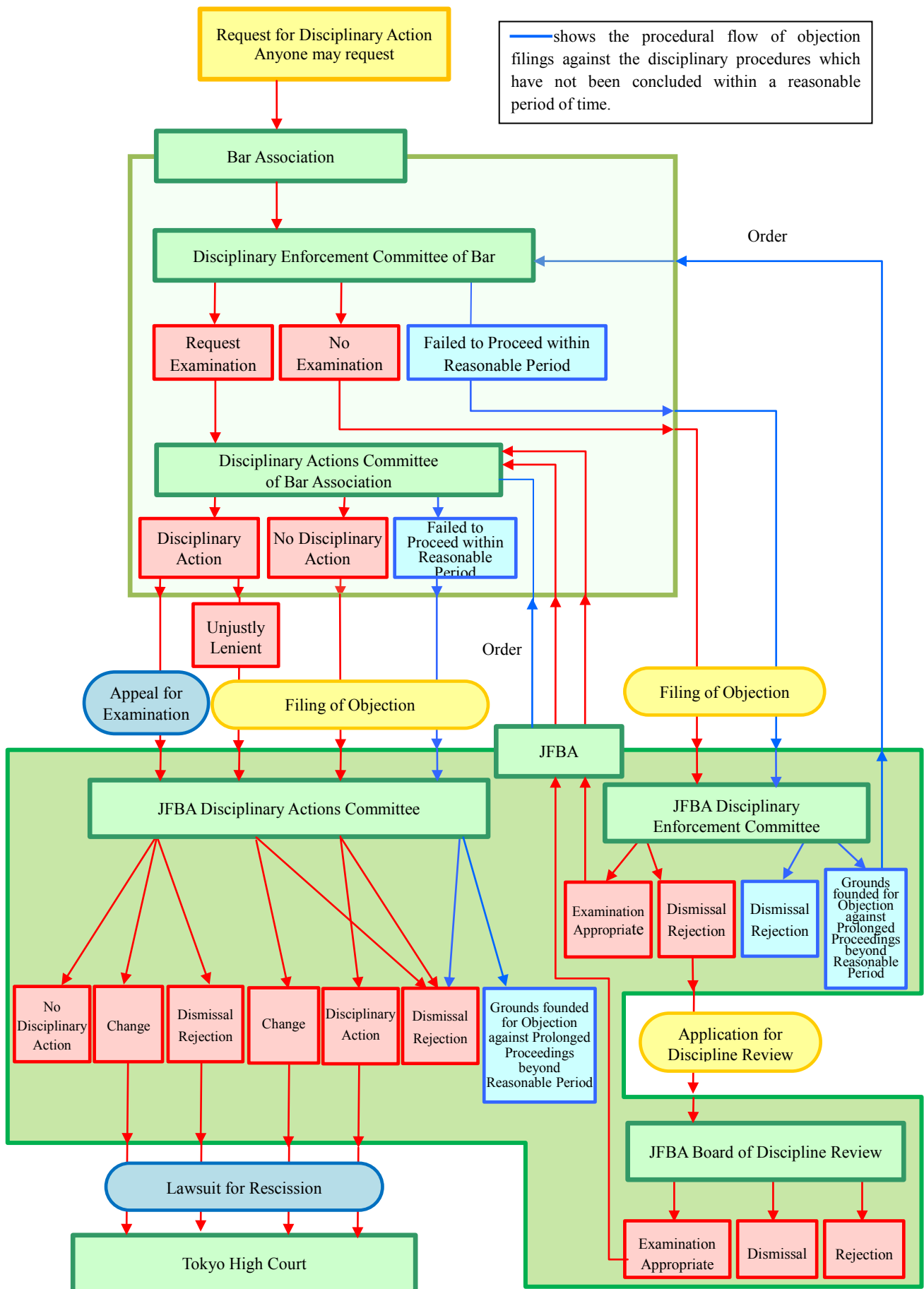
Please note that the JFBA Disciplinary Enforcement Committee examines objections under the circumstances set forth above in (i) (Act Art. 64-2, para. 1), and the JFBA Disciplinary Actions Committee examines objections in cases (ii) and (iv). (Act Art. 64-5, para. 1. For (iii), these routes are also separated.

(5) Public Notice by the Official Gazette, etc.

If disciplinary actions are imposed by the bar association or the JFBA, the facts are made public by the JFBA's journal "Jiyu-to-Seigi (Liberty and Justice)" and the Official Gazette (Act Art. 64-6, para. 3, Art. 68 of the Articles of Associations of JFBA).

The chart on the next page shows the present disciplinary system (effective from April 1, 2004).

Data 3-1-7 The Flow of Disciplinary Procedure for Attorneys

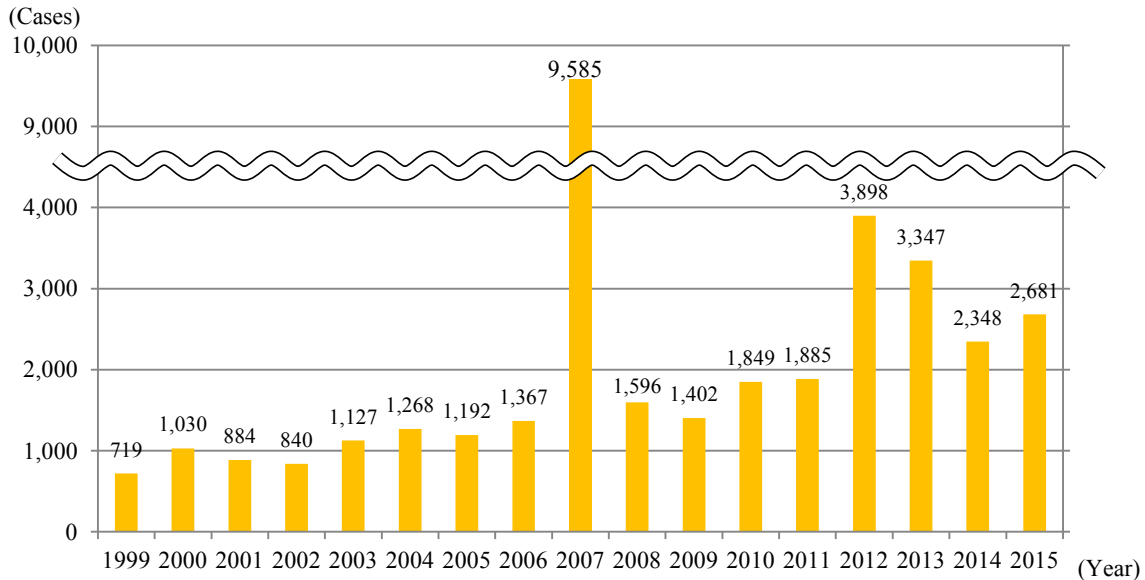


### 1.2.2 Statistics Regarding Disciplinary Actions

#### (1) Changes in the Number of Newly Accepted Requests for Disciplinary Actions (All Bar Associations)

The graph below shows the number of newly accepted requests for disciplinary actions by all bar associations from 1999 to 2015. In 2015, 2,681 requests were newly accepted.

