

最高裁判所

The Supreme Court of Japan

司法研修所

The Legal Training and
Research Institute of Japan

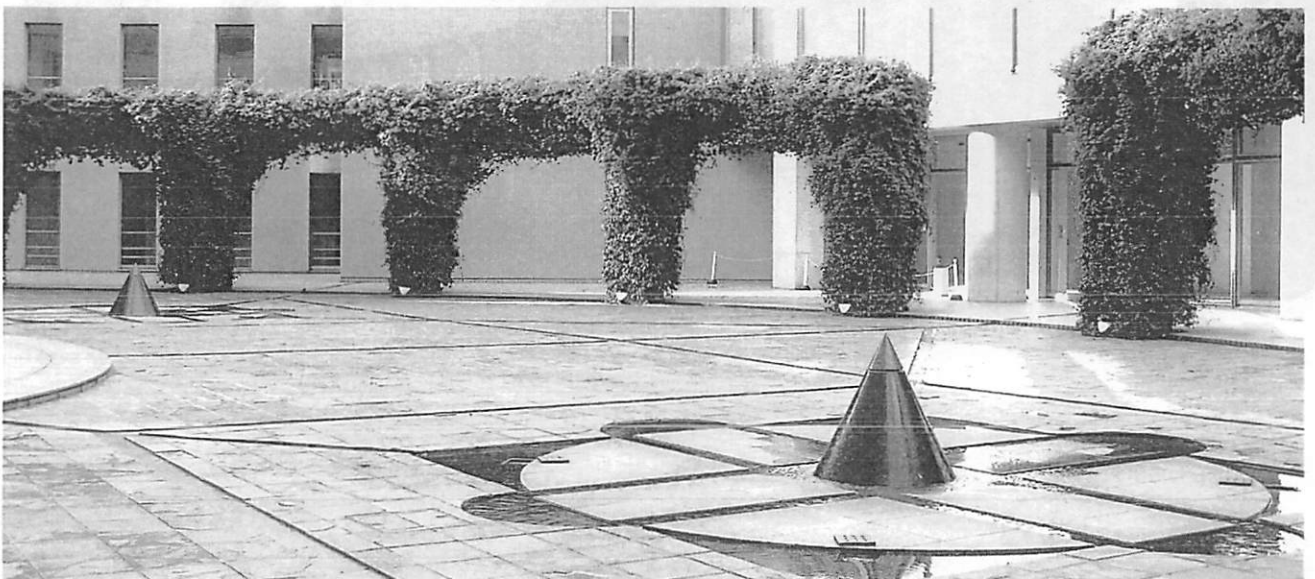




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司法研修所は、昭和22年5月、裁判所法(昭和22年法律第59号)14条に基づいて最高裁判所に設置された研修機関です。司法研修所は、裁判官の研修及び司法修習生の修習(司法修習)をつかさどっています。

裁判官の研修の機能を「第一部」と呼んでいます。司法権(憲法76条)の担い手として、憲法、法律と良心に従って裁判を行う裁判官には、裁判実務に関する知識、能力や幅広い教養、深い洞察力を身に付けることが求められます。裁判官は、日々の職務の中でこれらを身に付けるべく自己研さんに努めますが、司法研修所では、このような裁判官の自己研さんを支えるための様々な研究、研修を実施しています。

また、司法修習の機能を「第二部」と呼んでいます。我が国では、法曹となるには、原則として、司法試験に合格した後、司法修習生として採用され(裁判所法66条1項)、司法修習を終えること(同法67条1項)が必要です。司法研修所は、この司法修習の実施、運営に当たっており、法曹養成のための重要な国家機関となっています。

司法研修所には、司法研修所長が置かれ、その指揮の下、司法研修所教官によってこれらの研修、司法修習が運営されています。

The Legal Training and Research Institute was established in May 1947 under the provision of Article 14 of the Court Act (Act No. 59 of 1947) as a training facility affiliated to the Supreme Court of Japan. The institute is in charge of the research and the training of judges, and the judicial training of legal apprentices.

