

Fields of Dreams for Justice:  
The Ongoing (R)evolution of Information  
Technology and Judicial Reform  
in Japan

26<sup>th</sup> November, 2003 @ UNSW

Makoto Ibusuki

Ritsumeikan University, Kyoto

- Judicial Reform Movement:
  - Public and Private Actors
- Concept of “Ubiquitous Access to Justice”
- Judicial System and IT
- Possibilities for the Future

# Public Actors in Current Judicial Reforms in Japan

- Judicial Reform Council (1999-2001) : 司法制度改革審議会
- Task Force Center for Judicial Reform (2001-on going): 司法制度改革推進本部
- Committees for Recommendations for Judicial Reform: 検討会 (ADR, Criminal Procedure, Law School, Internationalization...: *not* IT)
- Special Advisory Board: 顧問会議

# Ubiquitous Access to Justice

- Study Group for Technology and Judicial Reform (Private, Launched March 2003, about 30 members):  
<http://www.legaltech.jp/>
- Promoting IT for:
  - 1) Management of proceedings
  - 2) Communication
  - 3) Justice and Care/Dignity for users

# Judicial System and IT

- Technology for “Access to the Law”
- Technology for “Forum of the Law”
- “Lawyer-ing” Technology
- Technology for “Legal Education”
  - See diagramme overleaf

