

<Provisional translation>

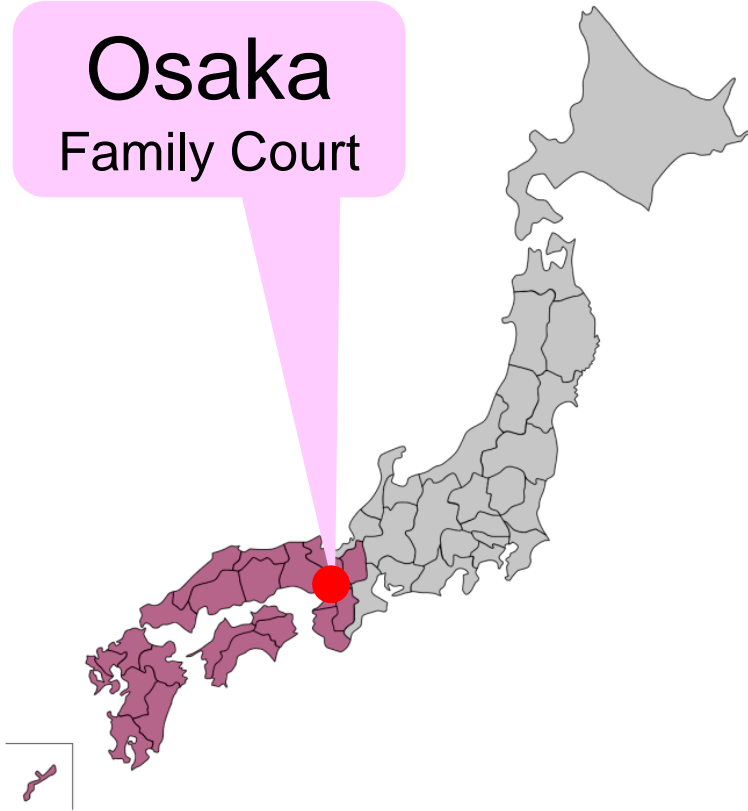
COURT PROCEEDINGS FOR HAGUE CASES IN JAPAN

June 10, 2019

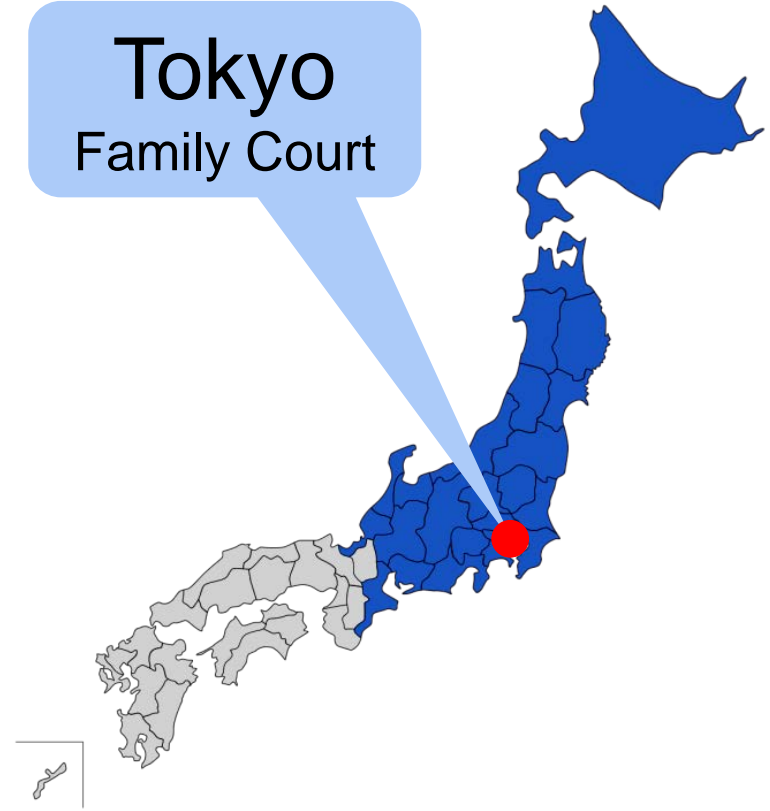
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CONCENTRATION OF JURISDICTION

Osaka
Family Court



Tokyo
Family Court



THE OUTLINE OF THE MODEL OF PROCEEDINGS

Receipt of a written petition



Designation of 1st & 2nd dates for proceedings



1st date for proceedings



2nd date for proceedings

Two weeks
later

Five weeks
later

1st date for proceedings

- ✓ Clarifying the points of the arguments and materials to be submitted
- ✓ Request for necessary information and materials
- ✓ Establishing the plan of proceedings
- ✓ Exploring the possibility of conciliation

Between 1st and 2nd dates for proceedings

- ✓ Examination of the facts by the family court investigating officer
 - The child's view on being returned to the State of habitual residence; and
 - Whether the child has settled in the new environment.
- ✓ Domestic relations conciliation

Family court investigating officers are experts of behavioral science.
(psychology, sociology, pedagogy, social work, etc.)

