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**Employment:**

University of Tokyo Faculty of Law, August 2000 – present (from Oct. 2014, joint appointment with University of Washington School of Law)

Professor of Law. Teaching responsibilities at undergraduate and graduate levels.

Primary Field: Sociology of Law. Other courses taught include Japanese Law as Viewed from Abroad, International Contract Negotiation (taught jointly with the University of Washington School of Law, via Internet-based videoconferencing), International Commercial Arbitration, Seminar: Mass Media and the Law, and Seminar: Legal Education: Past, Present and Future. (Most teaching conducted in Japanese.)

University of Washington School of Law, Seattle, Washington, 1988-2000, Oct. 2014- (joint appointment with the University of Tokyo)

Assistant Professor of Law (1988 - 1993); Professor of Law (1993 – 1996, 2014 - ); Dan Fenno Henderson Professor of Law (1996 - 2000); Co-Director, Asian Law Center (2014 - ).

Fields covered include: Japanese Law, Employment Law, Labor Relations, Comparative (US-Japan) Labor Law, Comparative (US-Japan) Corporations, Comparative (US-Japan) Criminal Justice, Japanese Administrative Law, International Contracting, Criminal Procedure

University of California, Los Angeles (UCLA), August 2009-March 2010

Paul I. Terasaki Chair in US-Japan Relations

Fall Semester 2009: School of Law; Winter Quarter 2010: Department of Political Science. Courses taught: Japanese Law: As viewed through the prism of justice system reform; Senior Seminar: Politics and Justice in Japan: With a focus on criminal justice

University of Tokyo Faculty of Law, 1998 – 1999

Visiting Professor, International Center for Comparative Law and Politics. Courses taught: Seminar: The Judicial Systems in the US and Japan, Seminar: Dispute Resolution a la Carte (including arbitration and mediation)

Harvard Law School, 1994 – 1995

Visiting Professor of Japanese Legal Studies

Courses taught: Comparative Law: Introduction to Japanese Law, Comparative (US-Japan) Criminal Justice, Comparative Law: Foreign Investment in Japan, Japanese Business Law (co-taught with lawyers from Nagashima & Ohno, Tokyo)

Japan Institute of Labour, 1991 – 1992

Visiting Researcher

U.S. Department of Labor, 1992

Visiting Researcher

Both positions under the auspices of an International Affairs Fellowship from the Council on Foreign Relations

University of Tokyo Faculty of Law, 1991

Visiting Professor, under the auspices of a Fulbright Research Fellowship. Course taught: Seminar: Comparative Labor Law

O'Melveny & Myers, New York, New York, 1986 – 1988

Law firm associate

Nissan Motor Co., Ltd., Tokyo, 1985 – 1986

Staff member of the Legal Department

Supreme Court of the United States, 1982 – 1983

Law Clerk to Chief Justice Warren E. Burger

United States District Court, District of Maine, 1981 – 1982

Law Clerk to Chief Judge Edward T. Gignoux

**Education**

University of Tokyo, Faculty of Law, 1983 - 1985  
Foreign researcher under auspices of Fulbright fellowship

Harvard Law School  
J.D., magna cum laude, 1981

Harvard College  
A.B., magna cum laude, 1976  
Major: East Asian Studies

Waseda University, Tokyo, 1974 - 1975  
Junior year abroad program

Nichi-Bei Kaiwa Gakuin and Tokyo School of the Japanese Language, 1976 – 1978  
Advanced study of the Japanese language

**Service on Government and Professional Committees:**

Member, Citizens' Council, Japan Federation of Bar Associations, 2004 - present

Co-convener, Chartered Institute of Arbitrators, Japan Chapter, 2013 - present

Member, Board of Governors, Japan Commercial Arbitration Association, 2014 - present

Secretary, Japanese-American Society for Legal Studies, America Branch, 1989-2000; Member, Board of Directors, Japanese-American Society for Legal Studies, 2001 – 2010, Trustee, 2010 – present

Member, Steering Committee, Intercollegiate Negotiation Competition, Japan, 2002 - present

Member, Board of Directors, Japanese Association for Sociology of Law, 2008 - present

Expert Member, Subcommittee on Law Schools, Committee on Universities, Central Council on Education, Ministry of Education, Japan, 2001 - 2005

Member, Expert Consultation Committee on Legal Training, Headquarters for Promotion of Justice System Reform, Japan, 2002 - 2004

Member, Roundtable Discussion Group on Criminal Policy, Office of the Supreme Public Prosecutor, Japan, 2002 - 2004

Member, Committee to Evaluate Lawyers Seeking Appointment to Judicial Positions, Daini (No. 2) Tokyo Bar Association, 2002 - 2014

Member, Advisory Council on Law School Accreditation, National Institution for Academic Degrees and University Evaluation, 2003 - 2014

Member, Japan-US Educational Commission (Fulbright Commission, Japan), 2004 - 2008

Member, Outside Evaluation Committee, Meiji University School of Law (Tokyo), 2008

Member, Planning Committee, International Institute for Advanced Studies (Kyoto, Japan), 2010 – 2011

Member, Comprehensive Evaluation Committee, Doshisha University Faculty of Law (Kyoto, Japan), 2010 – 2014

Faculty Advisor, University of Tokyo Varsity Tennis Team (Men's and Women's), 2005 – 2009, 2010 - 2014

**Publications:**

A. Books

*Hābādo: Takuetsu no himitsu -- Hābādo rō sukūru no eichi ni manabu* [Harvard: Secrets to Its Preeminence – Learning from the Wisdom of Harvard Law School] (Yukio Yanagida and Daniel H. Foote) (Tokyo: Yūhikaku, 2010) (in Japanese)

*Gendai Nihon no funsō shori to minji shihō 3: Saiban keiken to soshō kōdō* [Civil Justice and Dispute Resolution in Contemporary Japan 3: Litigation Experience and Litigation Behavior] (Daniel H. Foote and Shōzō Ōta eds.) (Tokyo: University of Tokyo Press, 2010) (in Japanese)

*Hōshakaigaku no shinsedai* [A New Generation for Sociology of Law] (Shōzō Ōta, Ryō Hamano, Daniel H. Foote and Masayuki Murayama eds.) (Tokyo: Yūhikaku, 2009) (in Japanese)

*Law in Japan: A Turning Point* (Daniel H. Foote ed.) (Seattle and London: University of Washington Press, 2007)

*Na mo nai kao mo nai shihō: Nihon no saiban wa kawaru no ka* [Nameless Faceless Justice: Will Japan's Courts Change?] (Masayuki Tamaruya tr.) (Tokyo: NTT Shuppan, 2007) (in Japanese)

*Saiban to shakai: shihō no "jōshiki" saikō* [The Courts and Society: Reconsidering "Common Knowledge" Regarding Justice] (Masayuki Tamaruya tr.) (Tokyo: NTT Shuppan, 2006) (in Japanese)

*Tokeru sakai koeru hō (4): media to seido* [Dissolving Borders, Transcending Law (4): Media and Systems] (Daniel H. Foote and Yasuo Hasebe eds.) (Tokyo: University of Tokyo Press, 2005) (in Japanese)

*Law and Investment in Japan: Cases and Materials* (Yukio Yanagida, Daniel H. Foote, Edward S. Johnson, Jr., J. Mark Ramseyer and Hugh T. Scogin, Jr.) (Cambridge, MA: Harvard East Asian Legal Studies Series, distributed by Harvard University Press, 1994)

--, Second Edition (2001)

## B. Articles and Book Chapters

"Saiban'in seido ni taisuru ishiki chōsa; kenkyū no igi to kongo no kadai" [Attitude Survey regarding the Saiban'in System: Significance of the Research and Future Tasks], in *Nihonhin kara mita saiban'in seido* [The Lay Participation (Saiban'in) System, as Viewed by the Japanese] (Matsumura Yoshiyuki, Ota Shōzō, Kinoshita Manako eds., Keiso Shobo, forthcoming 2015) (in Japanese)

"Hōritsuka no yakuwari: Gasshūkoku to no hikaku o chūshin ni" [The Roles of Jurists: Centered on Comparisons with the United States], in *Hō no hendō no ninaite* [The bearers of legal change] (Atsushi Omura ed.), Vol. 5 of Iwanami Shoten series *Gendaihō no dōtai* (Tokyo: Iwanami Shoten, forthcoming early 2015) (in Japanese)

"Judicial Law-making and the Creation of Legal Norms in Japan: A Dialogue" (John O. Haley & Daniel H. Foote), in *Legal Innovations in Asia: Judicial Lawmaking and the Influence of Comparative Law* 77-122 (John O. Haley & Toshiko Takenaka eds., Edward Elgar Publishing, 2014)

"Cause Lawyering in Japan: Reflections on the Case Studies and Justice Reform," in *Going to Court to Change Japan: Social Movements and the Law in Contemporary Japan* 165-180 (Patricia O. Steinhoff ed., Center for Japanese Studies, The University of Michigan, 2014)

"Japan's ADR System for Resolving Nuclear Power-Related Damage Disputes" (forthcoming, in UC Berkeley on-line journal)

