

Act on Coordination between Education at Graduate Schools of Law and the Bar Examination

(Act No. 139 of December 6, 2002)

(Purpose)

Article 1 The purpose of this Act is to establish fundamental provisions for the training of legal professionals through the enrichment of education at the graduate schools of law prescribed in item (i) of the following Article, provisions to secure organic coordination of education at those graduate schools of law, bar examinations, and training for legal apprentices, and other relevant provisions to train a large number of legal professionals to develop high-level professional abilities and qualities; thereby contributing to the enhancement and strengthening of the system of human resources supporting the judicial system.

(Basic Principles for the Training of Legal Professionals)

Article 2 The training of legal professionals is to be conducted taking into account the following matters, under the close cooperation of national government agencies, universities, and other agencies involved in the training of legal professionals, in light of the fact that along with the removal or relaxation of the national regulations and other changes in social and economic conditions in Japan and abroad, the role that the law and judiciary play have become more important in forming a more free and just society, and that a large number of legal professionals are required to have a high level of expert legal knowledge, a wide range of education, competence in an international background, rich humanity, and professional ethics, and to be able to respond to the diverse and extensive demands of the public:

(i) graduate schools of law (meaning a professional graduate school as prescribed in Article 99, paragraph (2) of the School Education Act (Act No. 26 of 1947) whose purpose is to cultivate the knowledge and abilities necessary for legal professionals; the same applies below), as a core educational institution for the development of legal professionals, conduct fair selection of entrants by appropriately assessing their aptitude and ensuring diversity in utilizing their creativity; provide intensive classes to small groups of students to cultivate knowledge and applied skills necessary for future legal professionals (including ability in oral arguments; the same applies in paragraph (3) of the following Article), and basic foundation in legal practice through theoretical and practical education; and strictly evaluate academic performance and certify the completion of those courses.

- (ii) bar examinations assess whether examinees have the knowledge and applied skills required in the professional capacity of judges, public prosecutors, or attorneys, in organic coordination with the legal education provided by graduate schools of law set forth in the preceding item;
- (iii) the graduate schools of law referred to in item (i) provide legal apprentices under the organic coordination with the education necessary to acquire the abilities they need to practice as judges, public prosecutors, or attorneys.

(Responsibilities of the National Government)

- Article 3 (1) In accordance with the basic principles referred to in the preceding Article (below referred to as the "basic principles for the training of legal professionals"), the national government is responsible for ensuring the enhancement of education at graduate schools of law (including the enhancement of education in Coordinated Introductory Law Programs as prescribed in Article 6, paragraph (2), item (i); the same applies below) and the coordination of education at graduate schools of law with the bar examination and training for legal apprentices.
- (2) The national government is to take measures as required in order to strengthen mutual cooperation among national government organizations, universities, and other organizations involved in the training of legal professionals, in order to ensure that this training is conducted in close coordination.
 - (3) The national government is to take measures as required in order to secure teachers who are legal professionals at graduate schools of law and to improve the quality of their teaching, and is to have those legal professionals participate in the discussions and deliberations as members of relevant councils, in order to ensure that education provided at graduate schools of law cultivate the knowledge and applied skills necessary for future legal professionals, as well as a basic foundation in legal practice.
 - (4) In formulating and implementing policies on education at graduate schools of law, the national government must take into account the characteristics of education at universities.
 - (5) The government must take legislative, financial and other measures as required in order to implement measures for the training of legal professionals, pursuant to the basic principles for the training of legal professionals.

(Responsibilities of Universities)

- Article 4 Universities are to provide education covering the following knowledge, abilities, and foundation at graduate schools of law, in a progressive and systematic manner, in accordance with the basic principles for the training of legal professionals . In addition, they are to make proactive, voluntary efforts

to enhance education at graduate schools of law.

- (i) specialized knowledge (meaning specialized legal knowledge and other related knowledge; the same applies below in this Article) commonly required for those aspiring to become legal professionals;
- (ii) the applied skills of the specialized knowledge listed in the preceding item that is commonly required for those aspiring to become legal professionals (meaning the ability to apply legal reasoning, analysis, logical construction, and dissertation; the same applies below in this Article);
- (iii) in addition to what is listed in the preceding two items, specialized knowledge in specialized fields of law required for those aspiring to become legal professionals, and relevant practical abilities;
- (iv) the knowledge, skills, and foundation required for practical work as a future legal professional, cultivated through the specialized knowledge and applied skills listed below and in the preceding three items:
 - (a) the ability to present oral arguments through applying legal reasoning, analysis, and logical construction;
 - (b) basic foundation in legal practice.