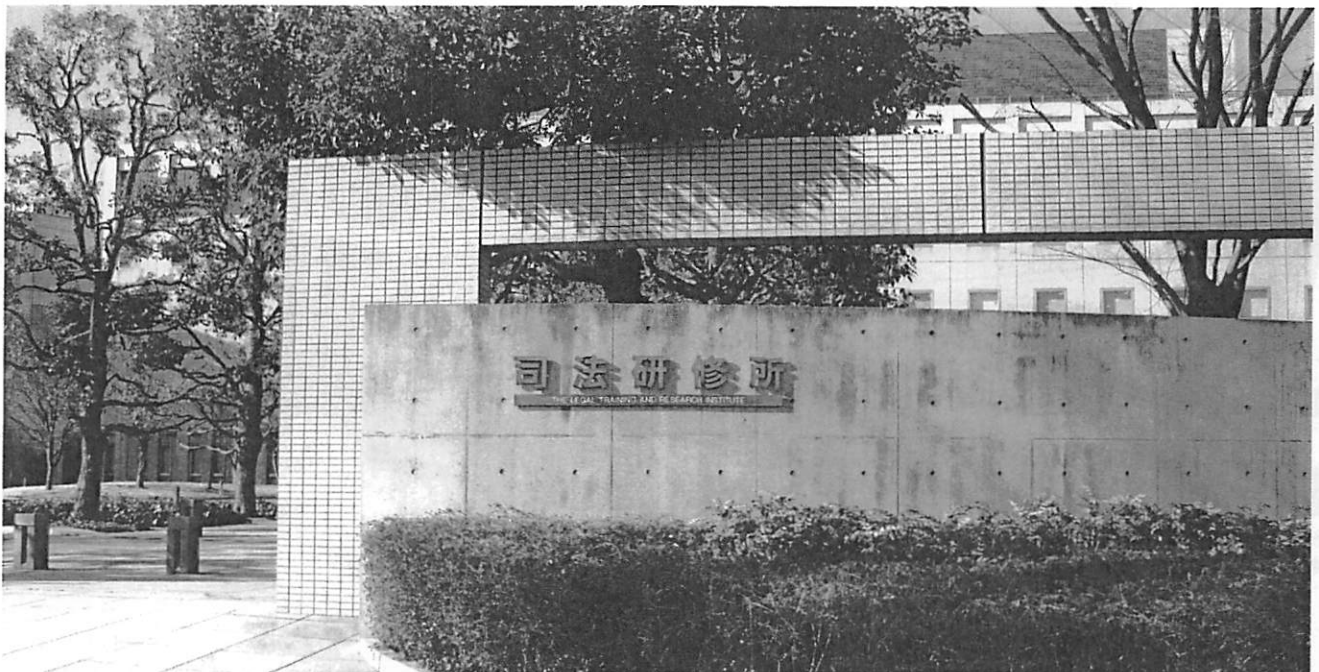
The section in charge of the research and training of judges is referred to as "First Division".

Judges pursue judicial work abiding by the constitution, laws and their own conscience, as bearers of judicial power (Article 76 of the Constitution), and thus they are required to have not only the expertise and ability relating to judicial practice but also a well-rounded education and profound insight. In order to support these judges in cultivating themselves and acquiring these accomplishments while engaging in their daily duties, First Division implements various research and training programs.

The section in charge of the training of legal apprentices is referred to as "Second Division".

In Japan, those who wish to enter the legal profession must, in principle, first pass the National Bar Examination, then be appointed as legal apprentices (Article 66(1) of the Court Act), and finally complete the requisite judicial training courses (Article 67(1) of said Act). Second Division takes charge of implementing and managing such training of legal apprentices as an essential national agency responsible for nurturing persons entering the legal profession.

The professors of the institute carry out such research and training activities under the control of the President.



本館等の正門●Front Gate of Main Building etc.

