

Court Act

(Act No. 59 of April 16, 1947)

- Part I General Provisions
- Part II Supreme Court
- Part III Lower Courts
 - Chapter I High Courts
 - Chapter II District Courts
 - Chapter III Family Courts
 - Chapter IV Summary Courts
- Part IV Court Officials and Legal Apprentices
 - Chapter I Judges
 - Chapter II Court Officials Other Than Judges
 - Chapter III Legal Apprentices
- Part V Conduct of Judicial Proceedings
 - Chapter I Courts
 - Chapter II Court Language
 - Chapter III Deliberation of Decisions
 - Chapter IV Assistance of Courts
- Part VI Judicial Administration
- Part VII Court Expenses

Part I General Provisions

(Purport of the Act)

Article 1 This Act applies to the Supreme Court and the lower courts prescribed in the Constitution of Japan.

(Lower Courts)

Article 2 (1) Lower courts are high courts, district courts, family courts, and summary courts.

(2) The details of establishment, abolition, and jurisdictional districts of lower courts are provided for separately by law.

(Jurisdiction of Courts)

Article 3 (1) Courts decide on all legal disputes, except as specifically provided for in the Constitution of Japan, and have other powers that are specifically provided for by law.

(2) The provisions of the preceding paragraph do not prevent administrative

organs from deciding as court of prior instance.

- (3) The provisions of this Act do not prevent the establishment of a jury system for criminal cases provided for separately by law.

(Binding Power of Superior Judicial Decisions)

Article 4 A conclusion in a judgment by a higher court binds the lower courts with respect to the relevant case.

(Judges)

Article 5 (1) The justices of the Supreme Court are the chief justice, who is called the Chief Justice of the Supreme Court, and other justices, who are called justices of the Supreme Court.

(2) The judges of lower courts are the chief judge of a high court, who is called the president of the high court, and other judges, who are called judges, assistant judges, and judges of a summary court.

(3) The number of justices of the Supreme Court is fourteen and the number of judges of lower courts is provided for separately by law.

Part II Supreme Court

(Location)

Article 6 The Supreme Court is located in Tokyo Metropolis.

(Jurisdiction)

Article 7 The Supreme Court has jurisdiction over the following matters:

- (i) final appeals; and
- (ii) appeals against rulings specially provided for in codes of procedures.

(Other Powers)

Article 8 Beyond what is provided for in this Act, the Supreme Court has powers specially provided for by other laws.

(Grand Bench and Petty Bench)

Article 9 (1) The Supreme Court conducts proceedings and gives judgments through the grand bench or a petty bench.

(2) The grand bench is a panel comprised of all of the justices, and a petty bench is a panel of justices the number of whom is specified by the Supreme Court; provided, however, that a petty bench must be composed of three or more justices.

(3) One of the justices of each panel is the presiding justice.

(4) Each panel may conduct proceedings and give a judicial decision if the

number of justices present is the number determined by the Supreme Court.

(Examinations by the Grand Bench and Petty Bench)

Article 10 Regulations of the Supreme Court determine which cases are to be handled by the grand bench and which by a petty bench; provided, however, that in the following instances, a petty bench may not give a judicial decision:

- (i) a determination is to be made on the constitutionality of a law, order, rule, or disposition, based on the argument by a party (except when the opinion is the same as that of the judicial decision previously rendered through the grand bench to the effect that the constitutionality of the law, order, rule, or disposition is recognized);
- (ii) in cases other than that referred to in the preceding item, when any law, order, rule, or disposition is to be decided as unconstitutional;
- (iii) when an opinion concerning the interpretation and application of the Constitution or of any other laws and regulations is contrary to that of a judicial decision previously rendered by the Supreme Court.

(Expression of Justices' Opinions)

Article 11 The opinions of each of the justices must be expressed in a written judgment.

(Judicial Administration Affairs)

Article 12 (1) The Supreme Court executes judicial administration affairs through deliberations of the judicial assembly and under the general supervision of the Chief Justice of the Supreme Court.

(2) The judicial assembly comprises all justices, and the Chief Justice of the Supreme Court is the chairperson.

(General Secretariat)

Article 13 The Supreme Court has a General Secretariat, which handles the administrative affairs of the Supreme Court.

(Legal Training and Research Institute)

Article 14 The Legal Training and Research Institute is established in the Supreme Court to manage and administer affairs relating to research and training for judges and to training for legal apprentices.

(Training and Research Institute for Court Officials)

Article 14-2 The Training and Research Institute for Court Officials is established in the Supreme Court to manage affairs relating to research and training for court clerks, family court investigating officers, and other court

officials other than judges.

(Supreme Court Library)

Article 14-3 In the Supreme Court, the Supreme Court Library is established as a branch library of the National Diet Library.

Part III Lower Courts

Chapter I High Courts

(Organization)

Article 15 A high court comprises a president and the necessary number of judges.

(Jurisdiction)

Article 16 A high court has jurisdiction over the following matters:

- (i) appeals against a judgment in the first instance rendered by a district court, a judgment rendered by a family court, or a judgment concerning a criminal case rendered by a summary court;
- (ii) appeals against a ruling or order rendered by a district court or family court and a ruling or order concerning a criminal case rendered by a summary courts, other than those set forth in Article 7, item (ii);
- (iii) final appeals against a judgment in the second instance rendered by a district court or a judgment rendered by a summary court, other than those concerning criminal cases; and
- (iv) litigation in the first instance pertaining to any of the crimes referred to in Articles 77 to 79 of the Criminal Code.

(Other Powers)

Article 17 Beyond what is provided for in this Act, a high court has powers that are specially provided for by other laws.

(Panel Court System)

Article 18 (1) A high court handles cases through a panel of judges; provided, however, that any special provisions provided for in other laws regarding matters other than proceedings and judgments to be made by the court apply.
(2) The number of judges of a panel referred to in the preceding paragraph is three, one of whom is the presiding judge; provided, however, that the number of judges is five in the cases referred to in Article 16, item (iv).

(Substitution of Judges)

Article 19 (1) A high court may have a judge of a district court or a family court

within its jurisdictional district serve as a judge of the high court when there is urgent necessity for the conduct of judicial proceedings.

- (2) If there are special circumstances that make it impossible to meet the urgent necessity of the high court pursuant to the provisions of the preceding paragraph, the Supreme Court may have a judge of another high court or a judge of a district court or family court within the district over which that other high court has jurisdiction to serve as a judge of the first-mentioned high court.

(Judicial Administration Affairs)

Article 20 (1) A high court conducts its judicial administration affairs, through deliberations of the judicial assembly, under the general supervision of the president of the high court.

- (2) The judicial assembly of a high court comprises all judges belonging to the high court, and the president of the high court is the chairperson thereof.

(Secretariat)

Article 21 A high court has a secretariat, which handles administrative affairs of the court.

(Branches)

Article 22 (1) The Supreme Court may establish branches of a high court within the jurisdictional district of the high court, and have them perform a part of the functions of the high court.

- (2) The Supreme Court designates judges to serve at the branches of a high court.

Chapter II District Courts

(Organization)

Article 23 A district court comprises the necessary number of judges and assistant judges.

(Jurisdiction)

Article 24 A district court has jurisdiction over the following matters:

- (i) litigation in the first instance for claims other than those referred to in Article 33, paragraph (1), item (i) (except for personal status litigation under Article 31-3, paragraph (1), item (ii)) and litigation involving real property in the first instance for claims referred to in Article 33, paragraph (1), item (i);
- (ii) litigation in the first instance for crimes other than those referred to in Article 16, item (iv) and those subject to fines or lesser punishment;
- (iii) appeals to the court of second instance against a judgment rendered by a

summary court, except for those referred to in Article 16, item (i); and (iv) appeals against a ruling or order rendered by a summary court, except for those referred to in Article 7, item (ii) and Article 16, item (ii).