(Publication of the Curricula of Graduate Schools of Law)

Article 5 Universities that have graduate schools of law are to publicize the following matters in order to contribute to the enhancement of education and to secure a diverse range of qualified entrants as potential future legal professions:

- (i) the curriculum of the graduate school of law and the knowledge and abilities required in order to complete the course;
- (ii) the standards and status for the assessment of academic achievement at the graduate school of law;
- (iii) the standards and status for certification of completion of the course at the graduate school of law;
- (iv) the standards and status for certification process under the provisions of Article 4, paragraph (2), item (i) of the Bar Examination Act (Act No. 140 of 1949) at the graduate schools of law;
- (v) information on career paths for those who complete the course at the relevant graduate school of law;
- (vi) other matters specified by Order of the Ministry of Education, Culture, Sports, Science and Technology.

(Conclusion of Agreements on the Collaborative Training of Legal Professionals)

Article 6 (1) Universities that have graduate schools of law may enter into agreements with other universities that intend to establish courses for smooth

connection with education at the relevant graduate schools of law, on the implementation of education in the courses and smooth connection with education at the relevant graduate schools of law (below referred to as the "Jurist Training Coordination Agreements"), and may receive certification from the Minister of Education, Culture, Sports, Science and Technology to the effect that the Jurist Training Coordination Agreements is appropriate.

(2) The following details are to be determined in Jurist Training Coordination Agreements:

(i) graduate schools of law which are the objects of the agreements on the collaborative training of legal professionals (below referred to as the "collaborative graduate schools of law") and courses offered by universities which provide smooth connection with the education offered by the collaborative graduate schools of law (below referred to as the "Coordinated Introductory Law Programs " in this Article);

(ii) matters concerning the organization of the curriculum in Coordinated Introductory Law Programs for providing the education necessary for entrants of collaborative graduate schools of law to acquire the basic knowledge and skills required, and other measures necessary for smooth connection between education at the collaborative graduate schools of law and education in the Coordinated Introductory Law Programs;

(iii) the standards for the assessment of academic achievement in the Coordinated Introductory Law Programs;

(iv) matters concerning the cooperation of universities establishing collaborative graduate schools of law necessary for implementing education in the Coordinated Introductory Law Programs;

(v) the means of selecting applicants who have graduated from Coordinated Introductory Law Programs and intend to enroll at collaborative graduate schools of law;

(vi) period of validity of the Jurist Training Coordination Agreements;

(vii) measures to be taken in the event of violation of the Jurist Training Coordination Agreements;

(viii) other necessary matters.

(3) If an application for the certification referred to in paragraph (1) falls under all of the following items, the Minister of Education, Culture, Sports, Science and Technology is to grant the certification referred to in that paragraph:

(i) universities that have established collaborative graduate schools of law have obtained the certification prescribed in Article 109, paragraph (6) of the School Education Act with regard to the curriculum, teacher organization, and other status of its education and research activities (below simply referred to as the "status of its education and research activities");

(ii) with regard to the selection of applicants who have graduated from

Coordinated Introductory Law Programs and intend to enroll at collaborative graduate schools of law, fair selection of entrants is to be made by giving consideration to the accurate evaluation of the aptitude of the entrants based on the their subject credits gained in Coordinated Introductory Law Programs, pursuant to the provisions of Order of the Ministry of Education, Culture, Sports, Science and Technology;

(iii) consideration is given so that the measures to be taken in the event of violation of Jurist Training Coordination Agreements and other contents of agreements on the collaborative training of legal professionals will not be disadvantageous to the students of the Coordinated Introductory Law Programs;

(iv) in addition to what is listed in the preceding two items, the curriculum conforms to the standards specified by Order of the Ministry of Education, Culture, Sports, Science and Technology as one that contributes to a smooth connection between education at the collaborative graduate school of law and education at the collaborative undergraduate legal course.

(4) If the Minister of Education, Culture, Sports, Science and Technology grants the certification set forth in paragraph (1), the Minister is to publicize the contents of the Jurist Training Coordination Agreements, as prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology.