Data 3-1-8 Changes in the Number of Newly Accepted Requests for Disciplinary Actions



[Note]

1. Data are collected by calendar years (from January 1 to the end of December).
2. If a request consolidates two or more matters regarding one attorney, it is counted as one case.
3. The number of newly accepted requests in 2007 was approximately seven times the requests of the previous year because 8,095 requests were made against the defense counsel of the Hikari City Mother-Child Murder Case.
4. The number of newly accepted requests in 2012 was approximately twice the number of requests for the previous year, mainly because there were five cases in which more than 100 requests were made per person (coming to a total of 1,899 requests for such five cases).
5. The number of newly accepted requests in 2013 exceeded more than 3,000 cases following the previous year, mainly because there were five cases in which more than 100 requests were made per person (coming to a total of 1,701 requests for such five cases).

(2) Details of Handling the Requests for Disciplinary Actions (All Bar Associations)

This table shows the number of requests for disciplinary action and details of handling the requests by all bar associations from 1999 to 2015. In 2015, the number of disciplinary actions taken was 97 cases. The percentage of the total number of attorneys and legal professional corporations involved was 0.25%, as shown on the next page, and this has remained at a similar level for the past ten years.

Data 3-1-9 Details of Handling the Requests for Disciplinary Action (All Bar Associations)

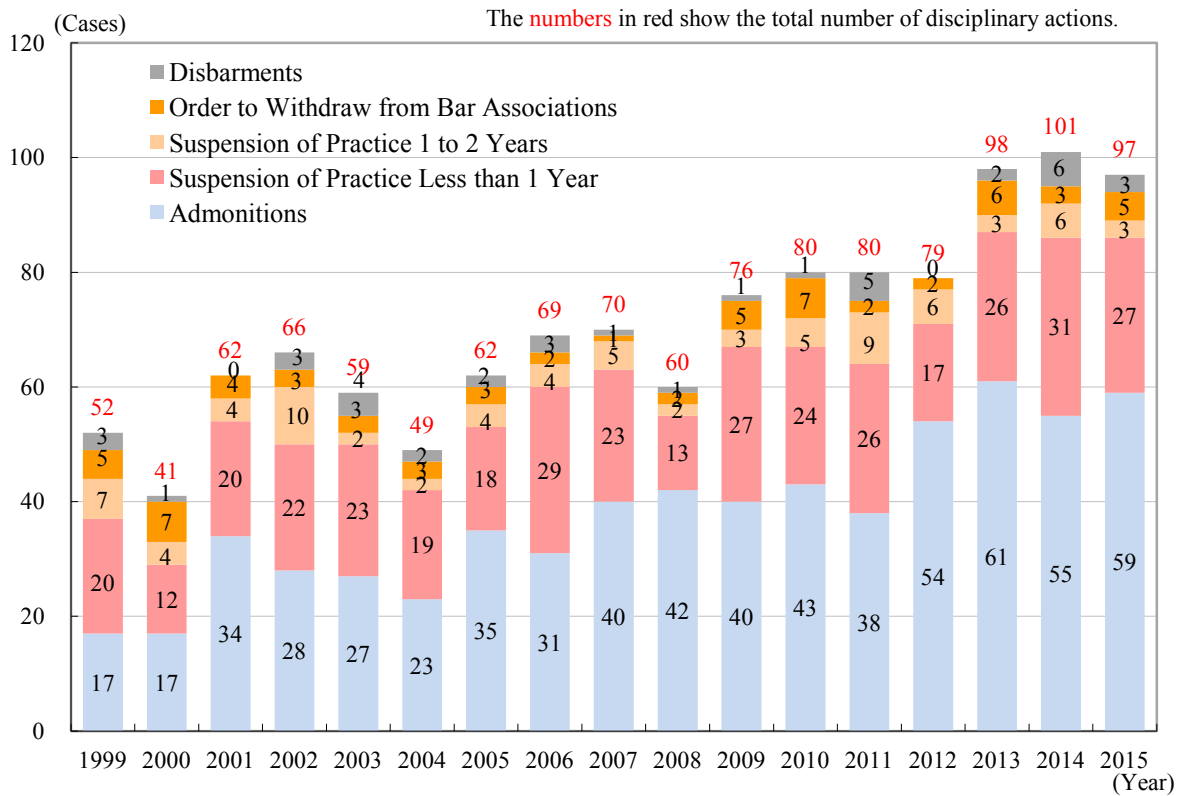
Year	Newly Accepted Requests (*4)	Closed Cases								
		Disciplinary Actions						No Disciplinary Actions (*6)	Expired Statute of Limitations (*8)	Dismissals / Terminations (*6,9)
		Admonitions	Suspension of Practice		Order to Withdraw from Bar Assoc.	Disbarments	Total			
	Less than 1 Year	1 to 2 Years								
1999	719	17	20	7	5	3	52	479	11	24
2000	1,030	17	12	4	7	1	41	690	25	26
2001	884	34	20	4	4	0	62	778	19	38
2002	840	28	22	10	3	3	66	674	22	49
2003	1,127	27	23	2	3	4	59	822		69 / 23
2004	1,268	23	19	2	3	2	49	1,023		1 / 19
2005	1,192	35	18	4	3	2	62	893		18
2006	1,367	31	29	4	2	3	69	1,232		24
2007	9,585	40	23	5	1	1	70	1,929		30
2008	1,596	42	13	2	2	1	60	8,928		37
2009	1,402	40	27	3	5	1	76	1,140		20
2010	1,849	43	24	5	7	1	80	1,164		31
2011	1,885	38	26	9	2	5	80	1,535		21
2012	3,898	54	17	6	2	0	79	2,189		25
2013	3,347	61	26	3	6	2	98	4,432		33
2014	2,348	55	31	6	3	6	101	2,060		37
2015	2,681	59	27	3	5	3	97	2,191		54

[Note]

1. Data are collected by calendar years (from January 1 to the end of December).
2. If a request consolidates two or more cases regarding one attorney, it is counted as one case.
3. Rescissions and/or modifications of disciplinary actions and/or decisions by the JFBA are not counted.
4. "Newly Accepted Requests" means the sum of the number of requests for disciplinary action and the number of cases in which bar associations made attorneys subject to disciplinary procedures through their own motions. When one person simultaneously requests disciplinary actions against two or more attorneys, it is counted as one case per attorney.
6. The numbers of "No Disciplinary Actions" and "Terminations" reflect the total numbers at both the Disciplinary Enforcement Committee and Disciplinary Actions Committee levels.
7. In the event that two or more resolutions and/or rulings are made in one case (eg. Partially discipline appropriate and partially inappropriate), they are all counted in the corresponding actions.
8. The category of "Expired Statute of Limitations" has been included in the "Dismissals and Terminations" since 2003.
9. "Dismissals and Terminations" was divided to "Dismissals" and "Terminations" from 2003, and "Dismissals" has been included in "No Disciplinary Actions" since 2005.



