

# Experiences of Problems and Disputing Behaviour in Japan

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# Experiences of Problems and Disputing Behaviour in Japan

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Japan has been planning and implementing a series of judicial reforms that emphasize increasing access to justice and expanding the role of law in dispute resolution. In order to provide basic data for the civil justice reforms, we have started an empirical research project called the Civil Justice Research Project.<sup>1</sup> This project consists of three national surveys that focus on (1) problem experience and disputing behaviour, (2) advice-seeking behaviour and (3) litigating behaviour. We conducted the first national survey on disputing behaviour in spring 2005. The Disputing Behaviour Survey consisted of two parts: Behaviour Survey and Consciousness Survey,<sup>2</sup> as we intended to measure both behaviour and consciousness and to explain relationships of those variables. This paper reports findings resulted from first-stage analyses of the data obtained from Behaviour Survey.<sup>3</sup>

## 1. Research Design

The purpose of the Disputing Behaviour Survey is to determine to what extent the Japanese people experience various kinds of legal problems in their private lives and how they try to handle those problems. We also wanted to learn whether and how legal consciousness and other subjective elements would affect the perception of a legal problem and the subsequent behaviour. Therefore, the unit of our analysis is not a household, but an individual. We asked questions concerning individual personality, legal knowledge, and legal

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The survey was carried out by Central Research Services, Inc. in Tokyo. We thank in particular Yasuyuki Kobayashi and Yuichi Koba.

We would like to express our greatest appreciation to the respondents who talked about their problems, many of which they might not want to talk about or even remember.

<sup>2</sup> The Consciousness Survey was designed and conducted by Yoshiyuki Matsumura, Manako Kinoshita, Akira Fujimoto, Yuko Yamada, Masahiro Fujita and Chihiro Kobayashi.

<sup>3</sup> What follows is the result of a collective endeavour of the Behaviour Survey group.

consciousness as well as problem experience and subsequent behaviour.<sup>4</sup>

As depicted in Figure 1, the dependent variables are experiences of problems, information and advice/support seeking behaviour, and subsequent actions to deal with problems in relation with the other parties. The independent variables consist of three groups: (1) demographic and socio-economic variables, (2) subjective variables, and (3) situational variables. The first and second groups of variables are more or less individual attributes, while the third group is concerned with how an experienced problem and its resolution are perceived, felt and evaluated by a respondent. We considered that the three groups of variables could affect experiences of problems and subsequent behaviour, though some subjective and situational variables could be reciprocally affected by experiences of problems and subsequent behaviour.<sup>5</sup>

## 2. Research Method and Data

Using the stratified multistage sampling method,<sup>6</sup> we randomly chose 1,137 election districts and, from each of the districts, 22 residents,<sup>7</sup> which made a national sample of 25,014 persons. The universe is the Japanese people who are over 19 years old and under 71 years old. The survey covers a representative sample of the Japanese population in this age group.

Before interviewers visited respondents, we sent out letters, asking sampled people to cooperate with our survey. In this letter, we explained the purpose of our survey and mentioned that it was related with the law (see Appendix B). Together with this letter, we enclosed an explanation of the survey and FAQ made by the research company that would conduct interviews (see Appendices C and D).

As indicated above, the Disputing Behaviour Survey consisted of two parts. First, we asked questions to the respondents in face-to-face interviews (Behaviour Survey, see Appendix E) and then, at the end of the interviews, asked the respondents to fill out the questionnaires (Consciousness Survey).<sup>8</sup>

<sup>4</sup> There has been a long debate about the main cause for the low Japanese litigation rate in comparison with Western countries. One group presented cultural explanations and the other institutional ones. However, as culture and institution are “chicken and egg” issues, we think that those are inseparably intertwined to affect both perception and behavior. Yet, we liked to measure individual psychological factors to see whether they would be related with experiences of problems and subsequent behavior.

