



Mid-Term Report

Tokyo, Japan 2024

Swiss-Japan Scholarship Fund
– powered by SCCIJ and SJCC

*A Comparison between the Legal Education Systems of
Japan and Switzerland*

Ramona Hagnauer
Shinjuku, October 2024

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1. Introduction

1.1 Early Fascination with Japanese Culture

Having grown up in the 1990s and early 2000s, I was introduced to Japanese culture at a young age through manga, anime, and Studio Ghibli movies. This led to a deep and enduring fascination with the diverse genres and artistic styles of Japanese media, which I continue to enjoy. While my initial interest in the Japanese language came from watching anime and reading manga, my subsequent travels to Japan further deepened my interest to stay in the country and immerse myself in its culture.

This report reflects on my journey so far, from legal education in Switzerland to immersing myself in Japan's unique cultural and professional landscape through the Swiss-Japan Scholarship Fund – powered by SCCIJ and SJCC. In the first half, I outline my experiences leading up to the scholarship, and in the second half, I compare the legal education systems between Switzerland and Japan.

1.2 Pursuing Legal Education and the Swiss-Japan Scholarship

After completing from law school and passing the bar exam, I decided to pursue my long-standing interest in Japan by enrolling in a further education course at the University of Zurich¹. This course allowed me to broaden my understanding of Japanese culture, society, politics and economics. Additionally, I participated in events organised by Asia Society Switzerland and the Swiss Japanese Chamber of Commerce (SJCC). Volunteering at the annual Nihon Matsuri («das grosse Japanfest») in Bern, co-organised by the Japanese Embassy in Switzerland and the Bernisches Historisches Museum, and attending several Asian Lecture Series' events at the University of Zurich, led me to connect with a member of the SJCC Young Professionals, who informed me about the Swiss-Japan Scholarship Fund – powered by SCCIJ and SJCC.

¹ Universität Zürich, Asien-Orient-Institut, «CAS in Politik, Wirtschaft und Gesellschaft Asiens» (vgl. «<https://www.cas-asien.uzh.ch/de.html>»).

Motivated by the wish to combine my legal background with my passion for Japan, I applied for the Swiss-Japan Scholarship to experience both study and work life in Japan. During the scholarship interview process, I coincidentally found myself in Tokyo on a study trip organised by the University of Zurich, which provided opportunities for visits to companies and universities in Japan.

Upon learning that I had been selected for the Swiss-Japan Scholarship, I was excited and eager to finalise my plans. Having already researched several language schools in preparation for the interview, I chose to enroll in a six-month intensive language course at the GenkiJACS² in Tokyo. The school's small class sizes, emphasis on conversation skills, and range of additional course convinced me that it was the right fit for me.

Initially, I stayed in a shared house arranged by the language school in Itabashi, approximately 30 minutes by metro from the language school in Shinjuku. As my time at the language school neared its end, I began looking for a new accommodation. However, at that time, I had not received my residence card (meaning the work visa) yet, which made the apartment rental process more challenging, as lower rents are typically available to long term residents or visa holders. Considering my anticipated internship salary, I decided looking for a furnished room in a shared house. Fortunately, there are several agencies, often with English translations and communication, that assist in finding such accommodations, including «create guesthouse», «Sakura House», or «Tokyo furnished»³. Ultimately, I was able to secure a room in a cosy shared house in Nishi-Waseda.

Throughout the scholarship application process, I looked for advice from contacts at Japan-related events, inquiring about potential internships in legal services. As I was keen to gain international work experience in my field, I was fortunate to get in contact with the Japanese law firm Midosuji LPC⁴, through a SJCC member, which offered me a six-month internship following my graduation from the language school.

² [«https://www.genkijacs.com/»](https://www.genkijacs.com/).

³ [«http://www.create-gh.jp/en/»](http://www.create-gh.jp/en/); [«https://www.sakura-house.com/»](https://www.sakura-house.com/); [«https://tokyo-furnished.com/»](https://tokyo-furnished.com/).