昭和14年7月 司法省に「司法研究所」を設置^(注)

(注)「司法研究所」は、司法官(判事及び検事)の研究並びに司法官試補の修習をつかさどる施設であったが、第二次世界大戦中、事実上その機能を停止していた。戦後の一時期、司法省に「司法研究所」に代わる施設として「司法研修所」が設置されていた。

昭和22年5月 最高裁判所の研修機関として司法研修所を設置

昭和23年6月 東京都千代田区紀尾井町に移転

昭和46年4月 東京都文京区湯島に移転

平成6年4月 埼玉県和光市に移転

平成25年8月 裁判官の研修部門が埼玉県和光市の司法研修所別館に移転

July 1939: The "Legal Research Institute" was established in the Ministry of Justice (Shihosho)*

*(note): The "Legal Research Institute" served as a facility in charge of directing research conducted by *magistratures* (judges and public prosecutors) as well as the training of audiences of *magistrature*, but its activities were in effect suspended during the Second World War. After the end of the war, the "Legal Research and Training Institute" temporarily existed in the Ministry of Justice (Shihosho), replacing the "Legal Research Institute".

May 1947: The Legal Training and Research Institute was established as a training facility affiliated to the Supreme Court of Japan

June 1948: Moved to Kioi-cho, Chiyoda-ku, Tokyo

April 1971: Moved to Yushima, Bunkyo-ku, Tokyo

April 1994: Moved to Wako City, Saitama

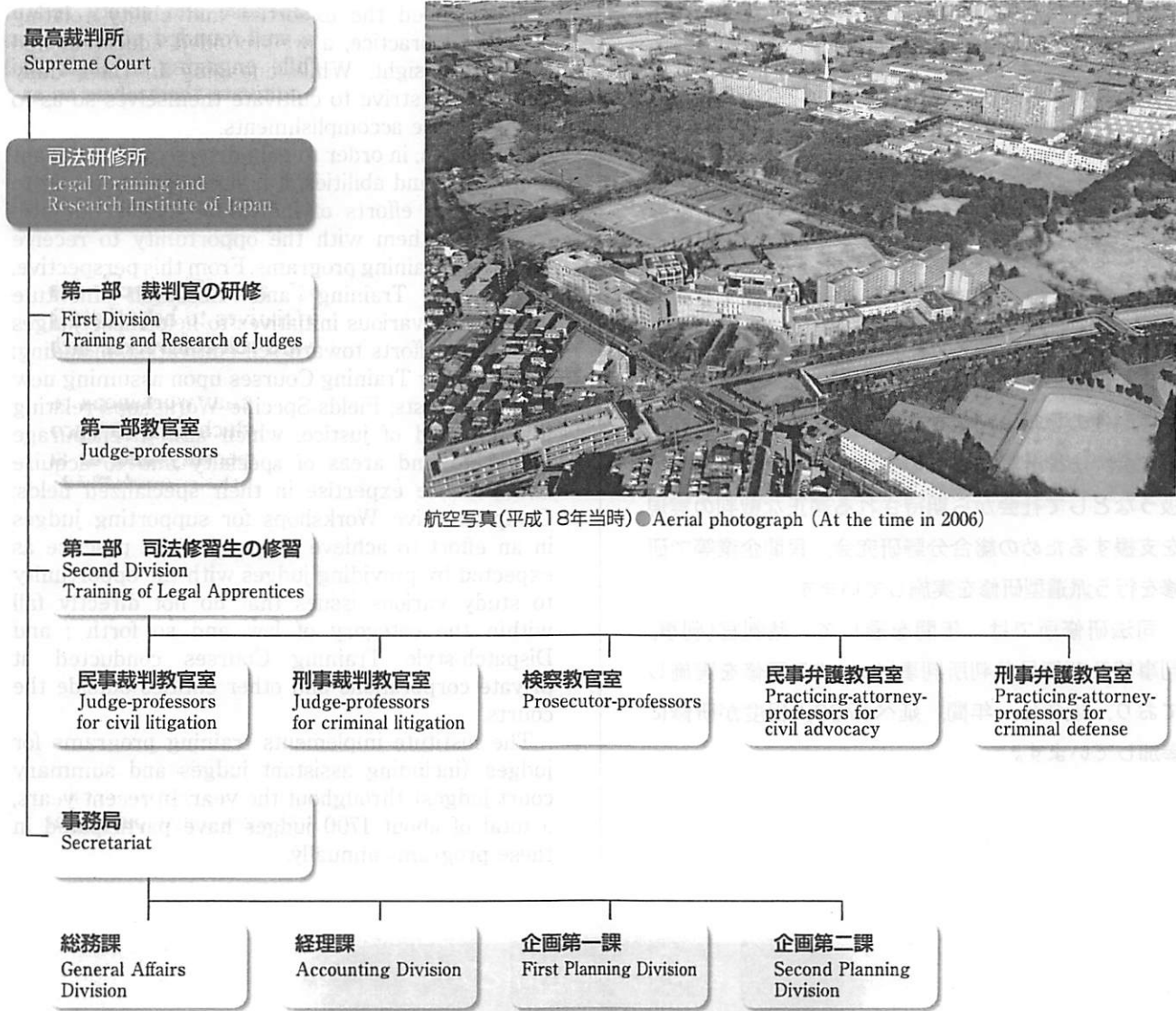
August 2013: The section in charge of training and research of judges was moved to the annex of The Legal Training and Research Institute located in Wako City, Saitama