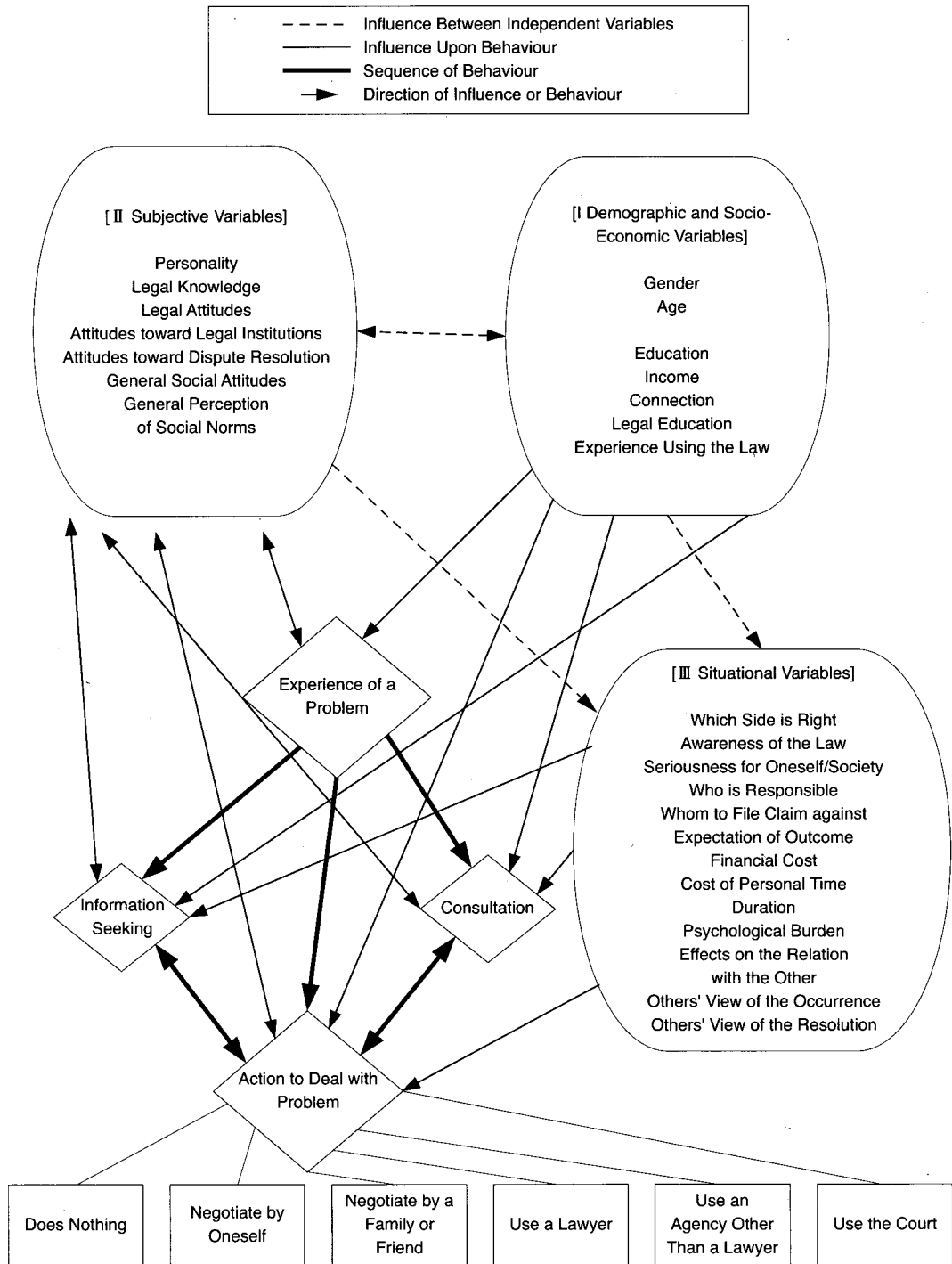
<sup>5</sup> As psychological factors are measured after a respondent experienced a problem, we cannot easily tell whether subjective variables causally affected the perception of the problem and subsequent behavior, even if there appear significant correlations between subjective variables and dependent variables.

<sup>6</sup> We made four strata in each prefecture, (1) ordinance-designated cities (14 ordinance-designated cities in 13 prefectures), (2) cities with populations of 200,000 or more, (3) other cities and (4) towns and villages.

<sup>7</sup> We assigned 22 persons to each election district because we used 11 versions of a self-administered questionnaire for the Consciousness Survey.

<sup>8</sup> We carefully considered merits and demerits of face-to-face interviews, telephone interviews and self-administered questionnaire for asking questions on experiences of problems and disputing behavior (Behaviour Survey). We first ruled out telephone interviews because (1) we cannot identify the universe of the telephone users, if we use the RDD method, (2) if we rely on the telephone directory, the sampling frame would be significantly biased particularly in big cities, and (3) there was the risk that a telephone

Figure 1 Research Model for Disputing Behavior



We used the combination of face-to-face interview and the self-administered questionnaire, as the latter was concerned with subjective variables, making the questions similar to a psychological test.

