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New Year's Address

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A new year has begun.

I offer my deepest condolences to those who lost their lives by the Noto Peninsula Earthquake that occurred on January 1, 2024, and extend my sincere sympathy to all those affected by the disaster.

The courts were able to play their roles last year thanks to individual court officials nationwide fulfilling their respective duties, and I would like to extend my heartfelt appreciation and respect to them.

With regard to the digitalization of judicial proceedings, which is currently one of the most important issues for the Japanese judiciary, new legislation on the proceedings of civil cases and domestic relations cases has been developed, and new legislation on the proceedings of criminal cases is under discussion. In the field of civil cases, we have engaged in continuous discussions and accumulated practices in order to enhance and strengthen the function of the courts to resolve disputes by rationalizing and streamlining judicial proceedings on the occasion of digitalization. Court business in domestic relations cases after digitalization of their proceedings has also started to be reviewed from the same perspective.

Rationalizing and streamlining judicial proceedings may reduce the total workload of handling cases assigned to individual court officials, including judges, and can secure time for them to deal with complex and difficult cases and enable court officials, who directly or indirectly support the management of judicial proceedings, to balance work and life, and to find time within their working hours, rather than at night or on holidays to improve their skills and insight, in the situation where their living environment and awareness are changing. It is important to realize a virtuous cycle wherein the improvement of skills and insight of court officials will further lead to enhance and strengthen the function of the courts to resolve disputes. As the function of the courts to resolve disputes is performed by all categories of court officials, court business of judges as well as that of other court officials should be rationalized and streamlined. At each court, work of court clerks after digitalization is under discussion, and efforts to clarify the operational flow in digitalized proceedings and to identify the roles that court clerks should play in such flow. Including these initiatives, it is necessary to continue discussions and to improve practices, so that these kinds of efforts by each job category of court officials are to be organized, and the expertise of each job category of court officials is to be utilized efficiently to achieve proper and prompt court proceedings.

As facts and parties of cases are diverse, it would be better to have as many options for managing cases to rationalize and streamline court business as possible. It is advisable for judges to actively try various methods and share the results with other judges, rather than being bound by conventional methods or excessively eager to strive for perfection. Meanwhile, not a few judges and other

court officials who are in charge of various types of cases might have less experienced or have time constraints for various reasons. If these court officials have difficulty in handling cases in charge, this is not because they make insufficient efforts, but their methods of handling cases and organizational support provided for them may not fit their actual situation. Unless the courts, as organizations, allow their court officials to carry out their assigned duties properly and promptly without excessive efforts, it would be difficult for the courts to stably play their role in resolving disputes. In order for the courts to be such organizations, there should be a mechanism whereby court officials can frankly share their actual problems and their opinions are reflected in the discussions in a constructive manner.

Furthermore, judicial administration must be carried out properly and uniformly by persons with authority and responsibility based on laws, regulations and other norms, so that it can be rationalized and streamlined. Therefore, administrative directives which are issued by the Supreme Court and their interpretations must be finalized through the organizational decision-making process as clear and sufficient regulations, and be referenced on an ongoing basis.

On the other hand, “*succession of knowledge*” is also important, which is to share basic information of court business and know-how based on experiences with less experienced judges and other court officials for their support. Some initiatives have been launched nationwide, which include discussions, sometimes online, to improve management of civil litigation and to collect and trials to share among judges knowledge about basic ways to manage different types of domestic relations cases. The Legal Training and Research Institute also carries out some

initiatives, such as providing a list of basic books and articles on different types of cases on its portal site and improving training programs with realistic and practical contents for less experienced judges in particular types of cases. I would like to enhance and improve such nationwide initiatives according to the needs of judges and other court officials.

As for the issue of inappropriate disposal of case records that could serve as historical sources, the Rules on Special Preservation of Case Records have been enacted recently, reflecting the result of the investigation report. A third party committee will be set up and a new system will be put into operation, at the end of this month. We must strive to operate the system properly, while keeping firmly in mind that records of historical cases are common assets of all citizens.

To conclude my new year's address, I hope that this year will be a fruitful year for you all and expect that steady progress will be made in discussing and conducting practices to reform court business.