⁴ [«https://www.midosujilaw.gr.jp/en/»](https://www.midosujilaw.gr.jp/en/).

1.3 Overcoming Administrative Challenges in Japan

Although I expected the administrative process to be time-consuming, I underestimated its complexity and length. One significant challenge was that neither the chamber of commerce (SJCC / SCCIJ) nor the language school sponsored visas, and the scholarship would only be transferred after opening a Japanese bank account – a step that required obtaining a residence card which was dependent on securing a work or study visa. These factors caused some financial insecurities and difficulties, but I am grateful for the support I received from the language school staff, family, friends and the SJCC Chairperson, SCCIJ executive director and SCCIJ business coordinator during this time.

As a Swiss citizen, I entered Japan in late April 2024 on a tourist visa, since the language school does not sponsor study visas for courses shorter than one year. Although I began applying for a work visa through the law firm in early June 2024, I had to extend my tourist visa for an additional three months in July at the Tokyo Regional Immigration Bureau, as the work visa process was still ongoing. The Certificate of Eligibility (CoE) was then issued in mid-August, and I received my residence card in early September 2024. After registering my address at the Shinjuku City office, I set out to open a Japanese bank account to finally receive the scholarship. However, despite Shinsei Bank (SBI) and Japan Post Bank being considered the most foreigner-friendly with fewer requirements, my applications for opening a bank account were initially rejected due to «unspecified deficiencies». With the support of the SJCC and assistance from employer, I am continuing to navigate this process.



2. Legal Education Systems

The second half of the mid-term report focuses on comparing the legal education systems in Switzerland and Japan, highlighting their similarities and differences. As a law graduate, it is interesting and insightful to examine legal education, professions and services in different countries, as these comparisons often reveal new perspectives and alternative approaches to legal practice.

Legal education serves as the foundation for the legal profession, shaping not only how lawyers are trained, but also how they approach legal issues within their respective legal systems. Understanding these two systems can offer insights into how different legal traditions – civil law in Switzerland and a combination of civil and common law in Japan – characterize the structure of legal education and practice. By providing an overview of the stages of legal training, from university studies to bar examinations, as well as the professional pathways available to law graduates, similarities, overlaps and divergences can be identified, and thus give an insight on how these systems shape not only the professional development of lawyers but also the broader legal cultures in both countries.

2.1 Switzerland's Legal Education System

To become a lawyer in Switzerland, one must graduate from a Swiss law faculty and pass the bar exam in one of the 26 cantons. Each canton can set specific requirements for the bar exam eligibility⁵, which are determined by the individual lawyer chambers or associations of that canton⁶.

In general, after obtaining a law degree of an accredited university⁷, graduates are required to complete internships at law firms, courts, or other public legal institutions before they can

⁵ Bundesamt für Justiz, «<https://www.bj.admin.ch/bj/de/home/wirtschaft/anwaltsrecht.html>»; Art. 7, Art. 14 and Art. 34 of the Federal Act on the Free Movement of Lawyers (Lawyers Act), FMLA, SR 935.61; Schweizerischer Anwaltsverband SAV / FSA «<https://www.sav-fsa.ch/gesetze-bund>»; compare also the European judicial training system and professional networks, «https://e-justice.europa.eu/516/EN/trainings_judicial_networks_and_agencies» and «https://e-justice.europa.eu/121/EN/eu_judicial_training_policy».