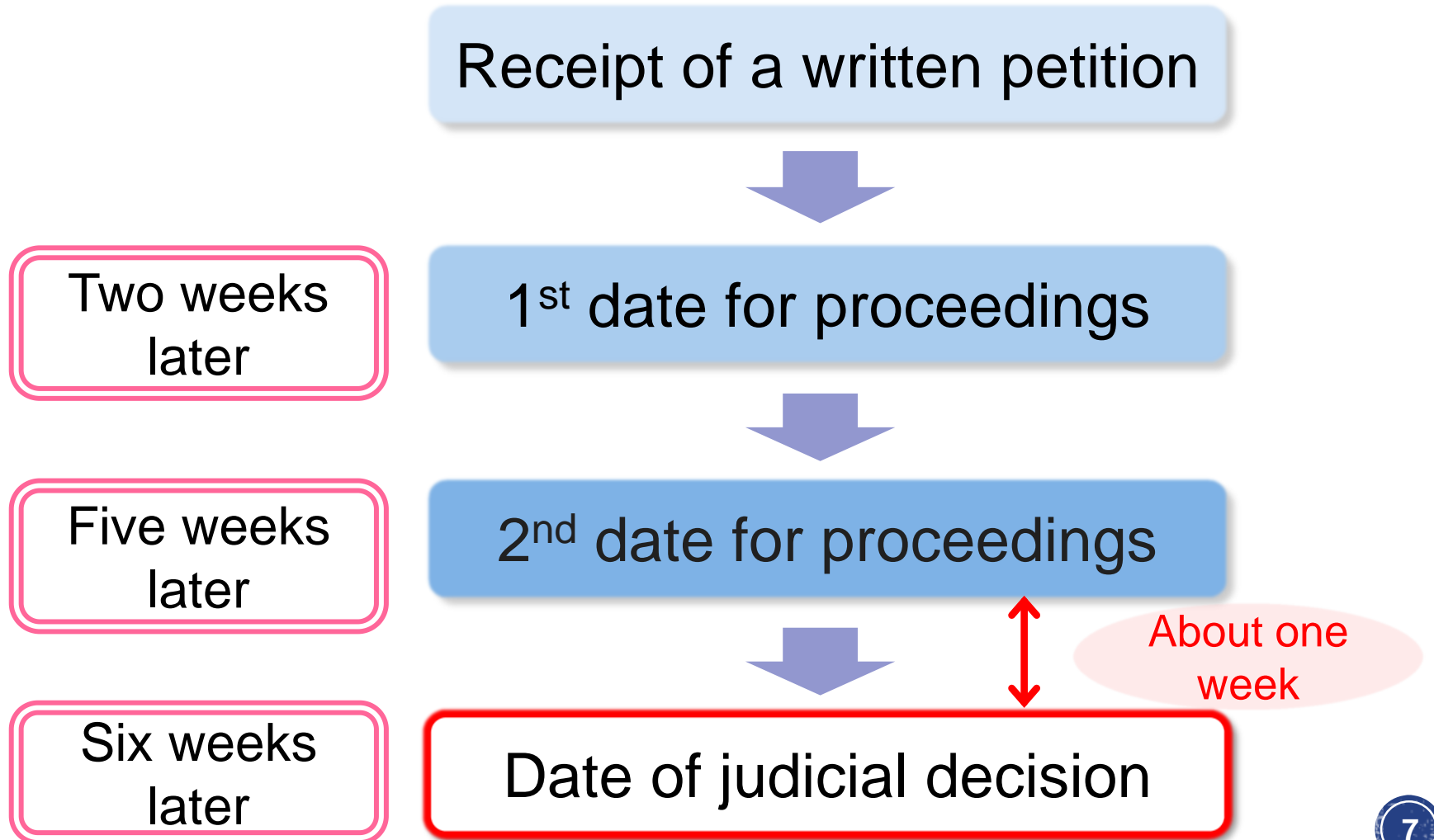
2nd date for proceedings

- ✓ Examination of the facts by the judges
 - Written allegations and materials submitted by both parties;
 - The result of the examination of the facts conducted by the family court investigating officer; and
 - Hearing statements from the parties.



- ✓ Conclusion of the proceedings
- ✓ Designation of the date of judicial decision

THE OUTLINE OF THE MODEL OF PROCEEDINGS



STATISTICS OF THE FIRST INSTANCE

From April 1, 2014 to March 31, 2019

Petitions filed: **94** cases

Closed cases : **92** cases

Average period of time for proceedings: **60.4** days

- The number of cases is counted on the basis of the number of children concerned.

RESULTS OF CLOSED CASES

Cases closed with **judicial decision**: 46 cases

of which Those with order **to return**
the child: 33 cases

Those **dismissed**: 13 cases

Cases closed through **conciliation**: 39 cases

of which Those with agreement **to**
return the child: 19 cases

Those with agreement **not to**
return the child: 20 cases

CASES OF PETITION FOR VISITATION OR CONTACT WITH CHILD

Petitions filed:

26 cases

Closed cases:

24 cases

of which

Settlement by conciliation 6_{cases}

Petitions withdrawn 7_{cases}

Ruling in lieu of conciliation 1_{cases}

Refusal of conciliation 2_{cases}

Petitions granted 6_{cases}

Petitions dismissed 2_{cases}