

Japanese Family Court Divorce

Before filing for a Japanese Family Court Divorce, you should speak with a legal assistance attorney and understand the advantages/disadvantages of your options. If you have decided to pursue a Japanese Family Court divorce, this brochure will provide you with answers to common questions.

A couple that wants to get a Japanese family court divorce will register with the Family Court and will be required to complete one or more mediation, or conciliation, meetings. The purpose of the conciliation meeting is to attempt to reconcile the couple or to provide amicable terms for a divorce.

At least one of the parties must be a legal resident of Japan in order to obtain a Family Court divorce. Legal residence in Japan requires a party to physically reside in Japan; there is no minimum period of residence required prior to filing. However, a court will not have jurisdiction to grant the divorce if the parties came to Japan merely to get a divorce. SOFA status does qualify as legal residence.

If one of the parties to the divorce is Japanese, Japanese law will apply. If both parties to the divorce are not Japanese, the court will apply the divorce laws of the home state of the parties (generally the laws of the state where the couple resided together if the spouses have different home states).

While both spouses need not be present for the entire divorce process, generally, the Family Court will require both parties to attend at least one joint hearing.

OTHER RESOURCES:

- Handout on Divorce in Japan
- Children's Right Network of Japan:
<http://www.crnjapan.com/forms/en/DivorceByMutualConsent.html>
- Handout on Divorce and Retirement Pay
- List of Translators and English-speaking Attorneys
- Guide to the Family Court of Japan:
http://www.courts.go.jp/english/vcms_lf/2015guide-to-the-family-court-of-japan.pdf

Legal Assistance Hours:

By Appointment Only

Notary Hours:

Monday-Thursday 0900-1500



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This Brochure Includes:

- Required Documents
- Fees
- Directions to the Japanese Family Court
- Other Resources



The information in this brochure is of a general nature and is not intended as a substitute for legal counsel.

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Process for Family Court Divorce

- Download an Application Form from the Children's Right Network of Japan Website.
- Get a translator to translate the documents (The legal office can provide you a list of translators.)
- Include a translated copy of the divorce law of the state of your residency if both people are U.S. citizens.
- Submit the forms and supporting documents (see Required Documents to the right).
- Mediation date will be scheduled and mailed to the applicant and opposing party (Mediation may take more than one session — it can be any where from 1-6 months.)
- Interview with the Judge.
- Decision will be mailed to the applicant and opposing party.



Be sure to have your Japanese Divorce recognized in your U.S. state of residency.

Required Documents

To obtain a Divorce at the Japanese Family Court, the following documents must be submitted for translation:

- Marriage Certificate
- Husband's Birth Certificate
- Wife's Birth Certificate
- Dependent Children's Birth Certificate
- Husband's Military/Dependent ID card
- Wife's Military/Dependent ID card
- Dependent Children's Military ID card
- Property Settlement(s) and/or Separation Agreement(s)
- State Divorce Law of Petitioner (see below)
- Notarized Letter Stating Legal Residence of Petitioner (see below)

Original documents are not necessary; the court will accept copies.

Filing Fees

Court costs may vary depending on the complexity of the case.

The following fees are minimums:

Case Filing Fee: 1200 yen (must use revenue stamps)

Mail Stamp Fee: 800 yen (use 1,080 yen stamps)

Translation Fee: varies (see translator handout)

You can get revenue stamps at the local Japanese post office.

Directions to the Tachikawa Family Court

10-4 Midori-cho Tachikawa-shi, Tokyo

1. Exit Yokota East Gate, turn right
2. Drive 1.1 km and turn left at Nishisunacho miyazawa Ent onto Rout 7
3. Turn left at Chuuou nanboku onto Route 153
4. Drive along Route 153 (1.7 km)
5. Turn left at Rt 43. The Family Court will be on your right.

Japanese Supreme Court Guide to the Family Court of Japan

You can access the Japanese Supreme Court's Guide to the Family Court of Japan at:

- http://www.courts.go.jp/english/vcms_if/2015guide-to-the-family-court-of-japan.pdf