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This English translation of Court Act has been prepared (up to the revisions of ordinance of Act No. 36 of 2006 (Effective May 28, 2004)) in compliance with the Standard Bilingual Dictionary (March 2007 edition).

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## **Court Act (Act No. 59 of April 16, 1947)**

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### **Part I General Provisions**

#### **Article 1 (Gist of the Act)**

Regarding the Supreme Court and the lower courts prescribed in the Constitution of Japan, this Act shall apply.

**Article 2 (Lower Instance Courts)**

- (1) Lower courts shall mean High Courts, District Courts, Family Courts, and Summary Courts.
- (2) The details of establishment, abolition and jurisdictional district of lower instance courts shall be provided for by law separately.

**Article 3 (Jurisdiction of Courts)**

- (1) Courts shall, except as specifically provided for in the Constitution of Japan, decide all legal disputes, and have such other powers as are specifically provided for by law.
- (2) The provisions of the preceding paragraph shall not prevent preliminary trial by administrative organs.
- (3) The provisions of this Act shall not prevent the establishment of a jury system for criminal cases separately by law.

**Article 4 (Binding Power of Superior Judicial Decision)**

A conclusion in a judgment of a higher instance court shall bind the lower instance courts with respect to the case concerned.

**Article 5 (Judges)**

- (1) The justices of the Supreme Court shall comprise 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 shall be chief judge of High Court, who is called the President of High Court, and other judges, who are called judges, assistant judges, and judges of the Summary Court.
- (3) The number of Justices of the Supreme Court shall be fourteen and the number of judges of lower courts shall be determined by law separately.

**Part II Supreme Court**

**Article 6 (Location)**

The Supreme Court shall be located in the Metropolis of Tokyo.

**Article 7 (Jurisdiction)**

The Supreme Court shall have jurisdiction over the following matters

- (i) Final appeals

- (ii) Appeals against rulings specially provided for in codes of procedures.

**Article 8 (Other Powers)**

The Supreme Court shall have powers specially provided for by other laws in addition to those provided for in this Act.

**Article 9 (Full Bench and Petty Bench)**

- (1) The Supreme Court shall conduct proceedings and give judgments through a full bench or a petty bench.
- (2) The full bench shall be a panel comprised of all justices, and a petty bench shall be a panel of justices whose number shall be specified by the Supreme Court; provided, however, that a petty bench shall be composed of three or more Judges.
- (3) One of the Justices of each panel shall be the presiding justice.
- (4) Each panel may conduct proceedings and give a judicial decision if there are present the number of Justices determined by the Supreme Court.

**Article 10 (Examination of the Full Bench and Petty Bench)**

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

- (i) Cases in which a determination is to be made on the constitutionality of law, order, rule, or disposition, based on the argument by a party (except the cases where the opinion is the same as that of the judicial decision previously rendered through the full bench in which the constitutionality of act, order, rule, or disposition is recognized).
- (ii) Cases other than those referred to in the preceding item when any law, order, rule, or disposition is to be decided as unconstitutional.
- (iii) Cases where an opinion concerning 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.

**Article 11 (Expression of Opinions of Judges)**

The opinion of each Justice shall be expressed in written judgment.

**Article 12 (Judicial Administration Affairs)**

- (1) The Supreme Court shall execute 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 shall consist of all Justices, and the Chief Justice of the Supreme Court shall be the chairperson.

**Article 13 (General Secretariat)**

The Supreme Court shall have a General Secretariat, which shall handle administrative affairs of the Supreme Court

**Article 14 (Legal Training and Research Institute)**

Legal Training and Research Institute shall be established in the Supreme Court to manage and administer affairs relating to research and training of judges and to training of legal apprentices.

**Article 14-2 (Training and Research Institute for Court Officials)**

A Training and Research Institute for Court Officials shall be established in the Supreme Court to manage affairs relating to research and training of court clerks, Family Court Research Law Clerks, and other court officials other than judges.

**Article 14-3 (Supreme Court Library)**

In the Supreme Court, the Supreme Court Library shall be established as a branch library of the National Diet Library.

**Part III Lower Courts****Chapter I High Court****Article 15 (Organization)**

A High Court shall consist of a President and a necessary number of judges.

**Article 16 (Jurisdiction)**

A High Court shall have jurisdiction over the following matters

- (i) Appeals from judgments in the first instance rendered by District Courts, from judgments rendered by Family Courts and from judgments concerning criminal cases rendered by Summary Courts.
- (ii) Appeals against rulings and orders rendered by District Courts and Family Courts and against rulings and orders concerning criminal cases rendered by Summary Courts, other than those set forth in Article 7 item 2.
- (iii) Final appeals from judgments in the second instance rendered by District Courts and from judgments rendered by Summary Courts, other than those concerning criminal cases.
- (iv) Litigation in the first instance pertaining to any of the crimes set forth in Articles 77 to 79 of the Criminal Code.

**Article 17 (Other Powers)**

A High Court shall have, in addition to those prescribed in this Act, such powers as are specially provided for by other laws.

**Article 18 (Panel Court System)**

- (1) A High Court shall handle cases through a panel of judges; provided, however, that special provisions, if such provisions are provided for in other laws, shall apply, with respect to the matters other than proceedings and judgments to be made by the court.
- (2) The number of judges of a panel referred to in the preceding paragraph shall be three, one of whom shall be the presiding judge; provided, however, that the number of judges shall be five in the cases referred to in Article 16, item 4.

**Article 19 (Substitution of Judges)**

- (1) A High Court may have a judge of a District Court or a Family Court within its jurisdictional district over which the said High Court has jurisdiction, serve as a judge of the High Court, when there is urgent necessity for the conduct of judicial proceedings.
- (2) In case there exist special circumstances that make it impossible to meet the urgent necessity of the High Court by way of the measures set forth in the preceding paragraph, the Supreme Court may have a judge of another High Court or a judge of a District Court or a Family Court within the district over which the same High Court has jurisdiction to serve as a judge of said High Court.

**Article 20 (Judicial Administration Affairs)**

- (1) Every High Court shall conduct their 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 every High Court shall consist of all judges belonging to the High Court, and the President of the High Court shall be the chairperson thereof.

**Article 21 (Secretariat)**

Every High Court shall have a Secretariat, which shall handle administrative affairs of the Court.

**Article 22 (Branches)**

- (1) The Supreme Court may establish branches of a High Court within the jurisdictional districts of the said High Court, to have them perform a part of the functions of the High Court.

- (2) The Supreme Court shall designate judges who shall serve at branches of a High Court.

## **Chapter II District Court**

### **Article 23 (Organization)**

Every District Court shall consist of a necessary number of judges and assistant judges.