紀尾井町庁舎・昭和23年～46年
●Kioi-cho Building (1948 to 1971)



湯島庁舎・昭和46年～平成6年
●Yushima Building (1971 to 1994)



航空写真(平成18年当時) ● Aerial photograph (At the time in 2006)



別館 ● The annex of the Legal Training and Research Institute of Japan

裁判官には、裁判実務に関する知識、能力や幅広い教養、深い洞察力等が必要です。裁判官は、これらの修得のために、日々、職務を行いながら自己研さんに努めています。

しかし、裁判官が多様で豊かな知識、能力等を修得するためには、個々の裁判官の努力にゆだねるだけではなく、組織的な研修の機会を設けることも必要です。このような見地から、司法研修所では、裁判官の自己研さんを支援するために、新たな職務やポストに就いた際の職務導入研修、得意分野の形成や専門性の獲得・深化を支援するための裁判分野別研究会、法律分野そのものではない幅広いテーマを扱うなどして社会から期待される適正な裁判の実現を支援するための総合分野研究会、民間企業等で研修を行う派遣型研修を実施しています。

司法研修所では、年間を通して、裁判官(判事、判事補及び簡易裁判所判事)に対する研修を実施しており、近年は、年間、延べ1700人程度が研修に参加しています。

Judges need the expertise and ability relating to judicial practice, a well-rounded education and profound insight. While engaging in their daily duties, they strive to cultivate themselves so as to acquire these accomplishments.

In addition, in order to gain diverse and abundant knowledge and abilities, it is necessary not only to rely on the efforts of individual judges but also to provide them with the opportunity to receive organized training programs. From this perspective, the Legal Training and Research Institute implements various initiatives to help these judges with their efforts toward self-cultivation, including: Introductory Training Courses upon assuming new duties or posts; Fields-Specific Workshops relating to each field of justice, which aim to encourage judges to find areas of specialty and to acquire and enhance expertise in their specialized fields; Comprehensive Workshops for supporting judges in an effort to achieve proper judicial practice as expected by providing judges with the opportunity to study various issues that do not directly fall within the category of law and so forth ; and Dispatch-style Training Courses conducted at private corporations and other entities outside the courts.

The institute implements training programs for judges (including assistant judges and summary court judges) throughout the year. In recent years, a total of about 1700 judges have participated in these programs annually.



判事、判事補及び簡易裁判所判事に対して、任官時や、新たな職務又はポストに就いた際の職務への導入のための研修を実施しています。

Introductory Training Courses are provided for judges, assistant judges and summary court judges upon their appointment or assumption of new duties or posts.

