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Act on the Expediting of Trials(Act No. 107 of 2003)

The Act on the Expediting of Trials is hereby promulgated.

Act on the Expediting of Trials

Article 1 (Purpose)

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 objective of this Act shall be 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.

Article 2 (Expediting of Trials)

- (1) The objective of expediting trials shall be to conclude the proceedings of the first instance in as short a time as possible within a period of two (2) years and, with regard to proceedings at other courts, to conclude each 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 shall 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.

Article 3 (Duty of the State)

The State has the duty to develop 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 shall apply hereinafter).

Article 4 (Statutory Measures)

The government must take legislative, financial and other measures required for implementing the measures set forth in the preceding Article.

Article 5 (Duty of the Japan Federation of Bar Associations)

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

Article 6 (Duty of the Courts)

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

Article 7 (Duty of the Parties)

- (1) The parties, representatives, attorneys 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 shall be realized as far as possible.
- (2) The provisions in the preceding paragraph shall not be regarded as preventing the parties et al. from exercising their legitimate rights.

Article 8 (Review by the Supreme Court)

- (1) In order to clarify the matters required for promoting the expediting of trials, the

Supreme Court shall conduct a comprehensive, objective, and multilateral review 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 shall publish the results every two years to make them clear to the people.

- (2) The results of the review set forth in the preceding paragraph must be utilized properly in developing and implementing measures of the State under the provisions of Article 3.

Supplemental Provisions

- (1) (Enforcement Date)

This Act shall come into force as of the date of its promulgation.

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

The first publication of the results of the review under the provisions of Article 8 shall be made within two (2) years from the date of enforcement of this Act.

- (3) (Consideration)

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