(Other Powers)

Article 25 Beyond what is provided for in this Act, a district court has powers specially provided for by other laws, and also powers over matters that are provided for by other laws as falling under the jurisdiction of the district court but not of other courts.

(Single Judge and Collegiate Court System)

Article 26 (1) A district court handles cases through a single judge, except for the cases prescribed in paragraph (2).

(2) The following cases are handled by a panel of judges; provided, however, that any special provisions provided for in other laws with respect to matters other than proceedings and judgments to be made by the court apply:

(i) cases in which a panel has made a ruling to the effect that it will conduct proceedings and give judgments;

(ii) cases involving crimes subject to the death penalty, life imprisonment, imprisonment for a minimum period of not less than one (1) year (except for the crimes provided for in Articles 236, 238, and 239 of the Criminal Code and attempts at those crimes, and crimes referred to in Article 1-2, paragraph (1) or (2) or Article 1-3, paragraph (1) of the Act on Punishment for Violence and Other Acts (Act No. 60, 1926), as well as the crimes provided for in Article 2 or Article 3 of the Act on Prevention and Punishment for Robbery and Theft (Act No. 9, 1930));

(iii) cases of appeal to the court of second instance against a judgment rendered by a summary court or of appeal to the court of second instance against a ruling or order of a summary court; and

(iv) other cases which are to be heard and judged by a panel prescribed in other laws.

(3) The number of judges of a panel referred to in the preceding paragraph is three, one of whom is the presiding judge.

(Limitations on the Authority of Assistant Judges)

Article 27 (1) An assistant judge may not give judgments alone unless otherwise specially provided for by other laws.

(2) Two or more assistant judges may not participate in a single panel at a same time, nor may any assistant judge be a presiding judge.

(Substitution of Judges)

Article 28 (1) If there is an urgent necessity in performing judicial proceedings in a district court, the high court with jurisdiction over the location of the district court may have a judge of another district court or family court within the district or a judge of the high court perform the duties of a judge of the district court.

(2) If there are special circumstances in which the urgent necessity of a district court cannot be satisfied pursuant to the provisions of the preceding paragraph, the Supreme Court may have a judge of a district court or a family court within a jurisdiction other than that of the high court with jurisdiction over the location of the first-mentioned district court or a judge of that high court perform the duties of a judge of the district court.

(Judicial Administration Affairs)

Article 29 (1) The Supreme Court appoints one judge from a district court as the president of the district court.

(2) A district court conducts its judicial administration, through deliberations of the judicial assembly, under the general supervision of the president of the district court.

(3) The judicial assembly of a district court comprises all of the judges of the district court, and the president of the district court presides over it.

(Secretariat)

Article 30 A district court has a secretariat, which handles administrative affairs of the court.

(Branches and Local Offices)

Article 31 (1) The Supreme Court may establish branches and local offices of a district court within the jurisdiction of the district court, and have them perform part of the functions of the district court.

(2) The Supreme Court designates judges to serve at the branches of a district court.

Chapter III Family Courts

(Organization)

Article 31-2 A family court comprises the necessary number of judges and assistant judges.

(Jurisdiction and Other Powers)

Article 31-3 (1) A family court has power over the following matters:

(i) adjudication and conciliation of cases regarding family affairs provided for

- in the Domestic Relations Case Procedure Act (Act No. 52 of 2011);
- (ii) judicial decisions of the first instance relating to personal status litigation provided for by the Personal Status Litigation Act (Act No. 109 of 2003);
 - (iii) trials and decisions for matters for protecting juveniles as provided for by the Juvenile Act (Act No. 168 of 1948).
- (2) Beyond what is provided for in this Act, a family court has powers specially provided for by other laws.

(Single Judge System, Panel System)

- Article 31-4 (1) When conducting a trial or decision or giving a judicial decision, a family court hears cases through a single judge, except for the cases prescribed in the following paragraph.
- (2) The cases set forth in the following items are heard by a panel of judges; provided, however, that any special provisions in other laws regarding other matters apply, except with respect to rulings to close a trial or decision as well as hearing or giving judicial decisions in a court room:
- (i) cases in which a panel has made a ruling to the effect that it will conduct a trial and decisions or hear and render judicial decisions by a panel; and
 - (ii) cases which are determined to be tried and decided or heard and judicially decided through a panel as provided for by other laws.
- (3) The number of judges of a panel referred to in the preceding paragraph is three, one of whom is the presiding judge.

(Application Mutatis Mutandis of Provisions Concerning District Courts)

Article 31-5 The provisions of Articles 27 through 31 apply mutatis mutandis to family courts.

Chapter IV Summary Courts

(Judges)

Article 32 A summary court has the necessary number of judges.

(Jurisdiction)

- Article 33 (1) A summary court has jurisdiction of the first instance over the following matters:
- (i) claims in which the value of the subject matter of litigation does not exceed 1,400,000 yen (except for claims pertaining to administrative case litigation);
 - (ii) litigation that relates to crimes subject to a fine or lighter penalty, crimes for which a fine as an optional penalty is determined, crimes referred to in Article 186 of the Criminal Code, or crimes referred to in Article 252 or 256 of the same Code.

- (2) A summary court may not impose imprisonment or a heavier penalty; provided, however, that a summary court may impose imprisonment for period not more than three years with respect to cases of crimes set forth in Article 130 of the Criminal Code or attempts at those crimes, crimes set forth in Article 186 of the same Code, crimes set forth in Article 235 of the same Code or attempts at those crimes, crimes set forth in Articles 252, 254, or 256 of the same Code, crimes set forth in Articles 31 through 33 of the Secondhand Articles Dealer Act (Act No. 108 of 1949), or crimes set forth in Articles 30 through 32 of the Pawnbroker Business Act (Act No. 158 of 1950), or with respect to cases in which the aforementioned crimes and other crimes are to be subject to penalties for the aforementioned crimes in accordance with the provisions of Article 54, paragraph (1) of the Criminal Code.
- (3) When a summary court finds it appropriate to impose a penalty heavier than the limits prescribed in the preceding paragraph, the summary court must transfer the case to a district court pursuant to the provisions of procedural laws.

(Other Powers)

Article 34 Beyond what is provided for in this Act, a summary court has powers specially provided for by other laws.

(Single Judge System)

Article 35 A summary court handles cases through a single judge.

(Substitution of Judges)

Article 36 (1) When there is an urgent necessity in conducting judicial proceedings in a summary court, the district court with jurisdiction over the location of the summary court may have a judge of another summary court within the same territory or of the district court serve as a judge of the former summary court.

- (2) If there are special circumstances in which the urgent necessity of the summary court cannot be satisfied pursuant to the provisions of the preceding paragraph, the high court with jurisdiction over the location of the summary court may have a judge, other than the judges prescribed in the same paragraph, of a summary court or a district court within the jurisdiction of the high court perform the duties of a judge of the summary court concerned.

(Judicial Administration Affairs)

Article 37 When a summary court consists of one judge, the judicial administration affairs of the summary court are administered by the judge, and when there are two or more judges, by one of them as designated by the

Supreme Court.

(Transfer of Affairs)

Article 38 If special circumstances make it impossible to perform affairs at a summary court within the jurisdiction of a district court, the district court may have another summary court within that jurisdiction perform all or part of those affairs.

Part IV Court Officials and Legal Apprentices

Chapter I Judges

(Appointment and Removal of Justices of the Supreme Court)

Article 39 (1) The Emperor appoints the Chief Justice of the Supreme Court as designated by the Cabinet.

(2) Justices of the Supreme Court are appointed by the Cabinet.

(3) The Emperor approves the appointment and removal of justices of the Supreme Court.

(4) The appointment of the Chief Justice of the Supreme Court and of justices of the Supreme Court is reviewed by the people pursuant to laws concerning national referendums.

(Appointment and Removal of Judges of Lower Courts)

Article 40 (1) The Cabinet appoints presidents of high courts, judges, assistant judges, and judges of summary courts from a list of persons nominated by the Supreme Court.