判事補、判事に対する職務導入研修

(Introductory training courses for Assistant judges and Newly Appointed judges)



(1) 判事補に対する職務導入研修

判事補については、裁判官としての基盤を固めるとともに、専門性修得の足がかりとなることを目標として、自己研さんとOJTを基本とした主体的・自律的な成長を支援するための研修を実施しています。

職務導入研修としては、判事補任官直後に、裁判官としての基本的な心構えや裁判実務に関する基礎的な知識等を修得するための研修(新任判事補研修)を実施し、任官後2年程度経過した者に、基礎的な訴訟運営等を研究するための研究会(判事補基礎研究会)を実施しています。

判事補に対しては、このような職務導入研修のほかに、各種の分野別に研究会(裁判分野別研究会(2参照))を開催するなどして、主体的・自律的な成長を支援しています。

(1) Introductory Training Courses for Assistant Judges

With the goal of firmly establishing the foundation for their role as judges and making the necessary preparation to acquire expertise, assistant judges participate in training courses which support their independent and self-sustaining development, through self-cultivation activities and on-the-job training.

Assistant judges, immediately after their appointment, participate in the Training Courses for Newly Appointed Assistant Judges to learn the basic attitudes they should take as judges and to acquire the basic knowledge and skills required in judicial practice. After having served the office for about two years, they participate in the workshops to learn the basic skills to manage trials (Basic Training Courses for Assistant Judges).

After these introductory training courses, the institute continues to support their independent and self-sustaining development by holding workshops, which focus on fields-specific judicial issues (see 2).

(2) 判事に対する職務導入研修

初めて判事に任官した直後に、中堅裁判官としての役割を十分に果たすことができるように支援するための研究会(判事任官者実務研究会)を実施しています。

また、部総括裁判官や支部長に新たに発令された者に対し、組織や人事の管理に関する研修を中心とする研究会(部総括裁判官研究会や支部長研究会)を実施しています。具体的には、マネジメントに関する講演や、裁判部、支部の運営についての共同討議等を行っています。

(3) 簡易裁判所判事に対する職務導入研修

新任簡易裁判所判事に対して、配属先の簡易裁判所などでの研修のほか、司法研修所において、職務導入研修として、2回にわたり、初任者研修を実施しています。研修では、記録に基づく演習や訴訟指揮の演習などのほか、模擬裁判を行うなどして訴訟運営の在り方等を学びます。

さらに、任官後2年程度経過した時点で、裁判実務や裁判官の在り方を共同討議するための研究会(基礎研究会)を実施しています。

なお、その後も、一定年数以上の経験を有する簡易裁判所判事を対象として、訴訟運営についての共同研究などを行う研究会(実務研究会)を開催し、簡易裁判所判事の自己研さんを支援しています。



新任判事補研修

● Training Courses for Newly Appointed Assistant Judges

(2) Introductory Training Courses for judges

Judges who are appointed from among assistant judges participate in the Training Courses for Newly Appointed Judges which support them in fully fulfilling their role as mid-career judges.

In addition, judges who have been assigned to new posts, such as the presiding judge of a division and the chief of branch office, participate in the workshops focusing on the training in organizational and personnel management (Workshops for Presiding Judges of Divisions, Workshops for Chiefs of Branch Office). In these workshops, they listen to lectures on the management issues and join in the discussions on the administration of court divisions and branch offices.

(3) Introductory Training Courses for summary court judges

Summary court judges, after their first appointment, participate in the training programs at the summary courts to which they are assigned, and take Introductory Training Courses consisting of two stages at the institute. Training courses, which aim to improve their skills to manage trials, include practical trainings by using mock case records as materials, practices in trial management and mock trials.

After having served office for two years since first appointment, summary court judges participate in the Basic Workshops where they have discussions about judicial practice and what judges should be. For those who have accumulated longer years of experience, the institute continues to support their independent development by holding Practical Workshops, which include joint research on trial management.



