

## TABLE OF CONTENTS

### Article

Strengthening the Child Guidance Functions in the Child Welfare System: Toward Early Solutions for Child Maltreatment and Delinquency Cases <i>Tokikazu Konishi</i> .....	1
--	---

### Developments in 2012

#### Major Legislation & Treaties

1. Constitutional Law .....	15
2. Law of Property and Obligations .....	18
3. Family Law .....	19
4. Criminal Law and Procedure .....	23
5. Commercial Law .....	26
6. Labor Law .....	28
7. International Law and Organizations .....	31

## Major Judicial Decisions

1. Constitutional Law	35
2. Law of Property and Obligations	44
3. Family Law	51
4. Law of Civil Procedure and Bankruptcy	55
5. Criminal Law and Procedure	59
6. Commercial Law	62
7. Labor Law	67
8. International Law and Organizations	69

## Activities of Academic Societies

1. Constitutional Law	75
2. Law of Property and Obligations	76
3. Family Law	80
4. Law of Civil Procedure and Bankruptcy	81
5. Criminal Law and Procedure	82
6. Commercial Law	85
7. Labor Law	86
8. Legal History	87
9. Sociology of Law	88
10. Legal Philosophy	91
11. Comparative Law	95
12. International Law and Organizations	106

## Topics of Japanese Law 2012

### Recent Legislation in Japan

1. Failure of Establishment of Charter for the Rights of Taxpayers <i>Shigeyuki Suto</i>	113
2. Introduction to a New Legislation — the Law on Family Affairs Procedures <i>Yasunori Honma</i>	115

### Noticeable Judicial Precedents

1. Treatment of the Commercial Retention of Lien on Bills in Civil Rehabilitation Proceedings	
--	--

<i>Hiroyoshi Kawanaka</i> .....	119
2. Supreme Court Judgment on the Treatment of Subrogation Rights by Performance under the Bankruptcy Proceedings	
<i>Ken Yamamoto</i> .....	121
3. Condominium Legal System in Japan and Current Movement	
<i>Kuniki Kamano</i> .....	123
4. Report on Litigation Involving the World Heritage Site at Tomonoura	
<i>Masaharu Hioki</i> .....	127
5. Intermediate Omission Registration for the Purpose of Restoration of the True Registration Name	
<i>Hiroyuki Oba</i> .....	129
6. Introduction of Important Case Law	
<i>Taketaka Nakagawa</i> .....	132
7. The Treatment of Liability to Refund Overpayment in Case of Assignment of Operating Assets of the Moneylender	
<i>Kazuma Yamashiro</i> .....	135
8. Supreme Court Decision on the ‘Winny’ Case	
<i>Soichiro Shimada</i> .....	138
9. Appropriation of Excess Payment to the Principal — In the Case of Multiple Debts	
<i>Katsumi Yoshida</i> .....	141
10. Decision of the Supreme Court Clarifying that PTSD is Included in ‘Injury’ under the Penal Code	
<i>Kazutoshi Sugimoto</i> .....	144
<b>Current Topics of Japanese Law</b>	
1. Molestation Case and Presumption of Innocence	
<i>Asaho Mizushima</i> .....	148
2. Recent Developments Concerning Corporate Takeover Rules in Japan	
<i>Hiroyuki Watanabe</i> .....	150
3. Introduction to the Findings of the Survey on Civil Proceedings Users in Japan in 2011	
<i>Ikuo Sugawara</i> .....	152

[TEXTO INTEGRAL](#)