### **Article 24 (Jurisdiction)**

A District Court shall have jurisdiction over the following matters

- (i) Litigation in the first instance for claims other than those referred to in Article 33, paragraph 1, item 1 (except for personal status under Article 31-3, paragraph 1, item 2) and litigation involving real properties in the first instance for claims referred to in Article 33, paragraph 1, item 1.
- (ii) Litigation in the first instance for crimes other than those referred to in Article 16, item 4 and those liable to fines or lesser punishment.
- (iii) Appeals to the court of second instance from judgment rendered by Summary Courts, except for those referred to in Article 16, item 1.
- (iv) Appeals against rulings and orders rendered by Summary Courts, except for those referred to in Article 7, item 2 and Article 16, item 2.

### **Article 25 (Other Powers)**

A District Court shall, in addition to those powers prescribed in this Act, have such powers as are specially provided for by other laws, and also powers over such matters that are provided for by law as coming under the jurisdiction of the Court, but not coming under courts other than District Courts.

### **Article 26 (Single Judge and Collegiate Court System)**

- (1) A District Court shall, except for the cases provided in paragraph 2, handle cases through a single judge.
- (2) The following cases shall be handled by a panel of judges; provided, however, that it is subject to special provisions in other laws, for matters other than for proceedings in a court room and for giving judgments.
  - (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 punishable with death penalty, life imprisonment with work, imprisonment with or without work for a minimum period not less than one (1) year (except crimes provided for in Articles, 236, 238, or 239 of the Criminal Code and attempts thereof, and crimes referred to in Article 1-2,

paragraph 1 or 2 or Article 1-3 of the Act pertaining to Punishment of Violent and Other Acts (Act No. 60, 1962), as well as crimes provided for in Article 2 or Article 3 of the Act for Prevention and Punishment of Robbery and Theft Act (Act No. 9, 1930).

(iii) Appeal cases against judgments rendered by Summary Courts or appeal against rulings and orders of Summary Courts.

(iv) Other cases which are to be heard and judged by a panel by the provisions set forth in other laws.

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

#### **Article 27 (Limitations on the Authority of Assistant Judges)**

(1) Any assistant judge may not give judgments alone unless otherwise specially provided for by law.

(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.

#### **Article 28 (Substitution of Judges)**

(1) If there is an urgent necessity in performing judicial proceedings in a District Court within the district over which a High Court has jurisdiction, said High Court may have a judge of another District Court or a Family Court within the said district or of the said High Court perform duties of a judge of the said District Court.

(2) In cases due to special circumstances the urgent necessity of the District Court may not be satisfied in accordance by way of the measures set forth in the preceding paragraph, the Supreme Court may have a judge of a District Court or a Family Court within the district over which the High Court other than that the High Court with jurisdiction over the place of said District Court or a judge of the former High Court, perform duties of a judge of said District Court.

#### **Article 29 (Judicial Administration Affairs)**

(1) The Supreme Court shall appoint one of the judges of each District Court as the President of the District Court.

(2) District Courts shall conduct their 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 shall consist of all judges of the District Court, and the President of the District Court shall preside over it.

#### **Article 30 (Secretariat)**

Every District Court shall have a Secretariat, which shall handle administrative affairs of the Court.

**Article 31 (Branches and Local Offices)**

- (1) The Supreme Court may establish branches and local offices of a District Court within the district over which the said District Court has jurisdiction, and have them perform part of functions of the District Court.
- (2) The Supreme Court shall designate judges who shall serve at branches of a District Court.

**Chapter III Family Court**

**Article 31-2 (Organization)**

Each Family Court shall consist of a necessary number of judges and assistant judges.

**Article 31-3 (Jurisdiction and Other Powers)**

- (1) A Family Court shall have power over the following matters
  - (i) Trial and decision, and conciliation for cases relating to families as provided for by the Domestic Relations Trial Act (Act No. 152, 1947)
  - (ii) Judicial decision of the first instance relating to personal status provided for by the Personal Status Litigation Act (Act No. 109, 2003).
  - (iii) Trial and decision for matters for protecting juveniles as provided for by the Juvenile Act (Act No. 168, 1948).
  - (iv) Judicial decisions of the first instance pertaining to any of the offenses referred to in Article 37, paragraph 1 of the Juvenile Act.
- (2) A Family Court shall have such powers as are specially provided for by other laws, in addition to those powers prescribed in this Act.

**Article 31-4 (Single Judge System, Panel System)**

- (1) In cases of conducting trial and decisions or giving judicial decisions, a Family Court shall, except for the cases provided in the next paragraph, hear cases through a single judge.
- (2) The cases set forth in the following items shall be heard by a panel of judges; provided, however, that it is subject to special provisions in other laws, except with respect to rulings to close trial and decisions as well as hearing or giving judicial decisions at court room.
  - (i) Cases in which a panel has made a ruling to the effect that it will do a trial and decisions or hear and render judicial decisions by a panel.
  - (ii) Cases which are to be tried and decided or to be heard and judicially decided,



through a panel by other law.

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

**Article 31-5** (Application mutatis mutandis of the Provisions concerning District Court)

The provisions of Articles 27 to 31 inclusive shall apply mutatis mutandis to a Family Court.

## **Chapter IV Summary Court**

**Article 32** (Judges)

A Summary Court shall have a necessary number of judges.

**Article 33** (Jurisdiction)

- (1) A Summary Court shall have jurisdiction of the first instance over the following matters:
- (i) Claims where the value of the subject matter of litigation does not exceed ¥1,400,000 (except for claims pertaining to administrative case litigation).
  - (ii) Litigation that relates to crimes punishable with fine or lighter penalties, crimes punishable with a fine as an optional penalty, crimes referred to in Article 186 of the Criminal Code, or crimes referred to in Article 252 or 256 of the same Code (except for litigation referred to in Article 31-3, paragraph 1, item 4)
- (2) A Summary Court may not impose imprisonment without work or heavier penalty; provided, however, that a Summary Court may impose imprisonment with work for period not more than three years with respect to cases for crimes set forth in Article 130 of the Criminal Code or attempts thereof, crimes set forth in Article 186 of the same Code, crimes set forth in Article 235 of the same Code or attempts thereof, 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, 1949), or crimes set forth in Articles 30 through 32 of the Pawnbroker Business Act (Act No. 158, 1950), or with respect to cases in which the aforementioned crimes and other crimes should be punished with 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 shall transfer the case to a District Court in accordance with the provisions of procedural laws.

**Article 34 (Other Powers)**

A Summary Court shall have such powers as are specially provided for by other laws, in addition to those powers prescribed in this Act.

**Article 35 (Single Judge System)**

A Summary Court shall handle cases through a single judge.

**Article 36 (Substitution of Judges)**

- (1) When there is an urgent necessity to conduct judicial proceedings in a Summary Court, the District Court with jurisdiction over the territory of said Summary Court may have a judge of another Summary Court within the same territory or of the said District Court serve as a judge of the former Summary Court.
- (2) In cases due to special circumstances the urgent necessity of the Summary Court may not be satisfied by way of the measures set forth in the preceding paragraph, the High Court with jurisdiction over the place of the said 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 district over which the said High Court has jurisdiction, perform duties of a judge of said Summary Court concerned.