Data 3-1-10 Changes in Numbers of Disciplinary Actions and their Details



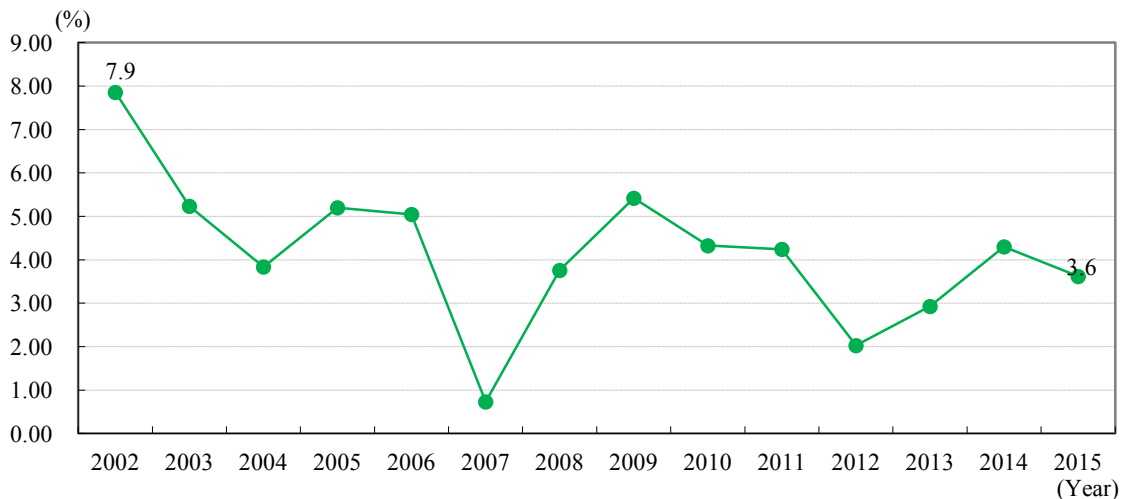
(3) Ratio of Disciplinary Actions (All Bar Associations)

The graphs below show changes in the ratio of disciplinary actions brought wherein discipline is imposed to the total number of such requests in all bar associations from 2002 to 2015, and the same to the total number of members (attorneys and legal professional corporations).

(i) Ratio of Disciplinary Actions wherein discipline is imposed to the Total Disciplinary Action Requests

In 2015, the ratio of disciplinary actions wherein discipline was imposed to the total number of such requests was 3.6%. The reason for the drastic changes in the ratios is because of the increase and decrease in the number of requests for disciplinary actions. (See preceding item (2) regarding the number of requests for disciplinary action.)

Data 3-1-11 Changes in Ratio of Disciplinary Action wherein Discipline is Imposed to Total Requests



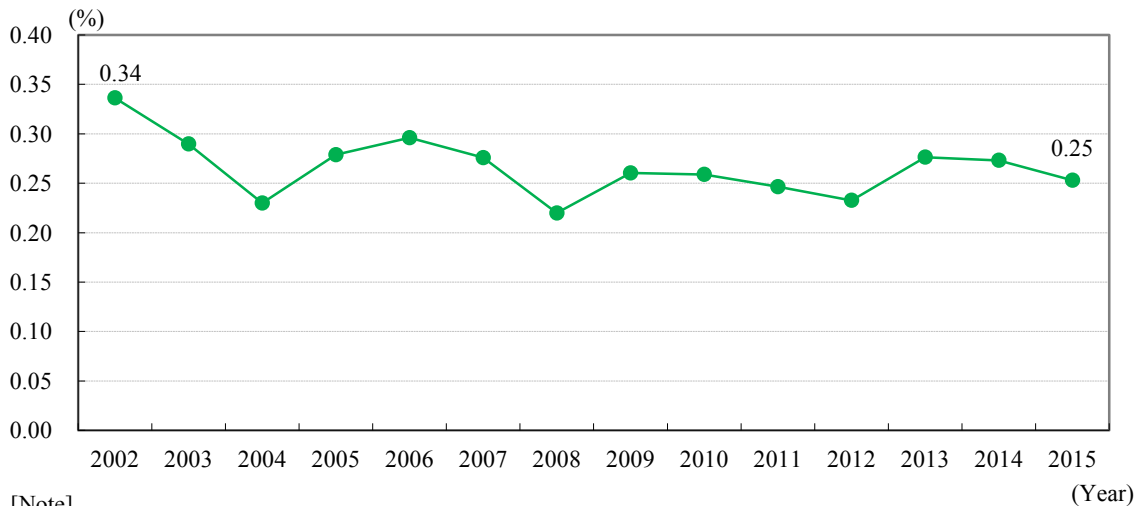
[Note]

Percentages are calculated based on the number of disciplinary actions taken and the number of requests for disciplinary actions received by each bar association in each year. This is not a study of whether there were any disciplinary actions taken in each discipline request.

(ii) Ratio of Disciplinary Actions wherein Discipline is Imposed to Total Members

The ratio of disciplinary actions wherein discipline is imposed to the total number of members remains between approximately 0.20% and 0.30% in the last ten years.

Data 3-1-12 Changes in Ratio of Disciplinary Action wherein Discipline is Imposed to Total Members



[Note]

The basic number of attorneys and legal professional corporations used to calculate is as of the end of December of each year.

**1.2.3. Operation of the Disciplinary System**

(1) Cases Handled by Disciplinary Enforcement Committees of Bar Associations and the JFBA

(i) Bar Associations

In 2015, bar associations accepted 2,681 filings of complaints for discipline.

Observing the resolved cases in 2015, the periods from filing of complaints for discipline to resolution by Disciplinary Enforcement Committees were within 6 months in 47.5% of the cases. Approximately 75.0% of the cases were within one year.

In recent years, approximately 10% of the cases on which Disciplinary Enforcement Committees investigated were referred to Disciplinary Actions Committees for examinations. 186 cases were referred in 2015.

