



Contact Details

Procedure and required documents for filing in a family court

- Consult your nearest family court
<http://www.courts.go.jp>

About legal system and relevant organizations inquiries

- Japan Legal Support Center (Houterasu)
<https://www.houterasu.or.jp/>
- Multilingual Information Service: **0570-078377**
Mon-Fri : 9am-5pm (excl. national holidays and New Year's holidays)

Consult a legal expert (lawyer)

- Japan Federation of Bar Associations
(legal consultation information)
<https://www.nichibenren.or.jp/contact.html>

Revision of
Personal
Status
Litigation
Act etc.

Rules regarding international jurisdiction in international cases related to domestic disputes have been established.

A Japanese court can be used for the settlement of international cases related to domestic disputes.

Effective from
April 1,
2019.



What is "international jurisdiction"?

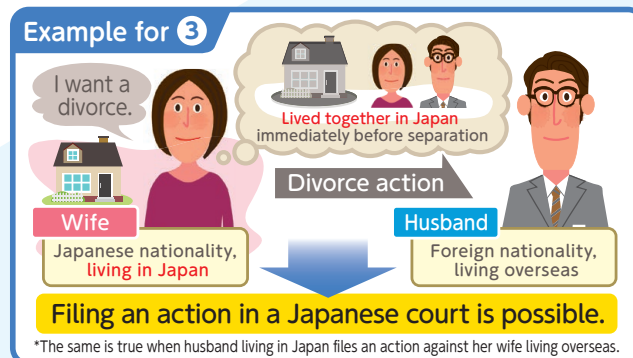
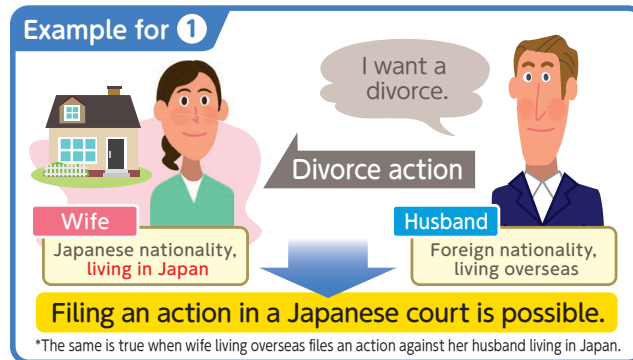
In disputes with international factors, there are questions regarding which country's courts are able to hear and judge cases related to that dispute. This is referred to as the "international jurisdiction" problem. Previously, there were no clear rules regarding international jurisdiction. Through this revision, express provisions regarding international jurisdiction have been established, clarifying the situations in which a Japanese court can hear cases and pass judgment. Personal status litigation and domestic relations cases with international factors are now expected to be resolved faster and more fairly.

Case 1

International Jurisdiction in a divorce case

When one of the spouses with foreign nationality or lives in another country, whether or not a Japanese family court can make a judgment related to their divorce becomes a problem. According to the rules stipulated by this revision, an action may be filed in a Japanese family court in any of the cases below.

- 1 The defendant lives in Japan.
- 2 Both spouses are Japanese nationals.
- 3 Immediately prior to separation, the spouses lived together in Japan, and the plaintiff still lives in Japan.
- 4 The plaintiff lives in Japan, and the defendant's whereabouts is unknown (or other special circumstances).