"Citizen Participation: Appraising the Saiban'in System," 22 *Michigan State Int'l L. Rev.* 756-775 (2014)

Interview: "Senmonka ni kiku" [Asking the Experts], in Masayoshi Taguchi, *Saiban'in no atama no naka: 14nin no hajimete monogatari* [Inside the Heads of Saiban'in: The First Accounts of 14 People] 192-198 (Tokyo: Gendai Jinbunsha 2013) (in Japanese)

"Saiban'in seido no seika" [Achievements of the Saiban'in System], 36 *Keijihō jōnan* 56-62 (2013) (in Japanese)

"The Trials and Tribulations of Japan's Legal Education Reforms," 36 *Hastings Int'l & Comp. L. Rev.* 369-442 (2013)

"Minji shihō gurando dezain shinpojiumu (jō), (chū), (ge)" [Civil Justice Grand Design Symposium (Parts 1, 2, and 3)] (participant in panel discussion), 982 *NBL* 24-37, 983 *NBL* 68-77, 984 *NBL* 49-57 (2012)

"Sōritsu rokujūshūnen kinen shinpojiumu 'Saikenhō no miraizō,' Paneru diskasshon" [Symposium Celebrating the 60<sup>th</sup> Year of the Founding [of the Japan Bar Association], The Future Image of the Law of Obligations, Panel Discussion] (participant in panel discussion; full transcript), 166 *Hō no shihai* [The Rule of Law] 61-101 (2012)

“Shinpojiumu: Saikenhō no miraizō, Shinpojiumu repōto” [Symposium: The Future Image of the Law of Obligations, Symposium Report] (participant in panel discussion; report with excerpts from discussion), 980 *NBL* 27-39 (2012)

“The Supreme Court and the Push for Transparency in Lower Court Appointments in Japan,” 88 *Washington University Law Review* 1745-1763 (2011)

“Internationalization and Integration of Doctrine, Skills and Ethics in Legal Education: The Contrasting Situations of the United States and Japan,” 75 *Hōshakaigaku* 8-70 (2011)

“Student-Edited Law Reviews and Their Role in U.S. Legal Education,” 6 *University of Tokyo Law Review* 257-275 (2011)

“The Future of Legal Education: Global Views,” 3 *UT Soft Law Review* 48-61 (2011), also published as Harvard Law School Program on the Legal Profession Blue Paper, available at: [http://www.law.harvard.edu/programs/plp/pdf/Foote\\_Blue\\_Paper\\_for\\_Web.pdf](http://www.law.harvard.edu/programs/plp/pdf/Foote_Blue_Paper_for_Web.pdf)

“Policymaking by the Japanese Judiciary in the Criminal Justice Field,” 72 *Hōshakaigaku* 6-47 (2010)

“Shingikai no san'yo kansatsu: Hōsō yōsei kaikaku to fushin” [Participant Observation of Deliberative Councils: Legal Training Reform and Distrust], in *Hōshakaigaku no shinsedai* (2009), at 25-44 (in Japanese)

“Restrictions on Political Activity by Judges in Japan and the United States: The Cases of Judge Teranishi and Justice Sanders,” 8 *Washington University Global Studies Law Review* 285-302 (2009)

Zadankai: Minjisoshō ni okeru tōjisha, bengoshi, saibankan Soshō kōdō chōsa to jitsumu to no taiwa (jō, ge) [Panel Discussion: Litigants, Lawyers, Judges in Civil Procedure A Dialogue between the Survey of Litigant Behavior and (the World of) Practice, Parts 1 and 2] (participant in Part 1, presenter and participant in Part 2), 1296 *Hanrei Times* 98-117, 1299 *Hanrei Times* 61-98 (2009) (in Japanese)

“Nationwide Survey of Civil Litigation Behavior: Introduction and Overview,” *Meijō Hōgaku*, Vol. 58, No. 3, pp. (2)-(11) (2008)

“Amerika gasshūkoku ni okeru hōsō kyōiku to hōsō no shitsu – Hābādo rō sukūru wo rei to shite” [Legal Education and Lawyer Quality in the United States: Taking Harvard Law School as an Example], 891 *NBL* 47-55 (2008) (in Japanese)

“Paneru deisukasshon: Ima, motomeraru ‘Hōsō no shitsu’ to wa (jō, ge)” [Panel Discussion: What Is the “Lawyer Quality” Needed Today? (Parts 1 and 2)], 891 *NBL* 56-64, 892 *NBL* 49-59 (2008) (panel discussion participant) (in Japanese)

“Hōkadaigakuin kaikaku no dōhyō: Hābādo rō sukūru no rekishi ni manabu” [Signposts for Law School Reform: Learning from the History of Harvard Law School] (Daniel H. Foote and Yukio Yanagida), in *Kojima Takeshi Sensei Koki Shukuga, Minji shihō no hōri to seisaku (gekan)* [In Commemoration of Professor Takeshi Kojima on the Occasion of His Seventieth Birthday, Doctrine and Policy in Civil Justice (vol. 2)] 857-883 (Tokyo: Shōji Hōmu, 2008) (in Japanese)

“Nihonkoku kenpō kenkyū, Dai1kai: Saiban'in seido, Zadankai” [Research on the Japanese Constitution, Session No. 1: The Saiban'in System, Panel Discussion], 1363 *Jurisuto* 88-111 (September 2008) (panel discussion participant) (in Japanese)

“Intabyū: ‘Mijika na saiban’ wa jitsugen suru ka” [Interview: Will ‘Trials Near to the People’ Be Achieved?], 779 *Sekai* 143-150 (June 2008) (in Japanese)

“Soto kara mita Nihon no hōsō jinkō, hōsō yōsei -- shihō e no akusesu wa hontō ni kōjō suru ka” [Japan's Legal Profession and Legal Training as Seen from Abroad: Will Access to Justice Really Improve?], *Hōritsu jihō*, Vol. 80, No. 4, pp. 24-34 (2008) (in Japanese)

“Introduction and Overview: Japanese Law at a Turning Point,” in *Law in Japan: A Turning Point* xix-xxxix (2007)

“Recent Reforms to the Japanese Judiciary: Real Change or Mere Appearance?” 66 *Hōshakaigaku* 128-161 (2007)

“Forces Driving and Shaping Legal Training Reform in Japan,” *Australian Journal of Asian Law*, Vol. 7, No. 3, pp. 215-240 (2006)

“Hōgaku kyōiku: atarashii hōkadaigakuin seido ni tsuite” [Legal Education: Concerning the New Law School System], Shinshihonshugi Kenkyūkai, Tokyo, Kenkyūkai shiryō No. 104, pp. 1-18 (2006) (in Japanese)

“Nihonhō no tōmeisei — Amerikahō to no hikaku ni oite” [Transparency in Japanese Law — in Comparison with U.S. Law] (Masami Kittaka tr.), in *Tokeru sakai koeru hō (4): media to seido* [Dissolving Borders, Transcending Law: Media and System] (University of Tokyo Press, 2005), at 3-27 (in Japanese)

“Transparency in Japanese Law — in Comparison with U.S. Law,” in *Dissolving Borders, Transcending Law*, Grant-in-Aid for Creative Scientific Research, Reconstruction of Legal System in the Borderless Age, Graduate Schools of Law and Politics, The University of Tokyo, 2006 (original English-language version of above article, published in collection of English-language papers)

“Dēta de miru Amerika no rō sukūru kyōiku” [American Law School Education as Revealed by Data], 1297 *Jurisuto* 97-103 (2005) (in Japanese)

“International Contracting Meets Information Technology: Tales from a Transpacific Seminar,” *Zeitschrift für Japanisches Recht/Journal of Japanese Law*, Vol. 10, No. 19, pp. 69-100 (2005)

“Kōshō no junbi” [Preparation for Negotiation], in *Kōshō kēsubukku* [Negotiation Casebook] (Shōzō Ōta & Yoshiaki Nomura eds.) (Tokyo: Shōji Hōmu, 2005), at 125-134 (in Japanese)

“Beikoku rō sukūru no uchigawa: kyōin no gakureki/shokureki tō no tōkei bunseki wo tsūjite” [An Inside View of U.S. Law Schools: Based on an Empirical Profile of Law Professors], 121 *Hōgaku kyōkai zasshi* 1285-1377 (2004) (in Japanese)

“Amerikajin wa Nihonjin yori Nihonteki na no ka?” [Are Americans More Japanese than the Japanese?], in *Ningen no kokoro to hō* [People’s Souls and the Law] (Hayao Kawai and Masunobu Katō eds.) (Tokyo: Yūhikaku, 2003), at 212-242 (in Japanese) (Also published in Korean, in translation of this book published in 2012.)

