

From the Publications Manager

By William Herbert
RBA Publications Manager

January Event: The Role of Senior Foreign Attorney in the Japanese Firm

On January 26, the RBA welcomed over sixty people to a presentation by a panel comprised of Mr. Stephen D. Bohrer, Counsel, Nishimura & Partners; Ms. Bonnie Dixon, Partner, Atsumi & Partners and Mr. Keith K. Suzuka, Head Foreign Attorney, Law Offices of Nagashima Ohno & Tsunematsu.

The diverse panelists each had a different perspective on the evolving role of individuals licensed in foreign jurisdictions who work in Japanese firms, and the contribution that they can make to providing legal services in Japan.

Nevertheless, the panelists emphasized certain common themes, such as the need for foreign attorneys to keep their skills current and contribute by bringing their non-Japanese perspective to the deal-making table. Also, each panelist propounded the importance of drafting documentation of the highest caliber.

The floor was opened to questions early, and the panel commented on ethical challenges associated with being a foreign attorney who works in a Japanese firm, the flow of information between Japanese and non-Japanese members of their firms, and how firms like theirs will fare in the legal marketplace of the future. It certainly was a lively and thought provoking discussion, and I would like to thank our panelists for graciously sharing their time with us.

Judging the Judge

In December Japanese newspapers reported that the committee that nominates judges to Japan's lower courts had deemed a fifty-one year old Yokohama District Court judge "unfit for reappointment." The committee's decision was reportedly based on the fact that that the judge's written decisions are too short. The committee determination was reported to the Japanese Supreme Court, which is

expected by March to make a decision on whether or not the judge will be reappointed.

The judge, who has a reputation for drafting short opinions, reportedly did not comply with instructions from the Yokohama District Court Presiding Judge that he revise the sections in his judgments that explains his reasoning. Last summer, the Presiding Judge submitted unfavorable evaluations of the judge in question. The judge objected to the unfavorable evaluations, and in November filed a motion with the Diet's Judge Indictment Committee, demanding that the Presiding Judge be sanctioned.

In his December press conference, the judge in question insisted that the Presiding Judge was interfering with his judicial discretion and that this violated the Constitution based independence of the judiciary. He went on to state that if he were not reappointed, then it would be a precedent for openly sanctioned interference in judicial judgment. Still, the judge in question admitted that chances were good that he would not be reappointed.

The judge in question has written a book that criticizes legal wordiness and expounds his philosophy that judicial rulings should lead with the conclusions made and avoid extraneous explanation. He also authored a journal article critical of an April 2004 Fukuoka District Court judgment that dismissed the plaintiff's case, but stated in the portion of the opinion stating the reasons for doing so that the Prime Minister's visit to Yasakuni Shrine violated the Constitution.

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UPCOMING RBA EVENTS

Thursday, February 23 Meet Me at Mako 2006

@

Mako Tokyo

Izumi Garden Terrace, 5F

7:15 p.m. – 9:45 p.m.

(free drink service from 7:20 p.m. – 9:20 p.m.)

1-6-1 Roppongi, 03-5575-8055

1 min. from Roppongi 1-chome station (exit No.2)

Members (furikomi payment/bank transfer): 3500 yen
Non-members (furikomi payment/bank transfer): 4500 yen
Members/Non-members (day of payment): 5500 yen

The Executive Board of the Roppongi Bar Association is happy to invite all RBA members and your friends and colleagues to join together for a drink at one of Tokyo's classiest restaurants – Mako Tokyo. Featuring California Chinois Cuisine in a sophisticated international atmosphere, Mako Tokyo presents the cooking of Mako Tanaka. Mako - former chef of "Chinois on Main" and "Spago" in LA – has hosted renowned celebrities in Beverly Hills and now in his restaurant in Roppongi.

RBA members will have the chance to mingle with colleagues and friends in this restaurant's lounge area, where light snacks and free drinks (red/white wine, beer, soft drinks) will be served.

We are again asking that RBA members and guests prepay for this event by making bank transfer as per the attached instructions. Day of payment (higher price) is available as well – but we do ask that you RSVP ahead of time so that we know how much food to prepare.

Following on the successful January event, we hope that this event will offer an equally interesting forum for networking and discussion amongst all in attendance and look forward to Meeting You at Mako on February 23rd!

Further information on Mako Tokyo can be found at: <http://www.jinterji.co.jp/mako>.

Please RSVP to this event no later than Thursday, February 16th to events@rbalaw.org.

ACKNOWLEDGMENTS

The RBA Executive Board

Account Manager

William Herbert

accounts@rbalaw.org

Events Coordinators

Aaron Dauber

Aaron Kleiman

events@rbalaw.org

Membership Coordinator

Kevin Takeuchi

membership@rbalaw.org

Publications Manager

William Herbert

accounts@rbalaw.org

Careers Coordinator

Aaron Dauber

careers@rbalaw.org

* * *

Technology Assistants

Igor Nikitenko

nisav@aol.com

Justin Itin

jitin@aol.com

Career Opportunities

If you would like to place a job listing in future issues of the RBA Newsletter or notify the RBA Membership of any career opportunities, please send e-mail to the RBA at careers@rbalaw.org.