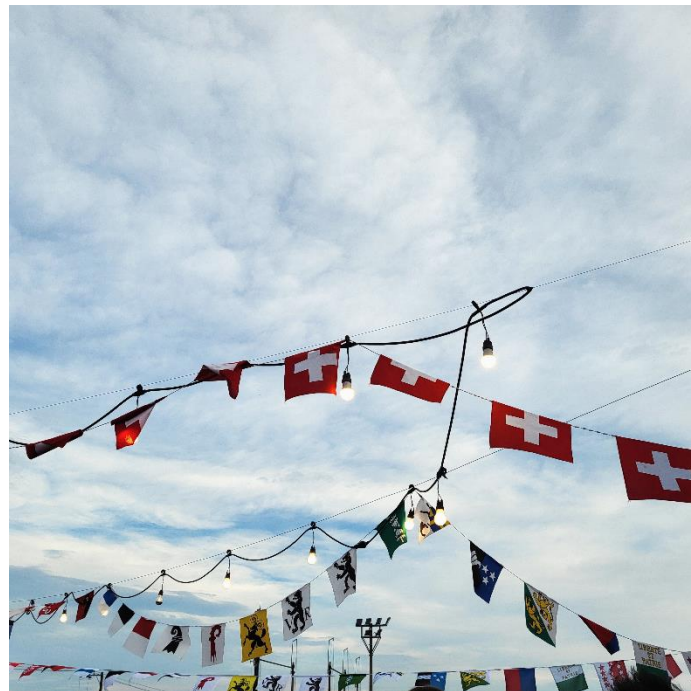
⁶ Übersicht der kantonalen Gesetze betreffend Anwaltsgesetz «<https://www.sav-fsa.ch/gesetze-kantone>».

⁷ Swiss universities, «<https://www.swissuniversities.ch/themen/lehre-studium/akkreditierte-schweizer-hochschulen>».

register for the bar exam. Swiss universities follow the Bologna system⁸, meaning legal studies are divided into a bachelor's and a master's degree, typically taking a minimum of five years to complete.

In the canton of Bern, for example, it is specifically required to attend lectures in fields such as forensic medicine, forensic psychiatry, criminology, law of lawyers («Anwaltsrecht»), and an accounting course during the law studies⁹. After graduating, law school graduates must complete at least two internships; one at a law firm and another a court or a public legal administration, lasting a total of at least eighteen months¹⁰. The bar exam in Bern is held twice a year¹¹, in autumn and spring, and consists of a week of written exams (each lasting between six and eight hours), four oral exams, and one plea. The entire exam process takes between three and four months.

Upon passing the bar examination in any Swiss cantons and registering in one of the cantonal lawyers' roll, it is possible to work as a lawyer anywhere in Switzerland¹².



⁸ State Secretariat for Education, Research and Innovation SERI, «<https://www.sbf.admin.ch/sbf/en/home/education/mobility/nqf-vpet/der-schweizerische-hochschulrahmen.html>».

⁹ Art. 1 Abs. 1 der kantonalen Verordnung über die Anwaltsprüfung, APV (BSG 168.221.1); Kanton Bern, Anwaltsprüfungen «<https://www.zsg.justice.be.ch/de/start/themen/anwaltspruefungen.html>».

¹⁰ Bernischer Anwaltsverband bavaab, «<https://www.bav-aab.ch/de/anwaelte/ausbildung-und-zulassung.html>»; Art. 1 bis Art. 5 des kantonalen Anwaltsgesetzes, KAG (BSG 168.11) i.V.m. Art. 1, Art. 3 bis Art. 5 der kantonalen Verordnung über die Anwaltsprüfung, APV (BSG 168.221.1).

¹¹ Art. 10, Art. 13 bis Art. 15 der kantonalen Verordnung über die Anwaltsprüfung, APV (BSG 168.221.1).

¹² Art. 4 of the Federal Act on the Free Movement of Lawyers (Lawyers Act), FMLA, SR 935.61.

2.2 Japan's Legal Education System

Japan's legal education system follows a similar path to that of Switzerland, with some key differences. In order to qualify as a lawyer in Japan, it is required to complete a law school curriculum, pass the bar exam and complete a legal apprenticeship at the Legal Training and Research Institute¹³.

Aspiring lawyers typically complete a four-year undergraduate degree, often in law, though other fields of study are also acceptable. As the Japanese education system is highly competitive and the labour market favours graduates from prestigious universities such as University of Tokyo («Todai»), Kyoto University («Kyodai») and Osaka University, high school students often prioritize the prestige of the university they attend over the specific major or field of study¹⁴. However, after acquiring a bachelor's degree, aspiring lawyers must attend law school for an additional two to three years to receive specialised legal education¹⁵.