“Keiken, tayōsei, soshite hō” [Experience, Diversity, and the Law] (Kei Yoshinaga tr.), in Ayako Nozaki, *Seigi, kazoku, hō no kōzō tenkan: riberaru feminizumu no saitei* [The Structural Transformation of Justice, the Family, and Law: A Repositioning of Liberal Feminism] (Tokyo: Keisō Shobō, 2003), at 227-237 (in Japanese)

“Japanese Justice System Reform in Comparative Perspective,” 58 *Hōshakaigaku* 204-234 (2003)

“Hōgaku kyōiku ni okeru tayōsei: sono igi to gan’i” [Diversity in Legal Education: Its Significance and Implications] (Keiichi Ageishi tr.) *Hōritsu jihō zōkan, Shihō kaikaku 2002*, at 41-44 (2002) (in Japanese)

“Reflections on Japan’s Cooperative Adversary Process,” in *The Japanese Adversary System in Context: Controversies and Comparisons* (Malcolm Feeley and Setsuo Miyazawa eds.) (Palgrave Macmillan, 2002), at 29-41

“Hōkadaigakuin ni okeru kyōiku no arikata ni tsuite (sōkatsu komento)” [What Type of Education Should Law Schools Offer? (overall comment)], Kyoto University Graduate School for Law, Legal Policy and Practice Interchange Center Symposium, *Hōsei jitsumu kōryū sentā chōsa kenkyū sōsho* No. 8, at 40-44 (2001) (in Japanese)

“Zadankai: Kaisha hōmubu -- gurōbaru jidai no Nihongata hōmubu wo tenbō suru” [Panel Discussion: Corporate Legal Departments -- Viewing Japanese-style Corporate Legal Departments in the Global Age], 63 *Bessatsu NBL* 1-40 (2001) (in Japanese)

“(Shihō seido kaikaku shingikai no) Chūkan hōkoku ni okeru hōgaku kyōiku kaikaku: jikkō katei de rinen wo miushinawanai tame ni” [Legal Education Reform as Seen in the Interim Report (of the Justice System Reform Council): So As Not to Lose Sight of the Ideals in the Implementation Process], 1198 *Jurisuto* 97-104 (2001) (in Japanese)

“Zadankai: Senkyosen o tōshite mita Amerika daitōryōsei no tokuchō” [Panel Discussion: Characteristics of the American Presidential System as Seen in the Campaign Battle], 1196 *Jurisuto* 44-72 (2001) (in Japanese)

“Deregulation and Labor Law: The United States,” in *Deregulation and Labour Law: In search of a labour concept for the 21<sup>st</sup> century* (Roger Blanpain ed.) (Kluwer, 2000), at 147-168. (Also published in Italian, as “Il diritto del lavoro statunitense: un sistema deregolamento?” (Michele Tiraboschi tr.), in N.2-1999 *Diritto delle Relazioni Industriali* 125-137. Also published in Chinese.)

“Shihō ni nani o nozomu ka” [What I Desire for the Justice System], 1170 *Jurisuto* 146-150 (2000) (in Japanese)

“Nihon no kyōchōteki ‘tōjishashugi’ no kōsatsu” (Noboru Kashiwagi tr.), 115 *Hō no shihai* 92-100 (1999). (Japanese translation of above article, “Reflections on Japan’s Cooperative ‘Adversary’ System”)

“Deisukasshon pēpā ni taisuru iken – beikoku no rō sukūru to no hikaku to iu kanten kara” [Views on the Discussion Paper – from the Standpoint of Comparisons to American Law Schools], 1168 *Jurisuto* 25-29 (1999) (in Japanese)

“Labor-Management Cooperation in the United States: Reflections on Boeing,” 15 *International Journal of Comparative Labour Law and Industrial Relations* 431-435 (1999)

“Nihon ni okeru keiji shihō – keizokusei to henka” [Continuity and Change in Japanese Criminal Justice], 36 *Hikakuhō* 69-86 (1999) (in Japanese)

Panelist, Symposium, “Bunka hikaku no naka no Nihonhō: Nihonhō no tokushitsu wo saguru” [Japanese Law in Cultural Comparison: Seeking the Characteristics of Japanese Law], 36 *Hikakuhō* 87-116 (1999) (in Japanese)

“ICCLP Report: Law Clerking in the United States,” *ICCLP Review*, Vol. 2, No. 2, at 21-27 (1999) (also published in Japanese, in Japanese language edition of same review)

“‘Judicial Activism’ in the United States and Japan,” 5<sup>th</sup> *Comparative Law and Politics Symposium: A Celebration of the 5<sup>th</sup> Anniversary of the ICCLP* 33-48 (ICCLP Publications No. 6, 1999)

“Nichibei hikaku keiji shihō no kōgi wo furikaette” [Perspectives from Teaching Comparative US-Japan Criminal Justice], 1148 *Jurisuto* 165-173 (1999) (in Japanese) (also published in Chinese in 1999, in set of reference materials prepared for and distributed to officials, scholars, and others involved in the debate over criminal justice reform in Taiwan)

“Reflections of a Former Law Clerk,” in *Matsuo Kōya Sensei Koki Shukuga Ronbunshū*, Gekan [Essays in Honor of Professor Kōya Matsuo on the Occasion of His Seventieth Birthday, Vol. 2] (Kuniji Shibahara, Noriyuki Nishida and Masahito Inouye eds.) (Tokyo: Yuhikaku, 1998), at 796(1)-751(46)

“The Roles of Comparative Law: Inaugural Lecture for the Dan Fenno Henderson Professorship in East Asian Legal Studies,” 73 *Washington Law Review* 25-39 (1998)

“Law as an Agent of Change? Governmental Efforts to Reduce Working Hours in Japan,” in *Japan: Economic Success and the Legal System* (Harald Baum ed.) (Berlin/NY: Walter de Gruyter, 1996), at 251-301

“Judicial Creation of Norms in Japanese Labor Law: Activism in the Service of — Stability?” 43 *UCLA Law Review* 635-709 (1996)

“Resolution of Traffic Accident Disputes and Judicial Activism in Japan,” 25 *Law in Japan: An Annual* 19-39 (1995)

“Nihon ni okeru kōtsū jiko funsō no kaiketsu to shihō sekkyokushugi”, in *Soto kara mita Nihonhō* [Japanese Law in Comparative Perspective] (Shirō Ishii and Norio Higuchi eds.) (Tokyo: University of Tokyo Press, 1995), at 183-214. (Japanese translation of above article, “Resolution of Traffic Accident Disputes and Judicial Activism in Japan.”)

“Gasshūkoku ni okeru hōgakkai to hōjitsumukai” [The Worlds of Academics and Legal Practice in the United States], 1995-1 *Amerikahō* (American Law) 1-26 (in Japanese)

“Japan’s ‘Foreign Workers’ Policy: A View from the United States,” 7 *Georgetown Immigration Law Journal* 707-745 (1993)

“‘The Door that Never Opens’?: Capital Punishment and Post-Conviction Review of Death Sentences in the United States and Japan,” 19 *Brooklyn Journal of International Law* 367-521 (1993)

“From Japan’s Death Row to Freedom,” 1 *University of Washington Pacific Rim Law & Policy Journal* 11-103 (1993)

“Immigration Law and Foreign Workers: A U.S. Perspective on Japanese Policy,” in *Foreign Workers Problems: Japan and the U.S.* (Shigenori Matsui & Susumu Noda eds.) (Osaka: Center for Japan-U.S. Exchange in the Humanities and Social Sciences, 1993), at 28-57

“The Benevolent Paternalism of Japanese Criminal Justice,” 80 *California Law Review* 317-390 (1992)

“Zaibei nikkei kigyō no rōdō mondai o kangaeru — koyō sabetsu, rōshi kankeitō no atarashii ugoki o chūshin ni” [Consideration of Labor Issues Facing Japanese Enterprises in the United States — With Special Attention to Recent Developments Regarding Employment Discrimination and Labor-Management Relations], 1864 *Rōdō Hōgaku Kenkyū Kaihō* 1-22 (1992) (in Japanese)

“Nōryoku shōgai o motsu amerikajin ni kansuru hōritsu (ADA) to amerikahō ni okeru sabetsu no gainen” [The Americans with Disabilities Act and Concepts of Discrimination in U.S. Law], 385 *Nihon Rōdō Kenkyū Zasshi* 3-15 (1991) (in Japanese)

“Confessions and the Right to Silence in Japan,” 21 *Georgia Journal of International and Comparative Law* 415-488 (1991)

“Evolution in the Concept of Contracts,” in *United States/Japan Commercial Law & Trade* (Valerie Kusuda-Smick ed.) (Transnational Juris Publications, 1990), at 689-695

“Prosecutorial Discretion in Japan: A Response,” 5 *UCLA Pacific Basin Law Review* 96-106 (1986)

“Nihon no hōgaku kyōiku inshōki” [Impressions of Legal Education in Japan], 863 *Jurisuto* 53-61 (1986) (in Japanese)

“Zadankai, Koyō kikai kintōhō no shakaiteki inpakuto” [Panel Discussion, The Social Impact of Equal Employment Opportunity Law], 306 *Nihon Rōdō Kyōkai Zasshi* 36-51 (1984) (in Japanese)

Comment, “The Patentability of Living Microorganisms: *Diamond v. Chakrabarty*,” 94 *Harvard Law Review* 261-270 (1980)

Note, “High on the Seas: Drug Smuggling, the Fourth Amendment, and Warrantless Searches at Sea,” 93 *Harvard Law Review* 725-751 (1980)

### C. Book Reviews

Darryl E. Flaherty, “Public Law, Private Practice: Politics, Profit, and the Legal Profession in Nineteenth-Century Japan” (book review), *Journal of Japanese Studies* (forthcoming 2015)