(2) The Emperor approves the appointment and removal of presidents of high courts.

(3) Judges referred to in paragraph (1) are regarded as having completed their terms of office when ten years elapse after their appointment to office, and may be reappointed.

(Qualifications for Appointment of Justices of the Supreme Court)

Article 41 (1) Justices of the Supreme Court are appointed from persons with insight and extensive knowledge of law, who are not less than forty years old, at least ten of whom must be persons who have held one or two of the positions set forth in item (i) or (ii) for not less than ten years, or one or more of the positions set forth in the following items for a total period of twenty years or more:

(i) president of a high court;

(ii) judge;

(iii) judge of the summary court;

- (iv) public prosecutor;
 - (v) attorney; or
 - (vi) professor or associate professor of law of a university provided for separately by law.
- (2) For the purpose of the application of the provisions of the preceding paragraph, if a person has held a position referred to in item (i) or (ii) of the preceding paragraph for not less than five years, or one or more of the positions referred to in items (i) through (vi) of the preceding paragraph for not less than ten years, and has also held the position of assistant judge, judicial research official, Secretary General of the Supreme Court, court administrative official, professor of the Legal Training and Research Institute, professor of the Training and Research Institute for Court Officials, Administrative Vice-Minister of the Ministry of Justice, administrative official of the Ministry of Justice, or law instructor of the Ministry of Justice, that position also held is deemed to be one of those referred to in items (iii) through (vi) of the preceding paragraph.
- (3) For the purpose of the application of the provisions of the preceding two paragraphs, the period of service in the positions listed in paragraph (1), items (iii) through (v) and in the preceding paragraph is counted only from the completion of training as a legal apprentice.
- (4) When a person has held a position as a professor of law or associate professor of law at a university referred to in paragraph (1), item (vi) for three years or more, and also has held a position as a summary court judge, public prosecutor (excluding an assistant prosecutor), or attorney, the provisions of the preceding paragraph do not apply with respect to the period of service in the latter position.

(Qualifications for Appointment of Presidents of High Courts and Judges)

Article 42 (1) The president of high courts and judges are appointed from among persons who have held one or more of the following positions for a total period of ten years or longer:

- (i) assistant judge;
 - (ii) judge of a summary court;
 - (iii) public prosecutor;
 - (iv) attorney;
 - (v) judicial research officials, professor of the Legal Training and Research Institute, professor of the Training and Research Institute for Court Officials; or
 - (vi) professor of law or associate professor of law at a university referred to in paragraph (1), item (vi) of the preceding Article.
- (2) For the purpose of the application of the provisions of the preceding

paragraph, a person who has held one or more of the positions referred to in the items of the paragraph for more than three years and has also held a position as a court administrative official, administrative official of the Ministry of Justice, or law instructor is deemed as having held the positions set forth in the items of the paragraph.

- (3) For the purpose of the application of the provisions of the preceding two paragraphs, the period of service in the positions set forth in paragraph (1), items (ii) through (v) and in the preceding paragraph is counted only from the completion of training as a legal apprentice.
- (4) When a person held a position as a professor of law or associate professor of law at a university referred to in paragraph (1), item (vi) of the preceding Article for three years or more, and then served as a judge of a summary court, public prosecutor (excluding an assistant prosecutor), or attorney, the provisions of the preceding paragraph do not apply to the period of the service. When a person has been appointed judge of a summary court, or public prosecutor without having completed the training as a legal apprentice, the same applies to the person's period of service as the judge of a summary court, public prosecutor (excluding an assistant prosecutor), or attorney after the person passed the examination prescribed in Article 66.

(Qualification for Appointment of Assistant Judges)

Article 43 Assistant judges are appointed from those who have completed the training as legal apprentices.

(Qualification for Appointment of Judges of Summary Courts)

Article 44 (1) Judges of a summary court are appointed from those who have been the president or a judge of a high court, or who have held one or more of the positions referred to in the following items for a total period of three years or more:

(i) assistant judge;

(ii) public prosecutor;

(iii) attorney;

(iv) a judicial research official, court administrative official, professor of the Legal Training and Research Institute, professor of the Training and Research Institute for Court Officials, administrative official of the Ministry of Justice, or law instructor of the Ministry of Justice; or

(v) professor of law or associate professor of law at a university referred to in Article 41, paragraph (1), item (vi).

- (2) For the purpose of the application of the provisions of the preceding paragraph, the period of service in the positions listed in items (ii) through (iv) of the paragraph is counted only from the completion of the training as a legal

apprentice.

- (3) When a person has been appointed as a public prosecutor without having completed the training as a legal apprentice, the provisions of the preceding paragraph do not apply to the person's period of service as a public prosecutor (excluding an assistant prosecutor) or attorney after the person passed the examination referred to in Article 66.

(Appointment of Judges of Summary Courts)

Article 45 (1) A person who has been engaged in judicial affairs for many years, or who otherwise possesses the knowledge and experience necessary for performing the duties of a summary court judge may be appointed as a summary court judge by the selection committee of the summary court through the selection process even if they do not fall within the categories prescribed in paragraph (1) of the preceding Article.

- (2) Rules and regulations relating to the selection committee for summary court judges are provided for by the Supreme Court.

(Grounds for Disqualification from Appointment)

Article 46 In addition to those persons who are disqualified from appointment as ordinary government officials pursuant to the provisions of other laws, a person who falls under any of the following categories may not be appointed as a judge:

- (i) the person has been subject to imprisonment or a heavier penalty;
- (ii) the person has been removed from office as decreed by an impeachment court.

(Assignment to Position)

Article 47 Judges of lower courts are assigned to positions by the Supreme Court.

(Guarantee of Status)

Article 48 A judge is not to be removed, transferred, or suspended from performing the judge's job, and the salary of the judge is not to be reduced, against the judge's will, except in cases in accordance with the provisions of laws concerning public impeachment or national referendums, or cases where the judge is declared mentally or physically incompetent to perform duties pursuant to the separate provisions of laws.

(Disciplinary Actions)

Article 49 If a judge violates official duties or neglects duties, or behaves disgracefully, the judge is subject to disciplinary action by judicial decisions pursuant to the separate provisions of laws.

(Age of Retirement)

Article 50 Justices of the Supreme Court retire upon the attainment of 70 years of age. Judges of a high court, district court, or family court retire upon the attainment of 65 years of age. Judges of summary courts retire upon the attainment of 70 years of age.

(Compensation)

Article 51 The compensation received by judges is provided for separately by law.

(Prohibition of Political Activities)

Article 52 Judges may not engage in any of the following acts while in office:

- (i) to become a member of the Diet or of an assembly of local public entities or actively engage in political movements;
- (ii) to hold another position with remuneration without obtaining permission from the Supreme Court; and
- (iii) to conduct any commercial business or other business for monetary profit.

Chapter II Court Officials Other Than Judges

(Secretary General of the Supreme Court)

Article 53 (1) In the Supreme Court, there is one Secretary General of the Supreme Court.

(2) The Secretary General of the Supreme Court, under the supervision of the Chief Justice of the Supreme Court, administers the affairs of the General Secretariat of the Supreme Court, and directs and supervises officials of the Secretariat.

(Secretaries to Justices of the Supreme Court)

Article 54 (1) In the Supreme Court, there is one secretary to the Chief Justice of the Supreme Court and fourteen secretaries to justices of the Supreme Court.

(2) The secretary to the Chief Justice of the Supreme Court and secretaries to Justices of the Supreme Court administer confidential affairs, as ordered by the Chief Justice of the Supreme Court and the justices of the Supreme Court, respectively.

(Professors of the Legal Training and Research Institute)

Article 55 (1) In the Supreme Court, there are professors of the Legal Training and Research Institute.