Upon graduating from law school, law graduates may take the Japanese bar exam (司法試験, shihou shiken), which is considered highly competitive, with a low pass rate between approximately 30% and 50%¹⁶. Since 2011, those who did not attend law school can take the bar exam by passing a preliminary test (司法試験予備試験, yobi-shiken) which anyone can attempt¹⁷.

After passing the bar exam and being appointed as legal apprentices by the Supreme Court, law graduates enter a mandatory «judicial apprenticeship» (司法修習, shihoukenshuu), similar to the

¹³ JFBA (Japan Foundation of Bar Association), Attorney Qualifications, «https://www.nichibenren.or.jp/en/about/judicial_system/attorney_system.html»; The Ministry of Justice (moj), «https://www.moj.go.jp/ENGLISH/m_hisho04_00000.html».

¹⁴ See further: OECD Economic Surveys: Japan 2024, p. 91, 108-109, 118, «https://www.oecd-ilibrary.org/economics/oecd-economic-surveys-japan-2024_41e807f9-en»; OECD Economic Surveys: Japan 2019, p. 77, 88, 110, «https://www.oecd-ilibrary.org/economics/oecd-economic-surveys-japan-2019_fd63f374-en»; Steve R. Entrich, «Shadow Education and Social Inequalities in Japan» (2018); Barbara Drinck/Lukas Schletter, «Leistungserwartungen, Bildungserfolg und Jugend im Japanischen Bildungssystem» (2016), p. 145.

¹⁵ Art. 99 (2) of the School Education Act (Act No. 26 of 1947).

¹⁶ Art. 4 of the Bar Examination Act (Act No. 140 of 1949).; The Japan Times, Colin P.A. Jones: The failure behind Japan's bar exam pass rate, «<https://www.japantimes.co.jp/commentary/2023/11/20/japan/japan-bar-exam-pass-rate/>» (Nov. 20, 2023).

¹⁷ JFBA (Japan Foundation of Bar Association), Attorney Qualifications, «https://www.nichibenren.or.jp/en/about/judicial_system/attorney_system.html»; see further Art. 5 of the Bar Examination Act (Act No. 140 of 1949).

Swiss pre-bar exam internships¹⁸. This judicial apprenticeship lasts about one year and serves the purpose of gaining practical legal training under the supervision of professionals at district courts¹⁹, district public prosecutors' offices, or through apprenticeships conducted by local bar associations²⁰. Following the completion of the legal apprenticeship, law graduates must pass a final examination administered by the Legal Training and Research Institute before they can qualify as licensed lawyers (弁護士, bengoshi)²¹. The bar exam consists of short answer questions including multiple-choice questions and essay questions²².

2.3 Conclusion

In Switzerland, the process of becoming a lawyer typically takes between six and eight years, depending on cantonal requirements, whereas in Japan, the process generally spans seven to eight years. A key difference between the two systems is the timing of practical training: in Switzerland, internships must be completed before taking the bar exam, while in Japan, the mandatory apprenticeship occurs after passing the bar exam.

Another notable distinction is the legal framework itself. Switzerland follows a civil law system, rooted in Roman law, with clearly codified statutes²³. In contrast, Japan's legal system is a unique blend of civil law, influenced by European models, and common law, shaped by

¹⁸ The Legal Training and Research Institute, referring to Art. 14, Art. 66 and Art. 67 of the Court Act (Act No. 59 of 1947) and Art. 76 of Japan's constitution, [«https://www.courts.go.jp/english/institute_01/institute/index.html»](https://www.courts.go.jp/english/institute_01/institute/index.html).