**Article 37 (Judicial Administration Affairs)**

The judicial administration affairs of a Summary Court shall, when the Summary Court consists of one judge, be administered by the said judge, and when there are two or more judges, by one of them designated by the Supreme Court.

**Article 38 (Transfer of Affairs)**

A District Court may, if special circumstances make it impossible to perform of affairs at a Summary Court situated within the district over which the District Court has jurisdiction, have another Summary Court within the said territory to perform all or part of such affairs.

**Part IV Court Officials and Legal Apprentices****Chapter I Judges****Article 39 (Appointment and Removal of Judges of the Supreme Court)**

- (1) The Emperor shall appoint the Chief Justice of the Supreme Court as designated by the Cabinet.
- (2) Justices of the Supreme Court shall be appointed by the Cabinet.
- (3) The Emperor shall attest 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 shall be reviewed by the people in accordance with the law relating to national referendum.

**Article 40 (Appointment and Removal of Judges of Lower Courts)**

- (1) The Cabinet shall appoint 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 shall attest the appointment and removal of presidents of High Courts.
- (3) Judges referred to in paragraph 1 shall be regarded as having completed their terms of office when ten years after their appointment to office have elapsed, and may be reappointed.

**Article 41 (Qualifications for Appointment of Judges of the Supreme Court)**

- (1) Justices of the Supreme Court shall be appointed from leaned persons with extensive knowledge of law, who are not less than forty years old. At least ten of them shall be persons who have held one or two of the positions set forth in item 1 or 2 for not less than ten years, or one or more of the positions set forth in the following items for the total period of twenty years or more.
- (i) President of the High Court
  - (ii) Judges
  - (iii) Judges of the Summary Court
  - (iv) Public Prosecutors
  - (v) Attorneys
  - (vi) Professors or associate professors of law of universities that shall be determined by law.
- (2) For the purpose of the application of the provisions of the preceding paragraph, if persons who have held the positions referred to in items 1 and 2 of the preceding paragraph for at least five years, or one or more of the positions referred to in items 3 through 6 of the preceding paragraph for not less than ten years, also have held positions of assistant judge, research law clerk, 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, law official of the Ministry of Justice, or law instructor of the Ministry of Justice, then, such position shall be deemed to be those referred to in items 3 through 6 of the said 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 items (3) to (5) of paragraph 1 and in the preceding paragraph shall be counted only from the

completion of training as legal apprentice.

- (4) In cases where a person has held a position as a professor of law or associate professor of law of a university referred to in item 6 of paragraph 1 for three years or more, and also has held a position as a judge of Summary Court, public prosecutor (excluding an assistant prosecutor) or attorney, the provisions of the preceding paragraph shall not apply with respect to the period of service in latter positions.

**Article 42 (Qualifications for Appointment of Presidents and Judges of High Courts)**

- (1) President and judges of High Courts shall be appointed from those who have held one or more of the following positions for ten years or longer:
- (i) Assistant Judges
  - (ii) Judges of Summary Court
  - (iii) Public Prosecutors
  - (iv) Attorneys
  - (v) Research law clerks, professors of the Legal Training and Research Institute, professors of the Training and Research Institute for Court Officials
  - (vi) Professors of law or associate professors of law of universities referred to in paragraph 1, item 6 of the preceding Article.
- (2) For the purpose of the application of the provisions of the preceding paragraph, persons who have for more than three (3) years held one or more of the positions referred to in each item of the said paragraph, and who also have held positions as court administrative official, court administrative official or law instructor shall be deemed as having held the office set forth in each item of the said 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 items (2) to (5) of paragraph 1, and in the preceding paragraph shall be counted only from the completion of training as legal apprentice.
- (4) In cases where a person has held a position as professor of law or associate professor of law of universities referred to in item 6 of paragraph 1 of the preceding Article for three years or more, and afterward served as judge of Summary Court, public prosecutor (excluding an assistant prosecutor) or attorney, the provisions of the preceding paragraph shall not apply to the period of the service. In cases where a person has been appointed judge of Summary Court, or public prosecutor without having completed the training of a legal apprentice, the same shall apply to the period of his or her service as the judge of Summary Court, public prosecutor (excluding an assistant prosecutor), or attorney after he or she passed the examination prescribed in Article 66.

**Article 43 (Qualification for Appointment of Assistant Judges)**

Assistant judges shall be appointed from those who have completed the training as legal apprentices.

**Article 44 (Qualification for Appointment of Judges of the Summary Court)**

- (1) Judges of the Summary Court shall be appointed from those who have been the President of High Court or judges of a High Court, or who have held one or more of the positions referred to in the following items for three years or more.
  - (i) Assistant Judges.
  - (ii) Public Prosecutors.
  - (iii) Attorneys.
  - (iv) A research law clerk, court administrative official, professors of the Legal Training and Research Institute, professor of the Training and Research Institute for Court Officials, or law official or law instructor of the Ministry of Justice.
  - (v) Professors of law or associate professors of law of universities referred to in Article 41 paragraph 1, item 6.
- (2) For the purpose of the application of the provisions of the preceding paragraph, the period of service in the positions set forth in items 2 to 4 of the said paragraph shall be counted only from the completion of the training as legal apprentice.
- (3) In cases where a person has been appointed as a public prosecutor without having completed the training as a legal apprentice, the provisions of the preceding paragraph shall not apply to the period of his or her service as a public prosecutor (excluding an assistant prosecutor) or attorney after he/she passed the examination referred to in Article 66.

**Article 45 (Appointment of Judges of the Summary Court)**

- (1) Persons who have been engaged in judicial affairs for many years, or who possesses the knowledge and experience necessary for performing the duties of a judge of Summary Court may be appointed as judges of Summary Court by the Selection Committee of the Summary Court through the selection process even if they do not fall within the categories of persons prescribed in paragraph 1 of the preceding Article.
- (2) Rules and regulations relating to the Selection Committee for Judges of Summary Courts shall be provided for by the Supreme Court.

**Article 46 (Grounds for Incompetence for Appointment)**

In addition to those persons who are incompetent to be appointed ordinary government officials according to other laws, no person falling under any of the following categories shall be appointed as a judge:

- (i) A person who has been punished with imprisonment without work or a heavier

penalty

(ii) A person whose removal from office has been decreed by an impeachment court

**Article 47 (Assignment to Position)**

Judges of lower courts shall be assigned to positions by the Supreme Court.

**Article 48 (Guarantee of Status)**

A judge shall not be removed or be transferred, or be suspended from performing his job, or have his salary reduced, against his will, except in accordance with the provisions of law concerning public impeachment or national referendum, or unless, the judge is declared mentally or physically incompetent to perform his/her duties in accordance with provisions of applicable law.

**Article 49 (Disciplinary Actions)**

If a judge has violated his/her official duties, neglected his/her jobs or degraded himself/herself, that judge shall be subjected to disciplinary action by judicial decisions as provided for by applicable law.