Hiroshi Itoh, “The Supreme Court and Benign Elite Democracy in Japan” (book review), *Journal of Japanese Studies*, Vol. 38, No. 1, pp. 212-217 (2012)

“Foundations of Labor and Employment Law” (book review), 500 *Nihon rōdō kenkyū zasshi* 93-94 (2002) (in Japanese)

“Foreign Workers and Law Enforcement in Japan” (book review), *Journal of Japanese Studies*, Vol. 25, No. 1, pp. 247-252 (1999)

“Japanese Corrections: Managing Convicted Offenders in an Orderly Society” (book review), *Journal of Japanese Studies*, Vol. 24, No. 1, pp. 142-147 (1998)

“Law, Labour and Society in Japan: From Repression to Reluctant Recognition” (book review), *Journal of Japanese Studies*, Vol. 20, No. 1, pp. 194-198 (1994)

“Policing in Japan: A Study on Making Crime” (book review), 84 *Journal of Criminal Law and Criminology* 410-427 (1993)

“Dictionary of Anglo-American Law” and “Hōritsu yōgo taiyakushū” (book review), 23 *Law in Japan: An Annual* 127-129 (1990)

“Understanding Industrial Relations in Modern Japan” (book review), *Journal of Japanese Studies*, Vol. 16, No. 1, pp. 242-248 (1989)

“Law and Social Change in Postwar Japan” (book review), 20 *N.Y.U. Journal of International Law and Politics* 993-1013 (1988)

### D. Translations, Compilations, Major Editing Projects, Other Publications

“Dandō-Sensei to no omoide” [Memories with Dando-Sensei], *Ronkyū Jurisuto* No. 4 (Winter 2013), at --- (in Japanese)

“Kauntodauno! Saiban’in saiban (7), Ato 10kagetsu: Bengoshi ni totte no saibanin saiban” [Countdown! Saibanin Trials (7), 10 Months to Go: The Saibanin Saiban, as It Relates to Lawyers], *Nichibenren Shinbun* (Newspaper of the Japan Federation of Bar Associations), No. 414, pg. 2 (July 2008) (in Japanese)

“Sociolegal Islands?” Newsletter of the Japanese Association for Sociology of Law 1 (January 2008)

“Nihongo kenshūjo no omoide” [Memories of the Japanese Language Institute], *Nihongo kenshūjo, Sōritsu 40 shūnen kinenshi* [Publication Commemorating the 40<sup>th</sup> Anniversary of the Founding of the Japanese Language Institute] 103-105 (International Education Center, Tokyo, 2007)

“Dan Fenno Henderson: A Tribute,” in *Law in Japan: A Turning Point* (Daniel H. Foote ed.) 623-629 (University of Washington Press, 2007)

“Kokusai keiyaku kōshō” [International Contract Negotiation], 2004/03 *Tansei*, The University of Tokyo Magazine, Vol. 12, at 16 (March 2004) (in Japanese)

“‘Sokuratikku mesoddo’ no keisai ni atatte” [Respecting Publication of “The Socratic Method”], 1239 *Jurisuto* 81 (2003) (in Japanese)

“Bush v. Gore: Law and the Mass Media in the Context of the 2000 U.S. Presidential Election,” *Media ni okeru hōhōdō ni kansuru kenkyū, Kenkyū seika hōkokusho* [Research regarding Legal Coverage in the Media, Report of Research Results] (Lead Researcher: Kahei Rokumoto) (2002)

“Dedication: Dan Fenno Henderson,” 27 *Law in Japan: An Annual* v-vii (2001) (in English); 2001-1 *Amerika-hō* 10-12 (2001) (in Japanese) (Kichimoto Asaka tr.)

“Mechanisms for Dealing with Heavy Caseloads in the US Criminal Justice System” (published in English and in Chinese in 1999, in set of reference materials prepared for and distributed to officials, scholars, and others involved in the debate over criminal justice reform in Taiwan)

“The Adversary Process in the United States and Japan” (published in English and in Chinese in 1999, in set of reference materials prepared for and distributed to officials, scholars, and others involved in the debate over criminal justice reform in Taiwan)

“Prosecutorial Discretion in the United States and Japan” (published in English and in Chinese in 1999, in set of reference materials prepared for and distributed to officials, scholars, and others involved in the debate over criminal justice reform in Taiwan)

Translator (with Mikiyo I. Foote), *Twelve Not-So-Angry Japanese* (screenplay for Japanese film, by Mitani Kōki) (translation completed 1997; unpublished)

Compiler and editor, *Politics and Justice in Japan: With a focus on criminal justice* (2010) (Materials for use by students at UCLA Department of Political Science)

Compiler and editor, *Japanese Law: As viewed through the prism of justice system reform* (2009) (Materials for use by students at UCLA School of Law)

Compiler and editor, *Labor Law in Japan: Materials for a Course on Japanese Labor Law* (1989, 1990, 1994) (Materials for use by students at the University of Washington School of Law)

Compiler and editor, *U.S./Japan Criminal Justice: Materials for a Course on Comparative Criminal Justice* (1990, 1993, 1995, 1996) (Materials for use by students at the University of Washington School of Law [1990, 1993, 1996] and Harvard Law School [1995])

Co-compiler and co-editor, *Law and the Legal Process in Japan: Materials for an Introductory Course on Japanese Law* (with John O. Haley and Dan Fenno Henderson) (University of Washington School of Law 1994)

Editor-in-chief, *Law in Japan: An Annual*, volumes 21-25 (1989 - 1995)

Editor’s Page, 22 *Law in Japan: An Annual* i-ii (1989); 23 *Law in Japan: An Annual* i-ii (1990); 24 *Law in Japan: An Annual* iii-iv (1991); 25 *Law in Japan: An Annual* iii-iv (1995)

Editor, *Labour Laws of Japan 1990* (Ministry of Labour, Japan 1990)

Editor, Case translations contained in *Management Flexibility in an Era of Changes: The Methods of Accommodating Working Conditions, and Work Organizations, JIL Report Series No. 3* (Japan Institute of Labour 1994), pp. 101-161



Editorial staff: *Advanced Business English Dictionary* (Pacific Management Consultants, Tokyo 1977; rev. ed. 1987)

“Dedication, John Owen Haley: Scholar, Mentor, Friend,” 2 *University of Washington Pacific Rim Law & Policy Journal* vii-ix (1994)

“Four Views of Japanese Attorneys” (introductory comment), followed by translations of:

Nishimura Ken, “Want to Win Disputes? He’ll Show You How.”;

Ishii Yayoi, “This Is What a Retainer of ¥50,000 a Month Gets You”;

Yonemoto Kazuhiro, “The Shimane Bar Association: All Twenty-One Members Strong”;

Miya Yōko, “Twenty-Eight and Single; Occupation: Secret”;

in *25 Law in Japan: An Annual* 102-134 (1995)

Translator, “Case 17. Japan v. Kikuchi et al (1977). The Nagoya Central Post Office Case,” and “Case 18. Japan v. Ogawa et al. (1976). The Iwate Prefecture Teachers Union Case,” in *The Constitutional Case Law of Japan, 1970 through 1990* (Beer and Itoh, eds. 1996)

Translator, Itoh, “Inter-Enterprise Relations and Ongoing Business Relationships,” in *Law and Investment in Japan: Cases and Materials* 91-95 (1994)

Translator, Nishiyama, “The Structure of Enterprise Control in Modern Japan,” in *Law and Investment in Japan: Cases and Materials* 99 (1994)

Translator, Imai and Komiya, “Characteristics of the Japanese Enterprise,” in *Law and Investment in Japan: Cases and Materials* 100-103 (1994)

Translator, “Scheduling of Oral Arguments,” in *Law and Investment in Japan: Cases and Materials* 438 (1994)

Translator, Kuroda v. Japan, in *U.S./Japan Criminal Justice: Materials for a Course on Comparative Criminal Justice* (1990, 1993, 1995, 1996)

Translator, Hiratani, “The Role of Kyōjutsu Chōsho [Record of Statements] from the Judicial Perspective,” in *U.S./Japan Criminal Justice: Materials for a Course on Comparative Criminal Justice* (1990, 1993, 1995, 1996)

Translator, Excerpts from Dandō Shigemitsu, *On the Abolition of the Death Penalty* 54-55, 64-80 (1995), in *U.S./Japan Criminal Justice: Materials for a Course on Comparative Criminal Justice* (1995, 1996)

Translator, Yamaguchi v. Jiji Tsūshinsha K.K., in *Labor Law in Japan: Materials for a Course on Japanese Labor Law* (1989, 1990, 1994)

Translator, Funada Mitsuo, “The Public Opening of Trials, the Right to Know, and the Attainment of Fair Trials: On the Occasion of the Supreme Court Grand Bench Judgment in the Courtroom Note-Taking Case,” 22 *Law in Japan: An Annual* 65-104 (1989) (with Vicki L. Beyer)

Compiler and translator, Hiramatsu Yoshirō, “Summary of Tokugawa Criminal Justice,” 22 *Law in Japan: An Annual* 105-128 (1989)

Translator, Hirano Ryūichi, “Diagnosis of the Current Code of Criminal Procedure,” 22 *Law in Japan: An Annual* 129-142 (1989)

Translator, Ishimatsu Takeo, “Are Criminal Defendants in Japan Truly Receiving Trials by Judges?” 22 *Law in Japan: An Annual* 143-153 (1989)

Translator, Seki Mamoru, “The Drafting Process for Cabinet Bills,” 19 *Law in Japan: An Annual* 168-187 (1986)

Many other newspaper interviews and translations from Japanese, including works and cases on labor, criminal justice, the judiciary, corporations, and business.