判事任官者実務研究会

● Training Courses for Newly Appointed Judges

裁判分野別に実施する研究会は、得意分野の形成・深化を支援するための研究会(基本分野研究会)と、専門性の獲得・深化を支援するための研究会(専門分野研究会)とに分けられます。このほかに、必要に応じて随時開催する研究会(特別研究会)があります。



パネルディスカッション
● Discussion meeting

Workshops held for respective specific fields can be categorized into two types: the Basic-Field Workshops which aim to help judges in finding areas of specialty and the Specialized-Field Workshops which aim to help them in acquiring and enhancing expertise in their specialized fields. The institute also holds Special Workshops as needed.



裁判所書記官、家庭裁判所調査官との共同研究
● Joint research with court clerks and family court probation officers

(1) 基本分野研究会

民事、刑事、家事、少年という基本的な分野について、その時々ニーズに応じたテーマを設定して、その分野を担当している裁判官などを対象にして、意見交換、協議を中心とする研究会を実施しています。各裁判官の得意分野の形成・深化を支援することを目的としています。

研究会では、裁判官による共同討議、有識者による講演、弁護士や検察官との訴訟運営の在り方についての意見交換など様々なカリキュラムが組まれています。

また、裁判所書記官、家庭裁判所調査官と共同で研究を行うこともあります。

(1) Basic-Field Workshops

These Workshops address basic types of case, such as civil, criminal, domestic, and juvenile cases. Topics are chosen according to the needs of the time, and judges who deal with such types of cases and so on exchange opinions and hold discussions on such topics. This Workshop is intended to help judges to find areas of specialty.

At the Workshops, judges participate in various training curriculums, including joint discussions among judges, lectures given by leading experts, and exchange of views with practicing attorneys and public prosecutors regarding the management of trials.

Within the framework of this workshop, participants also conduct joint research with court clerks and family court probation officers.

(2) 専門分野研究会

裁判所に持ち込まれる案件の内容は、近時、ますます多様化し、専門化してきています。こうした事態に適切に対応するために、裁判官は、多様性と高度の専門性を備えていることが求められています。

そこで、このような専門性を獲得し、深化させるための契機とする目的で、金融経済、医療、建築、ITのほか、行政・労働事件、知的財産権に関する事件等の専門的知見を要する分野に関する事件についても、各種の専門分野研究会を実施しています。