(2) Professors of the Legal Training and Research Institute, under the direction of their supervisors, take charge of guiding research and training for judges in

the Legal Training and Research Institute and education for legal apprentices.

(President of the Legal Training and Research Institute)

Article 56 (1) In the Supreme Court, there is the President of the Legal Training and Research Institute, who is assigned to the position by the Supreme Court from among professors of the Legal Training and Research Institute.

(2) The President of the Legal Training and Research Institute, under the supervision of the Chief Justice of the Supreme Court, administers the affairs of the institute, and directs and supervises the officials of the institute.

(Professors of the Training and Research Institute for Court Officials)

Article 56-2 (1) In the Supreme Court, there are professors of the Training and Research Institute for Court Officials.

(2) Professors of the Training and Research Institute for Court Officials, under the direction of their supervisors, take charge of guiding research and training in the Training and Research Institute for Court Officials for court clerks, family court investigating officers, and other court officials except for judges.

(President of the Training and Research Institute for Court Officials)

Article 56-3 (1) In the Supreme Court, there is the President of the Training and Research Institute for Court Officials, who is assigned to the position by the Supreme Court from among professors of the Training and Research Institute for Court Officials.

(2) The President of the Training and Research Institute for Court Officials, under the supervision of the Chief Justice of the Supreme Court, administers the affairs of the Training and Research Institute for Court Officials, and directs and supervises the officials thereof.

(Director of the Supreme Court Library)

Article 56-4 (1) In the Supreme Court, there is the Director of the Supreme Court Library, who is appointed from among court officials.

(2) The Director of the Supreme Court Library, under the supervision of the Chief Justice of the Supreme Court, administers the affairs of the Supreme Court Library, and directs and supervises the officials thereof.

(3) The provisions referred to in the preceding two paragraphs do not preclude the application of the provisions of the National Diet Library Act.

(Secretaries to Presidents of High Courts)

Article 56-5 (1) In each high court, there is one secretary to the president of the high court.

(2) The secretary to a president of a high court administers confidential affairs,

as ordered by the presidents of the high court.

(Judicial Research Officials)

Article 57 (1) In the Supreme Court, each high court, and each district court, there are judicial research officials.

(2) Judicial research officials conduct the research necessary for proceedings and deciding cases (limited to cases concerning intellectual property or tax in a district court), and other duties provided for by other laws, as ordered by judges.

(Court Administrative Officials)

Article 58 (1) In each court, there are court administrative officials.

(2) Court administrative officials administer the affairs of courts, as ordered by their superiors.

(Director-General of Secretariat)

Article 59 (1) In each high court, district court, and family court, there is a director-general of secretariat, who is assigned to the position by the Supreme Court from among court administrative officials.

(2) The director-general of secretariat of a high court, district court, or family court administers the affairs of the secretariat, and directs and supervises the staff thereof, under the supervision of the president of the respective high court, district court, or family court.

(Court Clerks)

Article 60 (1) In each court, there are court clerks.

(2) A court clerk prepares and keeps records and other documents concerning cases of the court, and conducts other affairs as provided for by other laws.

(3) In addition to conducting the affairs under the preceding paragraph, a court clerk assists the judges in researching laws, regulations and judicial precedents, as well as other necessary matters, as ordered by the judges, in relation to the cases of the court.

(4) In performing duties, a court clerk complies with judges' orders.

(5) If a court clerk receives an order from a judge with respect to the preparation or alteration of a transcript of an oral statement or of other documents, and the court clerk finds that the preparation or alteration is not justifiable, the clerk may attach the clerk's own opinion in writing.

(Court Stenographers)

Article 60-2 (1) In each court, there are court stenographers.

(2) A court stenographer takes shorthand notes concerning the cases of the court,

and conduct affairs related thereto.

(3) In performing duties, a court stenographer complies with judges' orders.

(Technical Officials of Courts)

Article 61 (1) In each court, there are technical officials.

(2) A technical official of a court conducts technical affairs, as ordered by the official's superior.

(Family Court Investigating Officers)

Article 61-2 (1) In each family court and high court, there are family court investigating officers.

(2) A family court investigating officer in a family court conducts necessary research for the adjudication and conciliation referred to in Article 31-3, paragraph (1), item (i), for the judicial decisions referred to in item (ii) of the same paragraph (limited to judicial decisions related to the incidental dispositions referred to in Article 32, paragraph (1) of the Personal Status Litigation Act and judicial decisions on designation of persons with parental authority referred to in paragraph (3) of the same Article (hereinafter referred to as "judicial decision on incidental dispositions" in this paragraph)), and for the trials and decisions referred to in Article 31-3, paragraph (1), item (iii), and any other affairs prescribed by other laws; and a family court investigating officer in a high court conducts the necessary research for the proceedings for appeals against the decisions referred to in item (i) of the same paragraph, and for the proceedings of an appeal trial at the court of second instance pertaining to a judicial decision for an incidental disposition, and any other affairs prescribed by other laws.

(3) The Supreme Court may appoint from among family court investigating officers a Chief Family Court Investigating Officer, who is assigned the duty of supervising research affairs and conducting liaison and other functions with relevant governmental agencies and other agencies.

(4) In performing duties, a family court investigating officer complies with judges' orders.

(Assistant Family Court Investigating Officers)

Article 61-3 (1) In each family court, there are assistant family court investigating officers.

(2) An assistant family court investigating officer helps family court investigating officers perform their affairs, as ordered by their superiors.

(Court Execution Officers)

Article 62 (1) In each district court, there are court execution officers.

- (2) Qualifications necessary for appointment as a court execution officer are prescribed by the Supreme Court.
- (3) A court execution officer manages the execution of judicial decisions, the service of documents issued by the court, and other affairs as provided for by other laws.
- (4) A court execution officer receives a commission. If the commission does not amount to a certain sum, the officer receives a subsidy from the national treasury.

(Bailiffs)

Article 63 (1) In each court, there are bailiffs.

- (2) A bailiff conducts court duties as ordered by judges and other affairs as determined by the Supreme Court.
- (3) When a court is unable to use a court execution officer, it may use a bailiff for the service of documents in the district of the court.

(Appointment and Dismissal)

Article 64 The appointment and dismissal of court officials other than judges are made by the Supreme Court, a high court, a district court, or a family court as determined by the Supreme Court.

(Designation of Courts Where Officials Are to Work)

Article 65 The courts where judicial research officials, court administrative officials (except director-general of secretariats), court clerks, court stenographers, family court investigating officers, assistant family court investigating officers, court execution officers, and technical officials of the court are to work are designated by the Supreme Court, a high court, a district court, or a family court as determined by the Supreme Court.

(Matters Concerning Court Officials Other than Judges)

Article 65-2 Beyond what is provided for by this Act, matters concerning court officials other than judges are provided for separately by law.

Chapter III Legal Apprentices

(Adoption)

- Article 66 (1) A legal apprentice is appointed by the Supreme Court from among those who have passed the bar examination.
- (2) Matters concerning the examination referred to in the preceding paragraph are provided for separately by law.

(Training and Examination)

- Article 67 (1) Legal apprentices complete their courses upon passing an examination at the end of at least one year of training.
- (2) During their term of training, legal apprentices must devote themselves to their training as prescribed by the Supreme Court.
- (3) Beyond what is provided for in the preceding paragraph, matters concerning the training and examination referred to in paragraph (1) are determined by the Supreme Court.