LISTINGS:

Foreign Associate

Kojima Law Offices is a Tokyo law firm specializing in international commercial law matters including contracts, corporate, intellectual property and inbound and outbound investments. We have thirteen Japanese lawyers (two are also qualified in N.Y.) and two American lawyers qualified in N.Y. We are looking for a foreign associate who is a native speaker of the English language, qualified in a common law jurisdiction, with legal experience from 3 to 5 years principally in the fields of contract and/or corporate.

Applicants should send their resume with cover letter to Takeshi Kikuchi of Kojima Law Offices by fax (03-3222-1405) or by e-mail (kikuchi@kojimalaw.jp)

In-House Counsel Position (Tokyo)

Bloomberg L.P., a global financial information services company, is seeking an attorney for its Tokyo office. The successful candidate will have 3+ years of experience with general corporate and intellectual property matters in a top law firm and/or in-house corporate legal department. The candidate will actively work on matters across Asia and will be responsible for but not limited to the following: providing legal advice and support on a broad range of transactional and corporate matters; drafting, analyzing and negotiating sales, data, telecom, media, and vendor agreements; and from time to

time coordinating compliance with securities regulations.

The candidate must possess excellent writing skills, strong verbal, and interpersonal skills, and the ability to work flexibly in a team/corporate environment. Must have native fluency in written and spoken Japanese. To apply, please visit <http://quote.bloomberg.com/apps/career?action=1&jobid=17329&T=career/detail.wm>

Native English-speaking Common Law Licensed Lawyer

JONES DAY TOKYO wishes to hire a native English-speaking lawyer licensed to practice law in a common law jurisdiction, with up to five (5) years' experience in corporate, real estate or financial transactions. Japanese language skills are preferred but not required. Jones Day's Tokyo office includes over 40 lawyers who practice across a range of practice areas, both contentious and transactional, and ranks among the twenty largest law practices in Japan. The successful candidate will work most extensively in M&A, securitization, real estate and structured finance. Interested candidates should send resumes to Eric W. Sedlak by e-mail to esedlak@jonesday.com or by fax to 03-5401-2725.



Great Lawyers Are Hard to Find

- We are Tokyo's Top Legal & Compliance Recruitment Specialists specializing in Global Law Firms, Financial Services Companies and Corporate Japan
- We have assisted in the recruitment of more Heads of Legal, Regional Heads, Heads of Compliance, Foreign-qualified Partners and Bengoshi Partners than anyone else in Tokyo over the past 5 years.
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It takes more than just the right contacts (although we have those too) to build an outstanding legal team.

Hudson is the world's largest specialist legal recruitment consultancy and the Japan local leader in legal recruitment. We have a proud history of helping our clients find and attract lawyers with the right skills and attributes to really make a difference.

If you're an organization on the look-out for great lawyers or a great lawyer looking for a new challenge, contact us.

For Finance and Foreign Lawyers

James Graham (ジェームス・グラハム)

+813 3511- 6486

james.graham@hudson.com

For Compliance Officers and Finance Bengoshi

Hiroshi Kurosaka (黒坂 大)

+813 3511- 6487

hiroshi.kurosaka@hudson.com

For Corporate Legal, Paralegals and Bengoshi

Izumi Kikuchi (菊池 泉)

+813 3511- 6513

izumi.kikuchi@hudson.com



Legal Futures is a dedicated legal and compliance boutique consultancy which has been assisting leading law firms, investment banks and corporations with their legal and compliance recruitment needs in Tokyo since 1999. Please visit www.legalfutures.com for more information.

If you wish to discuss your career options in complete confidence please contact the relevant person below.



Damion Way, BA Hons., Solicitor
Managing Director - Legal Futures Group
Manager - Private Practice & Corporate Teams (Japan)

Damion is the Managing Director of the Legal Futures Group and is currently based in Tokyo, he is also the Representative Director for the Japan office. A qualified solicitor, admitted in England & Wales and Hong Kong, Damion commenced his articles in London with leading international law firm Allen & Overy. He qualified with them as a finance and securities lawyer working out of their Hong Kong and Tokyo offices for almost three years. During this time, he was seconded to two investment banks, one in each location. He has lived and worked in either the legal or legal recruitment industry in Hong Kong, Singapore, Tokyo and Sydney since 1996 and in his role as the Manager of the Private Practice & Corporate Teams in Tokyo, he and his team are responsible for private practice and corporate in-house appointments.