専門家による講演、専門家と裁判官との座談会、専門性を備えた弁護士との訴訟運営の在り方についての意見交換など、様々なカリキュラムが組まれています。

また、医療現場などに赴いて研修を行うこともあります。

(2) Specialized-Field Workshops

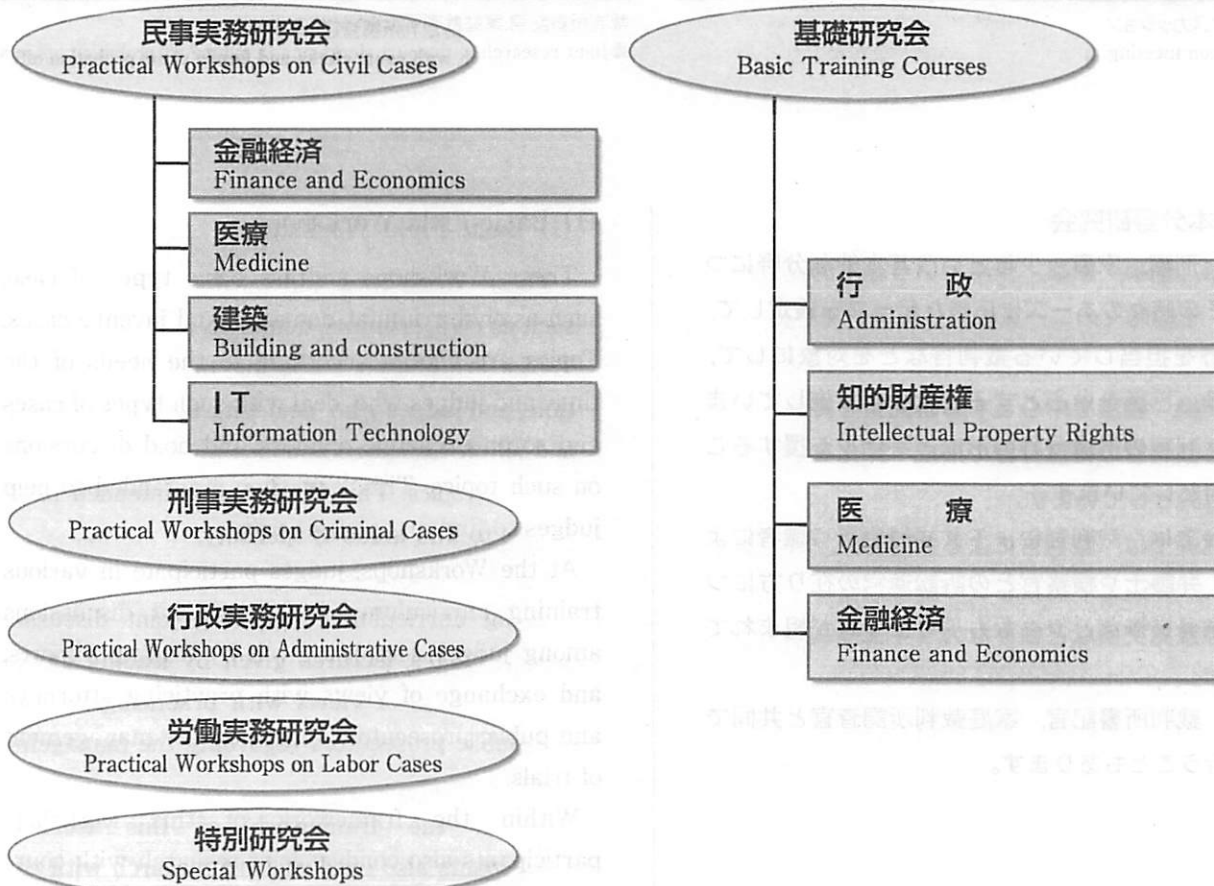
In recent years, disputes brought to courts have become increasingly diversified and specialized. In order to appropriately respond to such a situation, judges as a whole must be well-versed in diverse fields and equipped with advanced expertise.

For the purpose of providing judges with the opportunities to acquire and enhance their expertise, the institute holds Workshops focusing on cases which require expert knowledge on finance and economics, medicine, building and construction, and information technology, as well as administrative cases, labor cases, cases relating to intellectual property rights, etc.

Various training curriculums are organized for this program, such as lectures given by experts, round-table talks with experts, and exchanges of views on trial management issues with practicing attorneys with expert knowledge on a specific area of law.

Participants sometimes visit medical institutes to receive specific lectures and so on.

専門分野研究会 ■ Specialized-Field Workshops



法律分野そのものではなく、裁判と関わりのある社会や自然科学等に関し、認識や洞察を深め、社会から期待される適正な裁判の実現を支援しようとする研究会で、「裁判基盤研究会」、「知的基盤研究会」などがあります。

このうち、裁判基盤研究会は裁判官の視野を広め、識見を高めることを目的として、裁判と社会との関わり、あるいは紛争の背景にある社会・経済構造等をテーマとして取り上げ、講演と意見交換等を実施する研究会です。

パネルディスカッション、現地見学、講演等、バラエティに富んだカリキュラムを実施しています。これまでに取り上げたテーマは、例えば、再生医療、高齢化社会等様々な分野に及んでいます。