(Payment of a Training Benefit)

- Article 67-2 (1) Legal apprentices receive a training benefit for the period prescribed by the Supreme Court as the period normally required for training.
- (2) The types of training benefit are a basic benefit, housing benefit and transfer benefit.
- (3) The amount of the basic benefit comprises the expenses necessary for legal apprentices' cost of living during the training period and is prescribed by the Supreme Court, taking into account their current situation and the fact that the legal apprentices must devote themselves to their training.
- (4) A housing benefit is paid when the legal apprentice is personally paying rent (including usage fees; hereinafter the same applies in this paragraph) for rented housing (including a rented room; hereinafter the same applies in this paragraph) for the legal apprentice to live in (except when the apprentice's spouse owns the housing, or in other cases prescribed by the Supreme Court), and that amount is an amount prescribed by the Supreme Court within the scope of the expenses normally required for rent.
- (5) When it is found necessary for a legal apprentice to change the apprentice's address or residence for the training, a transfer benefit is paid for the transfer, and the amount is an amount prescribed by the Supreme Court based on the distance of the transfer.
- (6) Beyond what is provided for in the preceding paragraphs, the Supreme Court prescribes the necessary matters relating to the payment of the training benefit.

(Loans for Funds to Enable Concentration on Training)

- Article 67-3 (1) The Supreme Court is to provide interest-free loans for funds to enable concentration on training (funds to ensure that a legal apprentice will be devoted to the training, and which are still needed even after payment of the training benefit; hereinafter the same applies in this Article) to legal apprentices, upon application, for a period prescribed by the Supreme Court as the period normally required for the training of legal apprentices.
- (2) The amount of funds to enable concentration on training and the due date for

repayment are prescribed by the Supreme Court.

- (3) When it becomes difficult for a person who has received a loan for funds to enable concentration on training to repay the funds due to a disaster, injury, sickness or other unavoidable reasons, or if there are grounds prescribed by the Supreme Court as grounds making it financially difficult for such a person to repay the funds, the due date for repayment may be extended. In this case, the provisions of Article 26 of the Act on the Management of the Claims of the State (Act No. 114 of 1956) do not apply.
- (4) When a person who has received a loan for funds to enable concentration on training is no longer able to return the funds due to death, or a mental or physical disability, the Supreme Court may waive the repayment of all or part of the funds.
- (5) Beyond what is provided for in each of the preceding paragraphs, the Supreme Court prescribes the matters necessary for the loan and repayment of funds to enable concentration on training.

(Dismissal)

Article 68 (1) If the Supreme Court finds that a legal apprentice receives poor grades or exhibits a mental or physical disorder, or finds other grounds prescribed by the Supreme Court as grounds making it difficult to continue with the training, the Supreme Court may dismiss the legal apprentice as prescribed by the Supreme Court.

- (2) If the Supreme Court finds that the legal apprentice behaves disgracefully or finds other grounds prescribed by the Supreme Court as grounds involving delinquency not appropriate for a legal apprentice, the Supreme Court may dismiss the legal apprentice, order the suspension of the training, or issue an admonition as prescribed by the Supreme Court.

Part V Conduct of Judicial Proceedings

Chapter I Courts

(Place of Session)

Article 69 (1) Court sessions are held at courts or branches.

- (2) When the Supreme Court finds it necessary, it may hold sessions of court at different places or cause a lower court to hold sessions at other places it designates, notwithstanding the provisions of the preceding paragraph.

(Procedures for Suspension of a Public Trial)

Article 70 In order to conduct a trial privately pursuant to the provisions of Article 82, paragraph (2) of the Constitution of Japan, a court must make a statement to that effect and also give the reason therefore, before ordering the

public to leave the court. Before delivering a judgment, the court must cause the public to be admitted entry into the court again.

(Maintenance of Order in Court)

Article 71 (1) The presiding judge or single judge who opens a session maintains order in the court.

(2) The presiding judge or judge who opens a session may order any person who interferes with the exercise of the duties of the court or who behaves improperly, to leave the court, and may issue other orders or take measures as necessary for the maintenance of order in the court.

(Request for Dispatch of Police Officials)

Article 71-2 (1) When finding it necessary for maintaining order in the court, the presiding judge or single judge who opens a session may request the Tokyo Metropolitan Police Commissioner or the chief of the relevant prefectural police to dispatch police officers. The request, if deemed especially necessary for maintaining order in the court, may be made prior to the opening of the session.

(2) The police officers who are dispatched at the request referred to in the preceding paragraph are directed by the presiding judge or single judge in order to maintain order during the judicial procedure.

(Dispositions Outside Court)

Article 72 (1) At times when the court exercises its duties outside the court room in accordance with the provisions of other laws, the presiding judge or single judge may order any person who interferes with the exercise of the duties of the court to leave the place where the court exercises its duties and may issue other necessary orders or take other necessary measures.

(2) The provisions of the preceding Article apply mutatis mutandis to the case under the preceding paragraph.

(3) The authority of the presiding judge set forth in the preceding two paragraphs is conferred upon a judge when the judge exercises duties outside the court room in accordance with the provisions of other laws.

(Crime of Interference with a Trial)

Article 73 A person who, in violation of an order referred to in Article 71 or the preceding Article, interferes with the exercise of the duties of a court or of a judge is subject to imprisonment for a term not more than one year or to a fine not more than 1000 yen.

Chapter II Court Language

(Court Language)

Article 74 In a court, the Japanese language is used.

Chapter III Deliberation of Decisions

(Secrecy of Deliberation)

Article 75 (1) Deliberations of decisions in a panel are not disclosed; provided, however, that the presence of legal apprentices may be permitted.

(2) Deliberation is commenced and regulated by the presiding judge. Except as otherwise provided for in this Act, strict secrecy must be observed with respect to the proceedings of deliberations, the opinions of each judge, and the number of opinions constituting the majority and the minority.

(Duty to State Opinions)

Article 76 Judges must express their opinions in deliberations.

(Decisions)

Article 77 (1) Except when the Supreme Court decides otherwise concerning Supreme Court decisions, decisions are rendered by a majority of opinions.

(2) If decisions are to be rendered by a majority opinion, and there are three or more different opinions with respect to the following matters, and none of them obtains the majority, the decisions are rendered in accordance with the respective opinions set forth below:

(i) with respect to a monetary amount, the number of opinions in favor of the largest amount is added to the number of opinions in favor of the next largest amount, and so on until the number of opinions is the majority, and the monetary amount related to the majority opinion is the smallest amount for which an opinion within the majority group is held;

(ii) in criminal cases, the number of opinions most unfavorable to the accused is added to the number of opinions next most unfavorable, and so on until the number of opinions reaches the majority. The majority opinion is the opinion most favorable to the accused within the majority group.

(Supplementary Judges)

Article 78 When a trial by a panel is expected to continue for a long time, one or more supplementary judges may attend the proceedings, and one or more judges of the panel become unable to take part in the proceedings, the supplementary judge or judges may, in the order determined in advance, join the panel to conduct proceedings and give judicial decisions in the place of the absent judge or judges; provided, however, that the number of supplementary

judges does not exceed that of the judges of the panel.

Chapter IV Assistance of Courts

(Assistance of Courts)

Article 79 The courts provide the necessary mutual assistance in the conduct of judicial proceedings.

Part VI Judicial Administration

(Supervision of Judicial Administration)

Article 80 The power of supervision over judicial administration is exercised as follows:

- (i) the Supreme Court supervises its officials, and the lower courts and the officials thereof;
- (ii) each high court supervises its officials, and the lower courts within its jurisdiction and the officials thereof;
- (iii) each district court supervises its officials, and the summary courts within its jurisdiction and the officials thereof;
- (iv) each family court supervises its officials; and
- (v) judges of the summary court prescribed in Article 37 supervise officials of the summary court other than the judges of the summary court.

(Relation between Power of Supervision and Power of Judicial Decision)

Article 81 The power of supervision set forth in the preceding Article does not affect or restrict the power of judicial decision of judges.

(Objections against Ways of Dealing with Affairs)

Article 82 Objections against ways of dealing with affairs of courts are dealt with by means of the power of supervision set forth in Article 80.

Part VII Court Expenses

(Court Expenses)

Article 83 (1) Expenses of courts must be independently appropriated in the national budget.

(2) A reserve fund is provided among the expenses referred to in the preceding paragraph.