**Article 50 (Age of Retirement)**

Justices of the Supreme Court shall retire upon the attainment of seventy years of age. Judges of High Courts, District Courts, or Family Courts shall retire upon the attainment of sixty five years of age. Judges of Summary Courts shall retire upon the attainment of seventy years of age.

**Article 51 (Compensation)**

The compensation received by judges shall separately be determined by law.

**Article 52 (Prohibition of Political Activities, etc.)**

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

- (i) To become members of the Diet or of assemblies of local public entities or actively engage in political movements.
- (ii) To hold another position with remuneration without obtaining the permission of the Supreme Court.
- (iii) To carry on any commercial business or a business for monetary profit.

**Chapter II Court Officials Other Than Judges**

**Article 53 (Secretary General of the Supreme Court)**

(1) In the Supreme Court, there shall be one Secretary General of the Supreme Court.

- (2) Secretary General of the Supreme Court shall, under the supervision of the Chief Justice of the Supreme Court, administer the affairs of the General Secretariat of the Supreme Court and control and supervise officials of the Secretariat.

**Article 54** (Secretaries to Judges of the Supreme Court)

- (1) In the Supreme Court, there shall be 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 shall, as ordered by the Chief Justice of the Supreme Court, and secretaries to Justices of the Supreme Court shall, as ordered by the Justices of the Supreme Court, administer confidential affairs.

**Article 55** (Professors of Legal Training and Research Institute)

- (1) In the Supreme Court, there shall be professors of Legal Training and Research Institute.
- (2) Professors of Legal Training and Research Institute shall, 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.

**Article 56** (President of the Legal Training and Research Institute)

- (1) In the Supreme Court, there shall be President of the Legal Training and Research Institute, who shall be assigned to the position by the Supreme Court from among professors of the Legal Training and Research Institute.
- (2) The Chief of the Legal Training and Research Institute shall, under the supervision of the Chief Justice of the Supreme Court, administer the affairs of the Institute, and control and supervise officials of the Institute.

**Article 56-2** (Professors of the Training and Research Institute for Court Officials)

- (1) In the Supreme Court, there shall be professors of the Training and Research Institute for Court Officials.
- (2) Professors of the Training and Research Institute for Court Officials shall, 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 research law clerks, and other court officials except for judges.

**Article 56-3** (Chief of the Training and Research Institute for Court Officials)

- (1) In the Supreme Court, there shall be Chief of the Training and Research Institute for Court Officials, who shall be assigned to the position by the Supreme Court from among professors of the Training and Research Institute for Court Officials.
- (2) The Chief of the Training and Research Institute for Court Officials shall, under

the supervision of the Chief Justice of the Supreme Court, administer the affairs of the Training and Research Institute for Court Officials, and control and supervise officials thereof.

**Article 56-4** (Director of the Supreme Court Library)

- (1) In the Supreme Court, there shall be a Director of the Supreme Court Library, who shall be appointed from among court officials.
- (2) The Director of the Supreme Court Library shall, under the supervision of the Chief Justice of the Supreme Court, administer the affairs of the Supreme Court Library, and control and supervise the officials thereof.
- (3) The provisions referred to in the preceding two paragraphs shall not prejudice the application of the provisions of the National Diet Library Act.

**Article 56-5** (Secretaries to Presidents of High Courts)

- (1) In every High Court, there shall be one secretary to the President of High Court.
- (2) Secretaries to Presidents of High Courts shall administer confidential affairs, as ordered by Presidents of High Courts.

**Article 57** (Research law clerks)

- (1) In the Supreme Court, each High Court and each District Court, there shall be research law clerks.
- (2) Research law clerks shall 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 in other laws, as ordered by judges.

**Article 58** (Court Administrative Officials)

- (1) In all courts, there shall be court administrative officials.
- (2) Court administrative officials shall administer the affairs of courts, as ordered by their superiors.

**Article 59** (Chief of Secretariat)

- (1) In each High Court, District Court and Family Court, there shall be a Chief of Secretariat, who shall be assigned to the position by the Supreme Court from among court administrative officials.
- (2) The Chief of Secretariat of each High Court, the Chief of Secretariat of each District Court and the Chief of Secretariat of each Family Court shall administer the affairs of the Secretariat, and supervise staff thereof, under the supervision of the President of the High Court, the President of each District Court and the President of each Family Court respectively.



**Article 60 (Court Clerks)**

- (1) In all courts, there shall be court clerks.
- (2) The court clerk shall prepare and have in custody records and other documents concerning cases of the court, and conduct such other affairs as are provided for by law.
- (3) Court clerks shall, in addition to conducting the affairs under the preceding paragraph, assist the judges in research of laws, orders and judicial precedents, as well as other necessary matters, as ordered by the judges, in relation to the cases of the court.
- (4) Court clerks shall, in performing his or her duties, comply with the order of judges.
- (5) If, in cases where a court clerk has received an order from a judge with respect to the preparation or alteration of a transcript of an oral statement or of other documents, the court clerk recognizes such preparation or alteration is not justifiable, the clerk may attach his own opinion in writing.

**Article 60-2 (Court stenographers)**

- (1) In all courts, there shall be Court stenographers.
- (2) Court stenographers shall take shorthand concerning the cases of the court, and conduct such affairs as related thereto.
- (3) Court stenographers shall comply with the orders of judges in performing their duties.

**Article 61 (Technical Officials of Courts)**

- (1) In each court, there shall be technical officials.
- (2) Technical officials of courts shall conduct technical affairs, as ordered by their superiors.

**Article 61-2 (Family Court Research Law Clerks)**

- (1) In each Family Court and each High Court, there shall be family court research law clerks.
- (2) Family court research law clerks shall, in each Family Court, conduct necessary research for the trial and decision and conciliation referred to in Article 31-3, paragraph 1, item 1, for judicial decision referred to in item 2 of the same paragraph (limited to the judicial decision related to incidental disposition referred to in Article 32, paragraph 1 of Act for Personal Status and judicial decisions of designation of the person who has parental authority under paragraph 3 of the same article (hereinafter referred to as the "Judicial Decision for Incidental Disposition") in this paragraph)), as well as for the trial and decision referred to in Article 31-3, paragraph 1, item 3, and any other affairs prescribed by other laws;

and in each High Court, conduct the necessary research for proceeding of appeal from decisions referred to in item 1 of the same paragraph, and for proceeding of appeal trial at the court of second instance pertaining to Judicial Decision for Incidental Disposition.

- (3) The Supreme Court may appoint from family court research law clerks a Chief Family Court Research Law Clerk, who shall be assigned the duty of supervising the research affairs and conducting liaison and other functions with relevant governmental agencies and other agencies.
- (4) Family court research law clerks shall, in executing their duties, comply with the orders of judges.

**Article 61-3 (Assistant Family Court Research Law Clerks)**

- (1) In each Family Court, there shall be assistant family research law clerks.
- (2) Assistant family court research law clerks shall help family court investigators perform their affairs, as ordered by their superiors.

