

Promoting the Utilization of Legal Information in Revolutionary and Innovative Times

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1. Introduction

We enter a period of upheaval around the globe, especially Japan. Infocommunication technology has spawned a complicated society, diversified values and an international community. Government has adapted itself to the rapid and drastic global changes: implementing administrative reform and promoting the most thorough overhaul of the nation's judicial system since the end of World War II. The Japanese government is working toward the introduction of a new citizen judge system by May 2009. It brings justice closer to people and increases the potential to apply the law. This thesis rethinks the utilization of Legal Information. How should the utilization of Legal Information in Revolutionary and Innovative Times be desirably promoted?

2. Grasp and analyze the current situation

There is a growing social need for Legal Information, in my opinion, for the following reasons:

People are interested in the law. Recently, justice has received considerable media exposure, while TV and films are increasingly covering legal programs, which earn high audience ratings.

People hope to use the law. The volume of both free and paying legal consultation has increased.

People and company want to be aware of the law. A growing percentage of businesses are using legal databases. Some libraries provide specialized information services for legal applications, which represent an opportunity to increase the number of library users.

People and company are increasingly aware of the need to abide by the law. More than 80% of companies have a compliance strategy (with the law and corporate ethics), to which they oblige employees to conform. Malicious violations of laws and ordinances reduce

customers' confidence in companies and may often trigger bankruptcy.

3. Find out why Legal Information is needed

Why is there a growing need for Legal Information and why do we use it? My investigation suggests mutual and organic aspects related to IT revolution, Administrative Reform, Judicial System Reform and changing Japanese legal awareness as possible causes of this situation.

Promoting the utilization of Legal Information was triggered by the IT revolution. The 1990s has seen the IT revolution advance inexorably, sparking economic, industrial and social transformation on a global scale. As this process progresses, the Japanese people have been forced to discard many long-held concepts about government, business management, personal economy, social lives and virtually every other facet of their lives. They were also called on to accept more clearly defined personal responsibilities. Therefore, Japan had to establish a new social framework for the nation and the government implemented both Administrative Reform and Judicial System Reform.

Administrative Reform had sought to transform the excessive advance-control and adjustment type society to an after-the-fact review and remedy type society, in order to reform the bloated administrative system and improve the quality of governance (strategic aspects, integration, mobility) of the political branches (Diet, Cabinet). Efforts to ensure disclosure of administrative information and accountability to the public, achieve improvements in policy assessment functions, and establish transparent administration are already in the process of being realized.

Judicial System Reform organically relates to Administrative Reform. In fact, the need for

thoroughgoing reform of the judicial system has been preached in Administrative Reform. Judicial System Reform assumes the people's transformation from governed objects to governing subjects as a basic premise and also seeks to promote such transformation at the same time. One of the specific focal points is encouraging popular participation in justice, known as the 'Saiban-in; (lay judge)' system.

Japanese legal awareness was changed by Judicial System Reform, which includes a new judge system. Consequently, justice has become closer to the people and we have the Legal Information we require.

4. Support system of using Legal Information

We know there are considerable needs for Legal Information. What solutions to meet such needs do we have? There seem to be two prominent types of solution: institutional and IT solutions.

The institutional solution is the Japan Legal Support Center, which we refer to as Houterasu. It aims to provide information and services that will help resolve legal problems, despite being dysfunctional. About 80% of Japanese do not understand its name or work contents, while less than 1% of people have ever used it.

The IT solution is a Legal Information database. The Legal Information database became more accessible to the public as the electronic government took shape. E-gov. is designed to enhance individual convenience and promotes the electronic delivery of administrative information, for example, Current Statutes and Regulations Database in the Ministry of Internal Affairs and Communications. However, Legal Information database are associated with certain problems. These include the fact that the database is for legal professionals, involves hindrances to the free passage between the stages of researching, judging and actually using Legal Information, and is not connected to other databases or various government systems and agencies.

5. Future prospects for IT solutions related to Legal Information

Progress in terms of informatization in the field of justice in Japan is insufficient when compared with other countries. This is apparent from the budget allocated for informatization. The budget for the Supreme Court was 3.7 billion yen, while in contrast, there was heavy investment in informatization, with the government committing 10 billion yen in public funds to the U.S. Of course, the Legal Information systems have improved immeasurably. It is particularly worth noting that these system are seamlessly connected to many databases or various government services. However, in Japan, the Next Generation Electronic Government project team was set up in 2008, which has aimed to integrate all service and systems. Unfortunately, it has a long way to go before it approaches the field of justice.

6. Construction of a new system to promote the utilization of Legal Information

Based on these results, I examined the possibilities for constructing a new system to solve issues of the Legal Information database and promote the utilization of Legal Information. I constructed the system on a trial basis and named it LEXiALL.

LEXiALL can offer information that is relevant to legal consultation for general people with a database in Houterasu. In addition, LEXiALL connects other database or various other government systems and agencies, for example, Current Statutes and Regulations Database, Judgments of the Supreme Court. Besides, LEXiALL also ensures a smooth transition between stages of researching, judging and using Legal Information because LEXiALL and e-gov. capable of accepting various applications and procedures are linked.

Although there is room for improvement in this system, it does raise the potential for LEXiALL to be capable of promoting the utilization of Legal Information on justice, administration and legislature in revolutionary and innovative times.