

SHO SATO PROGRAM IN JAPANESE AND U.S. LAW  
INSTITUTE FOR LEGAL RESEARCH/SCHOOL OF LAW  
UNIVERSITY OF CALIFORNIA, BERKELEY

**THE 2011 SHO SATO CONFERENCE ON JAPANESE LAW**

**THE JAPANESE LEGAL SYSTEM:  
AN ERA OF TRANSITION  
MARCH 14-15, 2011**

Organizers:

Harry N. Scheiber  
Director, Sho Sato Program  
Riesefeld Professor of Law & History  
UC Berkeley

Tom Ginsburg  
Professor of Law  
University of Chicago

Venue:

Claremont Hotel Club and Spa  
41 Tunnel Road, Berkeley



**MONDAY, MARCH 14**

**Continental breakfast – 8:15-9:15 am**

Lanai 2 Room, Lobby Level, Claremont Hotel

**Welcoming remarks – 9:15-9:25 am**

Prof. Harry Scheiber, UC Berkeley

**Keynote address – 9:25-10:00 am**

“The Judicialization of Japanese Politics?”

Prof. Tom Ginsburg, University of Chicago

**Session 1 – 10:00-10:50 am**

“Japanese Criminal Justice Reform in Historical Perspective”

Prof. Daniel Foote, The University of Tokyo

Commentator: Prof. Harry Scheiber, UC Berkeley

**Break – 10:50-11:00 am**

**Session 2 – 11:00-11:50 am**

“Reconsidering the Japanese Way of Dispute Resolution: What Is It and Why?”

Prof. Masayuki Murayama, Meiji University

Chair: Prof. Robert Kagan, UC Berkeley

Commentator: Prof. Eric Feldman, University of Pennsylvania

**Lunch – 12:00-2:00 pm**

Lanai 3 Room, Lobby Level, Claremont Hotel

“Convergence and Divergence: An Outside Perspective on Japanese Law”

Prof. Lawrence Friedman, Stanford University

**Session 3 – 2:00-2:50 pm**

“The Changing Justice System, Jury Reforms, and Prosecutor Review Commissions”

Prof. Hiroshi Fukurai, UC Santa Cruz

Chair: Prof. Tom Ginsburg, University of Chicago

Commentator: Prof. Charles Weisselberg, UC Berkeley

**Session 4 – 2:50-3:40 pm**

“Lawyers and Changing Legal Practice”

Prof. Kota Fukui, Osaka University

Chair: Prof. Yasuhei Taniguchi, Matsuo & Kosugi

Commentator: Prof. Robert Bartlett, UC Berkeley

**Break – 3:40-3:55 pm**

**Session 5 – 3:55-4:45 pm**

“Women’s Issues and Legal Change in Japan”

Ms. Yoko Hayashi, Attorney-at-Law, Athena Law Office

Chair: Prof. Eri Osaka, Toyo University

Commentator: Prof. Melissa Murray, UC Berkeley

**TUESDAY, MARCH 15**

**Continental breakfast – 8:30-9:30 am**

Lanai 2 Room, Lobby Level, Claremont Hotel

**Session 6 – 9:30-10:20 am**

“The Recent Issues of Medical Ethics and Law in Japan”

Prof. Manabu Wagatsuma, Tokyo Metropolitan University

Chair: Prof. Harry Scheiber, UC Berkeley

Commentator: Prof. David Winickoff, UC Berkeley

**Break – 10:20-10:30 am**

**Session 7 – 10:30-11:20 am**

“Emerging Privacy Issues and Solutions”

Mr. Junichiro Makita, Attorney-at-Law, Harago & Partners Law Offices

Chair: Prof. Lawrence Friedman, Stanford University

Commentator: Mr. Lee Tien, Electronic Frontier Foundation

**Lunch – 11:30 am-1:30 pm**

Lanai 3 Room, Lobby Level, Claremont Hotel

“The Introduction of International Law into Japan”

Prof. Jon Van Dyke, University of Hawaii

**Session 8 – 1:30-2:20 pm**

“Environmental and Worker Safety Law in Japan: Recent Changes, the Impact of Reform Laws and Movements, and the Prospects for the Future”

Prof. Eri Osaka, Toyo University

Chair: Sherry Broder, Esq.

Commentator: Prof. Robert Kagan, UC Berkeley

**Session 9 – 2:20-3:10 pm**

“Law and Practice of Venture Industry in Japan: A Period of Transition”

Prof. Zenichi Shishido, Hitotsubashi University

Chair: Prof. Hiroshi Fukurai, UC Santa Cruz

Commentator: Prof. Steven Vogel, UC Berkeley

**Break – 3:10-3:25 pm**

**Roundtable panel – 3:25-4:15 pm**

Prof. Eric Feldman, University of Pennsylvania

Prof. Takayuki Ii, Hirosaki University

Prof. Yasuhei Taniguchi, Matsuo & Kosugi

Moderator: Prof. Tom Ginsburg, University of Chicago

**ACKNOWLEDGMENTS**

The organizers are indebted to Prof. Yasuhei Taniguchi, the officers of the Japan Federation of Bar Associations, Mr. Satoru Shinomiya, and Prof. Aya Yamada for their valuable counsel and cooperation in the planning of these panels; and to the office of Dean Christopher Edley, Jr., Berkeley Law, for essential funding support.

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**SHO SATO PROGRAM**

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**THE 2011 SHO SATO CONFERENCE ON JAPANESE LAW**

# **THE JAPANESE LEGAL SYSTEM: AN ERA OF TRANSITION**

**SOCIAL PROGRAM  
MARCH 13-15, 2011**

**SUNDAY, MARCH 13**

**Welcoming reception – 6:00-8:00 pm**

Monterey Room, Mezzanine Level, Claremont Hotel

**MONDAY, MARCH 14**

**Banquet – 7:00-9:30 pm**

Lanai 3 Room, Lobby Level, Claremont Hotel

“Change or Persistence?: The Regulator-Regulatee Dynamics in Japan”

Prof. Shozo Ota, The University of Tokyo

**TUESDAY, MARCH 15**

**Dinner – 6:15-8:15 pm**

Mandarin Gardens, 2025 Shattuck Avenue, Berkeley

Guests staying at the Claremont Hotel will be transported to and from the restaurant via shuttle bus. Please meet in front of the Hotel at 6:00 pm.