知的基盤研究会は、若手裁判官に物事をより深く考えることの重要性を再認識してもらい、それに向けた自己研さんの動機付けとしてもらうことを目的とする研究会です。

その他にも、裁判所の組織課題に対応するための研修や、法科大学院の教員として派遣される者等に対する研修を実施するなどしています。

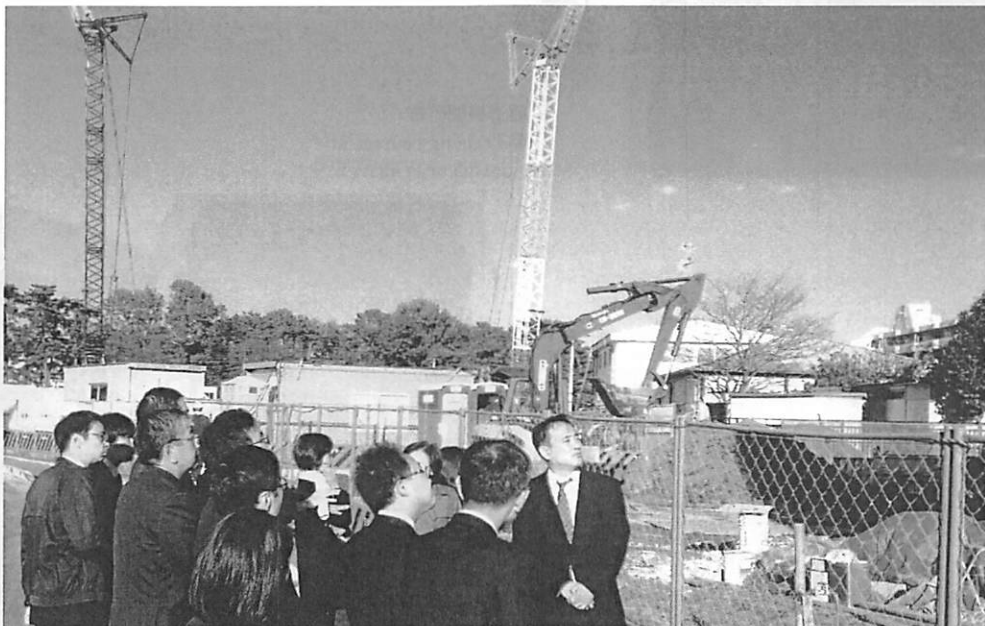
In addition to those Fields-Specific Workshops, the institute also organizes training programs in order to provide judges with the opportunity to study various issues concerning society, natural science and so forth that do not directly fall within the category of law but relate to judicial practice, and thereby develop their knowledge and insight on these issues and support them in an effort to achieve proper judicial practice as expected by society.

Workshops on the Foundation of Justice focus on the interaction between judicial practice and society as well as the socio-economic structures underlying the cause of disputes. While participating in lectures and discussions through these Workshops, judges are expected to have broader perspectives and deeper insights.

The curriculums of these Workshops contain a variety of activities, such as panel discussions, field visits, and lectures, and a wide range of topics have been covered, e.g. regenerative medicine and the aging of society.

Workshops for Building Intellectual Basis are designed to encourage young judges to recognize anew the importance of reflecting on things deeply and motivate them to cultivate themselves to this end.

The institute also provides training on how to deal with organizational problems within the courts and training for judges who are dispatched to law schools to teach as professors.



現地見学 ● Field visit

裁判官が、一定の期間、民間企業等において、その業務に主体的に携わったり、見学・体験したりするものです。経済の実情などについての理解を深めるとともに、裁判官としての視野を広げ、識見を高めることを目的としています。

判事を対象とする報道機関研修、民間企業短期研修、判事補を対象とする民間企業長期研修、判事、判事補を対象とする知的財産権専門研修などがあります。

現在、多くの民間企業、報道機関や理化学研究所等の協力により、年間50人程度の裁判官を派遣するようになっています。

Judges visit private corporations and other entities outside the courts for a certain period of time and observe and experience the business practices carried out there. The aim of these training courses is to provide judges with the opportunity to improve their understanding on the actual condition of the economy as well as to broaden their perspectives and deepen their insights which judges are required to have.

There are various types of training courses, including training courses at media organizations and short-term training courses at private corporations (for judges), long-term training courses at private corporations (for assistant judges), and special training courses on intellectual property rights (for judges and assistant judges).

At present, about 50 judges (including assistant judges) are dispatched, under the scheme of these training courses, to many private corporations, media organizations and research institutions (e.g. Riken) and other organizations, each year, thanks to the cooperation of the relevant entities.



報道機関研修

● Training courses at media organization



知的財産権専門研修

● Special training courses on intellectual property rights