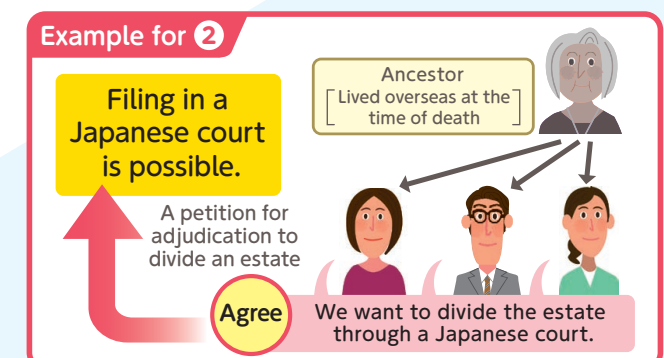
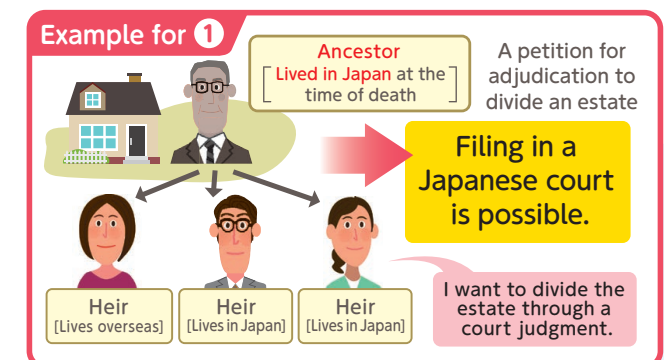


Case 3

International Jurisdiction in an inheritance case (division of estate)

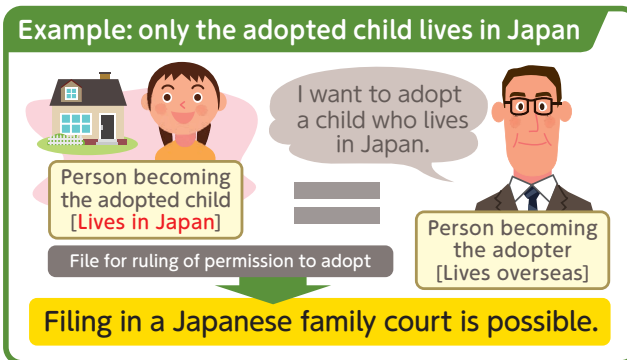
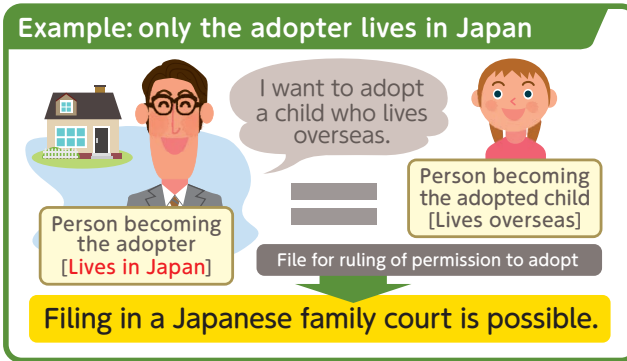
When the ancestor or heir with foreign nationality, or lived (lives) overseas, whether or not a Japanese family court can make inheritance judgments (e.g. division of estate) becomes a problem. According to the rules stipulated by this revision, the division of an estate can be performed at a Japanese family court in either of the cases below.

- 1 The ancestor lived in Japan at the time of death.
- 2 The heirs agree to divide the estate through a Japanese family court.



Case 2

International Jurisdiction in an adoption case



When adopting a minor, or for a special adoption, it must be followed the procedure of a family court. According to the rules stipulated by this revision, for international adoptions, if the person to be the adopter, or the person to be adopted (or both persons) live in Japan, they can use the Japanese family court procedure.



Revision Q&A

Q1 Besides divorce, adoption and inheritance, what other types of cases have international jurisdiction rules been established for through this revision?

A This revision has established international jurisdiction rules for litigation cases related to personal status in general, including the confirmation of natural parent-child relationships and the dissolution of adoption, in addition to divorce cases. International jurisdiction rules have also been established for cases related to parental authority and custody rights, cases concerning support obligations such as child-support payments, and distribution of property.

Please check the Ministry of Justice website for more information http://www.moj.go.jp/ENGLISH/m_minji07_00019.html



Q2 Besides international jurisdiction rules, what other legal reforms have been made through this revision?

A This revision has also established rules on the validity within Japan of final and binding judgments rendered by foreign courts concerning family affairs, and rules on the proceedings of performing compulsory execution in Japan based on judgments of foreign courts.