**Article 62 (Court Enforcement Officers)**

- (1) In each District Court, there shall be court enforcement officers.
- (2) Qualifications necessary for being appointed a court enforcement officer shall be prescribed by the Supreme Court.
- (3) Court enforcement officer shall manage the execution of judicial decisions, the service of documents issued by the court, and such other affairs as are provided for by law.
- (4) Court enforcement officers shall receive commissions. If the commissions do not amount to a certain sum, they shall receive a subsidy from the national treasury.

**Article 63 (Bailiffs)**

- (1) In each court, there shall be bailiffs.
- (2) A bailiff shall conduct court duties as ordered by judges and other affairs as are determined by the Supreme Court.
- (3) When a court is unable to use court enforcement officer, it may use a bailiff for the service of documents in the district of the court.

**Article 64 (Appointment and Dismissal)**

The appointment and dismissal of court officials other than judges shall be made by the Supreme Court, a High Court, a District Court or a Family Court as determined by the Supreme Court.

**Article 65 (Designation of Courts of Service)**

The Court where research law clerks, court administrative officials (except Chief of

Secretariat), court clerks, court stenographers, family court research clerks, assistant family court research law clerks, court enforcement officers, and technical officials of the court are to work, shall be designated by the Supreme Court, a High Court, a District Court, or a Family Court as determined by the Supreme Court.

**Article 65-2 (Matters concerning Court Staff other than Judges)**

Matters concerning court staff other than judges shall be provided for separately by law, except for those provided for by this Act.

**Chapter III Legal apprentices**

**Article 66 (Adoption)**

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

**Article 67 (Training and Examination)**

- (1) Legal apprentices complete their courses upon passing an examination at the end of at least one year of training.
- (2) Legal apprentices shall receive a fixed allowance from the national treasury during their term of training; provided, however, that this shall not apply to the portion exceeding the period prescribed by the Supreme Court as the period normally required for training.
- (3) Matters concerning training and examination referred to in paragraph 1 shall be determined by the Supreme Court.

**Article 68 (Dismissal)**

The Supreme Court may dismiss a legal apprentice if it considers that his/her behavior degrades its dignity, or if it considers that there exists cause (s) specified by the Supreme Court.

**Part V Conduct of Judicial Proceedings**

**Chapter I Court**

**Article 69 (Place of Session)**

- (1) Court sessions shall be held at courts or branches.
- (2) The Supreme Court may, when it finds necessary, 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.

**Article 70 (Procedures for Suspension of Public Trial)**

In order to conduct a trial in camera in accordance with the provisions of Article 82, paragraph 2 of the Constitution of Japan, a court shall make a statement to that effect giving the reason therefore, before ordering spectators to leave the court. In delivering a judgment, a court shall cause the public to be admitted to the court again.

**Article 71 (Maintenance of Order in Court)**

- (1) The presiding judge or a single judge who has opened the session shall maintain order in the court.
- (2) The presiding judge or a judge who has opened the session may order any person who interferes with the exercising of the duties of the court or who behaves improperly, to leave the court, and may issue such other orders or take such measures as are necessary for the maintenance of order in the court.

**Article 71-2 (Request for Dispatch of Police Officials)**

- (1) The presiding judge or a single judge who has opened the session may, when the judge finds it necessary for maintaining order in the court, request the Tokyo Metropolitan Police Commissioner or the Chief of the Prefectural Police to dispatch police officers. The request may, if deemed specifically necessary for maintaining order in the court, be made prior to the opening of the session.
- (2) The police officers who have been dispatched at the request under the preceding paragraph shall be directed by the presiding judge or a single judge in order to maintain order during the judicial procedure.

**Article 72 (Dispositions Outside Court)**

- (1) At times when the court exercises its duties outside court room in accordance with the provisions of other laws, the presiding judge or a single judge may order any person who interferes with the operations 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 shall apply mutatis mutandis to the case under the preceding paragraph.
- (3) The authority of the presiding judge set forth in the preceding two paragraphs shall be conferred upon a judge when the judge exercises duties outside the court room as provided for elsewhere by act.

**Article 73 (Crime of Interference with a Trial)**

Any person who, contrary to an order referred to in Article 71 or the preceding Article, interferes with the exercising of the functions of a court or of a judge shall be liable to imprisonment with or without work for a term not more than one (1) year or to a fine not more than one (1) thousand yen.

## **Chapter II Language of Courts**

### **Article 74 (Language of Courts)**

In the court, the Japanese language shall be used.

## **Chapter III Deliberation of Decisions**

### **Article 75 (Secrecy of Deliberation)**

- (1) Deliberations of decisions in a panel shall not be disclosed; provided, however, that the presence of legal apprentices may be permitted.
- (2) Deliberation shall be 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 majority and minority.

### **Article 76 (Duty to State one's opinions)**

Judges must express their opinions in deliberations.

### **Article 77 (Decision)**

- (1) Except for cases where the Supreme Court has decided otherwise concerning Supreme Court decisions, decisions shall be rendered by a majority of opinions.
- (2) If, in cases where decisions are to be rendered by a majority opinion, there are three or more different opinions with respect to the following matters, and none of them obtains the majority, a decision shall be rendered in accordance with the opinion set forth below.
  - (i) With respect to the amount, the number of opinions in favor of the largest amount shall be added to the number of opinions in favor of the next largest amount, and so on until a majority is attained. The amount of the majority opinion shall be that of the opinion in favor of the smallest amount which is held within the majority group.
  - (ii) In criminal cases, the number of opinions most unfavorable to the accused shall be added to the number of opinions next most unfavorable, and so on until a majority is attained. The majority opinion shall be that of the opinion most favorable to the accused, which is held within the majority group.

**Article 78 (Supplementary Judges)**

When the trial of a panel is expected to continue for a long time, one or more supplementary judges may attend the proceedings, and should one or more judge of a panel become unable to take part in the proceeding, 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 shall not exceed that of the judges of the panel.

**Chapter IV Assistance of Courts****Article 79 (Assistance of Courts)**

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

**Part VI Judicial Administration****Article 80 (Supervision of Judicial Administration)**

The power of supervision over judicial administration shall be exercised as follows:

- (i) The Supreme Court shall supervise its officials, lower courts and officials thereof.
- (ii) Each High Court shall supervise its officials, lower courts within the district over which it has jurisdiction and officials thereof.
- (iii) Each District Court shall supervise its officials and Summary Courts within the district over which it has jurisdiction, and officials thereof.
- (iv) Each Family Court shall supervise its officials.
- (v) Judges of the Summary Court prescribed in Article 37 shall supervise officials of Summary Courts other than judges of the said Summary Court.

**Article 81 (Relation between Power of Supervision and Power of Judicial Decision)**

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

**Article 82 (Complaint against Way of Dealing with Affairs)**

Complaints against way of disposing affairs of courts shall be dealt with by means of the power of supervision set forth in Article 80.