(Changes to Agreements on the Collaborative Training of Legal Professionals)

Article 7 (1) If universities that have collaborative graduate schools of law intend to change any of the matters stipulated in the Jurist Training Coordination Agreements which have been approved as set forth in paragraph (1) of the preceding Article, those universities must obtain the certification of the Minister of Education, Culture, Sports, Science and Technology.

(2) The provisions of paragraphs (3) and (4) of the preceding Article apply mutatis mutandis to the certification of the changes set forth in the preceding paragraph.

(Revocation of Certification)

Article 8 (1) In any of the cases listed in the following items, the Minister of Education, Culture, Sports, Science and Technology may revoke the certification set forth in Article 6, paragraph (1):

(i) if it is found that the contents of the agreements on the collaborative training of legal professionals that have been approved as referred to in Article 6, paragraph (1) (or, if a change as referred to in paragraph (1) of the preceding Article has been approved, the agreement after the change; referred to as the Jurist Training Coordination Agreements in the following item and Article 12, paragraph (2)) no longer conform to any of the items of

Article 6, paragraph (3);

(ii) if it is found that the matters provided for in the approved Jurist Training Coordination Agreements are not being properly implemented without justifiable grounds.

(2) If the Minister of Education, Culture, Sports, Science and Technology revokes the certification under the preceding paragraph, the minister is to publicize that fact.

(Cooperation with Universities Intending to Conclude Jurist Training Coordination Agreements)

Article 9 Universities that have graduate schools of law are to endeavor to provide universities that intend to establish courses for smooth connection with education at the relevant graduate schools of law and enter into Jurist Training Coordination Agreements with information to assist in organizing the courses and other forms of cooperation.

(Consideration for Persons with Work Experience)

Article 10 Universities that have established graduate schools of law are to give due consideration to the following persons with regard to the means and timing of and other matters concerning the selection of entrants, in order to contribute to the accurate assessment of their aptitude to ensuring diversity:

(i) workers or any other person with work experience who seek to enroll at graduate schools of law;

(ii) persons who seek to enroll at graduate schools of law after completing courses other than one in law at universities;

(iii) persons who intend to graduate from universities and enroll at graduate schools of law pursuant to the provisions of Article 89 of the School Education Act and persons who intend to enroll at graduate schools of law pursuant to the provisions of Article 102, paragraph (2) of the Act.

(Standards for Establishment of Graduate Schools of Law)

Article 11 If the Minister of Education, Culture, Sports, Science and Technology establishes the standards for establishment of graduate schools of law as prescribed in Article 3 of the School Education Act (simply referred to as the "standards for establishment" in paragraph (1) of the following Article and Article 13, paragraph (2), item (i)), the Minister must exercise care so that education at the graduate schools of law is based on the basic principles for the training of legal professionals and the responsibilities of universities as prescribed in Article 4 of the Act.

(Accreditation of Graduate Schools of Law)

Article 12 (1) If the Minister of Education, Culture, Sports, Science and Technology establishes the details prescribed in Article 110, paragraph (3) of the School Education Act regarding the standards for certification of persons who evaluate the status of education and research activities at graduate schools of law, the Minister must exercise care so that the contents of the university evaluation standards prescribed in Article 109, paragraph (4) of the Act regarding the graduate schools of law specified by the persons are based on the basic principles for the training of legal professionals and the responsibilities of universities prescribed in Article 4 (including the establishment standards regarding the graduate schools of law established based on these).

(2) The certification and evaluation under the provisions of the Article 109, paragraph (3) of the School Education Act (simply referred to as "certified evaluation" in the following paragraph) on the status of education and research activities of the collaborative graduate schools of law that are the purpose of the approved Jurist Training Coordination Agreements conducted by certification and evaluation organizations prescribed in the Article 109, paragraph (2) of the Act (simply referred to as a "certified evaluation agency" in the following paragraph) is to be conducted by including the status of implementation of the matters to be conducted by the collaborative graduate schools of law under the relevant approved Jurist Training Coordination Agreements.

(3) If the Minister of Education, Culture, Sports, Science and Technology receives a report on the results of certification and evaluation conducted on the status of education and research activities at graduate schools of law from the certified evaluation agency pursuant to the provisions of Article 110, paragraph (4) of the School Education Act, the Minister is to notify the Minister of Justice of this fact without delay.

(Relationship between the Minister of Justice and the Minister of Education, Culture, Sports, Science and Technology)

Article 13 (1) The Minister of Justice and the Minister of Education, Culture, Sports, Science and Technology must cooperate with each other in order to enhance education at graduate schools of law and to ensure organic coordination between education at graduate schools of law and the bar examination.