#### **Presentations:**

“Japan’s New ‘Jury’ System: A Five-Year Progress Report,” Griffith and Patricia Way Lecture 2014, University of Washington, Seattle, WA, December 3, 2014

“Fifteen Years of Justice System Reform in Japan,” Asian Law Lecture Series, University of Washington School of Law, Seattle, WA, October 21, 2014

Chair and Discussant, "Empirical Studies on Civil Dispute Resolution," Law & Society Association Annual Meeting, Minneapolis, MN, May 31, 2014

Panelist, "Mini-Symposium on Legal Professionals in Japan," Japanese Association for Sociology of Law Annual Meeting, Osaka University, Osaka, Japan, May 9, 2014 (in Japanese)

"Memories of the International Division," 50<sup>th</sup> Anniversary of the Founding of the GLCA Program at Waseda, Waseda University, Tokyo, October 26, 2013

"Citizen Participation: Appraising the Saiban'in System," Symposium: Keywords for Understanding Japanese Law, Doshisha University, Kyoto, May 25, 2013

Chair and Discussant, "Current Circumstances and Issues relating to Compensation for Nuclear Power-Related Damage," Japanese Association for Sociology of Law Annual Meeting, Aoyama Gakuin University, Tokyo, May 11, 2013 (in Japanese)

"The Saiban'in System and Criminal Justice Reform in Japan," University of Washington School of Law, Seattle, WA, March 7, 2013

"The Challenges of Legal Education Reform: A View from Japan," University of Washington School of Law, Seattle, WA, March 5, 2013

"A Gaijin at Today," University of Washington, Jackson School for International Studies, Seattle, WA, March 4, 2013

"Two Aspects of the Japanese Judiciary: Norm Creation and the Saiban'in System," Symposium: Law in Japan and Its Role in Asia: Between East and West, Waseda University, Tokyo, October 23, 2012

"Kichō hōkoku: Saiban'in seido no kōseki to kadai" [Keynote Address: Achievements of and Challenges for the Saiban'in System], and Symposium Panelist, Shinpojiumu: Saiban'in seido no kōseki to kadai – Keiji saiban wa kawatta no ka? Kawareru no ka? [Symposium: Achievements of and Challenges for the Saiban'in System – Have Criminal Trials Changed? Can They Change?], 66<sup>th</sup> Plenary Meeting of the Chugoku Region Bar Associations, Fukuyama City, Hiroshima Prefecture, October 12, 2012 (in Japanese)

"The Trials and Tribulations of Japan's Legal Education Reforms," Symposium: Successes, Failures, and Remaining Issues of the Justice System Reform in Japan, University of California Hastings College of the Law, San Francisco, CA, September 7, 2012

Presenter, "Japan's ADR System for Resolving Nuclear Power-Related Damage Disputes," and Session Chair, 2012 International Conference on Law & Society, Honolulu, HI, June 8, 2012

Panelist, "Shinpojiumu: Saikenhō no miraizō" [Symposium: The Future Image of the Law of Obligations], Nihon Hōritsuka Kyōkai, Nikkei Hall, Tokyo, May 9, 2012 (in Japanese)

"Rō sukūru no kokusaika to sukuru/rinri kyōiku no hatten: Nichibei no hikaku yōin kentō" [Internationalization and the Advance of Education in Skills and Ethics in Law Schools: A Comparative Examination of the Relevant Forces in Japan and the United States], Kiso-hōgaku kenkyūkai, The University of Tokyo, April 21, 2012 (in Japanese)

Panelist, "Minji shihō kaikaku gurando dezain shinpojiumu" [Symposium on the Grand Design for Civil Justice Reform], Japan Federation of Bar Associations, Tokyo, March 24, 2012 (in Japanese)

"Japan's ADR System for Resolving Nuclear Power-Related Damage Disputes," Conference: Problems of Law in Response to Disasters, Meiji University, Tokyo, March 6, 2012

"Reforming Japanese Criminal Justice: Recent Reforms as Viewed in Historical Perspective," Contemporary Japan Group, The University of Tokyo, February 16, 2012

"The Evolving 'Roberts Court': A Comment," Japanese-American Society for Legal Studies Lecture Meeting, The University of Tokyo, January 7, 2012

"A Tribute to Robert Grondine," Intercollegiate Negotiation Competition, Sophia University, Tokyo, December 3, 2011

"Gasshūkoku no hōgaku kyōiku no saikin no dōkō kara mita Nihon no hōgaku kyōiku no genjō to kadai" [The Current State and Issues for Legal Education in Japan, as Viewed from the Perspective of Recent Developments in

U.S. Legal Education], Kigyō hōmu kenkyūkai [Corporate Legal Affairs Study Meeting], Tokyo, October 15, 2011 (in Japanese)

“Hōkyōiku no yukue” [Comment: The Future of Law-Related Education], Japanese Association for Sociology of Law Annual Meeting, Tokyo, May 7, 2011 (in Japanese)

“Japanese Criminal Justice Reform in Historical Perspective,” 2011 Sho Sato Conference on Japanese Law, The Japanese Legal System: An Era of Transition, University of California, Berkeley, Berkeley, CA, March 14, 2011

“Amerika no rō sukūru kyōiku ni okeru kōshō kyōiku no ichizuke oyobi hābādo rō sukūru no kariyuramu kaikaku” [The Place of Negotiation Education in US Law School Education and Curricular Reform at Harvard Law School], International Institute for Advanced Studies, Kyoto, November 27, 2010 (in Japanese)

“Reforming Legal Education: A View from Japan,” FutureEd2: Making Global Lawyers for the Twenty-First Century, Harvard Law School, Cambridge, MA, October 15, 2010

“Policymaking by the Japanese Judiciary in the Criminal Justice Field” and “Comment: The Judicial Appointment Process in Japan,” Conference: Decision Making on the Japanese Supreme Court, Washington University School of Law, St. Louis, MO, September 11, 2010

“Amerika no rō sukūru kyōiku no saikin no dōkō: hābādo rō sukūru no kariyuramu kaikaku o chūshin ni” [Recent Trends in US Law School Education: With a focus on curricular reforms at Harvard Law School], Japanese Association for Sociology of Law, Kanto Branch, Tokyo, June 2010 (in Japanese)

“Reforming Japanese Criminal Justice: Juries, Victims and a Robust (?) Adversary System,” Terasaki Center Colloquium, University of California, Los Angeles (UCLA), Los Angeles, CA, February 22, 2010

“Reforming Japanese Criminal Justice,” CEAS Japan Colloquium, Stanford University, Stanford, CA, January 26, 2010

“Nameless Faceless Justice: Will Recent Reforms Change the Ethos of the Japanese Judicial System?” Japanese American Bar Association, Los Angeles, October 28, 2009

“Reflections on the Papers,” Tax Law, Social Policy, and the Economy, The 2009 Sho Sato Conference on Japanese Law, University of California, Berkeley, March 2009

“The US Jury: Frequently Asked Questions,” ‘The Jury Is In’: Japanese Views on US Jury System, Tokyo American Center, Tokyo, Japan, February 2009

“Tōjisha wa saiban, hōritsuka ni nani wo motomeru no ka? Jitsumu to no taiwa; Zadankai (pāto 1, 2)” [Panel Discussion: What Do Litigants Seek from Trials and Lawyers? A Dialogue with (the World of) Practice, Parts 1 and 2] (participant in Part 1, presenter and participant in Part 2), Tokyo, Japan, December 2008 and February 2009 (in Japanese)

Panelist, “Paneru deisukasshon: Minna de kizukou saiban’in seido” [Panel Discussion: For A Lay Participation System We All Create Together], Dai23kai shihō shinpōjiumu [23<sup>rd</sup> Justice Symposium], Japan Federation of Bar Associations, Bengoshi Kaikan, Tokyo, Japan, November 2008 (in Japanese)

Session Chair and Discussant, “Shihō seiji” [Judicial Politics], Japanese Political Science Association Annual Meeting, Kwansai Gakuin University, Nishinomiya, Japan, October 2008 (in Japanese)

Session Chair and Discussant, “Participation in the Administrative Law Area,” 5<sup>th</sup> Dutch-Japanese Law Symposium, Gakushuin University, Tokyo, Japan, September 2008

“Book Talk: *Law in Japan: A Turning Point*,” High Tech Study Group, Tokyo, Japan, September 2008

“Amerika ni okeru hōsō kyōiku to hōsō no shitsu: Hābādo rō sukūru wo rei ni shite” [Legal Education in the United States and Lawyer Quality: Using Harvard Law School as an Example], Symposium Commemorating the Tenth Anniversary of the Establishment of the Japan Federation of Bar Association’s Research Foundation, Tokyo, July 17, 2008 (in Japanese)