**Part VII Expense of Courts****Article 83 (Expense of Courts)**

- (1) Expenses of courts shall be independently appropriated in the national budget.
- (2) A reserve fund shall be provided among the expenses referred to in the preceding paragraph.

Supplementary Provisions (Excerpts)

- (1) This Act shall come into force as of the date of effectuation of the Constitution of Japan (effective as of May 3, 1952).
- (2) The Act of the Constitution of Courts, Regulations for the Effectuation of the Act of the Constitution of Courts, the Act of Disciplinary Action of Judges, and the Act of Administrative Court shall hereby be abrogated.
- (3) The Supreme Court may, for the time being, assign judges and public prosecutors as professors of the Legal Training and Research Institute and professors of the Training and Research Institute for Court Officials, and judges as research law clerks respectively, when there is special necessity.

Supplementary Provisions (Act No. 126, Oct. 29, 1947)

The present Act shall become effective as of the day of its promulgation.

Supplementary Provisions (Act No. 195, Dec. 17, 1947)

**Article 17**

The present Act shall become effective as of the day when sixty days have elapsed from the day of its promulgation.

**Article 18**

The tenure of office of Vice-Minister of Justice, judicial officials of the Ministry of Justice, and educational officials of the Ministry of Justice prior to enforcement of this Act shall, respectively, be regarded as the tenure of holding office as Chief in the Attorney-General's Office, officials of the Attorney General's Office, and educational officials of the Attorney General's Office, in 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.

Supplementary Provisions (Act No. 1, Jan. 1, 1948)

The present Act shall come into force as of the day of its promulgation.

Supplementary Provisions (Act No. 146, July 12, 1948) (Excerpts)

**Article 4**

The present Act shall come into force as of the day of its promulgation.

Supplementary Provisions (Act No. 260, Dec. 21, 1948)

**Article 10**

This Act shall become effective 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 the Exceptions to the Authority of Assistant Judges, etc., Article 6 of the Act concerning the Limit of Number of Court Officials, and the provisions amending Article 10 and Article 63, paragraph 1 and Article 4 of the Act concerning the Limit of Number of Court Officials shall become effective as of the day of promulgation of this Act.

**Article 11**

The provisions amending Articles 16, 24, and 33 of the Court Act referred to in Article 1 shall not apply to cases wherein prosecution was instituted before effectuation of this Act.

(2) With respect to the cases referred to in the preceding paragraph, the provisions before amendments shall remain in effect after effectuation of this Act.

**Article 12**

The tenure of the office of Juvenile Court judge before effectuation of this Act shall be deemed to be the tenure of research law clerks of the court for the purpose of the application of the provisions of Articles 41, 42, and 44 of the Court Act amended by this Act.

**Article 13**

The Family Court referred to in Article 63, paragraph 2 of the Juvenile Act (Act No. 168, 1948) shall be the Family Court, having jurisdiction over the district within which the Juvenile Protection Office in which the case is pending at the time of enforcement of the said Act, is located.

**Article 14**

The cases that are pending in the Court of Domestic Relations and cases that are pending in the District Court in accordance with the provisions of Article 4 of the Act for Domestic Relations Trial Act before amended by this Act (hereinafter referred to as the "old Domestic Relations Trial Act"), at the time of effectuation of this Act shall be deemed to have been pending in the Family Court having jurisdiction over the district within which the said Court of Domestic Relations or District Court is located, as of the day of the effectuation of this Act.

(2) Cases of appeal from decisions of the Court of Domestic Relations and cases of appeal made in accordance with the provisions of Article 4 of the old of Domestic



Relations Trial Act that are pending in the court of the appeal at the time of effectuation of this Act shall be deemed to be appeal cases against decisions of the Family Court.

- (3) Except as otherwise provided for, acts done before effectuation of this Act by the Court of Domestic Relations or other persons in accordance with the provisions of the old Domestic Relations Trial Act, in cases referred to in the preceding two paragraphs, shall be deemed to have been done in accordance with the provisions of the said Act, in the application of the amended Domestic Relations Trial Act (hereinafter referred to as the “new Domestic Relations Trial Act”).

#### **Article 15**

A decision rendered by the Court of Domestic Relations that has become final and binding before effectuation of this Act, or an agreement reached in conciliation conducted by the said Court before the said effectuation date shall be deemed to be a decision given by the Family Court having jurisdiction over the district within which the said Court of Domestic Relations is located or an agreement reached in conciliation conducted by said Family Court.

#### **Article 16**

The old Domestic Relations Trial Act shall remain in effect even after effectuation of this Act for the purpose of the application of provisions concerning non-penal fine against acts done before effectuation of this Act. In this case, decision of a non-penal fine shall be rendered by the Family Court having jurisdiction over the district where the Court of Domestic Relations which should have jurisdiction under the old Domestic Relations Trial Act is located.

- (2) For the purpose of the application of the penal provisions against acts done by any person who has been counselor or conciliator before enforcement of this Act, the old Domestic Relations Trial Act shall remain in effect even after effectuation of this Act.

#### **Article 17**

Judicial decisions that are deemed to be decisions rendered by the Court of Domestic Relations in accordance with the provisions of the Act for Enforcement of the Domestic Relations Trial Act (Act No. 153, 1947) shall be deemed to be the decisions rendered by the Family Court after effectuation of this Act.

#### **Article 18**

A matter that shall be remanded to the Court of Domestic Relations having jurisdiction, in accordance with the provisions of Article 24, paragraph 2 of the Act for Enforcement of the Domestic Relations Trial Act, shall be remanded to the

Family Court with jurisdiction thereon, after effectuation of the present Act.

- (2) In cases where a case has been remanded in accordance with the provisions of the preceding paragraph, acts done by the Court or other persons in said case in accordance with the provisions of the Act of Procedures for Non-contentious Matters prior to the amendment by the Act for Enforcement of the Domestic Relations Trial Act shall be deemed to be acts done in accordance with the provisions of the new Domestic Relations Trial Act the said Act, for the purpose of the application of said new Act.

## **Article 19**

Decisions which shall be rendered by the Court of Domestic Relations in accordance with the provisions of Article 14, paragraph 2 or Article 27, paragraph 3 of the Supplementary Provisions of the Act for Partial Amendments to the Civil Code (Act No. 222, 1947) (including cases wherein the provisions of Article 27, paragraph 3 are applicable mutatis mutandis under the proviso to Article 25, paragraph 2, and Article 26, paragraph 2 and Article 28 of the Supplementary Provisions of the said Act), shall be rendered by the Family Court after effectuation of the present Act.