Direct Telephone: + 813 3580 3103
E-mail: damion.way@legalfutures.com



Matt Anderson, BA Hons., Solicitor
Head of Regional Compliance Practice
Manager - Banking & Finance Team (Japan)

Matt heads up the Banking & Finance team in Japan and he and his team are responsible for the recruitment of lawyers, documentation officers, paralegals, compliance officers and mid-office placements at all levels for the investment banking sector in Japan. Matt also heads up our regional Compliance Practice and notable successes in Japan include the placement of numerous Head of Compliance positions and multiple placements at a number of the leading banks and securities firms across their respective legal and compliance teams. Before joining Legal Futures, Matt taught commercial law in New Zealand before joining leading Japanese law firm Nishimura & Partners assisting the firm's corporate, banking and securities practice. Matt has lived in Japan for many years and speaks Japanese fluently and he is admitted as a solicitor in New Zealand.

Direct Telephone: + 813 3580 3107
E-mail: matt.anderson@legalfutures.com

Japan | Hong Kong | Singapore

CDS : Legal & Compliance

CDS' Legal Team provides a legal and compliance consulting service to Japanese and foreign legal professionals seeking to improve their careers and/or working environments in Japan.

Our legal team is a mix of seasoned recruiters and lawyers and we demonstrate a strong understanding of candidates' needs and objectives.

CDS has wide access to the legal departments of Fortune 500 companies in the following industries: Information Technology, Consumer Goods and Services, Advertising / Communications / Marketing, Financial /Asset Management / Real Estate / Insurance, Medical /Health.



Our people

Julie Grewar, Consultant, Solicitor

Julie Grewar is a UK qualified solicitor with experience in the fields of Technology, Intellectual Property and E-commerce. She is a graduate of the University of Edinburgh and has worked both in private practice and as an in-house lawyer.

Mail to: grewar@cds-consulting.com

Yukie Kaneko, Senior Consultant

Yukie has a B.A. from Rikkyo (St. Paul's) University in Tokyo, and an MA from Emerson College in Boston. Prior to joining CDS, Yukie worked as a consultant for an executive search firm in New York for 6 years.

Mail to: kaneko@cds-consulting.com

Jem Ryoko Stevens, Associate Consultant

Jem is a Law graduate from the London School of Economics. She came to Japan in 2000 on the Daiwa Anglo-Japanese Scholarship program where she gained experience with various legal associations and event coordination in Tokyo. Jem has also worked with the United Nations in Geneva. She is a fluent Japanese speaker.

Mail to: stevens@cds-consulting.com

Yuichi Kimura, Researcher

Yuichi graduated from Temple University with a B.A. in Psychology. Prior to joining CDS, he worked for a well known Japanese e-commerce company where he developed his research skills. A fluent English speaker, he specializes in legal, finance and back office related searches.

Your career

Corporate Counsel –5244/JG

A US high tech company seeks a Corporate Counsel with a NY or California bar admission. The candidate must speak fluent English, and have around 5 years of experience working in a legal department or law firm.

Legal Manager 5710-JG

US pharmaceutical company seeks Legal Manager to join its existing legal team of four. Around ten years of experience required, ideally in the pharmaceutical industry. LLM and excellent English preferred.

Contract Manager –5554/JG

IT consulting company is looking for a Legal Manager to deal with contract review and negotiation of mainly Japanese contracts. 3-5 years of experience required, ideally in an IT company. English preferred but not required.

Contract Manager – 5329/JG

Leading e-commerce company is looking for a Legal Manager to support the Legal Director. Requirements are business English, solid contract experience and a 'can-do' attitude.

Other: we also have openings for paralegals, Japanese junior counsels, senior counsels and bengoshi to work within a number of our European and US software, internet, and consumer goods related businesses.

Please contact us at legalinfo@cds-consulting.com or call on 03.5766.5822

Visit us at <http://www.cds-consulting.com/>



REGISTRATION FORM 2006

Welcome to the Roppongi Bar Association. RBA members receive access to our monthly newsletter, which includes up to date listings of legal-related career opportunities in Japan, advance notice of all RBA events, discounted attendance fees to some RBA events, and access to members-only events. In addition, you will be helping to support the unique and valuable resource that is the RBA!

FEES: The fee for 2006 RBA membership is **JPY 5,000** for new members who join from January through March, JPY 4,000 for new members who join from April through June, JPY 3,000 for new members who join from July through September and JPY 7,000* for new members who join from October through December (*includes annual fee for following year). Students are JPY 2,000 at any time of year.

***NOTE:** Members who are renewing their memberships from 2005 must pay JPY 5,000 regardless of the date of renewal in 2005.

Member Information:

Last Name:	First Name:	Middle Name/Initial:
Company Name:		Job Title/Description:
Office Address:		Home Address: (Optional)
Office Telephone:		Home Telephone: (Optional)
Office Fax:		Home Fax: (Optional)
E-Mail Address:		Nationality:
Date of Payment/Bank Transfer:		Amount Paid:

Bank Transfer Information:

Please make payment by bank transfer (if you are unfamiliar with the furikomi bank transfer system, please see our furikomi instructions document), please deposit to:

Bank of Tokyo Mitsubishi - Jimbocho Branch

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Account Type: Ordinary
Account Number: 1283202
Account Name: "Roppongi Bar Association"

Please e-mail this form as an attachment to (membership@rbalaw.org).