(ii) JFBA

In 2015, a total of 1,002 of the objections filed with the JFBA were with regard to investigations conducted by bar associations, and these objections were then referred to the JFBA Disciplinary Enforcement Committee for its examination.

In 2015, the JFBA Disciplinary Enforcement Committee resolved 942 cases. In 6 of the cases, the committee resolved that disciplinary examinations were appropriate and referred the cases to bar associations. 86.0% of the cases reached resolutions within 6 months.

Following are details of accepted filings of objections and resolutions (2013-2015).

**Data 3-1-13 Details of Accepted Filings of Objections (JFBA Disciplinary Enforcement Committee)**

(Unit: Cases)

Year	Objections against No Disciplinary Action	Objections against Prolonged Disciplinary Proceedings beyond a Reasonable Period	Total
2013	1,546	44	1,590
2014	1,290	63	1,353
2015	951	51	1,002

[Note]

Among the newly accepted filings of objections in 2013, 2014, and 2015, there were two cases in 2013, and one case in 2014 and 2015 respectively, in which a large number of objections were made by one person (coming to a total of 865, 778, and 285 respectively for such cases)..

**Data 3-1-14 Details of Resolutions on Objections (JFBA Disciplinary Enforcement Committee)**

(Unit: Cases)

Year	Closed Cases					Total	Unclosed Cases <sup>*5</sup>
	Examination Appropriate <sup>*1</sup>	Examination Inappropriate			Order to Promptly Proceed with Disciplinary Procedures <sup>*3</sup>		
		Rejections	Dismissals	Terminations, etc. <sup>*2</sup>			
2013	6	1,431	26	8	21	1,492	312
2014	5	1,362	796	9	22	2,194	249
2015	6	896	17	5	18	942	309

[Note]

1. Examination Appropriate: The JFBA Disciplinary Enforcement Committee found it appropriate to refer the case back to the Disciplinary Actions Committee of the original bar association for investigation.
2. Terminations, etc.: Withdrawal, disqualification, or death.
3. Order to Promptly Proceed with Disciplinary Procedures: The JFBA Disciplinary Enforcement Committee found the objection claiming prolonged proceedings was reasonable and resolved to order the bar association to promptly proceed with disciplinary procedures.
4. Data are collected by calendar years (from January 1 to the end of December).
5. The "Unclosed Cases" section includes cases which were investigated continuously from the previous year.

## (2) Cases Handled by Disciplinary Actions Committees of Bar Associations and the JFBA

### (i) Bar Associations

The number of cases referred to Disciplinary Actions Committees of bar associations nationwide for examinations has been between 70 and 100 a year recently. The number of disciplinary actions was 97 in 2015.

Observing the resolved cases in 2015, approximately 38.0% of the cases reached resolution within six months. Approximately 82% of the cases were resolved within one year. While the number of cases taking over two years to resolve was approximately 1.4% in 2014 and 1.2% in 2015, the number of such cases has been very low in recent years.

### (ii) JFBA

#### I. Objections

Among the objections filed with the JFBA in 2015, 43 of them concern the cases referred to Disciplinary Actions Committees of bar associations for examinations (15 objections against "no disciplinary action," 22 against "unjustly lenient disciplinary action" and 6 against "prolonged disciplinary proceedings beyond

a reasonable period”). These cases were referred to the JFBA Disciplinary Actions Committee for examination.

In 2015, the JFBA Disciplinary Actions Committee resolved 394 cases.

Data 3-1-15 Details of Resolutions on Objections (JFBA Disciplinary Actions Committee)

(Unit: Cases)

Year	Closed Cases							Unclosed Cases* <sup>4</sup>
	Rejections	Rescissions * <sup>2</sup>	Modifications * <sup>3</sup>	Dismissals	Withdrawals	Order to Promptly Proceed with Disciplinary Procedures* <sup>1</sup>	Total	
2013	23	1	0	3	0	1	28	20
2014	20	8	1	0	1	4	34	26
2015	33	0	1	3	0	2	39	30

[Note]

- Order to Promptly Proceed with Disciplinary Procedures: The JFBA Disciplinary Actions Committee found the objection claiming prolonged proceedings was reasonable and resolved to order the bar association to promptly proceed with disciplinary procedures.
- Details of “Rescissions” (rescind the resolutions of bar associations)  
2013: from “no discipline” to “admonition” in one case, 2014: from “no discipline” to “admonition” in eight cases
- Details of “Modifications”  
2014: from “admonition” to “suspension of practice for one month” in one case  
2015: from “admonition” to “suspension of practice for one year” in one case
- The “Unclosed Cases” of this table and the table below include cases which were investigated continuously from the previous year.
- Data of this table and the table below are collected by calendar years (from January 1 to the end of December).

## II. Appeals

In 2015, 33 appeals were filed with the JFBA. In this year, the JFBA Disciplinary Actions Committee resolved 33 cases.

Data 3-1-16 Details of Resolutions on Appeals (JFBA Disciplinary Actions Committee)

(Unit: Cases)

Year	Closed Cases					Unclosed Cases
	Rejections	Rescissions of Primary Disciplinary Actions* <sup>2</sup>	Modifications of Primary Disciplinary Actions* <sup>3</sup>	Dismissals, Terminations etc. * <sup>1</sup>	Total	
2013	30	3	1	1	35	36
2014	28	1	4	1	34	29
2015	22	6	1	4	33	29

[Note]

- “Dismissals”: The valid period for filing an appeal has passed., etc.  
“Terminations etc.”: Withdrawal, disqualification, or death.
- Details of “Rescissions of Primary Disciplinary Actions (rescind the disciplinary actions of bar associations)”: From “admonition” to “no discipline” in three cases (2013), one case (2014), and six cases (2015).
- Details of “Modifications of Primary Disciplinary Actions (modify to lighter disciplinary actions)”  
2013: from “suspension of practice for one month” to “admonition” in one case  
2014: from “suspension of practice for two months” to “admonition” in one case, from “suspension of practice for one year” to “ten months” in one case, from “Order to withdraw from the Bar Association” to “suspension of practice for six months” in one case, and from “Disbarment” to “suspension of practice for two years” in one case.  
2015: from “Disbarment” to “suspension of practice for two years” in one case.

**(3) Cases Handled by the JFBA Board of Discipline Review**

In 2015, 396 cases with applications for discipline review were referred to the JFBA Board of Discipline Review for examination. In this year, 459 cases reached resolutions. Four of these 459 cases were resolved to be transferred to bar associations for their disciplinary examinations.

Following are details of accepting cases with applications for discipline review and resolutions from 2013 to 2015.