### **Supplementary Provisions (Act No. 136, May 31, 1949) (Excerpts)**

- (1) The provisions of Article 13-7 of the Act establishing the Attorney-General's Office shall come into force as of the day of enforcement of the Act for Prevention and Re-generation of Criminals, and other provisions within this Act shall come into force as of June 1, 1949.
- (4) Tenure of office of each of Chiefs of the Attorney-General's Bureau, officials of the Attorney-General's Bureau and educational officials of the Attorney-General's Bureau before effectuation of this Act shall respectively be regarded as the tenure of office of each of Chiefs of the Attorney-General of the Attorney-General's Office, officials of the Attorney-General's Office, and educational officials of the Attorney-General's Office for the purpose of the application of the provisions of Article 41, Article 42 (including the case where the same Article applies mutatis mutandis under Article 1, paragraph 2 of the Act concerning the Exceptions to the Authority of Assistant Judges, etc.) and Article 44 of the Court Act.

### **Supplementary Provisions (Act No. 177, June 1, 1949)**

- (1) This Act shall come into force as of the day of its promulgation; provided, however, that the provisions amending Articles 60, 60-2, and 65 of the Court Act shall become effective after the elapse of thirty (30) days starting from the day of promulgation of this Act.
- (2) A court official who is performing duty as court clerk but not appointed as a court clerk at the time the period of thirty (30) days has elapsed counting from the day

of promulgation of this Act shall be deemed to have been concurrently appointed as an assistant court clerk, and to have been ordered to serve the court in which he holds an office on the effective date of this Act, unless otherwise a writ of appointment is issued.

- (3) The word "court clerical" in any other laws and regulations, shall read "court clerk."

Supplementary Provisions (Act No. 96, April 14, 1950)

- (1) The amended provisions of Articles 61-2, 61-3, and 65 of the Court Act, the amended provisions concerning juvenile investigators and assistant juvenile investigators of Article 6, item (6) of the Act on the Committee for Inquest of Prosecution and the amended provisions of the Juvenile Act shall come into force after thirty (30) days have elapsed computing from the day of the promulgation, and the other provisions shall come into force as of the day of the promulgation.
- (2) An official of Court who is performing duty as the juvenile investigator at the time the period of thirty (30) days has elapsed computing from the day of promulgation of this Act, but has not yet been appointed to the juvenile investigator shall, if a writ of appointment is not specifically issued, be deemed to have been appointed to the assistant juvenile investigator concurrently with the court official, and be deemed to have been ordered to be in the service of the court where the person is now in service.

Supplementary Provisions (Act No. 287, Dec. 20, 1950)

- (1) The amended provisions of Article 33 of this Act shall come into force as of the day when the period of thirty (30) days has elapsed computing from the day of promulgation of this Act, and other provisions of this Act shall become effective as of the day of its promulgation.
- (2) In cases where prosecution has been instituted with a District Court before enforcement of the amended provisions of Article 33, the provisions then in force shall remain applicable notwithstanding the amended provisions of the same Article.

Supplementary Provisions (Act No. 59, Mar. 30, 1951)

- (1) The amending provisions within this Act of Article 65-2 of the Court Act and of Article 2 of the National Public Officer Act shall come into force as of January 1, 1952, and other provisions within this Act, as of April 1, 1951.
- (2) With respect to the cases in which prosecution has been instituted in Family Courts before effectuation of the provisions amending Article 31-3, paragraph 2 of the Court Act, the provisions then in force shall remain applicable notwithstanding the amended provisions of the same paragraph.

Supplementary Provisions (Act No. 298, Dec. 6, 1951) (Excerpts)

- (1) This Act shall come into force as from January 1, 1952.

Supplementary Provisions (Act No. 268, July 31, 1952) (Excerpts)

- (1) This Act shall come into force as from August 1, 1952.
- (3) Former organs and personnel shall become organs and personnel corresponding to the one prescribed by this Act and shall continue with the same identification.
- (4) Tenure of office as each Chief in the Attorney-General' s Office, Secretary General of the Attorney-General' s Office, officials of the Attorney-General' s Office, and educational officials of the Attorney-General' s Office before effectuation of this Act shall respectively be regarded as the tenure of office as Vice-Minister of the Ministry of Justice, officials of the Ministry of Justice, and education officials of the Ministry of Justice for the purpose of the application of the provisions of Article 41, Article 42 (including the case where the same Article is applied mutatis mutandis under Article 1, paragraph 2 of the Act concerning the Exceptions to the Authority of Assistant Judges, etc.) 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, May 27, 1954) (Excerpts)

- (1) This Act shall come into force as from June 1, 1954.
- (2) As regards cases for which lawsuit had been filed in a District Court before effectuation of this Act, the provisions then in force shall remain applicable notwithstanding the amended provisions of Article 33.
- (3) The affairs concerning civil cases of the Summary Court designated by the Rules of the Supreme Court shall, for the time being, be conducted by the District Court having jurisdiction over the territory of the location of the Summary Court, or by a Summary Court established in the territory of branch of District Court and designated by the Rules of the Supreme Court.
- (4) When a Summary Court is designated in accordance with the provisions of the preceding paragraph, the cases received by the competent Summary Court before the designation shall, notwithstanding the provisions of the same paragraph, be completed by the same Summary Court. The same shall apply mutatis mutandis when the designation under the provisions of the preceding paragraph is revoked.
- (5) Each Family Court may, for the time being, have assistant family court research law clerks perform the duties of family court research law clerks, as prescribed by the Supreme Court.
- (6) A domestic matter examiners, an assistant domestic matter examiner, a juvenile examiner, or an assistant juvenile examiner who has actually been assigned as

such at the time of effectuation of this Act shall, if a writ of appointment is not specifically issued, be deemed to have been appointed as a family court research law clerk in case of a domestic matter examiner or a juvenile examiner appointed, and as an assistant family court research law clerk in case of an assistant domestic matter examiner and assistant juvenile examiner, and be deemed to have been ordered to be in the service of the court where the examiner is now in service.

Supplementary Provisions (Act No. 163, June 8, 1954) (Excerpts)  
(Effectuation Date)

- (1) The provisions of Article 53 of this Act shall come into force as of the effectuation date of the Act pertaining to Procedure for Summary Trial of Traffic Violations, and the other part of this Act shall come into force as of the effectuation date of the Police Act (Act No. 162, 1954; except for the part of the proviso to paragraph 1 of the Supplementary Provisions).

Supplementary Provisions (Act No. 91, May 1, 1957)  
This Act shall come into force as from the day of its promulgation.

Supplementary Provisions (Act No. 104, June 25, 1960)  
This Act shall come into force as from the day of its promulgation.

Supplementary Provisions (Act No. 140, May 16, 1962) (Excerpts)  
(1) This Act shall come into force as from October 1, 1962.

Supplementary Provisions (Act No. 114, June 24, 1964) (Excerpts)  
(Enforcement Date)  
(1) This Act shall come into force as from the day on which twenty days have elapsed from the day of its promulgation.

Supplementary Provisions (Act No. 27, Mar. 31, 1965) (Excerpts)  
(Enforcement Date)  
(1) This Act shall come into force as from April 1, 1965; provided, however, that the amending provisions to the Supplementary Provisions of the Court Act shall come into force as of September 1, 1965.