(2) In any of the following cases, the Minister of Education, Culture, Sports, Science and Technology is to notify the Minister of Justice to that effect in advance. In this case, the Minister of Justice may state their opinion as necessary to the Minister of Education, Culture, Sports, Science and Technology:

- (i) when intending to establish, amend or abolish the standards for the establishment of graduate schools of law;
 - (ii) when intending to establish, amend or abolish the details prescribed in the Article 110, paragraph (3) of the School Education Act regarding the standards for certification of persons who evaluate the status of education and research activities at graduate schools of law;
 - (iii) when intending to certify persons who evaluate the status of educational and research activities at the graduate schools of law pursuant to the provisions of Article 109, paragraph (2) of the School Education Act or to revoke the approval pursuant to the provisions of Article 111, paragraph (2) of the Act.
- (3) When intending to enact, amend, or abolish the Ministry of Justice Order referred to in Article 4, paragraph (2), item (i) of the Bar Examination Act, the Minister of Justice is to notify the Minister of Education, Culture, Sports, Science and Technology to that effect in advance. In this case, the Minister of Education, Culture, Sports, Science and Technology may state their opinion as necessary to the Minister of Justice.
- (4) The Minister of Justice may, if they find it particularly necessary, request the Minister of Education, Culture, Sports, Science and Technology to take measures as required for the graduate schools of law, such as requesting the submission of reports or materials pursuant to the provisions of Article 15, paragraph (4) of the School Education Act, making recommendations pursuant to the provisions of paragraph (1) of the Article, or issuing orders pursuant to the provisions of paragraph (2) of the Article.
- (5) The Minister of Justice and the Minister of Education, Culture, Sports, Science and Technology may, when they find it necessary in order to ensure organic coordination between education at the graduate schools of law and the bar examination, request mutual consultation on the total admission capacity of students at the graduate schools of law and any other matters concerning the training of legal professionals, or hear the opinions of universities and any other organizations involved in the training of legal professionals.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2003; provided, however, that the provisions set forth in the following items come into effect as of the dates specified respectively in those items:

- (i) the provisions of Article 3, paragraphs (3) through (5) and Article 6, paragraph (2), item (i): the date of promulgation;
- (ii) the provisions of Article 5, paragraphs (2), (4), and (5) and Article 6,

paragraph (2), item (iii): April 1, 2004.

(Review)

Article 2 Within one year after the enforcement of the Courts Act and the Act Partially Amending the Act on Coordination between Education at Graduate Schools of Law and the Bar Examination (Act No. 54 of 2012), the government is to conduct a review, reach conclusions, and promptly take measures as required with regard to the system for the training of legal professionals worthy of the trust of the people considering the status of implementation of education, the bar examination, and training for legal apprentices at graduate schools of law, and taking into account the opinions of a council organization composed of persons with relevant academic experience.

Supplementary Provisions [Act No. 96 of June 27, 2007 Extract] [Extract]

(Effective Date)

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

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

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

Supplementary Provisions [Act No. 11 of May 24, 2019 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2020.

Supplementary Provisions [Act No. 44 of June 26, 2019 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2020; provided, however, that the provisions set forth in the following items come into effect as of the dates specified respectively in those items:

- (i) the provisions in Article 1 to amend Article 6, paragraph (4) of the Act on Coordination between Education at Graduate Schools of Law and the Bar Examination, and the provisions of the following Article through Article 4 of the Supplementary Provisions: the date of promulgation;
- (ii) omitted;
- (iii) the provisions of Article 2, Article 4 (excluding the amending provisions set

forth in the preceding item), and Article 5, and the provisions of Articles 5 through 8 of the Supplementary Provisions: October 1, 2022.

(Transitional Measures upon Partial Amendment of the Act on Coordination between Education at Graduate Schools of Law and the Bar Examination)

Article 2 The certification referred to in Article 6, paragraph (1) of the Act on Coordination between Education at Graduate Schools of Law and the Bar Examination as amended by the provisions of Article 1 (referred to as the "New Act" in this paragraph), and necessary procedures and other acts related thereto may be conducted in accordance with the provisions of the Article and Article 7 of the New Act even prior to the date of enforcement of this Act.

(Delegation to Cabinet Order)

Article 4 In addition to what is provided for in the preceding two Articles, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.