

Act on the Expediting of Trials

(Act No. 107 of July 16, 2003)

(Purpose)

Article 1 With regard to the expediting of trials, since it is essential to conduct trials expeditiously under fair, appropriate and adequate proceedings in order for rights and interests to be properly realized through the judiciary, and for all other roles required of the judiciary to be fulfilled, and in addition, in line with the changes in social and economic conditions both in Japan and abroad, since there is an urgent need to respond to requests from the people for trials to be conducted expeditiously, the purpose of this Act is to further expedite the overall proceedings of the courts, including the litigation proceedings in the first instance by providing for the purpose, responsibility of the state and other basic matters, which accordingly will contribute to realizing a judicial system that responds to the expectations of the people.

(Expediting of Trials)

Article 2 (1) The objective of expediting trials is to conclude the litigation proceedings of the first instance in as short a time as possible within a period of two (2) years and, with regard to other proceedings of the court, to conclude each litigation proceeding in as short a time as possible by implementing reinforced proceedings and improving the support system and structure.

(2) Improving the system and structure pertaining to the expediting of trials referred to in the preceding paragraph is to be achieved by improving the litigation proceedings and other proceedings of the courts, significantly increasing the number of legal professionals, enhancing the human resources of the courts and public prosecutors offices, and improving the attorneys' system so that it is user-friendly for the people.

(3) In the expediting of trials, fair and appropriate implementation of proceedings must be secured so as not to harm the legitimate rights and interests of the parties.

(Responsibility of the State)

Article 3 The State has the responsibility to establish and implement measures required for promoting the expediting of trials (referring to "the expediting of trials" as set forth in the preceding Article; the same applies hereinafter).

(Legislative Measures)

Article 4 The government must take legislative, financial and other measures

required for implementing the measures set forth in the preceding Article.

(Responsibility of the Japan Federation of Bar Associations)

Article 5 Considering the importance of the mission and the duties of attorneys, with regard to the expediting of trials, the Japan Federation of Bar Associations is to endeavor to improve the preparedness of attorneys and other systems of attorneys to facilitate the use of attorneys by the people.

(Responsibility of the Courts)

Article 6 Persons conducting the proceedings of the court in charge of the case and of other courts are to endeavor to realize the objective of Article 2, paragraph (1) relating to the expediting of trials by implementing reinforced proceedings.

(Responsibility of the Parties)

Article 7 (1) The parties, representatives, defense counsel and other persons who conduct procedural acts for proceedings of the court (hereinafter referred to as the "parties et al." in the following paragraph) must exercise their procedural rights in good faith so that the objective set forth in Article 2, paragraph (1) relating to the expediting of trials will be realized as far as possible.
(2) The provisions in the preceding paragraph must not be regarded as preventing the parties et al. from exercising their legitimate rights.

(Inspection by the Supreme Court)

Article 8 (1) In order to clarify the matters required for promoting the expediting of trials, the Supreme Court is to conduct a comprehensive, objective, and multilateral inspection of the expediting of trials through investigation and analysis of the conditions of the length of time required for the proceedings at the court, the causes for prolonged proceedings and other necessary matters, and publicize the results every two years to make them clear to the people.
(2) The results of the inspection set forth in the preceding paragraph must be utilized properly in establishing and implementing measures of the State under the provisions of Article 3.

Supplementary Provisions

(Effective Date)

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

(First Publication of the Results of Review by the Supreme Court)

(2) The first publication of the results of the inspection under the provisions of

Article 8 is to be made within two (2) years from the date on which this Act comes into effect.

(Consideration)

(3) In the event that ten (10) years have elapsed from the date of enforcement of this Act, the government is to consider the status of enforcement of this Act, and if it deems necessary, it is to take necessary measures based on the results.