We originally planned to divide the survey into two stages: the screening survey in which we ask respondents whether they experienced problems, and the main survey in which we ask them what they did to deal with the problems. However, after having conducted two preliminary surveys, we decided to conduct the survey just once, as we expected to lose a large number of respondents for the main survey, if we divided the survey into screening and main surveys.

The survey was carried out in March 2005; 12,408 individuals answered the questions in the interview and also completed the written questionnaires.<sup>9</sup> Thus, the response rate was 49.6%. The group of the respondents differed from the universe in three aspects; urban, young and male residents tended to decline to answer more often than rural, older and female residents.<sup>10</sup>

### 3. Experiences of Problems

In the interview, we asked individual respondents whether they experienced some problem in their private lives during the previous five years. Even though a problem occurred more than five years ago, it was included if the problem still existed during the period. Problems experienced in business were excluded.

In the interview, we asked whether a respondent had experienced certain types of problems, by showing cards, which presented examples of problems, for instance, concerning the purchase of goods/services, such as food, drugs, cosmetics, electric machines, bicycles, laundry service, and travel as indicated in Table 1. In this way, we tried to make respondents recall past problem experiences. We presented respondents 10 types with 55 examples (Goods/Service, Land/House, Rent/Lease, Employment, Family/Relative, Accident, Neighbour, Money/Credit, Private Insurance, Public Authority) and asked whether respondents had experienced any of those during the previous five years.

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interview would not be taken seriously by many Japanese people, who would not be willing to answer the questions about private matters over the phone. After having conducted two preliminary surveys, the first with a self-administered questionnaire and the second with face-to-face interviews, we decided to use the latter method because it could obtain more reliable answers.

To see how interviews were actually conducted, we followed interviewers when they visited respondents in the second preliminary survey, and discussed with them problems they felt while conducting interviews. Prior to the main survey, we met all the interviewers at 15 meetings in eight cities and explained about each item of the questionnaire for interviews, so that interviews would be uniformly conducted nationwide.

<sup>9</sup> Over 300 interviewees did not complete the written questionnaires.

<sup>10</sup> The response rate is significantly lower among the residents of the 14 ordinance-designated cities. We discussed the possibility of correcting the biases, but we have decided to present findings without corrections in this paper, as we are not sure of how to make appropriate corrections without any previous data in Japan.

Among the non-respondents, 55.2% of them refused interviews, while 23.4% were temporarily absent and could not be reached.

Table 1 Types and Examples of Problems

| <i>Type</i>                               | <i>Example</i>  | <i>Type</i>                        | <i>Example</i>   |                                   |
|---|---|------------------------------------|--|-----------------------------------|
| Goods/Services                            | Food  | Accident                           | Traffic accident with personal injury or death               |                                   |
|   | Drugs   |                                    | Traffic accident without personal injury or death            |                                   |
|   | Cosmetics, Esthetique   |                                    | Medical accident   |                                   |
|   | Household Commodities, Furniture, Electric Machines, Electronic Devices |                                    | Work-related accident  |                                   |
|   | Bicycle, Automobile   |                                    | Bullying, violence or accident at school                     |                                   |
|   | Laundry   |                                    | Defamation or mental damages                                 |                                   |
|   | Travel  |                                    | Other accident resulting in personal injury or death         |                                   |
|   | School, Supplementary School, Private Teacher                           |                                    | Other accident resulting in property damage or monetary loss |                                   |
|   | Stocks, Bonds, Other Financial Commodities                              |                                    | Neighbour  | Boundary line                     |
|   | Telephone, Internet   |                                    |  | Noise, odour or vibration         |
|   | Nursing Care/Health Care  | Pets                               |  |                                   |
|   | Land/House  | Newspaper                          | Money/Credit   | Water leakage                     |
|   |   | Others                             |  | Blockage of sunshine, air or view |
| Sale or purchase of land                  |   | Others                             |  |                                   |
| Sale or purchase of a house/a condominium |   | With an acquaintance or a relative |  |                                   |
| Building a house                          |   | With a bank or a post office       |  |                                   |
| Rent/Lease                                | Rebuilding, renovating or repairing a house/a condominium               | Private Insurance                  | With a credit card company                                   |                                   |
|   | Others  |                                    | With a consumer credit company                               |                                   |
|   | Rent  |                                    | With others  |                                   |
|   | Termination of contract/<br>Termination money                           |                                    | Life Insurance   |                                   |
|   | Security deposit  |                                    | Casualty Insurance   |                                   |
|   | Key money   |                                    | Health Insurance   |                                   |
| Employment                                | Repairs   | Public Authority                   | Accident Insurance   |                                   |
|   | Others  |                                    | Others   |                                   |
|   | No payment of wages   |                                    | Tax  |                                   |
|   | Unfair dismissal  |                                    | Annuity  |                                   |
|   | Unfair transfer   |                                    | Public Insurance   |                                   |
|   | Unpaid overtime work  | Other Social Security Benefits     |  |                                   |
|   | Non-payment of a retirement allowance                                   | Others                             |  |                                   |
|   | Sexual harassment   | Others                             |  |                                   |
|   | Other harassment  |                                    |  |                                   |
| Others                                    |   |                                    |  |                                   |
| Family/Relative                           | Divorce (property division, child support, child custody)               |                                    |  |                                   |
|   | Inheritance/<br>Division of inherited property                          |                                    |  |                                   |
|   | Nursing care  |                                    |  |                                   |
|   | Others  |                                    |  |                                   |