Supplementary Provisions [Extract]

- (1) This Act comes into effect as of the date on which the Constitution of Japan (effective as of May 3, 1947) comes into effect.
- (2) The Act of the Constitution of Courts, Order for Enforcement of the Act on the Constitution of Courts, the Act on Disciplinary Actions against Judges, and the Act on Administrative Courts are hereby abolished.
- (3) Until otherwise provided for by law, the Supreme Court may assign judges and public prosecutors as professors of the Legal Training and Research Institute and the Training and Research Institute for Court Officials, and judges as judicial research officials when especially necessary.

Supplementary Provisions [Act No. 126 of October 29, 1947]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 195 of December 17, 1947]

Article 17 This Act comes into effect as of the date when sixty days have elapsed from the date of promulgation.

Article 18 For the purpose of the application of the provisions of Articles 41, 42, and 44 of the Court Act and Article 19 of the Public Prosecutor's Office Act, the tenures of office of the secretary of civil affairs, an administrative official of the Civil Affairs Bureau of the Ministry of Justice, and an educational official of the Civil Affairs Bureau of the Ministry of Justice prior to enforcement of this Act are regarded as the tenures of a chief of the Attorney-General's Office, an administrative official of the Attorney General's Office, and an educational official of the Attorney General's Office, respectively.

Supplementary Provisions [Act No. 1 of January 1, 1948]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 146 of July 12, 1948] [Extract]

Article 4 This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 260 of December 21, 1948]

Article 10 This Act comes into effect as of January 1, 1949; provided, however, that the provisions of Articles 14-2 and 56-2 of the Court Act, Article 2-2 of the Act Concerning Exceptions to the Authority of Assistant Judges, Article 6 of

the Act Concerning the Limit on the Number of Court Officials, and the provisions amending Article 10 and Article 63, paragraph (1) of the Court Act and Article 4 of the Act Concerning the Limit on the Number of Court Officials come into effect as of the date of promulgation of this Act.

Article 11 (1) The provisions amending Articles 16, 24, and 33 of the Court Act referred to in Article 1 do not apply to prosecution instituted before this Act comes into effect.

(2) In the case referred to in the preceding paragraph, the provisions before amendment remain in effect after this Act comes into effect.

Article 12 For the purpose of the application of the provisions of Articles 41, 42, and 44 of the Court Act amended by this Act, the tenure of the office of a judge of a juvenile court prior to the enforcement of this Act is deemed to be the tenure of a judicial research official.

Article 13 The family court referred to in Article 63, paragraph (2) of the Juvenile Act (Act No. 168, 1948) is the family court with jurisdiction over the location of the juvenile protection office in which the case is pending at the time of enforcement of the Act.

Article 14 (1) Cases pending in a court of domestic relations and cases pending in a district court in accordance with the provisions of Article 4 of the Act on Domestic Relations Trials before amendment by this Act (hereinafter referred to as the "old Domestic Relations Trials Act") when this Act comes into effect are deemed to have been pending in the family court with jurisdiction over the location of the court of domestic relations or district court, as of the day on which this Act comes into effect.

(2) Cases of appeal against a decision of a court of domestic relations and cases of appeal pursuant to the provisions of Article 4 of the old Domestic Relations Trial Act that are pending in a court of appeal when this Act comes into effect are deemed to be appeal cases against a decision of a family court.

(3) For the purpose of the application of the amended Domestic Relations Trials Act (hereinafter referred to as the "new Domestic Relations Trials Act"), except as otherwise provided for, in cases referred to in the preceding two paragraphs, actions performed by a court of domestic relations or other persons pursuant to the old Domestic Relations Trial Act prior to the enforcement of this Act are deemed to have been performed in accordance with the provisions of the old Domestic Relations Trial Act.

Article 15 A decision rendered by a court of domestic relations that has become

final and binding prior to date of enforcement of this Act comes into effect, or an agreement reached in conciliation conducted by the court before that date is deemed to be a decision rendered by the family court with jurisdiction over the location of the court of domestic relations or an agreement reached in conciliation conducted by that family court.

- Article 16 (1) For the purpose of the application of the provisions concerning a civil fine for an action performed prior to the enforcement of this Act, the old Domestic Relations Trials Act remains in effect even after this Act comes into effect. In this case, the decision on the civil fine is rendered by the family court with jurisdiction over the location of the court of domestic relations which should have jurisdiction pursuant to the old Domestic Relations Trials Act.
- (2) For the purpose of the application of the penal provisions to actions performed by a person who has been a counselor or conciliator prior to the enforcement of this Act, the old Domestic Relations Trials Act remains in effect even after the enforcement of this Act.

Article 17 Judicial decisions that are deemed to be decisions rendered by a court of domestic relations pursuant to the Act for Enforcement of the Domestic Relations Trials Act (Act No. 153 of 1947) are deemed to be decisions rendered by a family court after effectuation of this Act.

- Article 18 (1) A matter that is to be remanded to the court of domestic relations with jurisdiction pursuant to the provisions of Article 24, paragraph (2) of the Act for Enforcement of the Domestic Relations Trials Act must be remanded to the Family Court with jurisdiction after the enforcement of this Act.
- (2) When a case has been remanded in accordance with the provisions of the preceding paragraph, actions performed by the Court or other persons for the case pursuant to the provisions of the Non-Contentious Case Procedures Act prior to the amendment by the Act for Enforcement of the Domestic Relations Trials are deemed to be actions performed pursuant to the provisions of the new Domestic Relations Trials Act, for the purpose of the application of that Act.

Article 19 Decisions to be rendered by a court of domestic relations pursuant to the provisions of Article 14, paragraph (2) or Article 27, paragraph (3) of the Supplementary Provisions of the Act for Partial Amendment of the Civil Code (Act No. 222 of 1947) (including when the provisions of Article 27, paragraph (3) apply mutatis mutandis to the proviso to Article 25, paragraph (2), and Article 26, paragraph (2) and Article 28 of the Supplementary Provisions of the same Act) are rendered by a family court after the enforcement of this Act.

Supplementary Provisions [Act No. 136 of May 31, 1949] [Extract]

- (1) The provisions in this Act concerning Article 13-7 of the Act to Establish the Attorney-General's Office come into effect as of the date of enforcement of the Act on Prevention and Rehabilitation of Criminals, and other provisions within this Act come into effect as of June 1, 1949.
- (4) The tenures of office of a chief of the Attorney-General's Office, an administrative official of the Attorney-General's Office, and an educational official of the Attorney-General's Office prior to the enforcement of this Act are respectively deemed as the tenure of office of a chief of the Attorney-General's Office (called "houmuchou" in Japanese before the enforcement of the Act, the name was changed to "houmufu", but the English name remained the same), an administrative official of the Attorney-General's Office, and an educational official of the Attorney-General's Office for the purpose of the application of the provisions of Article 41, Article 42 (including when Article 42 applies mutatis mutandis to Article 1, paragraph (2) of the Act Concerning Exceptions to the Authority of Assistant Judges) and Article 44 of the Court Act.

Supplementary Provisions [Act No. 177 of June 1, 1949]

- (1) This Act comes into effect as of the date of promulgation; provided, however, that the provisions amending Articles 60, 60-2, and 65 of the Court Act come into effect after the elapse of thirty days starting from the date of promulgation of this Act.
- (2) A court official who is performing duty as a court clerk but not appointed as a court clerk as of the time when 30 days have elapsed counting from the date of promulgation of this Act is deemed to have been concurrently appointed as an assistant court clerk, and to have been ordered to serve the court in which the court official holds office on the effective date of this Act, unless a writ of appointment stating otherwise is issued.
- (3) The phrase "court cleric" in any other laws and regulations is to be replaced with "court clerk".