**Data 3-1-17 Details of Resolutions on Cases with Applications for Discipline Review (JFBA Board of Discipline Review)**

(Unit: Cases)

Year	Closed Cases					Unclosed Cases* <sup>2</sup>
	Examination Appropriate* <sup>1</sup>	Examination Inappropriate (Rejections)	Dismissals	Withdrawals	Total	
2013	4	281	19	2	306	954
2014	2	1,076	5	3	1,086	209
2015	4	437	17	1	459	146

[Note]

1. "Examinations Appropriate": The board found that it was appropriate to refer the matter to the Disciplinary Actions Committee of the original bar association to examine the case.

2. The "Unclosed Cases" section includes cases which were investigated continuously from the previous year.

**1.2.4 The Flow and Current Situation of Disciplinary Procedure**

Upon receipt of a request for disciplinary action against an attorney or a legal professional corporation, the Disciplinary Enforcement Committee of the bar association examines and decides whether or not the request should be referred to its Disciplinary Actions Committee. The Disciplinary Actions Committee decides whether it imposes a disciplinary action and the contents of the action. The attorney or the legal professional corporation who had the disciplinary action imposed upon them may appeal to the JFBA for examination. If the discipline-requesting party is not satisfied with the decision of the Disciplinary Enforcement Committee and/or the Disciplinary Actions Committee of the bar association, it may file an objection with the JFBA. If an objection is filed, the JFBA refers the matter to the JFBA Disciplinary Enforcement Committee or the JFBA Disciplinary Actions Committee. If the discipline-requesting party is not satisfied with the decision of the JFBA Disciplinary Enforcement Committee, it may request the JFBA Board of Discipline Review consisting of only citizens to conduct a discipline review. If the JFBA Disciplinary Enforcement Committee or the JFBA Board of Discipline Review concludes that it is appropriate to refer the case to the Disciplinary Actions Committee of the bar association for examination, the case is referred to the bar association.

## **Chapter 2 The JFBA's Activities involving Human Rights Redress**

Based on Article 1 of the Attorney Act, “an attorney is entrusted with a mission to protect fundamental human rights and to realize social justice,” the JFBA has been engaged in activities to support human rights redress for human rights violations for more than 60 years since its establishment in 1949, mainly through the JFBA Human Rights Protection Committee cooperating with local bar associations. Such activities to redress human rights abuses, for which we follow a strict inner procedure until we take redress measures, have garnered praise from Japanese society for past achievements and have gained the people’s trust. Our human rights redress does not have binding power but practically exerts a strong influence on various sectors of society. This chapter explains the current status of the JFBA’s activities for human rights redress.

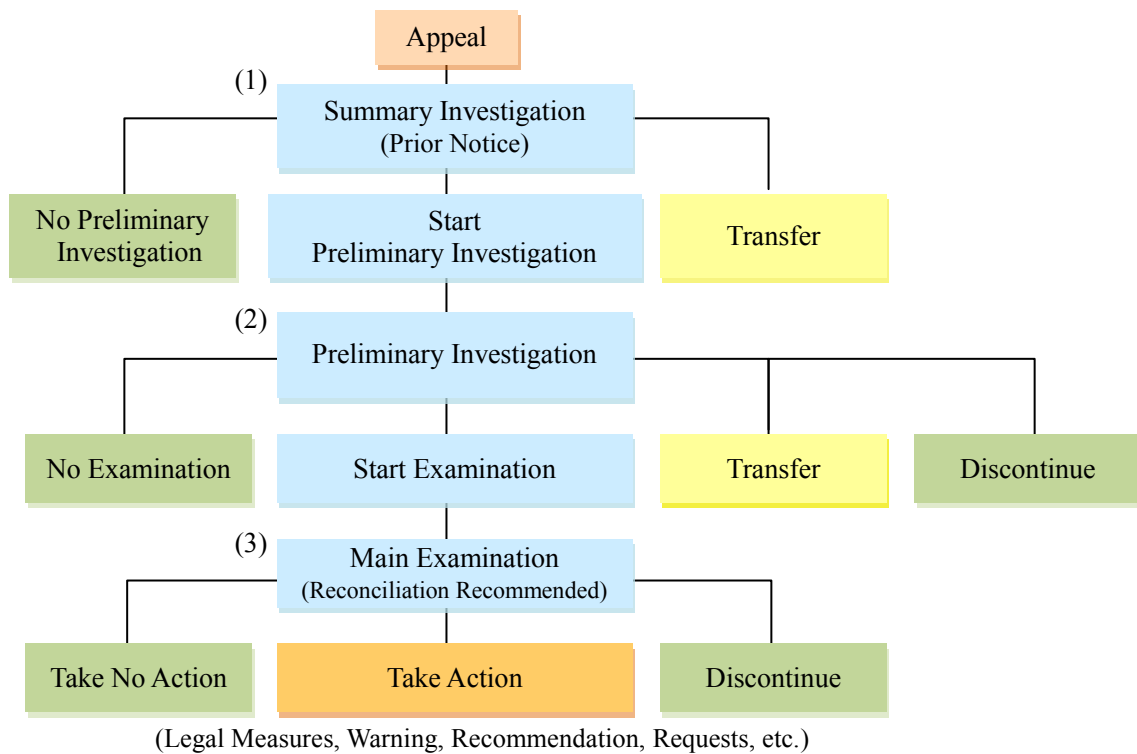
### **2.1 The Operation of the Human Rights Redress System**

#### **2.1.1 Procedures for Human Rights Redress System**

The JFBA investigates and researches various issues on human rights. Especially, the JFBA Human Rights Protection Committee investigates facts of human rights infringements in response to requests for human rights redress. Based on the results of the committee's investigation, the committee takes redress measures including warnings, recommendations, and requests against infringers or their supervising bodies, etc.

Article 36, Paragraph (5) of the Regulations of the JFBA Human Rights Protection Committee requires that in the event of taking any measures, the committee and the chairperson shall provide the subject of such measures or opinions with an explanation of the relevant case and an opportunity to submit related materials in advance. Furthermore, in order to take proper and prompt actions for human rights protection, the JFBA follows strict procedures under the regulations established to this end. The chart on the next page shows the principle procedural flow of the JFBA’s human rights redress system.

Data 3-2-1 Flow Chart of the JFBA's Human Rights Redress System



## [Procedures]

(1) Summary Investigation: Determines the necessity of Preliminary Investigation in cases where redresses of human rights abuses are appealed.

(Prior notice may be sent to the concerned party if any immediate action is required.)

- No Preliminary Investigation: Cases where no action will likely be taken based on the results of summary investigations or the nature of the case.
- Start Preliminary Investigation: (1) Cases which supposedly have important influence on society, (2) cases involving details or interested parties that are nationwide or widespread and (3) cases which require investigations into or requests to government organs.
- Transfer: Cases which are considered appropriate to be referred to bar associations or other institutions for investigation and research.

