

The Impact of the New Bar Exam and Preliminary Exam on Law School in Japan: Present and Future Considerations Gleaned from Hitotsubashi University

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Based on the report of the Judicial System Reform Committee of 2001, law schools as professional schools began to accept law students in 2004. Under the new system, only a JD degree holder may sit for the new bar exam, while such requirement was not imposed for the old bar exam. The first new bar exam was conducted in 2006, and 48.3 percent of applicants passed this exam. Since then, the pass rate has decreased annually to 25.1 percent in 2012. The number of applicants for law schools admission fell sharply in line with the decrease in the new bar exam pass rate. Moreover, the number of enrolled students fell considerably below the enrollment quota at most law schools in the academic year of 2012, even though the quota was reduced. Fortunately, Hitotsubashi University succeeded in maintaining a high reputation for educating law students and attracting a sufficient number of applicants for its law school.

Meanwhile, a preliminary exam was introduced in 2011, after the old bar exam came to an end in the previous year. Those students who pass the preliminary exam are not awarded a JD qualification, but they are recognized as having the same academic qualifications as those who have successfully completed the JD course. Their overall pass rate for the 2012 new bar exam was 68.2 percent. On the other hand, the pass rate of 57.0 percent for JD graduates for Hitotsubashi University was the highest of all law schools, compared to the overall average of 24.6 percent.

The majority of those who passed the 2011 preliminary exam and the 2012 new bar exam are undergraduate students and students still enrolled in law schools. At the 2012 preliminary exam, the number of successful applicants was doubled. It is feared that law schools might lose their significance as was indicated in the above report of the Judicial

(450)

System Reform Committee, if the Ministry of Justice continues to increase the number of successful applicants in the years to come.