We did not ask how many times respondents experienced the same problem during the five-year period. The reason is that we considered that we would not be able to obtain reliable data on this matter. First, the two preliminary surveys showed us that the number of problems experienced by the respondents decreased regularly every year and was always fewer than in the previous year for the five years period. This clearly shows that the number of reported problem experiences is a function of memory. We considered that the frequency would be much more difficult to remember exactly than the simple occurrence itself. Second, when a problem continues to exist without being resolved completely, it comes out intermittently and in similar ways. A typical case is a problem with a neighbour, but it is also the case with problems occurring in more or less continuing relationships. After the two preliminary surveys, we concluded that if we ask respondents to count how many problems of the same kind they have experienced, they could count the number of problems in various different ways that we would not be able to control effectively. Therefore, with our data, we cannot estimate the total volume of the problems, but we can estimate how many people have experienced a problem of some kind.<sup>11</sup>

A survey of legal problems often sets a threshold to exclude trivial problems. In the Civil Litigation Research Project, problems in which \$1,000 or more were at stake were selected.<sup>12</sup> The Path to Justice Survey asked whether respondents had experienced “justiciable” problems.<sup>13</sup> We did not set any qualification for problems that we asked respondents to report because there are many problems for which respondents are unable to say how much is at stake. Before we visited respondents, we sent them an advance letter to explain the purpose of our research (see Appendix B). This letter and the examples presented in the interview sent the respondents a message that we would like to know about their legal problems. Judging from the results of the two preliminary surveys, we believe that survey respondents understood this well.

Concerning problem experiences, we first asked the respondents to report all the problems they had experienced for the previous five years. Among the 12,408 respondents we interviewed, 2,343 respondents (18.9%) reported 4,144 problems. On average, a respondent experienced 0.3 problem, including those who did not experience any problem. A respondent who experienced at least one problem had an average of 1.8 problems.

Table 2A shows the number of respondents who experienced each type of problems. The most frequently experienced problem type is Accident (7.3%),

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<sup>11</sup> We did not ask, for example, how many times a respondent had experienced a problem in the purchase of food, but asked whether a respondent had experienced a problem in the purchase of food, drug, furniture, etc. and counted the number of problems that could fall into the same type of problem.

<sup>12</sup> Richard E. Miller and Austin Sarat, “Grievances, Claims, and Disputes: Assessing the Adversary Culture,” 15 *Law and Society Review* 525, 535 (1980–81).

<sup>13</sup> In the Path to Justice survey, at first “any problems or disputes that were difficult to solve” were selected and then those problems for which respondents did nothing because of the triviality were excluded. Hazel Genn, *Path to Justice: What People Do and Think About Going to Law*, 13–14 (1999).