(2) Preliminary Investigation: Investigation to be conducted before the main examination.

- No Examination: Cases in which, based on the Preliminary Investigation, there likely will not be any recognition of infringement of human rights or risk of infringement through further examination.
- Start Examination: Cases in which, based on the Preliminary Investigation, there is a possibility of recognition of infringement of human rights or risk of infringement through further examination.
- Discontinue: Cases in which appeals are withdrawn, or the appellants were found to be dead or missing.

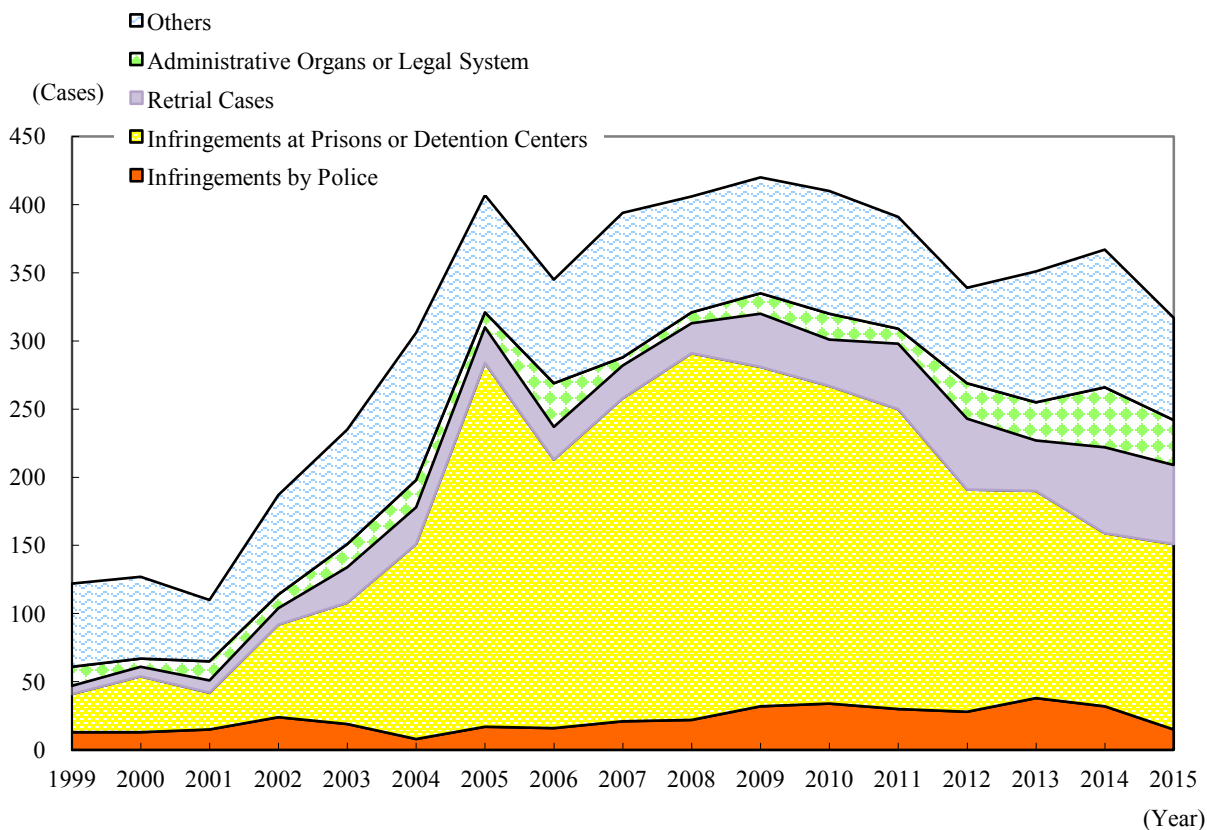
(3) Main Examination: Examination of infringement of human rights or the risk of infringement as cases for human rights redress.

(Reconciliation Recommended: Cases in which infringement of human rights or the risk of such is recognized and reconciliation is considered appropriate.)

- Take No Action: Cases in which examinations determine that taking action is unnecessary.
- Take Action: Cases in which examinations determine that actions should be taken. Actions taken by the JFBA include judicial measures (accusations/requests for trial), warnings (which notice JFBA opinions and firmly demand an appropriate response), recommendations (which call for an appropriate response), requests (which requests an appropriate response), advice/cooperation, and expression of opinions.

The graph and table below are the number of requests of human rights redress to the JFBA from 1999 to 2015, categorized by nature.

Data 3-2-2 Changes in the Number of Human Rights Redress Cases (by Category)



Data 3-2-3 Details of the Number of Human Rights Redress Cases (by Category)

Category \ Year	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Infringements by Police	13	13	15	24	19	8	17	16	21	22	32	34	30	28	38	32	15
Infringements at Prisons or Detention Centers	28	41	27	68	89	143	267	197	237	269	249	233	220	163	152	127	136
Retrial Cases	6	7	9	12	26	27	26	24	24	22	39	34	48	52	37	63	58
Administrative Organs or Legal System	14	6	14	10	17	20	11	32	6	8	15	19	11	26	28	44	33
Others* <sup>1</sup>	61	60	45	73	84	108	86	76	106	85	85	90	82	70	96	101	75

[Note]

1. "Others" includes Infringements by "Medical Facilities," "the Press," "Educational Institutions," "Companies," "Courts," and "Other Civil Servants."



## 2.2 Current Situation Regarding the Retrial Cases Supported by the JFBA

### 2.2.1 Retrial Cases Supported by the JFBA

"Miscarriages of justice" are the worst cases of human rights violation. The JFBA Human Rights Protection Committee makes judgments on whether or not it will treat a case as a violation of human rights, taking the following three points into comprehensive consideration:

- (1) Whether there is a possibility that the verdict of guilty or the dismissal of a final appeal made as the final and binding judgment was wrong.
- (2) Whether there is a possibility that any new and clear evidence required for a retrial request is found.
- (3) The degree of necessity and appropriateness for the JFBA to support the retrial of a relevant criminal case in light of the details, nature, and social impact, etc. of the case.

If support for a retrial is determined based on the above three points, a committee on such retrial case is set up in the JFBA Human Rights Protection Committee. The committee for such case will support defense activities for the retrial by dispatching defense counsel and providing financial support for the necessary expenses, etc.

### 2.2.2 Achievement by the JFBA for its Support on Retrial Request Cases

The following table shows a list of the cases which the JFBA has supported and in which judgments of acquittal have been finalized.