¹⁹ There are five types of courts in the Japanese Judicial System: Summary Courts, Family Courts, District Courts, High Courts and the Supreme Court, JFBA (Japan Foundation of Bar Association), [«https://www.nichibenren.or.jp/en/about/judicial_system/judicial_system.html»](https://www.nichibenren.or.jp/en/about/judicial_system/judicial_system.html); JFBA (Japan Foundation of Bar Association), Attorney Qualifications, [«https://www.nichibenren.or.jp/en/about/judicial_system/attorney_system.html»](https://www.nichibenren.or.jp/en/about/judicial_system/attorney_system.html); The Legal Training and Research Institute, referring to Art. 2 of the Act on Coordination between Education at Law Schools and National Bar Examinations, etc. (Act No. 139 of 2002), [«https://www.courts.go.jp/english/institute_01/institute/index.html»](https://www.courts.go.jp/english/institute_01/institute/index.html).

²⁰ The Legal Training and Research Institute, [«https://www.courts.go.jp/english/institute_01/institute/index.html»](https://www.courts.go.jp/english/institute_01/institute/index.html); Chpt. II Qualifications for Becoming an Attorney, Art. 5 of the Attorneys Act (Act No. 205 of June 10, 1949; 弁護士法); JFBA (Japan Foundation of Bar Association), Attorney Qualifications, [«https://www.nichibenren.or.jp/en/about/judicial_system/attorney_system.html»](https://www.nichibenren.or.jp/en/about/judicial_system/attorney_system.html).

²¹ Chpt. II Qualifications for Becoming an Attorney, Art. 4 of the Attorneys Act (Act No. 205 of June 10, 1949; 弁護士法).

²² Art. 2 and Art. 3 of the Bar Examination Act (Act No. 140 of 1949).

²³ Gregory M. Bovey, «The Swiss Legal System and Research» (2006), [«https://www.nyulawglobal.org/globalex/Switzerland.html»](https://www.nyulawglobal.org/globalex/Switzerland.html); index mundi, Switzerland Legal System, [«https://www.indexmundi.com/switzerland/legal_system.html»](https://www.indexmundi.com/switzerland/legal_system.html).

Anglo-American influence through post-war reforms²⁴. Additionally, the judicial systems of the two countries differ: Japan's consists of five types of courts, including the Supreme court, while Switzerland's judicial system consists of three levels of courts.

3. **Personal Insights**

After six months of language study, I now look forward to beginning my internship. I am eager to gain firsthand experience with Japan's legal and judicial systems, as the next phase of my time in Japan involves an internship at the law firm Midosuji LPC in Tokyo. During my studies in Switzerland, I encountered international law, agreements and legal proceedings, which deepened my desire to work in an international environment. This internship at a Japanese law firm brings me a step closer to realising that dream. The Swiss-Japan Scholarship also gave me the opportunity to attend events organised by the SCCIJ, the Swiss Embassy, and the Swiss Tokyo Club. At these events, I had the chance to connect with other Swiss lawyers and learn about their international careers, which provided valuable insights into working as a Swiss lawyer abroad.

Living in Japan and studying Japanese for six months in Japan has given me deeper understanding of Japanese society and culture. I have seen particularly how patient and considerate people are toward one another. It was a pleasant surprise to experience the calm and quiet atmosphere of the Japanese metro, where no one would talk on the phone, and to see how the teachers at GenkiJACS patiently answered our many questions about Japanese language, Kanji and grammar. Over time, I found it rewarding to gradually understand more and more Japanese in everyday situations, whether it be announcements at train stations, restaurant menus, or casual conversations of Japanese people overheard in passing by.

As I embark on my internship, where I will be working in both in Japanese and English, I am excited to continue improving my language skills while learning more about Japan's legal

²⁴ Keiko Okuhara, «Researching Japanese Law» (2020), <<https://www.nyulawglobal.org/globalex/japan1.html>>; index mundi, Japan Legal System, <https://www.indexmundi.com/japan/legal_system.html>.

culture and society. I look forward to making the most of the remaining months in Japan, continuing to expand my knowledge and gaining new experiences. So far, this journey has already taught me a great deal, and I am eager to see what else lies ahead.

どうぞよろしくおねがいします!



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