Table 2A Number of Respondents Who Experienced Problems for the Previous Five Years (Multiple Answers)

| Problem Type               | N      | %      |
|----------------------------|--------|--------|
| Accident                   | 905    | 7.3%   |
| Neighbour                  | 656    | 5.3%   |
| Goods/Services             | 597    | 4.8%   |
| Employment                 | 369    | 3.0%   |
| Family/Relative            | 275    | 2.2%   |
| Money/Credit               | 272    | 2.2%   |
| Rent/Lease                 | 175    | 1.4%   |
| Land/House                 | 180    | 1.5%   |
| Private Insurance          | 168    | 1.4%   |
| Public Authority           | 123    | 1.0%   |
| Others                     | 39     | 0.3%   |
| No Problem                 | 10,065 | 81.1%  |
| Total N of the Respondents | 12,408 | 100.0% |

Note: The sum of the percentages is more than 100% because of multiple answers.

Table 2B Number of Problems Experienced for the Previous Five Years

| Problem Type      | N     | %      |
|-------------------|-------|--------|
| Accident          | 949   | 22.9%  |
| Neighbour         | 739   | 17.8%  |
| Goods/Services    | 701   | 16.9%  |
| Employment        | 428   | 10.3%  |
| Family/Relative   | 300   | 7.2%   |
| Money/Credit      | 292   | 7.0%   |
| Rent/Lease        | 198   | 4.8%   |
| Land/House        | 191   | 4.6%   |
| Private Insurance | 173   | 4.2%   |
| Public Authority  | 134   | 3.2%   |
| Others            | 39    | 0.9%   |
| Total             | 4,144 | 100.0% |

followed by Neighbour (5.3%), Goods/Services (4.8%), Employment (3.0%), Family (2.2%), Money (2.2%), Rent/Lease (1.4%), Land/House (1.5%), Private Insurance (1.4%), Claims against the Public Authority (1.0%) and Others (0.3%). Table 2B presents the number of problems the respondents experienced. The rank order of the problem types in terms of frequency of problem experience is the same as in Table 2A.

The frequency of problem experience depends first upon how many people are at risk of the problem. For example, one cannot experience non-payment



of wages, unless one is employed. Second, respondents may not have disclosed their experience of such problems as carrying morally negative overtones or as intimately private. Therefore, it is probable that such problems as those of debt with consumer credit companies and divorce were under-reported.<sup>14</sup> Third, as the problem experience is a matter of perception, those who are more sensitive to the law or self-assertive for some reason would have tended to report problem experiences more often<sup>15</sup>.

#### 4. Most Serious Problems

Among 2,343 respondents who reported one or more problems, 2,244 respondents identified their most serious problems.<sup>16</sup> The distribution of the types of problems is presented in Table 3. The rank order of the problem types in terms of frequencies is the same as that of all the problem types experienced, as indicated in Table 2B.

Table 3 Most Serious Problems Experienced for the Previous Five Years

| Problem Type      | N     | %      |
|-------------------|-------|--------|
| Accident          | 679   | 29.0%  |
| Neighbour         | 405   | 17.3%  |
| Goods/Services    | 322   | 13.7%  |
| Employment        | 232   | 9.9%   |
| Family/Relative   | 162   | 6.9%   |
| Money/Credit      | 155   | 6.6%   |
| Rent/Lease        | 62    | 2.6%   |
| Land/House        | 90    | 3.8%   |
| Private Insurance | 58    | 2.5%   |
| Public Authority  | 55    | 2.3%   |
| Others            | 24    | 1.0%   |
| N.A.              | 99    | 4.2%   |
| Total             | 2,343 | 100.0% |

#### *Amount at Stake*

We asked the respondents whether they knew how much money was at stake. As shown in Table 4, in half of the most serious problems, the respondents knew how much was at stake, while in a quarter of them, they did not. In the other quarter, the respondents said that their problems were not over money.

<sup>14</sup> Also, it seems that those who considered themselves to be victims tended to report problems much more often than those considering themselves as aggressors, although we did not ask "victimization" but "problems" in general.

<sup>15</sup> Therefore, reporting the experience of a problem to an interviewer is a dependent variable in our research model. What would affect the reporting behavior is an interesting question, one which we will discuss elsewhere.

<sup>16</sup> When the respondent experienced just one problem, we considered it as the most serious problem.

