

Tatsu Katayama

Tatsu Katayama is a partner at Anderson Mori & Tomotsune, whose areas of expertise are international banking, finance and securities matters on behalf of foreign clients. He is individually named by legal periodicals, such as Chambers International and Legal 500 as a leading lawyer in the area of banking and finance and structured finance/securitisation. He is the chair of the Foreign Lawyers and International Legal Practice Committee, the chair of the Attorney-Client Privilege Working Group of the Japan Federation of Bar Associations and the secretary general of the International Criminal Legislation Committee in charge of anti-money laundering measures. His professional experience includes the following:

April 1987	Anderson Mori & Tomotsune
May 1991	University of Pennsylvania (LL.M)
January 1992-January 1993	Seconded to Allen Allen & Hemsley
January 2008-December 2009	Director of International Affairs (Japan Federation of Bar Associations)
July 2010 to present	Secretary General of the International Criminal Legislation Committee (Japan Federation of Bar Associations)
January 2013 – March 2014	Secretary General of the International Legal Practice Working Group (Japan Federation of Bar Associations)
April 2014 to present	Chair of the Attorney-Client Privilege Working Group (Japan Federation of Bar Associations)
June 2015 to present	Chair of Foreign Lawyers and International Legal Practice Committee (Japan Federation of Bar Associations)
January 2016 to present	Co-chairman of Capital Markets Forum (International Bar Association)

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Abstract “Role of Bar Associations in the Globalization of Japanese Lawyers: Achievements, Challenges, and Expectations to American Law Schools”

The Japan Federation of Bar Associations (JFBA) and its constituent local bar associations including Daini-Tokyo Bar Association (Niben) are mandatory bars with which all practicing lawyers should be registered. Both JFBA and Niben operate, not only as self-regulatory bodies, but also as civic organizations. They also represent and promote the interests of lawyers, such as supporting the career development of young lawyers. In each of these functions, the roles of the bar associations extend across borders.

Japanese commercial law firms have established overseas offices in the past two decades. The pace of overseas expansion accelerated recently as major law firms established offices in Asian jurisdictions following outbound investments of their clients. These are driven by the demands of clients, and not by assistance of bar associations. There are jurisdictions where entry into the legal services market requires assistance of the government. The bar associations as self-regulatory bodies and the representative of the legal profession in Japan should work with the government so that the treaty should allow Japanese firms entry into the legal market. The flow of outbound investments in Asia has expanded to SMEs which may call lawyers in small firms or solo practices. JFBA has started programs together with the government to assist lawyers with few

international experiences to provide assistance to their clients in doing business abroad.

Japanese public interest lawyers have not been successful in entering into global legal markets. The bar associations have programs encouraging public interest lawyers to pursue their professional careers abroad. The JFBA has worked extensively in assisting public interest lawyers working abroad. For example, it works with the Minister of Foreign Affairs to assist Japanese lawyers in applying for positions at international organizations. The JFBA works with overseas law schools including UC Hastings to provide its members opportunities to attend classes for free or reduced costs. However, the number of Japanese lawyers working in international organizations of non-governmental organizations is quite small. This is a challenge for the bar associations.

No doubt that legal professions from different jurisdictions need to work together for clients and for society as a whole. The bar associations may not perform their services as self-regulatory bodies, civic organization and the representatives of the legal profession without close relationship with their peers in the United States. In my own experience, the American Bar Associations has played critical role in JFBA's policy making in relation to anti-money laundering regulations and promotion of attorney client privileges. U.S. law schools have been, for many Japanese lawyers, gateways to international legal practices. The benefits of attending U.S. law schools include learning about a different legal system, meeting lawyers from different social and cultural backgrounds and English language training. As the bar associations will be required to assist Japanese business or public interest lawyers expanding into global markets, they will encourage young lawyers to seek opportunities to attend U.S. law schools.