Scene

個別紛争解決

「法へのアクセス」テクノロジー

「法のフォーラム」  
テクノロジー

「法曹」  
テクノロジー

Players

一般国民

専門家

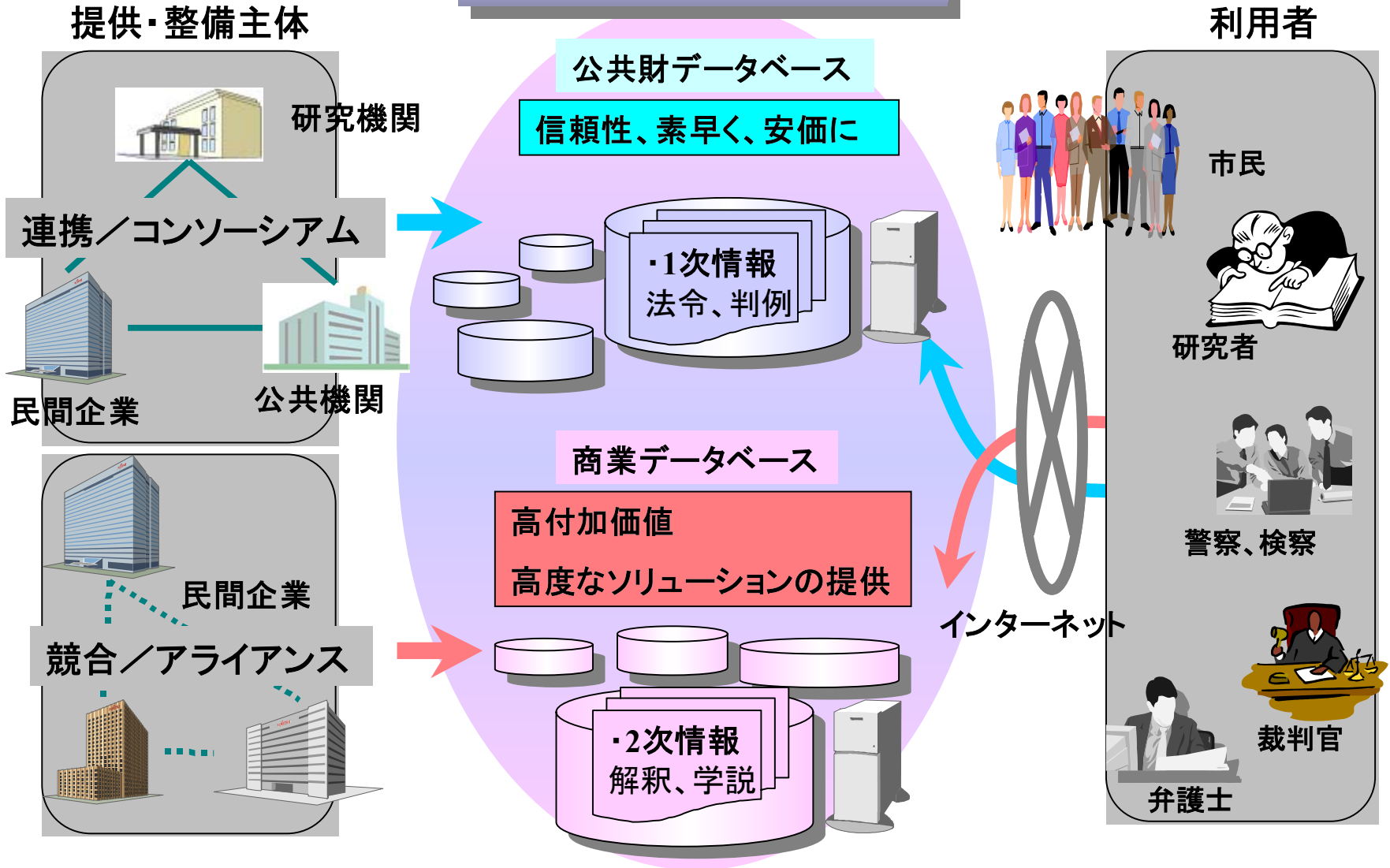
「法の教育」テクノロジー

司法の理解

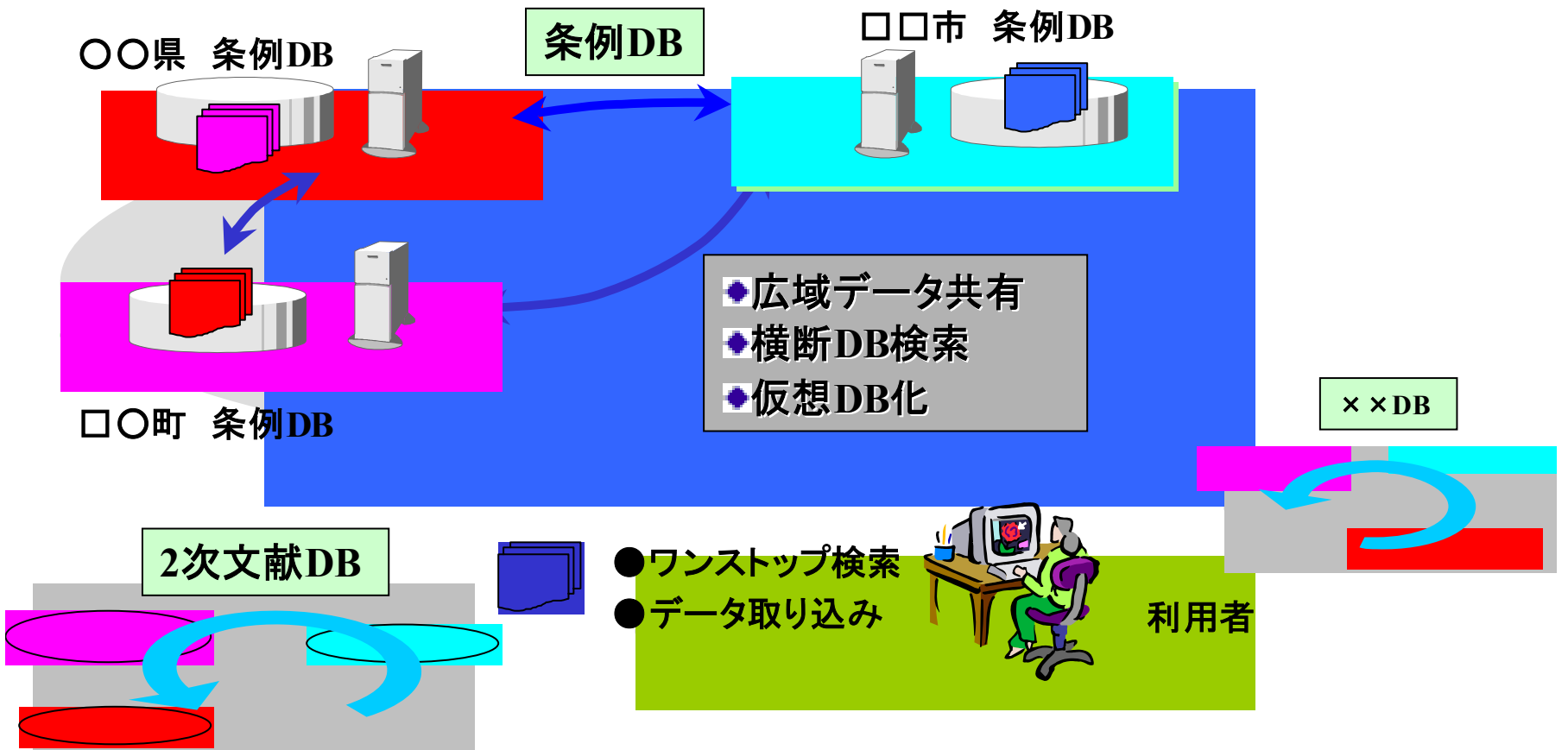
# Access to the Law

- Accessibility = Paths to Legal Information (legislation, judgments, and other info)
- Quality = Provision of authorized and consolidated legislation
- Usability = Free and understandable
- Uniformity = Grid technology
- Standardization = Legal XML (time specific search)

