

20, 1999.

Theme: Developments in the Family Court and the Future Tasks  
Introduction, by Taichi Kajimura (Judge, Tokyo District Court)

Reports:

(1) Some Issues of Family Conciliation, by Yasuhiro Igaki (Judge, Kobe Family Court).

(2) Some Issues of the Adjudication of Domestic Relations, by Masaaki Matsubara (Judge, Tokyo District Court).

(3) The Activities of the Investigator in Family Cases, by Takashi Murakami (Investigator, Yokohama Family Court).

(4) Confidentiality and Disclosure in Family Cases, by Masayuki Tanamura (Professor, Waseda University).

(5) Blanket Clauses in the Civil Code and Family Conciliation, by Noriko Mizuno (Professor, Tohoku University).

(6) Guarantee of the Intervention in Family Court Proceedings of Children, by Syuhei Ninomiya (Professor, Ritsumeikan University).

(7) A Sociological Review of Family Conciliation, by Masao Murayama (Professor, Chiba University).

Discussion, Moderators: Taichi Kajimura

MASAYUKI TANAMURA  
HIROSHI NARUSAWA (EDS.)

## 5. Laws of Civil Procedure and Bankruptcy

### 1998

The 68th General Meeting of *the Japanese Association of the Law of Civil Procedure* was held at Hiroshima University on May 16 and 17, 1998. Ten reporters presented papers on the first and second days, and a mini-symposium was held in the afternoon of the second day.

#### Individual Reports:

(1) The Fraudulency of Avoided Acts, by Manabu Wagatsuma (Asso-

ciate Professor, Tokyo Metropolitan University)

(2) The Discretion of Judges in Civil Proceedings, by Tetsu Saito (Associate Professor, Shimane University)

(3) The Irrevocable Judgement against the Public Order and its Effect, by Yukihiro Okada (Associate Professor, Mie University)

(4) Disclosure of Property of Debtors in Compulsory Executions, by Eiji Uchiyama (Associate Professor, Osaka Gakuin University)

(5) The Situation of the Management of Litigations under the New Civil Procedure Law: The Actual Condition in Hiroshima, Focusing on the Cooperation with Court Clerks, by Makoto Kato (Judge, Hiroshima District Court)

(6) Renunciation of Assets by Trustees in Bankruptcy: Examination of Judgements of the Supreme Court of the United States, by Yoshihito Saito (Associate Professor, Akita Keizaihoka University)

(7) Problems concerning Article 248 of the New Civil Procedure Law: The Limit of the Extent of its Application, by Keizo Sakamoto (Professor, Asahi University)

(8) The Connection between Arbitration and Conciliation under the Recent Enactments, by Takashi Inomata (Associate Professor, Tohin Yokohama University)

(9) The Way of Circulation of Information in Civil Proceedings: Focusing on the Inquiry by Party, by Yasutaka Machimura (Associate Professor, Otaru University of Commerce)

(10) Consumer Bankruptcy and ADR: For the Effective Disposition of Conciliation Cases concerning Agreements upon the Payment of Debts, by Munehide Nishizawa (Professor, Aoyama Gakuin University)

### **Mini-symposium:**

The title of the mini-symposium was “*Die Lehre vom Internationalen Zivilprozeßrecht: Der Stand der Diskussion und Ihre Aufgaben* (The Theory of the International Civil Procedure Law: The Present Situation of the Discussion and Its Problems).” The coordinator was Hiroyuki Matsumoto, Professor, Osaka City University. The following three presentations were given:

(1) The Frame of Judgement for the Determination of the Interna-

tional Court's Jurisdiction: Present Situation and Problem of the Theory of "Special Circumstances", by Shunichiro Nakano (Professor, Kobe University)

(2) International Concurrence of Court's Jurisdictions, by Hiroshige Takada (Professor, Kobe University)

(3) The Law of Foreign Countries in International Civil Litigation, by Hajime Sakai (Professor, Konan University)

## 1999

The 69th General Meeting of *the Japanese Association of the Law of Civil Procedure* was held at Tokyo University on May 15 and 16, 1999, to commemorate the fiftieth anniversary of the founding of the Association. Four reporters presented papers in the morning on the first day, and Morio Takeshita, the president of Surugadai University, gave the keynote lecture titled "*Theorie und Praxis im Zivilprozessrecht* (Theory and Practice in the Law of Civil Procedure)" in the afternoon. Three memorial symposiums were also held both on the first and second days.

### Individual Reports:

(1) The Investigation of the Responsibility of Corporate Managers at the Time of Corporate Bankruptcy, by Noriyuki Homma (Associate Professor, Okayama University of Commerce)

(2) The Judge's Power to Clarify under the New Civil Procedure Law, by Hidehiro Ishida (Associate Professor, Ehime University)

(3) Problems concerning the Proper Parties in Civil Litigations in the United States and the Standing to Sue in Environmental Litigations, by Hiromi Yamamoto (Associate Professor, Akita Keizaiho University)

(4) "Fairness and Equitability" as the Requirement for the Approval of Reorganization Plan, by Jun'ichi Matsushita (Professor, Gakushuin University)

### Memorial Symposiums:

(1) Theory and Practice in Provisional Remedies: Fifty Years of Provisional Remedies, by Yukiko Hasebe (Professor, Gakushuin University), Hiroshi Segi (Judge, Chiba District Court), Minoru Koyama (At-

torney), as reporters, and Kozo Fujita (Attorney), as coordinator.

(2) *Die Vorstellung der Konfliktlösung in der Theorie und Praxis* (The Concept of the Settlement of the Dispute in the Theory and Practice), by Yasuo Ueno (Professor, Kansai University), Ryoichi Yagi (Judge, Osaka District Court), as reporters, and Masahiro Suzuki (Professor, Konan University), as coordinator.

(3) *Insolvency and Security Rights*, by Tetsuo Kato (Professor, Waseda University), Kaoru Kamata (Professor, Waseda University), Koji Takeuchi (Attorney), as reporters, and Yasuhei Taniguchi (Professor, Teikyo University), as coordinator.

In the movement towards the amendment of the bankruptcy laws, the extraordinary meeting of *the Japanese Association of the Law of Civil Procedure* was held at the Tokyo Chamber of Commerce on April 3, 1999, under the cosponsorship of the Commercial Law Center, Inc. and the Association. The symposium titled "The Direction of the Amendment of the Bankruptcy Laws: Focusing on the New Reorganization Proceeding" was held. The coordinator was Hiroshi Takahashi, Professor, Tokyo University. Five reporters were: Takuya Miyama (Counselor, Civil Affairs Bureau of the Ministry of Justice); Hiroshi Yamamoto (Professor, Hosei University); Akio Shinomiya (Attorney); Kazuhiko Yamamoto (Professor, Hitotsubashi University); and Katsumi Yamamoto (Professor, Kyoto University).

**TETSUO KATO**  
**MAYUMI BABA (EDS.)**

## **6. Criminal Law and Procedure**

### **1998**

*The Criminal Law Society of Japan* held its 76th General Meeting at Osaka City University on May 23rd and 24th, 1998. The topics of each of the reports, lectures, and workshops were: