

## Shinichi Sugiyama

Shinichi Sugiyama is a managing partner at Harago & Partners Law offices which is a middle size law firm based in Tokyo with 21 lawyers and 10 secretaries. His expertise is real-estate issues and corporate/labor law matters on behalf of foreign and domestic clients. He also serves as an outside independent director of a listed company in Japan. He dedicates time to public interest lawyering representing HIV positives against governments and companies in medical induced harms cases and segregation cases. He is also involved in several NGOs, including the Japan Foundation for AIDS Prevention as a director, auditor and outside independent member. He is the chair of the International Affairs Committee at the Daini Tokyo Bar Association. He served as a vice president of Daini Tokyo Bar Association in 2014. His educational and professional background includes the following:

Graduated from the Faculty of Law, The University of Tokyo.

Graduated from the Legal Training and Research Institute of the Supreme Court of Japan.

Joined the Japan Federation of Bar Associations, the Daini Tokyo Bar Association, and Harago & Partners Law Offices in April 1992.

Visiting Scholar at New York University School of Law from August 1996 to September 1997

Visiting attorney at New York office of Hughes Hubbard & Reed from April 1997 to September 1997

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### **Abstract “Globalization of Public Interest Lawyering in Japan: Achievements, Challenges, and Expectations to American Law Schools”**

How we define public interest lawyering itself may be arguable. I will discuss with its broader meaning: including legal services for the underrepresented, cause lawyering for social change and in-house lawyering at United Nations and other NGOs which intend to restore human dignity and equality under the law.

Globalization triggered widely ranged legal reform at the beginning of the millennium in Japan. The reform was constituted by increasing qualified lawyers called “Bengoshi”, legal education reform, establishing a new government fund for legal aids, introducing lay judge criminal trial system and so on.

The reform has impacted not only on business lawyering, but also on public interest lawyering. One of good impact is increase in number of lawyers who involves to legal services for the underrepresented. Before the reform, there were several prefectures or areas with no practicing attorney. Now we find no such prefecture and area in Japan. More attorneys compete in the effort to take criminal and civil legal aids case, and seek for their career as in-house lawyer at United Nations and other NGOs. Down side of the impact may be that it allegedly weakens economic basis of general practicing lawyers. Statics shows the number of civil litigation is decreasing whereas the number of registered attorneys has come to be more than doubled and still is increasing. It may undermine basis of cause lawyering which has a unique history in Japan. Rapid growth of lawyer’s population allegedly declines legal service quality in general practice and public interest lawyering.

In addition to the above, globalization brings increasing number of foreign workers in Japan. In near future, Japanese government is expected to deregulate restriction on guest workers and foreign investors. Public interest lawyering for foreign residents is one of urgent issues.

All things considered, we need to discuss the below issues and others:

How we give young lawyers incentive to involve public interest lawyering and to improve legal service quality in public interest lawyering? Does economic basis matter? What is a role of legal education? How we offer sufficient legal services for underrepresented foreign residents? Is this the matter of language capability? What is a role of legal education and/or bar examination?

Should we re-define our professionalism? Should we allow foreign attorneys to offer public interest lawyering for foreign residents in Japan? Should we reconsider boundary between lawyers qualified as “Bengoshi” and quasi-lawyers like “Shiho-shoshi”?

In order to discuss above issues in the proper way, exchanging experience and theory on public interest lawyering in United States and Japan is very important. For young lawyers in Japan who are interested in public interest lawyering, learning experience in American law school will be essential not only for language capability, but also for seeing their work and society from diversified perspectives.