Supplementary Provisions (Act No. 23, Mar. 31, 1966)  
This Act shall come into force as from April 1, 1966.

Supplementary Provisions (Act No. 111, Jul. 1, 1966) (Excerpts)  
**Article 1** (Enforcement Date)

This Act shall come into force as from the day prescribed by the Cabinet Order within the period not exceeding six (6) months counting from the day of its promulgation (enforced as of December 31, 1966 by Cabinet Order No. 380 of 1966).

**Article 6** (Transitional Measures for the Status of Bailiff)

A person, who has been appointed as an execution officer at the time of enforcement of this Act and if a writ of appointment is not specifically issued, shall be deemed to have been appointed as court enforcement officer and to have been ordered to serve the court to which the person is currently assigned.

Supplementary Provisions (Act No. 67, May 18, 1970) (Excerpts)  
(Enforcement Date)

(1) This Act shall come into force as from July 1, 1970.

(Transitional Measures)

(2) To cases brought before a District Court before enforcement of this Act, notwithstanding the provisions of Article 33, paragraph 1, item 1 of the Court Act amended by this Act, the provisions then in force shall remain applicable.

Supplementary Provisions (Act No. 82, Aug. 24, 1982) (Excerpts)  
(Enforcement Date)

(1) This Act shall come into force as from September 1, 1982.

(Transitional Measures)

(2) To cases brought before a District Court before effectuation of this Act, the former provisions shall apply as heretofore.

Supplementary Provisions (Act No. 66, Apr. 19, 1995) (Excerpts)  
Article 1 (Enforcement Date)

This Act shall come into force as from the day prescribed by the Cabinet Order within the period not exceeding six (6) months counting from the day of its promulgation (enforced as of Oct. 18, 1995 by the Cabinet Order No. 286 of 1995).

Supplementary Provisions (Act No. 50, May 6, 1998)  
(Enforcement Date)

(1) This Act shall come into force as from April 1, 1999.

(Transitional Measures)

(2) Regarding the term of apprenticeship and period for receiving salaries from the national treasury of legal apprentices, who were appointed before enforcement of this act and continue their apprenticeship, the provisions then in force shall remain applicable.

Supplementary Provisions (Act No. 142, Dec. 6, 2000) (Excerpts)

**Article 1** (Enforcement Date)

This Act shall come into force as from April 1, 2001.

**Article 3** (Review, etc.)

The government shall report to the Diet on the status of application after amendment by this Act when five (5) years have elapsed from enforcement of this Act as well as the result of the review of the status, and if it finds necessary, it shall take necessary measures including improvements of a legal system based on the results of the review.

Supplementary Provisions (Act No. 138, Dec. 6, 2002) (Excerpts)

**Article 1** (Effectuation Date)

This Act shall come into force as from January 1, 2004; provided, however, that the provisions set forth in each item below shall become effective as of the date prescribed in each item.

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

**Article 11** (Transitional Measures for Period of Apprenticeship of Legal apprentices, etc.)

Regarding the period of training of legal apprentices, who were appointed before effectuation of Article 3 and are continuing apprenticeship, the provisions then in force shall remain applicable.

(2) Regarding legal apprentices who are regarded as having passed the new bar examination under paragraph 2 of Supplementary Provisions of New Act or the provisions of the preceding Article and appointed after 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 apprentices obtain sufficient abilities to practice as judge, prosecutor, or attorney in the apprenticeship set forth in the Court Act, Article 67, paragraph 1 after amendment by the same Article.

Supplementary Provisions (Act No. 109, Jul. 16, 2003) (Excerpts)

**Article 1** (Effectuation Date)

This Act shall come into force as from the date prescribed by the Cabinet Order within the period not exceeding one 1 year counting from the date of its promulgation (enforce by the Cabinet Order No. 512 of 2003 as of April 1, 2004).

**Article 15** (Transitional Measures for Affairs of Family Court Research Law Clerks, etc. in connection with Partial Amendment of the Court Act)

Regarding litigation for rescission of marriage and for divorce pending at the time of effectuation of the provisions of the preceding Article, notwithstanding the

provisions of Article 61-2, paragraphs 1 and 2 of the Court Act after amendment by the same Article, the former provisions shall still apply.

Supplementary Provisions (Act No. 128, Jul. 25, 2003) (Excerpts)

**Article 1** (Enforcement Date)

This Act shall come into force as from April 1, 2004.

**Article 2** (Transitional Measures for Expansion of Jurisdiction of Summary Court)

To cases brought before a District Court before the effectuation date of this Act (hereinafter referred to as "Effectuation Date"), notwithstanding the provisions of Article 33, paragraph 1, item 1 of the Court Act after amendment by the provisions of Article 1, the provisions then in force shall remain applicable.

(2) Regarding application of penal provision for acts done before Effectuation Date by a judicial scrivener or a judicial scrivener judicial person exceeding the scope of the Summary Court legal representation business provided for in Article 3, paragraph 2 of the Judicial Scrivener Act (Act No. 197, 1950), the provisions then in force shall remain applicable.

Supplementary Provisions (Act No. 8, Mar. 31, 2004) (Excerpts)

**Article 1** (Effectuation Date)

This Act shall come into force as from April 1, 2004.

**Article 2** (Transitional Measures for Qualifications pertaining to the Court Act, etc.)

Tenure of offices as Professors of the Court Clerk Research and Training Institute shall be deemed as the tenure of office as professors of the Training and Research Institute for Court Officials with respect to the application of the provisions of Articles 41, 42 of the Court Act (including application mutatis mutandis under Article 1, paragraph 2 of the Act concerning the Exceptions to the Authority of Assistant Judge (Act No. 146, 1948)) and Article 44 of the same, Article 19 of the Public Prosecutor's Act (Act No. 61, 1947) and Article 5 of the Attorneys Act (Act No. 205, 1949).

Supplementary Provisions (Act No. 120, June 18, 2004) (Excerpts)

**Article 1** (Effectuation Date)

This Act shall come into force as from April 1, 2005.

**Article 2** (Principles of Transitional Measures)

The provisions of the Court Act, Code of Civil Procedure, Act concerning Expenses for Civil Procedure, the Patent Act, the New Utility Model Act, the Design Act, the Trademark Act, and the Act for Prevention of Unfair Competition and the Copyright



Act (except for the penal provision) after amendment by this Act shall, unless specially provided for in these Supplementary Provisions, apply to the matters arising before effectuation of this Act; provided, however, that effects created by these acts before amendment by this Act shall not be prevented.

Supplementary Provisions (Act No. 83, Jul. 15, 2005) (Excerpts)

**Article 1** (Enforcement Date)

This Act shall come into force as from April 1, 2007.

Supplementary Provisions (Act No. 36, May 8, 2006) (Excerpts)

**Article 1** (Enforcement Date)

This Act shall come into force as from twenty days having elapsed counting from the date of promulgation.