# 総合リーガルデータベース



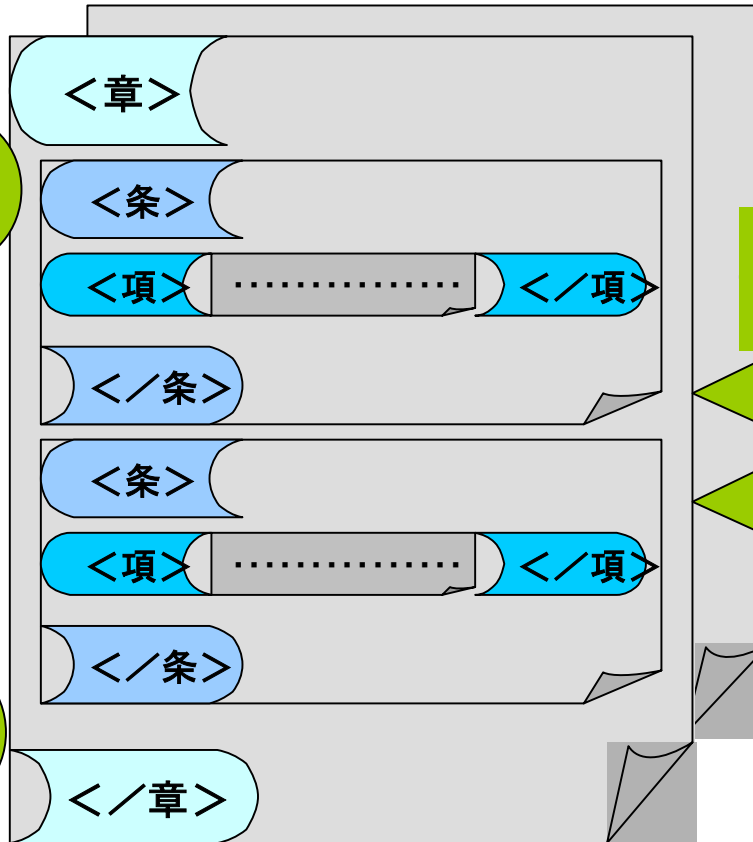
◆分散する法情報DBを、あたかも統合された1つのデータベースとして利用



## 改正情報のスムーズな更新と検索

利用者A

例：XML形式の法令



法令管理者

利用者のニーズに応じた検索と表示が可能。

- ・平成〇〇年時点の××法が知りたい。
- ・〇〇法の第N条M項の改正経緯が知りたい。

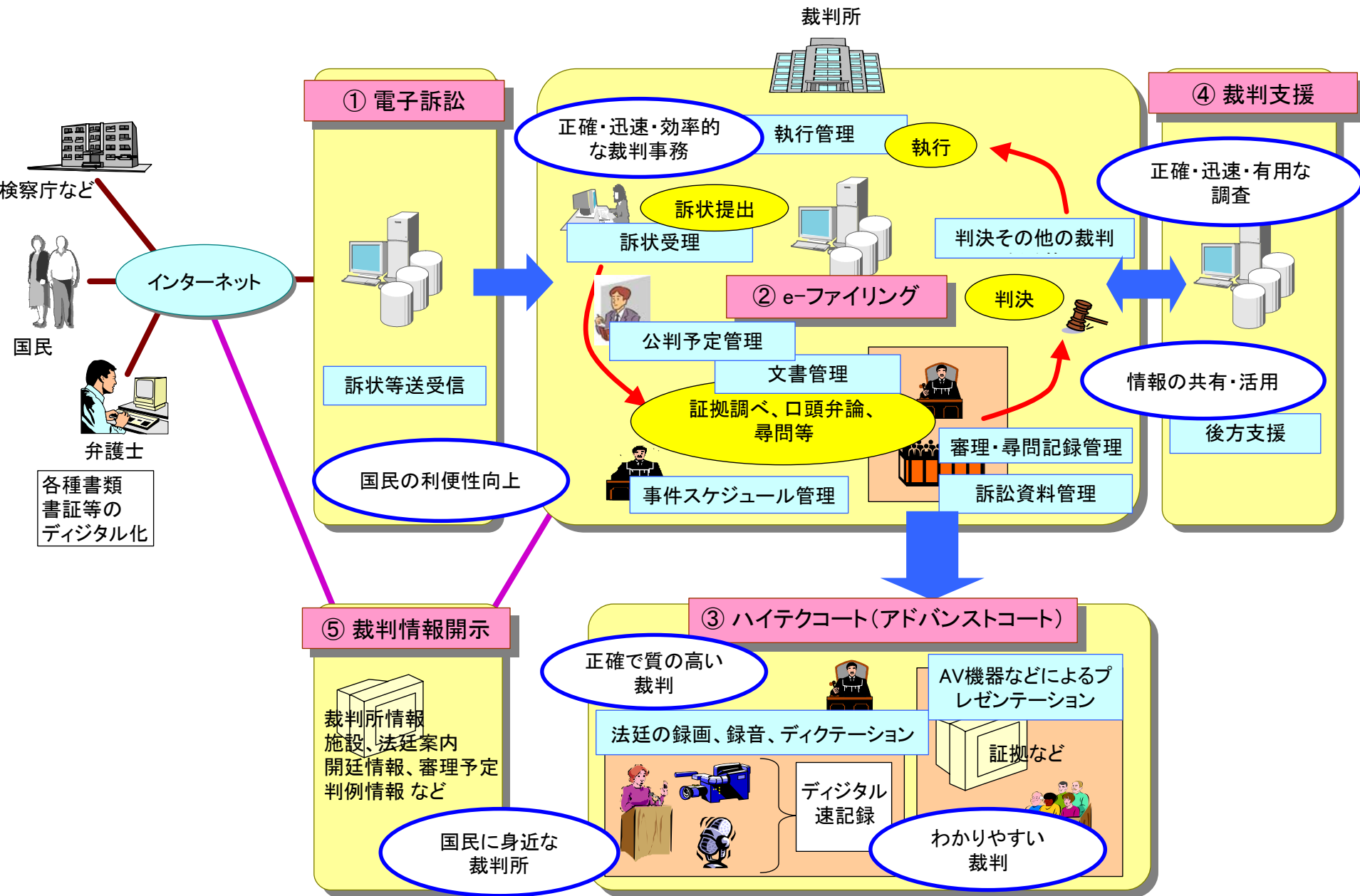
個々の変更情報をその変更が生じた時に追加・更新。

- ・法令の改正
- ・法案の修正

利用者B

# Forum of the Law

- Fastest and highest quality of justice
- “e-Judiciary” project
- e-Court and e-ADR
- Electronic Filing in the courts
- Other E-Filing
- Cyber-Court (High-tech Court)



# Lawyering

- Legal Materials and Legal Research
- Office Management
- Court Practice
- Communications with Client
- Bar and Law Offices
- Prosecutors' Offices

# Legal Education

- New Features: Japanese Lay Judge System and New “Law School”
- Law Education from Primary Schools
- E-Learning for nominated lay judges
- Support for Law School Education
- Training for Law Librarians

# ◆バーチャルとリアルを融合した教育環境の構築

講義・予習・復習  
プロセスの一体化

図書館



自宅



復習

e-education環境

- 自習支援ツール
- 電子会議室・掲示板
- e-learning
- 法令、判例情報

予習

講義

自宅



# Possibilities

- So many “Fields of Dreams” for IT, but
- Rare opportunity for Japan, as entire judicial system being reformed