THE 2008 SHO SATO CONFERENCE ON JAPANESE LAW

JAPANESE FAMILY LAW

IN COMPARATIVE PERSPECTIVE

March 7-8, 2008
Boalt Hall School of Law, UC Berkeley

Co-sponsored by
Institute for Legal Research
Robbins Religious and Civil Law Collection
THE 2008 SHO SATO CONFERENCE ON JAPANESE LAW

JAPANESE FAMILY LAW IN COMPARATIVE PERSPECTIVE

MARCH 7-8, 2008
Room 115, Boalt Hall School of Law
University of California, Berkeley

Co-sponsors:
Institute for Legal Research
Robbins Religious and Civil Law Collection

Organizers:
Harry N. Scheiber, Director, Sho Sato Program
Laurent Mayali, Director, Robbins Collection
FRIDAY, MARCH 7

**Continental Breakfast** – 8:30-9:00 am
115 Boalt Hall, UC Berkeley

**Welcoming Remarks** – 9:00-9:15 am
Harry N. Scheiber, UC Berkeley
Laurent Mayali, UC Berkeley

**Session 1 – 9:15-9:45 am**
Keynote Address: “Convergence from the Opposite Directions? Characteristics of Japanese Divorce Law in a Comparative Perspective”
Masayuki Murayama, Meiji University

**Session 2 – 9:45-11:00 am**
Moderator: Stephen D. Sugarman, UC Berkeley

“The Framework: Legal Culture and Family Law” – 9:45-10:15 am
Lawrence Friedman, Stanford University

“Family Law and World Value Mapping: What Can World Value Surveys tell Family Lawyers?” – 10:15-10:45 am
Rolf Nygren, Uppsala University

Discussion – 10:45-11:00 am

**Break** – 11:00-11:15 am

**Session 3 – 11:15 am-12:30 pm**
Moderator: Kahei Rokumoto, University of Tokyo

“Succession Law and Inheritance Disputes in Japanese Family Courts” – 11:15-11:45 pm
Yasuhei Taniguchi, World Trade Organization (in collaboration with Akiko Taniguchi)

“Divorce Mediation: Legalization, Privatization, and Unification” – 11:45 am-12:15 pm
Aya Yamada, Kyoto University

Comment and discussion – 12:15-12:30 pm
Commentator: Ira Ellman, Arizona State University

**Lunch** – 12:45-2:00 pm
Faculty Lounge, 336 Boalt Hall
sponsored by the Center for the Study of Law and Society

Speaker: Herma Hill Kay, UC Berkeley
“Women on American Law Faculties Before World War II”
Introduction: Catherine Albiston, UC Berkeley

**Session 4 – 2:00-3:15 pm**
Moderator: Gillian Lester, UC Berkeley

“The Disparate Impacts of Family Law on Japan’s Racial and Ethnic Minorities” – 2:00-2:30 pm
Mark A. Levin, University of Hawai‘i
Ichiro Ozaki, Hokkaido University
“Legal Barriers to Educational Activities for Latino Immigrants in the United States” – 2:30-3:00 pm
Harriett D. Romo, University of Texas at San Antonio (co-author: Carlos Romo, Clerk, Texas Supreme Court)

Comment and discussion – 3:00-3:15 pm
Commentator: Kenneth Karst, UCLA

**General Discussion – 3:15-4:00 pm**
Moderator: Laurent Mayali, UC Berkeley

Opening comments: Yasuhei Taniguchi, World Trade Organization
Paul G. Pickowicz, UC San Diego

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**SATURDAY, MARCH 8**

**Continental Breakfast – 8:30-9:15 am**
115 Boalt Hall, UC Berkeley

**Session 5 – 9:15-10:00 am**
Moderator: Aya Yamada, Kyoto University

“Family Law and Its Others” – 9:15-9:45 am
Vera Mackie, University of Melbourne

Comment and discussion – 9:45-10:00 am
Commentator: Frank K. Upham, New York University

**Session 6 – 10:00-10:45 am**
Moderator: Joan H. Hollinger, UC Berkeley

“Medically-Assisted Reproduction and Family Law in Japan” – 10:00-10:30 am
Michiko Ishii, Meiji University

Comment and discussion – 10:30-10:45 am
Commentator: Lisa C. Ikemoto, UC Davis

**Break – 10:45-11:00 am**

**Session 7 – 11:00-11:45 am**
Moderator: Donna C. Schuele, UC Irvine

“Legal Response to Domestic Violence in Japan” – 11:00-11:30 am
Yukiko Tsunoda, Meiji University

Comment and discussion – 11:30-11:45 am
Commentator: Franklin E. Zimring, UC Berkeley

**Session 8 – 11:45 am-12:30 pm**
Moderator: Ira Ellman, Arizona State University

“Secularization and Modernization of Family Law in Scandinavian Welfare States in the 1960s-1970s” – 11:45 am-12:15 pm
Kjell Åke Modéer, Lund University
Comment and discussion – 12:15-12:30 pm
Commentator: Kristen Luker, UC Berkeley

Lunch – 12:45-2:00 pm
Faculty Lounge, 336 Boalt Hall

Speaker: Shigenori Matsui, University of British Columbia
“The Constitution and the Family in Japan”

Session 9 – 2:00-3:15 pm
Moderator: Laurent Mayali, UC Berkeley

“Recent Developments in Italian Family Law on Marriage, Partnership and Parenthood: An Overview and Some Comparative Remarks” – 2:00-2:30 pm
Erica Palmerini, Scuola Superiore Sant’Anna, Italy

“Migration and Fundamental Right to Respect for Family Life at the European Level” – 2:30-3:00 pm
Ioannis G. Dimitrakopoulos, European Ombudsman’s Institution and Supreme Administrative Court of Greece

Comment and discussion – 3:00-3:15 pm
Commentator: Laurent Mayali

General Discussion – 3:15-4:15 pm
Moderator: Kahei Rokumoto, University of Tokyo

Brief comments – 3:15-3:40 pm
Commentators: Lawrence M. Friedman, Stanford University
Masayuki Murayama, Meiji University
Frank K. Upham, New York University

Closing general discussion – 3:40-4:15 pm

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SHO SATO PROGRAM DIRECTORS
Founding directors: Professor Sanford Kadish, Dean Emeritus; and the late Professor Sho Sato

Director, 1993-present: Professor Harry N. Scheiber, The Riesenfeld Professor of Law and History

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IN COMPARATIVE PERSPECTIVE

SOCIAL PROGRAM
MARCH 6-8, 2008

THURSDAY, MARCH 6
Reception – 6:00-8:00 pm
Howard Room, Faculty Club, UC Berkeley

FRIDAY, MARCH 7
Banquet – 7:00-10:00 pm
Dining Room, Women’s Faculty Club, UC Berkeley

Reception – 7:00-7:30 pm
Dinner – 7:30-10:00 pm

Speaker: Mary Ann Mason, UC Berkeley
“Children’s Rights in American Law”

SATURDAY, MARCH 8
Dinner – 6:00-8:00pm
Mandarin Garden, 2025 Shattuck Avenue, Berkeley
PUBLICATIONS FROM PREVIOUS SHO SATO CONFERENCES

Books


Journals

Symposium Issue on “Japanese Law,” American Journal of Comparative Law, Volume 49, Number 4 (Fall 2001)

Symposium Issue on “Regulation in Japan and the United States,” Law and Policy, Volume 22, Numbers 3-4 (October 2000)


Publications from recent conferences partially supported by the Sho Sato Program