“Japan’s Nameless Faceless Judiciary: Will Recent Reforms Change the Ethos?” Nagashima Ohno & Tsunematsu Lunchtime Speaker Series, Tokyo, Japan, June 25, 2008

“Restrictions on Political Activity by Judges in Japan and the United States: The Cases of Judge Teranishi and Justice Sanders,” Conference in Honor of John O. Haley, Washington University School of Law, St. Louis, Missouri, May 2008

“Nihon Keizai Shinbun Benkyōkai: Tenkanki ni aru Nihonhō” [Nikkei Study Group: Japanese Law at a Turning Point], April 1, 2008 (in Japanese)

“Japan’s Nameless Faceless Judiciary: Will Recent Reforms Change the Ethos?” Program on U.S.-Japan Relations, Harvard University, Cambridge, Massachusetts, March 2008

“Saiban ni kitai suru mono” [Expectations for the Courts], 3rd Year Training Program for Assistant Judges, Legal Training and Research Institute, Japan, March 2008 (in Japanese)

“Views of Litigation, Lawyers, and Judges in Japan (Part 1): Overview of Research; Access to Lawyers,” International Symposium on Civil Justice and Dispute Resolution, Meiji University, Tokyo, Japan, March 1, 2008

“Japan’s 3 Year Old Law Schools: What Can They Learn from Harvard Law School’s 190 Year History?” Harvard Law School Association of Japan, Tokyo, Japan, December 2007 (with Yukio Yanagida)

“Soto kara mita Nihon hōsei no kaikaku: shihō akusesu wa hontō ni kōjō suru ka” [The Reform of Japan’s Legal System as Viewed from Abroad: Will Access to Justice Really Improve?], Keynote speech No. 1 for Shihō akusesu gakkai [Access to Justice Association], First Annual Meeting, Bengoshi Kaikan, Tokyo, Japan, December 8, 2007 (in Japanese)

“Shimin no saiban shiyō kōdō (C-han) no kenkyū gaiyō” [Overview of Research on the Behavior of the Japanese People regarding Use of Courts (conducted by Group C)], Hōka shakai ni okeru funsō shori to minji shihō, zentai kaigi [Overall meeting for the research project on dispute resolution and civil justice in a legalizing society], Meiji University, Tokyo, Japan, September 8, 2007 (in Japanese)

“Views of Litigation, Lawyers, and Judges in Japan: Contrasting the Views of Litigants, Lawyers, and the General Public,” Joint Meeting of the Research Committee for the Sociology of Law and the Law and Society Association, Berlin, Germany, July 25, 2007

Respondent, in Author Meets Readers Panel, to Critiques by Shintarō Katō and Iwao Satō of Foote, Saiban to shakai: shihō no ‘jōshiki’ saikō [The Courts and Society: Reconsidering “Common Knowledge” Regarding Justice], Japanese Association for the Sociology of Law, Kanto Branch, Tokyo, Japan, March 2007 (in Japanese)

“Reflections of a Foreigner at Todai,” Nihon Horitsu Kenkyukai, Columbia Law School, New York, NY, March 2007

“Shihō seido kaikaku to hōkadaigakuin: hōkadaigakuin kyōiku no jissai to kongo no tenbō” [Justice System Reform and Law Schools: The Realities of Education at Japan’s New Law Schools and Prospects for the Future], Kyushu Three-Law School Joint Symposium, January 28, 2007 (participating via videoconference link, from the site at Kagoshima University, Kagoshima, Japan) (in Japanese)

Participant, Panel Discussion on “Japan’s New Law Schools: A Progress Report,” Roppongi Bar Association, Tokyo, Japan, May 2006

“Legal Education Reform in Japan: Two Years of US-Style Law Schools,” East Asian Legal Studies Speaker Series, Harvard Law School, Cambridge, MA, April 2006

“Serving on the Supreme Court: How Should a Nation Select its Most Powerful Judges? Taking a Look at the U.S. and Japanese Models” (with Prof. Laura Little of Temple University), Foreign Women’s Lawyers Association (Japan), Tokyo, Japan, March 2006

“Hōgaku kyōiku: atarashii hōkadaigakuin seido ni tsuite” [Legal Education: Concerning the New Law School System], Shinshihonshugi Kenkyūkai, Tokyo, Japan, February 17, 2006 (in Japanese)

“Dēta de miru Amerika no rō sukūru kyōiku” [American Law School Education as Revealed by Data], Nihon shihō gakkai [Japanese Association for Private Law] Annual Meeting, Kyushu University, Fukuoka, Japan, October 10, 2005 (in Japanese)

“Justice System Reform in Japan,” Research Committee for the Sociology of Law Annual Meeting, Paris, France, July 2005

“The Process of Legal Education Reform in Japan,” Association for Asian Studies Annual Meeting, Chicago, IL, April 1, 2005

“Criminal Justice on Trial: Comment,” Japanese Law on Trial, University of Sydney, Australia, February 2005

“Forces Driving and Shaping Legal Training Reform in Japan,” Build It and They Will Come: The First Anniversary of Law Schools in Japan, The University of Melbourne, Australia, February 2005

“Nihonhō no ‘jōshiki’ saikō: ‘Gaiatsu ni yowai Nihon’” [Reconsidering “Common Knowledge” Regarding Japanese Law: Japan Weak to Foreign Pressure?], NTT Group, Hatsukakai, Tokyo, Japan, February 18, 2005 (in Japanese)

“Legal Education Reform in Japan: By Comparison to the United States,” “Justice System Reform in Japan,” and Panelist in two-day International Seminar on Judicial Reform: Reform in Legal Education and Training, Taipei, Taiwan, September 23-24, 2004

“Amerika gasshūkoku kara mita Nihon no saiban seido” [The Japanese Judiciary as Viewed from the United States], 2004 Professional Study Program (continuing education program for judges), Legal Training and Research Institute, Tokyo, Japan, May 2004 (in Japanese)

“An Outsider Insider Reflects,” Nihon Horitsu Kenkyukai, Columbia Law School, New York, NY, March 2004

“Beikoku ni okeru hōsō kyōiku seido” [The U.S. System for Training Legal Professionals], for training session in program for Vietnamese officials, Research and Training Institute, Ministry of Justice (Japan), Tokyo, Japan, February 17, 2004 (in Japanese)

“Transparency in U.S. and Japanese Law,” International Symposium on Transboundary Issues of Law and Politics, The University of Tokyo, Tokyo, Japan, December 2003

“Hōkadaigakuin ni okeru kyōiku hōhō: Beikoku rō sukūru kyōiku no kanten kara” [Law School Teaching Methods: From the Standpoint of Education at US Law Schools], for training session in program for prosecutors preparing to teach at law schools, Research and Training Institute, Ministry of Justice (Japan), Tokyo, Japan, October 14, 2003 (in Japanese)

“Rō sukūru kyōkan no kyōiku/shokugyō keireki tō no tōkei bunseki: rō sukūru no kyōju ni naru ni wa” [Statistical Analysis of the Educational and Vocational Background of Law School Faculty Members: How Does One Become a Law School Professor?] Japanese Association for the Sociology of Law, Kanto Branch, Tokyo, Japan, September 26, 2003 (in Japanese)

“American-Style Legal Education in Japan?” American Chamber of Commerce in Japan, Legal Services Committee, Tokyo, Japan, June 2003

“Nichibeī no hikaku bunka kara mita keiji shihō” [Criminal Justice, as Viewed from a US/Japan Comparative Cultural Perspective], Legal Training and Research Institute (Japan), Tokyo, Japan, June 25, 2003, October 2002 and May 31, 2002 (in Japanese)

“Reflections of a Quasi-Insider on the Legal Education Reform Process,” Roundtable: Sharing Scholarship on East Asian Law, Harvard Law School, Cambridge, MA, May 17, 2003

“Nihon no keiji seido wa tenkanki wo mukaete iru no ka” [Is Japan’s Criminal System Facing a Turning Point?], Keiji seisaku no arikata o kangaeru konwakai [Roundtable Discussion Group on Criminal Policy], Office of the Supreme Public Prosecutor (Japan), Tokyo, Japan, April 4, 2003 (in Japanese)

“‘Nihon no shihō seido kaikaku’ wo kataru” [On “Japanese Justice System Reform”], Hakuoh University, Oyama, Japan, December 18, 2002 (in Japanese)

“Japan’s New Law Schools: Why They Are Needed, What They Will Look Like,” Temple University, Japan Campus, Tokyo, Japan, December 5, 2002

Organizer, overall moderator, and panelist in panels on legal history, labor law, and justice system reform, for a major two-day conference on Japanese law, “Law in Japan: A Turning Point?”, held in Seattle, WA, August 23-24, 2002

“Kurinikku, jitsumu kyōiku, mogi saiban” [Clinics, Practice-Related Education, and Moot Courts], Nichibenren kenkyū zaidan, Tokyo, May 2002 (in Japanese)

