

Professor Lubbers explained the digitalization of the American court system, and I feel it has progressed significantly compared to Japan. Our courts have operated in an extremely analog environment. I became a Supreme Court Justice in 2019, and upon appointment, the first thing I was told to prepare was a personal seal. Indeed, during my tenure at the Supreme Court, Justices read vast amounts of paper documents and stamped approval seals 10 to 20 times a day. Many courts struggled to secure storage space for vast litigation records. However, actually, on March 30, 2018, the year before I became a Supreme Court Justice, a report by the "Study Group on IT Application in Court Proceedings" established within the Cabinet Secretariat was published:

① This proposed "e-filing" measures, such as consolidating the submission of pleadings and evidence to online filing and generalizing the electronic recording of litigation records:

② "e-Case Management," enabling real-time online access to arguments and evidence and online confirmation of hearing progress,

③ "e-Court," aiming to introduce and expand web conferencing and videoconferencing while utilizing digital tools during the issue clarification stage.

The report outlined a policy to achieve these "three e's" in three phases through gradual implementation. Consequently, during my tenure at the Supreme Court, the digitization of court proceedings gradually progressed in the High Courts, District Courts, and Family Courts.

Starting in February 2020, web conferencing for issue clarification procedures began at some courts in civil litigation proceedings. In December 2021, web conferencing for family mediation proceedings commenced at four courts, with the number of participating courts gradually expanding.

In April 2022, the Civil Case Electronic Filing System (mints) was introduced in some courts to enable the electronic submission of court documents such as pleadings and copies of documents. The scope of courts using this system has since gradually expanded. Online submission is now available for certain civil litigation documents at all High Courts and District Courts, including their branches. Then, in May 2022, the "Act for Partial Revision of the Code of Civil Procedure, etc." (Act No. 48 of 2022), mandating the digitization of civil litigation procedures, was enacted and promulgated on May 25 of the same year. On March 1, 2023, digitization was implemented for preparatory hearing dates and other proceedings when both parties are absent. In April of the same year, a trial implementation of digitalization began for family court proceedings at two main family court offices. Furthermore, on June 1, 2023, a trial implementation of web surveys commenced for the hearing of explanations by participants during acceptance interviews for petitions for guardianship commencement rulings.

On June 6, 2023, legislation for the digitization of civil execution proceedings, bankruptcy proceedings, and family court proceedings was enacted. These amended laws established provisions regarding the use of web conferencing in oral argument proceedings, online filing of pleadings, and the digitization of litigation records. From late December of the same year, web conferences began being used in all family courts, including branches and satellite offices, for family trial proceedings, child return petition proceedings, family appeal proceedings, and issue clarification procedures in personal status litigation. Regarding web investigation procedures, as no problems arose during the trial period, web investigations commenced operation in January 2024 at all high court main offices and branches, family court main offices, and some branches. Starting in February 2024, all main family courts began conducting family mediation proceedings. On March 1 of the same year, for civil litigation hearings. Teams enabled participation via web conference in oral argument proceedings held at court, as determined by the court. Civil mediation via web conference also commenced. In May 2024, web-based investigations commenced at all family court branch offices. Web conferencing for family mediation proceedings also began sequentially at family court branch offices and satellite offices. By July of the same year, web conferencing for family mediation proceedings was operational at all branch offices and satellite offices nationwide.

For cases filed on or after May 21, 2026, attorneys are required to submit pleadings, preparatory documents, evidence, etc., online, and paper submissions will no longer be permitted. However, since Japan permits individuals to file lawsuits without retaining an attorney, consideration is given to the digital divide issue. Accordingly, individuals without legal representation may continue to submit paper documents as before. When pleadings, preparatory documents, evidence, etc., are submitted online, these documents and court-issued judgments, etc., can be received online. Submitted documents are stored as electronic data, and judgments, transcripts, etc., are also managed electronically. This allows parties and others to view the case records online while the case is pending. Regarding filing fees, previously these were paid using revenue stamps, and the costs for mailing pleadings and judgments were prepaid using postage stamps. After May 21, 2026, the combined amount equivalent to the filing fee and postage costs will be paid electronically via a payment service called Pay-easy. Pay-easy allows payment via internet banking or ATMs. For civil non-litigation proceedings (civil execution proceedings, bankruptcy proceedings, civil mediation proceedings, etc.) and family court proceedings (family mediation, family court judgments, family litigation, etc.), online filing and online access to case records are scheduled to become available by June 2028.

In May 2025, the Criminal Procedure Act will be amended, fundamentally shifting Japan's criminal proceedings online. Specifically, courts will issue arrest warrants and search/seizure

warrants online, which police officers will then display to subjects using tablet devices (electronic warrants). Additionally, defense attorneys will be able to view and copy evidence online without visiting the prosecutor's office (digitization of litigation records). Furthermore, interrogations of detained suspects, statements of defense, witness examinations, and similar proceedings will become possible via remote methods using video and audio (expansion of video link systems). Moreover, a new seizure method will be established, requiring telecommunications carriers and similar entities to directly provide data such as emails online (creation of an order for provision of electromagnetic records system). Finally, witness appearances and attendance at certain trial dates will be digitized (online trials and proceedings). These digitalization measures are scheduled to be implemented sequentially by March 2027. These digital initiatives are expected to yield several benefits: reducing the time and cost associated with creating and transporting paper documents, requesting warrants, reviewing evidence, and other face-to-face tasks; shortening the time from warrant acquisition to execution in urgent cases, enabling faster investigations; and facilitating the collection and management of digital evidence such as data from SNS and cloud services, thereby enabling responses to a wider range of crimes. However, concerns exist regarding risks such as personal information leaks, necessitating comprehensive security measures.

Alongside the digitalization of civil court procedures, the task of creating a database of civil court judgments also emerged. In Japan, the courts themselves have published official paper-based collections of important judgments, while also making a broader range of judgments and decisions available on court websites. However, the number of judgments actually published by the courts themselves in this manner remained very limited. Private legal publishers and database operators have addressed user needs by publishing a broader range of court precedents. Nevertheless, many judgments remained unpublished. While the Civil Procedure Act stipulates that judgments are, in principle, open to public inspection, those not published in case law collections or databases required users to visit the court holding the judgment to apply for inspection. Furthermore, non-parties could only view the judgment, not copy it. However, starting in March 2020, the Japan Federation of Bar Associations' Legal Research Foundation convened the "Study Group on Making Civil Judgments Open Data." In June 2022, it compiled the "Recommendations on the Appropriate System for the Proper Utilization of Civil Judgment Information." Subsequently, in October of the same year, the Ministry of Justice established the "Study Group on the Database System for Civil Judgment Information," which published its report on July 29, 2024. On March 7, 2025, the "Bill on Promoting the Utilization of Civil Court Information" was approved by the Cabinet and submitted to the Diet. It was passed and enacted on May 23 of the same year (Act No. 49 of 2025). This legislation mandates that all judgments in civil and administrative

litigation be put into database after implementing measures such as anonymizing personal information and masking trade secrets. This enables detailed statistical analysis of approximately 200,000 civil and administrative litigation judgments annually using AI and other tools, while also enhancing the transparency of civil justice.