Supplementary Provisions [Act No. 96 of April 14, 1950]

- (1) The provisions for revising Articles 61-2, 61-3, and 65 of the Court Act, the provisions concerning juvenile investigators and assistant juvenile investigators and for revising Article 6, item (vi) of the Act on Committee for Inquest of Prosecution, and the provisions for revising the Juvenile Act come into effect after 30 days have elapsed starting from the date of promulgation,

and the other provisions come into effect as of the date of promulgation.

- (2) A court official who is performing duties as the juvenile investigator as of the time when 30 days have elapsed starting from the date of promulgation of this Act, but has not yet been appointed as a juvenile investigator is deemed to have been appointed as an assistant juvenile investigator concurrently as a court official, and deemed to have been ordered to be in the service of the court where the person is now in service, unless a writ of appointment stating otherwise is issued.

Supplementary Provisions [Act No. 287 of December 20, 1950]

- (1) The provisions for revising Article 33 of this Act come into effect as of the date when 30 days have elapsed starting from the date of promulgation of this Act, and other provisions of this Act come into effect as of the date of promulgation.
- (2) Regarding a case for which a lawsuit or prosecution has been instituted with a district court prior to the enforcement of provisions for revising Article 33, the provisions then in force remain applicable, notwithstanding those provisions for revision.

Supplementary Provisions [Act No. 59 of March 30, 1951]

- (1) The provisions in this Act for revising Article 65-2 of the Court Act and Article 2 of the National Public Service Act come into effect as of January 1, 1952, and other provisions within this Act, as of April 1, 1951.
- (2) With respect to cases for which prosecution has been instituted in a family court prior to the enforcement of the provisions for revising Article 31-3, paragraph (2) of the Court Act, the provisions then in force remain applicable, notwithstanding those provisions for revision.

Supplementary Provisions [Act No. 298 of December 6, 1951] [Extract]

- (1) This Act comes into effect as of January 1, 1952.

Supplementary Provisions [Act No. 268 of July 31, 1952] [Extract]

- (1) This Act comes into effect as of August 1, 1952.
- (3) Former organs and personnel become organs and personnel equivalent to those based on this Act and continue in the same capacity.
- (4) The tenures of office of a chief of the Attorney-General's Office, Secretary General of the Attorney-General's Office, administrative official of the

Attorney-General's Office, and an educational official of the Attorney-General's Office prior to the enforcement of this Act are respectively regarded as the tenures of office as the Permanent Secretary for the Ministry of Justice, an administrative official of the Ministry of Justice, and an education official of the Ministry of Justice for the purpose of the application of the provisions of Article 41, Article 42 (including when Article 42 applies mutatis mutandis to Article 1, paragraph (2) of the Act Concerning Exceptions to the Authority of Assistant Judges), and Article 44 of the Court Act, and Article 19 of the Public Prosecutor's Office Act, Article 5 of the Attorneys Act, and Article 3 of the Judicial Scrivener Act.

Supplementary Provisions [Act No. 126 of May 27, 1954] [Extract]

- (1) This Act comes into effect as of June 1, 1954.
- (2) Regarding cases for which a lawsuit has been filed in a district court prior to the enforcement of this Act, the provisions then in force remain applicable, notwithstanding the provisions for revising Article 33.
- (3) Until otherwise provided by law, affairs concerning civil cases of a summary court designated by the Rules of the Supreme Court are conducted by the district court with jurisdiction over the location of the summary court, or by another summary court established in the locations of the branches of that district court and designated by the Rules of the Supreme Court.
- (4) When a summary court is designated pursuant to the provisions of the preceding paragraph, the cases received by the summary court with jurisdiction before the designation are completed by the same summary court, notwithstanding the provisions of the same paragraph. The same applies mutatis mutandis when the designation pursuant to the provisions of the preceding paragraph is revoked.
- (5) Until otherwise provided for by law, a family court may have assistant family court investigating officers perform the duties of family court investigating officers, as prescribed by the Supreme Court.
- (6) Unless a writ of appointment stating otherwise is issued, a person assigned as a domestic matter investigating officer or a juvenile examiner at the time of enforcement of this Act is deemed to have been appointed as a family court investigating officer, and a person assigned as an assistant domestic matter investigating officer or an assistant juvenile examiner at the time of enforcement of this Act is deemed to have been appointed as an assistant family court investigating officer, and they are deemed to have been ordered to be in the service of the courts where they are now respectively in service.

Supplementary Provisions [Act No. 163 of June 8, 1954] [Extract]

(Effective Date)

- (1) The provisions of Article 53 of this Act come into effect as of the date of enforcement of the Act on Procedures for Summary Trials for Traffic Violations, and the other provisions of this Act come into effect as of the date of enforcement of the Police Act (Act No. 162 of 1954; except for provisions concerning the proviso to paragraph (1) of the Supplementary Provisions of the same Act).

Supplementary Provisions [Act No. 91 of May 1, 1957]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 104 of June 25, 1960]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 140 of May 16, 1962] [Extract]

- (1) This Act comes into effect as of October 1, 1962.

Supplementary Provisions [Act No. 114 of June 24, 1964] [Extract]

(Effective Date)

- (1) This Act comes into effect as of the date on which twenty days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 27 of March 31, 1965] [Extract]

(Effective Date)

- (1) This Act comes into effect as of April 1, 1965; provided, however, that the provisions for revising the Supplementary Provisions of the Court Act come into effect as of September 1, 1965.

Supplementary Provisions [Act No. 23 of March 31, 1966]

This Act comes into effect as from April 1, 1966.

Supplementary Provisions [Act No. 111 of July 1, 1966] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date prescribed by Cabinet Order within a period not exceeding six months starting from the date of promulgation (enforced as of December 31, 1966, as provided for by Cabinet Order No. 380 of 1966).

Supplementary Provisions [Act No. 67 of May 18, 1970] [Extract]

(Effective Date)

(1) This Act comes into effect as of July 1, 1970.

(Transitional Measures)

(2) Cases brought before a district court prior to the enforcement of this Act, continue to be governed by the provisions then in force, notwithstanding the provisions of Article 33, paragraph (1), item (i) of the Court Act amended by this Act.

Supplementary Provisions [Act No. 82 of June 23, 1978] [Extract]

(Effective Date)

(1) This Act comes into effect as from January 1, 1979.

Supplementary Provisions [Act No. 82 of August 24, 1982] [Extract]

(Effective Date)

(1) This Act comes into effect as of September 1, 1982.

(Transitional Measures)

(2) Cases brought before a district court prior to the enforcement of this Act continue to be governed by the provisions then in force.

Supplementary Provisions [Act No. 66 of April 19, 1995] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date prescribed by Cabinet Order within a period not exceeding six months starting from the date of promulgation (enforced as of Oct. 18, 1995 by Cabinet Order No. 286 of 1995).

Supplementary Provisions [Act No. 50 of May 6, 1998]

(Effective Date)

(1) This Act comes into effect as of April 1, 1999.

(Transitional Measures)

- (2) Regarding the term of apprenticeship and period for receiving salary from the national treasury for a legal apprentice who was appointed prior to the enforcement of this act and continues the apprenticeship, the provisions then in force remain applicable.

Supplementary Provisions [Act No. 142 of December 6, 2000] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2001.

(Review)

Article 3 The government is to report to the Diet on the status of the enforcement of provisions amended by this Act when five years have elapsed from the enforcement of this Act as well as conduct a review of the status, and if it finds necessary, it is to take necessary measures including improvements of the legal system based on the results of the review.

Supplementary Provisions [Act No. 138 of December 6, 2002] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of January 1, 2004; provided, however, that the provisions set forth in each item below become effective as of the respective dates prescribed in the items:

(i) omitted; and

(ii) the provisions of Article 3 and the provisions of Article 11 of the Supplementary Provisions: April 1, 2006.