Data 3-2-4 Cases Supported by the JFBA where a Judgment of Acquittal has been Finalized						
(In the order of the date on which the acquittal was rendered. As of Sep. 30, 2016)						
Name of the Case	Date of the Occurrence of the Incident	Date when the Judgment was Finalized	Court at which the Final and Binding Judgment was Rendered	Final and Binding Judgment	Date when the Opening of the Retrial was Decided	Date when the Acquittal was Rendered
	Date when the Support was Decided or the Committee for the Case was Set up	Date when the Appeal was Dismissed			Name of the Court	Name of the Court
Yoshida	1913(T2). 8.13	1914(T3). 7.31	Nagoya Court of Appeals	Life imprisonment	1961(S36). 4.11 Nagoya High Court	1963(S38). 2.28 Nagoya High Court
	1961(S36).6.17 Committee was set up.	1914(T3). 11.4				
Hirosaki	1949(S24). 8. 6	1952(S27). 5.31	Sendai High Court	15-year sentence	1976(S51). 7.13 Proceedings for a retrial request at the Sendai High Court	1977(S52). 2.15 Sendai High Court
	1971(S46).9.17 Committee was set up.	1953(S28). 2.19				
Kato	1915(T4). 7.11	1916(T5). 8.4	Hiroshima Court of Appeals	Life imprisonment	1976(S51). 9.18 Hiroshima High Court	1977(S52). 7. 7 Hiroshima High Court
	1969(S44).6.17 Committee was set up.	1916(T5). 11.7				
Yoneya	1952(S27).2.25	1952(S27). 12.5	Aomori District Court	10-year sentence	1976(S51).10.30 <i>Kokoku</i> appeal proceedings at the Sendai High Court	1978(S53). 7.31 Aomori District Court
	1967(S42).3.18 Committee was set up.	1953(S28). 8.22				
Taki* <sup>1</sup>	*1950(S25). 5.20	1953(S28). 6.13	Tokyo District Court	Life imprisonment 5-year sentence, 5-year sentence	1980(S55).10.16 <i>Kokoku</i> appeal proceedings at the Tokyo High Court	1981(S56). 3.27 Tokyo District Court
	1964(S39).1.31 Committee was set up.	1953(S28). 9.10 Withdrawal of the appeal				

Name of the Case	Date of the Occurrence of the Incident	Date when the Judgment was Finalized	Court at which the Final and Binding Judgment was Rendered	Final and Binding Judgment	Date when the Opening of the Retrial was Decided	Date when the Acquittal was Rendered
	Date when the Support was Decided or the Committee for the Case was Set up	Date when the Appeal was Dismissed			Name of the Court	Name of the Court
Menda	1948(S23).12.29	1950(S25).3.23	Kumamoto District Court, Yashiro Branch	Death penalty	1979(S54). 9.27 <i>Kokoku</i> appeal proceedings at the Fukuoka High Court	1983(S58). 7.15 Kumamoto District Court, Yashiro Branch
	1961(S36).9.23 Committee was set up.	1951(S26).12.25				
Saitagawa	1950(S25). 2.28	1952(S27). 2.20	Takamatsu District Court, Marukame Branch	Death penalty	1979(S54). 6. 7 Proceedings of the case were referred back to the Takamatsu District Court	1984(S59). 3.12 Takamatsu District Court
	1976(S51).9.17 Committee was set up.	1957(S32). 1.22				
Matsuyama	1955(S30).10.18	1957(S32).10.29	Sendai District Court, Furukawa Branch	Death penalty	1979(S54).12. 6 Proceedings of the case were referred back to the Sendai District Court	1984(S59). 7.11 Sendai District Court
	1962(S37).11.20 Committee was set up.	1960(S35). 11.1				
Tokushima	1953(S28).11. 5	1956(S31). 4.18	Tokushima District Court	13-year sentence	1980(S55).12.13 Tokushima District Court	1985(S60). 7. 9 Tokushima District Court
	1959(S34) Committee was set up.	1958(S33). 5.12 Appeal to the Supreme Court was withdrawn.				
Umeda	1950(S25).10.10	1954(S29). 7. 7	Kushiro District Court, Abashiri Branch	Life imprisonment	1982(S57).12.20 Kushiro District Court, Abashiri Branch	1986(S61). 8.27 Kushiro District Court
	1964(S39).1.31 Committee was set up.	1957(S32). 11.14				
Shimada	1954(S29). 3.10	1958(S33). 5.23	Shizuoka District Court	Death penalty	1986(S61). 5.29 Proceedings of the case were referred back to the Shizuoka District Court	1989(H1). 1.31 Shizuoka District Court
	1977(S52).3.18 Committee was set up.	1960(S35). 12.15				
Enai-mura *2	*1946(S21). 8.21	1948(S23). 11.9	Takamatsu High Court	*15-year sentence	1993(H5).11. 1 Takamatsu High Court	1994(H6). 3.22 Takamatsu High Court
	1990(H2).3.16 Support for the case was decided.	1949(S24). 4.28				
Ashikaga	1990(H2). 5.12	1993(H5). 7.7	Utsunomiya District Court	Life imprisonment	2009(H21). 6.23 <i>Kokoku</i> appeal proceedings at the Tokyo High Court	2010(H22). 3.26 Utsunomiya District Court
	2002(H14).12.20 Support for the case was decided.	2000(H12). 7.17				
Fukawa*3	*1967(S42).8.28	1970(S45). 10.6	Mito District Court, Tsuchiura Branch	*Life imprisonment	2005(H17). 9.21 Mito District Court, Tsuchiura Branch	2011(H23). 5.24 Mito District Court, Tsuchiura Branch
	1978(S53).9.13 Committee was set up.	1978(S53). 7.3				
Tokyo Murder Case of a Female TEPCO Employee	1997(H9). 3. 8	2000(H12). 12.22	Tokyo High Court	Life imprisonment	2012(H24). 6. 7 Tokyo High Court	2012(H24). 11. 7 Tokyo High Court
	2006(H18).10.17 Support for the case was decided.	2003(H15). 10.20				

Name of the Case	Date of the Occurrence of the Incident	Date when the Judgment was Finalized	Court at which the Final and Binding Judgment was Rendered	Final and Binding Judgment	Date when the Opening of the Retrial was Decided	Date when the Acquittal was Rendered
	Date when the Support was Decided or the Committee for the Case was Set up	Date when the Appeal was Dismissed			Name of the Court	Name of the Court
Higashi Sumiyoshi *4	1995(H7).7.22	Mr. Tatsuhiro Boku 1999(H11). 3.30	Osaka District Court	Life imprisonment	2015(H27).10.23 Osaka District Court	2016(H28).8. 10 Osaka District Court
		20016(H11). 5.18				
	2012(H24).7.12 Support for the case was decided.	Ms. Keiko Aoki 1999(H11). 5.18	Osaka District Court	Life imprisonment		2016(H28).8. 10 Osaka District Court
		2006(H18). 12.11				