“Corporate Restructuring and the Role of Labor Law: Comparative Conclusions,” 6th JIL Tokyo Comparative Labor Law Seminar, Tokyo, Japan, March 2002

“Beikoku shakai to hō (komento)” [Comment: U.S. Society and Law], Nagoya kokusai shinpojiumu, Hō to shakai no kihon kōzō o saguru [Nagoya International Symposium, Exploring the Basic Structure of Law and Society], Nagoya, Japan, January 2002 (in Japanese)

“Amerikajin no hōishiki: sutereotaipu wo kutsugaesu chōsa kekka” [American Legal Consciousness: Survey Results that Overturn Stereotypes], Tokyo kokusai shinpojiumu, Seiyō shakai no hō to tōyō shakai no hō [Tokyo International Symposium, Law in Western Societies and Law in Eastern Societies], Tokyo, Japan, January 2002 (in Japanese)

Panelist in panel discussion of “Comparative Legal Systems,” broadcast on educational television channel by Hōsō Daigaku (The University of the Air). Panel discussion was filmed in January 2002, at Hōsō Daigaku studio in Chiba, Japan; series was broadcast from 2002 through 2005. (In Japanese)

“Legal Education Reform: Optimism or Pessimism?” Kansai Amerika Kōhō Gakkai, Osaka, Japan, December 8, 2001 (in Japanese)

“The U.S. Legal Profession.” Interviewed by Kahei Rokumoto, for series on comparative legal systems, broadcast on educational television channel by Hōsō Daigaku (The University of the Air). Interview filmed in December 2001, in Tokyo, Japan; series was broadcast from 2002 through 2005.

“Legal Education at Harvard Law School, The University of Washington School of Law, and The University of Tokyo: Comparative Observations,” Harvard Law School Association of Japan, Tokyo, Japan, July 19, 2001

“Beikoku rō sukūru ni okeru hōsōzō kyōiku” [Education on Legal Creativity at U.S. Law Schools], Kenkyūkai: Hōsōzō no shiten ni tatsu kyōiku hōhō kaihatsu ni kansuru kenkyū [Study Group: Research on the Development of Educational Methods from the Standpoint of Legal Creativity], Meiji Gakuin University, Tokyo, Japan, July 12, 2001 (in Japanese)

“Hōkadaigakuin ni okeru kyōiku no arikata ni tsuite (sōkatsu komento)” [What Type of Education Should Law Schools Offer? (overall comment)], Kyoto University Graduate School for Law, Legal Policy and Practice Interchange Center Symposium, Kyoto, Japan, June 30, 2001

“Amerika no rō sukūru ni okeru jitsumu kyōiku no jitsujō ni tsuite” [Regarding the Actual Circumstances of Practice-Related Education at US Law Schools], Legal Training and Research Study Group, Tokyo, Japan, May 23, 2001 (in Japanese)

“Jōhōka to hōgaku kyōiku: jitsurei de miru hōgaku kyōiku ni okeru IT no riten to nanten” [Information Technology and Legal Education: The Merits and Demerits of IT in Legal Education, as Seen through Actual Experiences], Annual Meeting, Japanese Association for the Sociology of Law, May 2001 (in Japanese)

“Jitsurei de miru hōgaku kyōiku ni okeru IT” [Information Technology in Legal Education, as Seen through Actual Experiences,] IT Symposium, Faculty of General Studies, The University of Tokyo, Tokyo, Japan, April 23, 2001 (in Japanese)

“2000nen Amerika gasshūkoku daitōryō senkyo no hōdō ni miru masu media to hō: jakkan no kōsatsu” [Mass Media and the Law as Seen in Coverage of the 2000 American Presidential Election: Observations], Japanese Association for the Sociology of Law, Kanto Branch, Tokyo, Japan, April 2001 (in Japanese)

“Linking Universities Through Internet-Based Teaching,” International Symposium, Change, Continuity, and Context: Japanese Law in the Twenty-First Century, University of Michigan Law School, Ann Arbor, MI, April 2001

“Information Technology Meets International Contracting: Tales from a Transpacific Seminar,” The 4th Japanese Online: International Symposium “Legal Education in the 21st Century,” Copymart Meijo Institute, Victoria, B.C., Canada, April 2001

“Law School Establishment Plan and Legal Education in Japan,” International Conference, The Multiple Worlds of Japanese Law: Disjunctions and Conjunctions, University of Victoria, B.C., Canada, April 2001

Commentator, for day-long symposium on Law School Curriculum and Model Classes, Japan Federation of Bar Associations, Tokyo, Japan, April 14, 2001

“Rō sukūru ni tsuite” [On Law Schools], Presentation to the Justice System Investigation Committee of the Liberal Democratic Party, Tokyo, Japan, March 16, 2001 (in Japanese)

“Amerika ni okeru rō sukūru kyōiku” [Law School Education in the United States], presentation to Subcommittee on Curriculum and Teaching Methods, Law School Establishment Preparation Committee, under auspices of Ministry of Education, Culture, Sports, Science and Technology (MEXT) (Japan), MEXT Headquarters Building, Tokyo, Japan, February 5, 2001 (in Japanese)

“Judicial Reform in Japan,” Mansfield Fellows Seminar Series, Mansfield Center, Tokyo, Japan, December 4, 2000

“Henkakuki no keiji shihō: keiji tetsuzuki ni okeru benevolent paternalism wa 90nendai ni henka shita ka” [Criminal Justice in a Time of Transition: Did Japan’s Ethos of Benevolent Paternalism Change During the 1990s?], University of Tokyo Basic Law Study Group, Tokyo, Japan, October 28, 2000 (in Japanese)

“Transparency in U.S. and Japanese Law,” Oiso Experts’ Live-In Seminar, Democracy and Prosperity: The Rule of Law, Oiso, Japan, September 2000

Commentator, for panel on “Going to Court to Change Japan,” Association for Asian Studies Annual Meeting, San Diego, CA, March 2000

“Legal Education Reform in Japan: Comparative Observations from a U.S. Perspective,” Symposium on the Discussion Paper on Legal Education Reform Prepared by the Working Group of the University of Tokyo Faculty of Law, Tokyo, Japan, September 20, 1999 (in Japanese)

“Governance Structures, the Tenure System, and Other Aspects of U.S. Law Schools,” at Study Group on Issues in Legal Education, Tokyo, Japan, August 1999 (in Japanese)

Panelist in three-day symposium on New Challenges for Labor in the 21<sup>st</sup> Century, jointly sponsored by Columbia University and the Japan Institute of Labour, Harriman, NY, July 1999

“Mechanisms for Dealing with Heavy Caseloads in the US Criminal Justice System,” and Panelist in three-day symposium on Comparative Perspectives on Criminal Justice Reform, Taipei, Taiwan, July 1-3, 1999

“An American View of Japanese Criminal Justice,” Legal Training and Research Institute (Japan), Tokyo, Japan, June 28, 1999 (in Japanese)

“The Rule of Law in Criminal Procedure,” and Panelist in discussion of the Rule of Law in Criminal Procedure: The United States and Japan, for training session in program for Vietnamese officials, Research and Training Institute, Ministry of Justice (Japan), Tokyo, Japan, June 21, 1999 (in Japanese)

“Selection and Training of Law Professors in the United States,” Nihon Gakujutsu Kaigi (Science Council of Japan), Tokyo, Japan, March 1999 (in Japanese)

“Judicial Activism, Japan-Style: The Case of Labor,” and participant in discussion of Foreign Investment in Japan, Kyushu University Faculty of Law, Comparative Law LL.M. Program, Fukuoka, Japan, February 1999

“The Adversary System in the United States and Japan” and “Prosecutorial Discretion in the United States and Japan,” and Panelist in two-day symposium on Comparative Perspectives on Criminal Justice Reform, Taipei, Taiwan, February 1999

“Law Clerking in the United States,” 94<sup>th</sup> Comparative Law and Politics Forum, University of Tokyo, Faculty of Law, Tokyo, Japan, December 1998 (in Japanese)

“Continuity and Change in Japanese Criminal Justice,” and Panelist in one-day symposium on Japanese Law in Comparative Cultural Perspective, Toyo University, Tokyo, Japan, December 5, 1998 (in Japanese)

“‘Judicial Activism’ in the United States and Japan,” and Panelist in 5<sup>th</sup> Anniversary Symposium, International Center for Comparative Law and Politics, University of Tokyo, Graduate School of Law and Politics, Fifth Anniversary Symposium, Tokyo, Japan, November 26, 1998

“Deregulation and Labor Law: The Case of the United States,” and Panelist in two-day symposium on Deregulation and Labor Law, Japan Institute of Labour, Fifth Tokyo Seminar, Tokyo, Japan, November 1998

“Gaikoku kara mita Nihon no keijisoshōhō: Nichibei hikaku keiji shihō no kōgi wo furikaette” [Japanese Criminal Procedure as Viewed from Abroad: Looking Back on Lectures on Comparative U.S.-Japan Criminal Justice], Keihō Gakkai, Tokyo Shibu [Criminal Law Society, Tokyo Branch], Tokyo, Japan, October 3, 1998 (in Japanese)