(Transitional Measures for the Period of Apprenticeship of Legal Apprentices)

- Article 11 (1) Regarding the period of training of a legal apprentice who was appointed prior to the date of enforcement of Article 3 and continues the apprenticeship after that date, the provisions then in force remain applicable.
- (2) Regarding a legal apprentice who is regarded as having passed the new bar examination pursuant to the provisions of paragraph (2) of the Supplementary Provisions of the New Act or the provisions of the preceding Article and who has been appointed after the enforcement of the provisions of Article 3, the extension of the necessary period of apprenticeship and other measures may be taken in order to have the legal apprentice obtain sufficient abilities to practice as judge, prosecutor, or attorney in the apprenticeship referred to in Article 67, paragraph (1) of the Court Act after amendment pursuant to the provisions of

Article 3.

Supplementary Provisions [Act No. 109 of July 16, 2003] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date prescribed by Cabinet Order within a period not exceeding one year starting from the date of promulgation (enforced by Cabinet Order No. 512 of 2003 as of April 1, 2004).

(Transitional Measures for Affairs of Family Court Investigating Officers in Connection with Partial Amendment of the Court Act)

Article 15 Regarding litigation for rescission of marriage or for divorce pending at the time of enforcement of the provisions of the preceding Article, notwithstanding the provisions of Article 61-2, paragraphs (1) and (2) of the Court Act after amendment pursuant to the provisions of the preceding Article, the former provisions still apply.

Supplementary Provisions [Act No. 128 of July 25, 2003] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2004.

(Transitional Measures for Expansion of Jurisdiction of Summary Courts)

Article 2 (1) Cases brought before a district court before the enforcement date of this Act (hereinafter referred to as "enforcement date") continue to be governed by the provisions then in force, notwithstanding the provisions of Article 33, paragraph (1), item (i) of the Court Act after amendment pursuant to the provisions of Article 1.

(2) Regarding application of penal provisions to conduct performed before the enforcement date by a judicial scrivener or a judicial scrivener corporation exceeding the scope of the summary court legal representation business prescribed by Article 3, paragraph (2) of the Judicial Scrivener Act (Act No. 197 of 1950), the provisions then in force remain applicable.

Supplementary Provisions [Act No. 8 of March 31, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2004.

(Transitional Measures for Qualifications Pertaining to the Court Act)

Article 2 The tenure of office of an educational official of the Court Clerk

Research and Training Institute prior to the enforcement of this Act is deemed to be the tenure of office of an educational official of the Training and Research Institute for Court Officials with respect to the application of the provisions of Articles 41 and 42 of the Court Act (including when Article 42 applies mutatis mutandis to Article 1, paragraph (2) of the Act Concerning Exceptions to the Authority of Assistant Judges (Act No. 146 of 1948)), Article 44 of the same Act, Article 19 of the Public Prosecutor's Act (Act No. 61 of 1947) and Article 5 of the Attorneys Act (Act No. 205 of 1949).

Supplementary Provisions [Act No. 120 of June 18, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2005.

(Principles of Transitional Measures)

Article 2 The provisions of the Court Act, Code of Civil Procedure, Act Concerning Expenses for Civil Procedure, Patent Act, New Utility Model Act, Design Act, Trademark Act, Act for Prevention of Unfair Competition, and the Copyright Act (except for the penal provisions) after amendment by this Act apply to matters arising prior to the enforcement of this Act, unless specially provided for in these Supplementary Provisions; provided, however, that this does not preclude the effect of these laws before amendment pursuant to the provisions of this Act.

Supplementary Provisions [Act No. 163 of December 10, 2004] [Extract]

(Effective Date)

(1) This Act comes into effect as of November 1, 2010.

(Transitional Measures)

(2) With regard to salary for a legal apprentice who was appointed prior to the date of enforcement of this Act and continues the apprenticeship after that date, the provisions then in force remain applicable.

Supplementary Provisions [Act No. 83 of July 15, 2005] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2007.

(Transitional Measures Regarding the Tenure of Assistant Professors)

Article 2 For the purpose of application of the provisions of the following laws

after the revision pursuant to the provisions of this Act, the tenure of an assistant professor prior to the enforcement of the provisions of this Act is deemed to be the tenure of an associate professor:

(i) omitted; and

(ii) Article 41, Article 42 (including when Article 42 applies *mutatis mutandis* pursuant to Article 1, paragraph (2) of the Act Concerning Exceptions to the Authority of Assistant Judges (Act No. 146 of 1948)), and Article 44 of the Court Act (Act No. 59 of 1947).

Supplementary Provisions [Act No. 36 of May 8, 2006] [Extract]

(Effective Date)

Article 1 This Act comes into effect when twenty days having elapsed starting from the date of promulgation.

Supplementary Provisions [Act No. 18 of March 31, 2007] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 4, 2007 (hereinafter referred to as the "enforcement date").

Supplementary Provisions [Act No. 71 of June 18, 2008] [Extract]

(Effective Date)

(1) This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 64 of December 3, 2010]

(Effective Date)

(1) This Act comes into effect as of the date of promulgation.

(Transitional Measures)

(2) The provisions of paragraph (4) of the Supplementary Provisions of the Court Act as amended pursuant to this Act (hereinafter referred to as the "New Court Act") also apply to legal apprentices appointed from November 1, 2010, until the day preceding the effective date of this Act.

(3) With regard to salary for a legal apprentice who was appointed by the day provided for in paragraph (4) of the Supplementary Provisions of the New Court Act, and who will continue to engage in training after that day, the provisions then in force remain applicable even after that day.

- (4) With regard to salaries pursuant to the provisions of Article 67, paragraph (2) of the Court Act as applied following the deemed replacement of terms pursuant to the provisions of the second sentence of paragraph (4) of the Supplementary Provisions of the New Court Act, the salaries provided for in the proviso to Article 14 of the Act on Remuneration for Judges (Act No. 75 of 1948) prior to amendment pursuant to paragraph (3) of the Supplementary Provisions of the Act for Partial Amendment of the Court Act (Act No. 163 of 2004) apply.
- (5) With regard to a legal apprentice who has applied for a loan for funds to enable concentration on the training prescribed by Article 67-2, paragraph (1) of the Court Act at the time of the enforcement of this Act, the application set forth in the same paragraph is deemed to have been withdrawn on the date of enforcement of this Act.
- (6) Beyond what is provided for in paragraph (2) through to the preceding paragraph of the Supplementary Provisions, necessary matters concerning the enforcement of this Act are prescribed by the Rules of the Supreme Court.

Supplementary Provisions [Act No. 53 of May 25, 2011]

This Act comes into effect as of the date of enforcement of the new Non-Contentious Case Procedures Act.

Supplementary Provisions [Act No. 54 of August 3, 2012]

This Act comes into effect as of the date of promulgation; provided, however, that the provisions Article 1 for revising Article 67-2, paragraph (3) of the Court Act come into effect as of the date on which three months have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 48 of June 19, 2013] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Convention comes into effect in Japan.

Supplementary Provisions [Act No. 23 of April 26, 2017]

(Effective Date)

(1) This Act comes into effect as of November 1, 2017.

(Transitional Measures)

- (2) The provisions of Article 67-2 of the Court Act as amended by this Act (hereinafter referred to as the "New Act") do not apply to a legal apprentice who was appointed prior to the enforcement of this Act and continues the apprenticeship even after the enforcement.
- (3) The provisions of Article 67-3 of the New Act apply to a legal apprentice appointed after the enforcement of this Act, and with regard to the funds for the training of a legal apprentice appointed prior to the enforcement of this Act, the provisions then in force remain applicable.
- (4) The provisions of Article 68 of the New Act apply to a legal apprentice appointed after the enforcement of this Act, and with regard to the dismissal, etc. of a legal apprentice appointed prior to the enforcement of this Act, the provisions then in force remain applicable.
- (5) Beyond what is provided for in the preceding three paragraphs, transitional measures necessary for to enforcement of this Act are prescribed by the Rules of the Supreme Court.

Supplementary Provisions [Act No. 67 of June 21, 2017] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the date on which 20 days have elapsed from the date of promulgation.