[Note]

1. With regard to the Taki Case, the date; "May 20th, 1950 (\*1950(S25).5.20)" indicates the date of the incident on which a judgment of not guilty was rendered at the retrial. As regards the finalized sentence of "\*life imprisonment" of such Case, part of the finalized sentence (life imprisonment) was acquitted at the retrial. (Subsequently, the sentence of life imprisonment was handed down.)
2. In reference to the Enai-mura Case, the date; "August 21st, 1946 (\*1946(S21).8.21)" indicates the date on which the incident, i.e. breaking and entering and murder, occurred, for which a judgment of not guilty was rendered at the retrial. The finalized sentence was handed down having taken further crimes into account. As for the breaking and entering and the murder, a not-guilty judgment was rendered at the retrial. (As regards the further crimes, a judgment of guilty with a two-year sentence suspended for three years was handed down.)
3. With reference to the Fukawa Case, the date; "August 28th, 1967 (\*1967 (S42).8.28)" indicates the date on which the incident, i.e., burglary and murder, occurred, for which a judgment of not guilty was rendered at the retrial. The finalized sentence was handed down having taken further crimes into account. As for the burglary and murder, a not-guilty judgment was rendered at the retrial. (As regards the further crimes, a judgment of guilty with a two-year sentence suspended for three years was handed down.)
4. With reference to the Higashi Sumiyoshi Case, since the review and final binding judgment were made individually for two of the defendants, the request for retrial was made for each. The retrial requests were bound during the retrial deliberations, however, the retrial was conducted separately after the determination to commence a retrial.

## Part 4 Comprehensive Legal Support

### Chapter 1 Japan Legal Support Center (*Ho-terasu*)

The “Japan Legal Support Center” (known as “*Ho-terasu*” in Japanese), a corporate body, was established April 10, 2006 as an incorporated administrative agency, in accordance with the Comprehensive Legal Support Act, with the aim of expanding legal services for the public all over Japan; namely, improving the ease of use of the system for resolving disputes at court and by other means, and having legal services provided by attorneys, regardless of whether the cases are civil or criminal in nature.

*Ho-terasu* launched its services on October 2, 2006. Its headquarters is located in Tokyo, and local offices are located in the prefectural capitals of each prefecture (in the case of Hokkaido, local offices are also located in Hakodate, Kushiro and Asahikawa, in addition to Sapporo, the prefectural capital). Further, regional offices have also been set up in districts where there are shortages of attorneys, in order to provide various services to the public (In total, there were 112 *Ho-terasu* offices as of September 1, 2016).

#### 1.1 Scope of Operations of *Ho-terasu*

The following operations are conducted at *Ho-terasu*.

Data 4-1-1 Contents of *Ho-terasu* Operations

[1] Providing information	Introducing useful information regarding dispute resolution through the legal system and providing information relating to organizations which provide legal services.
[2] Civil legal aid	Offering support to citizens with limited financial resources by means of loans for attorneys' fees and judicial scriveners' fees, and through the provision of free legal counseling.
[3] Operations associated with the public criminal defense system	(a) In the case of criminal trials (the accused, and suspects for a certain scope of criminal cases), informing the name of an attorney who is qualified to be a court-appointed defense attorney, and ensuring the provision of such court-appointed defense attorney upon request by the courts in each area, for citizens who are unable to hire a defense counsel due to their limited financial resources. (b) Informing the name of an attorney who is qualified to be a publicly-funded attorney attendant and ensuring the provision of such publicly-funded attorney attendant upon request by the family courts in each area for juveniles who are in custody and who have been accused of committing certain serious cases, as well as when the court finds it appropriate. (c) Upon request by victims of crime who are planning to participate in a court trial, informing the name of an attorney who is qualified to be a court-appointed attorney in such court and ensuring the provision of such attorney. (d) Dealing with matters such as calculating the transportation fees and conducting money transfers, etc. for the victims of crimes who have participated in criminal trials by using the system allowing the participation of victims.
[4] Operations to address shortage of accessibility to justice in local regions	Providing legal services (on a fee-basis) by staff attorneys who work at <i>Ho-terasu</i> in areas where there are no attorneys, etc.
[5] Assistance to victims of crime	Providing information in relation to the system for helping victims of crime to recover and to reduce the damage and suffering thereof, as well as introducing attorneys or support institutions familiar with support for victims of crime to citizens who have become victims of crime, as well as their family members.

[6] Conducting operations entrusted by other organizations	Currently conducting operations entrusted by two organizations: the JFBA and the Support Foundation for Japanese Orphans in China (a public interest incorporated foundation). The former includes providing assistance in defending criminal suspects whose crimes are outside of the scope of cases covered by the court-appointed attorney system for suspects, consulting with attorney attendants for juvenile cases, assisting with human rights related matters targeting people not covered by the civil legal aid system, among other activities. ( <i>see</i> 1.2 below)
[7] Providing assistance in relation to disaster-related laws	In accordance with the Special Act on Earthquake-Disaster (Special Act on Support to Victims of the Great East Japan Earthquake), areas (except for the Tokyo Metropolitan Prefecture) where the Disaster Relief Act was applied in response to the Great East Japan Earthquake targeting residents who lived in such areas on March 11, 2011, conducting free legal counseling and offering support through loans for attorneys' fees and judicial scriveners' fees.

## 1.2 Support Operations Entrusted by the JFBA

*Ho-terasu* may conduct operations entrusted by the national government, local governments and NPOs, etc. within a scope which does not affect *Ho-terasu's* original business operations (Article 30-2, Comprehensive Legal Support Act).

Since October 1, 2007, *Ho-terasu* has been conducting operations entrusted by the JFBA. These operations, used to be conducted by the Japan Legal Aid Association, a judicial foundation, as a voluntary business (i.e. a business operated with no subsidies from the state), provide assistance for covering attorneys' fees, etc. from the viewpoint of providing human rights redress targeting those not covered by the civil legal aid system, *Ho-terasu*, or the court-appointed attorney system prescribed in the Comprehensive Legal Support Act.

Among the support operations entrusted by the JFBA, other than the provision of aid for the defense of criminal suspects and for attorney attendants in juvenile cases, the financial resources of the assistance business mainly consist of (i) donations from those involved in criminal proceedings in order to show a sense of redemption, and (ii) membership dues from JFBA member attorneys.