“Mobility: Is the United States a Model for the World?” and Panelist in three-day symposium on New Challenges for Labor in the 21<sup>st</sup> Century, Japan/US/EU Joint Research on Labour Law, Hakone, Japan, July 1998

“The Role of Defense Counsel in Japan: Adversaries or Co-Participants in the Search for Truth?” and Panelist in two-day symposium on the Adversary System in Comparative Perspective, Sho Sato Conference, Boalt Hall, Berkeley, CA, May 1998

"Reflections of a Former Law Clerk," University of Washington School of Law, Comparative Law Seminar, Seattle, WA, March 1998

Moderator, Panel on East Asian Legal Practice (China, Japan, and Korea), University of Washington School of Law, Seattle, WA, February 1998

Numerous presentations (to University of Washington School of Law faculty, faculty and staff, Dean's Advisory Committee on Strategic Planning, and Visitors' Committee) as Chair of University of Washington School of Law Strategic Planning Committee, April, May, September, October 1997, January 1998

"Worker-Management Cooperation on Safety: Reality or Rhetoric?" Sho Sato Conference, Boalt Hall, Berkeley, CA, May 1997

"Recent Developments in US Labor Law," Japan Institute of Labour, Tokyo, Japan, December 1996 (in Japanese)

Commentator, "Litigation Strategy Theory," and Panelist, International Symposium on Intellectual Property and the Management of International Disputes, Fukuoka, Japan, September 1996

"The Role of Comparative Law," Inaugural Lecture for Dan Fenno Henderson Professorship in East Asian Legal Studies, University of Washington, Seattle, WA, September 1996

"Judicial Activism, Japan-Style: The Case of Labor," Seattle-King County Bar Association, Meeting of International Section, Seattle, WA, January 1996; University of Washington School of Law, Seattle, WA, February 1996; University of California, San Diego, CA, April 1996; University of Washington, Jackson School of International Studies, Japan Seminar Series, Seattle, WA, April 1996; University of Tokyo, Research Group on Labor Law, Tokyo, Japan, December 1996

Panel Discussion, "The Death Penalty and Other Issues in Criminal Justice," with Shigemitsu Dando and Masahito Inouye, University of Washington School of Law, Seattle, WA, April 1996

Panel Discussion, "Issues in Comparative Research on Courts and Criminal Justice," with Malcolm Feeley, Setsuo Miyazawa, and Stuart Scheingold, University of Washington School of Law, Seattle, WA, March 1996

"Law as an Agent of Change?: Governmental Efforts to Reduce Working Hours in Japan," Japan -- Economic Success and Legal System, Japan-German Center Berlin, Berlin, Germany, November 1995; University of Washington School of Law, Seattle, WA, August 1996

"Judicial Creation of Norms in Japanese Labor Law: Activism in the Service of -- Stability?" Program on US/Japan Relations, Harvard University, February 1995; Harvard East Asian Legal Studies Speakers Series, February 1995; Harvard Law School Faculty Workshop Series, Cambridge, MA, February 1995; 1995 Annual Meeting, Research Committee for the Sociology of Law, Tokyo, Japan, August 1995

Respondent, in Critic Meets Author Panel, to Critique, by Setsuo Miyazawa, of Braithwaite, Crime, Shame and Reintegration, and Foote, "The Benevolent Paternalism of Japanese Criminal Justice," Harvard East Asian Legal Studies Speakers Series, Cambridge, MA, October 1994

"Criminal Justice in Tokugawa Japan," UCLA/JASLS/SSRC Conference on Japanese Law, UCLA School of Law, Los Angeles, CA, January 1991; Annual Meeting, Association of American Law Libraries, Seattle, WA, June 1994

"The Worlds of Academics and Legal Practice in the United States: A Widening Gap?" Annual Meeting, Japanese-American Society for Legal Studies, Tokyo, Japan, May 1994

Participant and Session Facilitator, Workshop on Creation of a Common Curriculum for International and Comparative Criminal Law, International Centre for Criminal Law Reform and Criminal Justice Policy, Vancouver, B.C., April 1994

"Troops, Labor and Crime: The American Influence on Postwar Japanese Law," Annual Meeting, American Society for Legal History, Memphis, TN, October 23, 1993

Critic, in Author Meets Critics Session, on Setsuo Miyazawa's "Policing Japan," Annual Meeting, Law and Society Association, Chicago, IL, May 1993

"Immigration Policy and Foreign Workers: A U.S. Perspective," Symposium on Foreign Workers in Japan and the United States, Osaka American Center, Osaka, Japan, March 1993



“The Door that Never Opens’?: Capital Punishment and Post-Conviction Review of Death Sentences in the United States and Japan,” Asian Law Centre and the International Centre for Criminal Law Reform and Criminal Justice Policy, University of British Columbia, Vancouver, B.C., March 1993

“Employment Discrimination at Japanese Enterprises and the Legal System for Equal Employment in the United States,” Japan Institute of Labour, Tokyo, Japan, March 1992 (jointly with Professor Tadashi Hanami) (in Japanese)

“Consideration of Labor Issues Facing Japanese Businesses in the United States,” Consolidated Labor Institute (Japan), Tokyo, Japan, February 1992 (in Japanese)

“Japan’s Summer of Scandal,” Faculty Colloquium, University of Washington School of Law, Seattle, WA, October 1991

“Foreign Study: An Orientation,” Japanese National Personnel Authority, Tokyo, Japan, August 1991 (in Japanese)

“Judicial Practice and the System of Law Clerking in the United States,” Society for the Study of Foreign Laws and Cases, Tokyo District Court, Tokyo, Japan, July 1991 (in Japanese)

“The United States Supreme Court: Policies and Processes,” University of Tokyo, Faculty of Law, Tokyo, Japan, July 1991 (in Japanese)

“Recent Developments in U.S. Labor Law,” Rōdō hanrei kenkyūkai [Study group on labor cases], Tokyo, Japan, June 1991 (in Japanese)

“Amerika no shūshoku, Nihon no shūshoku” [Obtaining employment in the United States and Japan], Hosei University, Tokyo, Japan, June 1991 (in Japanese)

“Japan’s Criminal Justice System: The Benevolent Paternalism Model,” Japan Colloquium, Jackson School for International Studies, University of Washington, Seattle, WA, October 1990; AALS Annual Conference, Comparative Law Section, Washington, D.C., January 1991; Stanford Law School, Faculty Colloquium, Palo Alto, CA, October 1991

“The Concept of Contract: U.S./Japan Comparisons,” Continuing Legal Education Series, University of Washington School of Law, Seattle, WA, September 1990

“The Right to Silence: Confessions in Japanese Criminal Justice,” UCLA School of Law, Japanese Law Colloquium and Southern California Japan Seminar, Los Angeles, CA, April 27, 1990

“Japanese Labor Law,” UCLA/JASLS Japanese Law Workshop, Los Angeles, CA, January 1990

“Japanese Approaches to Negotiation and Dispute Resolution,” In the Pacific Interest: Rethinking the Past and Defining the Future, Symposium at Willamette University, Salem, OR, February 1989

“Relational Contracting: Evolution in the Concept of Contracts,” U.S./Japan Bilateral Session: A New Era in Legal and Economic Relations, Symposium in Tokyo, Japan, September 1988; Yanagida & Nomura Seminar Series, Tokyo, Japan, September 1990

“Legal Issues in Protection of Urban Farm Land: A Comparative View,” Meeting with Study Team from Central Union of Agricultural Cooperatives of Japan, University of Washington, Seattle, WA, November 1988

“From Japan’s Death Row to Freedom,” North American Ph.D. Kenkyūkai, Tokyo, Japan, April 1986

“Legal Education in Japan,” Harvard Law School Association of Japan, Tokyo, Japan, April 1985 (in English); “Nichi-bei Hōgaku Hikaku” [Comparison of U.S. and Japanese Legal Education], at Tokyo GARIOA-Fulbright Alumni Gathering, Tokyo, Japan, April 1985 (in Japanese); at meeting of Kansai Comparative Law Colloquium, Kobe University Faculty of Law, Kobe, Japan, October 1985 (in Japanese)

“The Supreme Courts of the United States and Japan: Comparative Observations,” University of Washington School of Law, Oct. 1995 (in English); Japan-U.S. Educational Commission, Tokyo, March 1985 (in English); Meiji University, Tokyo, Japan, May 1985 (in Japanese); Nippon University, Tokyo, Japan, June 1985 (in Japanese)

“Amerika no masu media, Nihon no masu media” [Mass Media in the United States, Mass Media in Japan], Hosei University, Tokyo, Japan, February 1985 (in Japanese)

**Personal:**

Member: New York and Maine Bars.

Awards and fellowships include: Fulbright Alumni Initiative Award (2000-2002); Honorary Member, Keihō Gakkai (Criminal Law Society, Japan) (inducted 1999); Saionji Foreign Area Studies Professorial Award (University of Washington 1993); Council on Foreign Relations International Affairs Fellowship (1991-1992); Fulbright Research Fellowship (1991); GARIOA/Fulbright Alumni Award (Fulbright graduate research fellowship, 1983-1985); Frederick Sheldon Traveling Fellowship (Harvard University award, 1983-1984); and National Merit Scholar Award (1972).