Table 4 Do You Know How Much Was At Stake with the Problem

|                       | N     | %      |
|-----------------------|-------|--------|
| Yes, I Know           | 1,162 | 51.8%  |
| No, I Do Not Know     | 503   | 22.4%  |
| Cannot Count by Money | 566   | 25.2%  |
| N.A.                  | 13    | 0.6%   |
| Total                 | 2,244 | 100.0% |

The knowledge of the amount at stake differs among the types of problems (Table 5). The percentage is the highest for Money/Credit (91.5%), followed by Rent/Lease (72.1%), Private Insurance (64.9%), Goods/Services (64.5%), Accident (62.1%) and Land/House (60.0%). In these problems, almost 80% or more have stakes countable in money. However, in Employment and Family, one third of the problems did not have stakes countable in money. Neighbour is a clearer exception in which the stakes of 60% of the problems is not countable in money.

Table 5 Percentages of the Amount Known, Unknown and Uncountable According to the Type of the Most Serious Problems

| Type of Problem   | %            |                       |             | Total | N     |
|-------------------|--------------|-----------------------|-------------|-------|-------|
|                   | Amount Known | Countable but Unknown | Uncountable |       |       |
| Accident          | 62.1         | 26.0                  | 11.9        | 100.0 | 678   |
| Neighbour         | 17.4         | 22.6                  | 60.0        | 100.0 | 403   |
| Goods/Services    | 64.5         | 14.5                  | 21.1        | 100.0 | 318   |
| Employment        | 41.6         | 24.2                  | 34.2        | 100.0 | 231   |
| Family/Relative   | 39.8         | 26.7                  | 33.5        | 100.0 | 161   |
| Money/Credit      | 91.5         | 6.5                   | 2.0         | 100.0 | 153   |
| Rent/Lease        | 72.1         | 19.7                  | 8.2         | 100.0 | 61    |
| Land/House        | 60.0         | 27.8                  | 12.2        | 100.0 | 90    |
| Private Insurance | 64.9         | 22.8                  | 12.3        | 100.0 | 57    |
| Public Authority  | 43.6         | 41.8                  | 14.5        | 100.0 | 55    |
| Others            | 29.2         | 33.3                  | 37.5        | 100.0 | 24    |
| Total             | 52.1         | 22.5                  | 25.4        | 100.0 | 2,231 |

As Table 6 indicates, the majority of problems in which the amount at stake is known involves \$1,000 or more. The percentage of the problems with stakes worth \$1,000 or more is 69.4%, while the percentage of those with stakes worth \$10,000 or more is 27.1%.

Table 6 Amount at Stake (¥100 = US\$1)

| Amount                | N     | %      |
|-----------------------|-------|--------|
| 0                     | 21    | 1.8%   |
| Less than \$100       | 56    | 4.8%   |
| Less than \$1,000     | 279   | 24.0%  |
| Less than \$10,000    | 491   | 42.3%  |
| Less than \$100,000   | 251   | 21.6%  |
| Less than \$1,000,000 | 58    | 5.0%   |
| \$1,000,000 or more   | 6     | 0.5%   |
| Total                 | 1,162 | 100.0% |

The mean is \$24,695 and the median is \$2,000.

### *Which Side Respondents Found Themselves On?*

More than three quarters of the respondents said that they were the aggrieved. However, the percentage differs among the types of problems. In Goods/Services, Employment, Land/House and Rent/Lease, more than 90% of the respondents found themselves on the side of being aggrieved, while, in Accident, 28% of the respondents said that they had caused damage, and in Family/Relative 44% of the respondents said that it was difficult to tell on which side they were.

Table 7 Side on Which Respondents Found Themselves

| Type of Problems | Which Side You Were on |               |                  |     | TOTAL |       |
|------------------|------------------------|---------------|------------------|-----|-------|-------|
|                  | Being Damaged          | Caused Damage | Difficult to Say | DK  | %     | N     |
| Accident         | 63.8                   | 28.1          | 7.9              | 0.1 | 100.0 | 672   |
| Neighbour        | 76.7                   | 10.6          | 10.6             | 2.0 | 100.0 | 404   |
| Goods/Services   | 92.8                   | 0             | 6.3              | 0.9 | 100.0 | 320   |
| Employment       | 96.1                   | 0             | 3.9              | 0   | 100.0 | 232   |
| Family/Relative  | 50.9                   | 1.9           | 44.1             | 3.1 | 100.0 | 161   |
| Money/Credit     | 86.9                   | 4.6           | 7.8              | 0.7 | 100.0 | 153   |
| Land/House       | 90.0                   | 0             | 10.0             | 0   | 100.0 | 90    |
| Rent/Lease       | 91.9                   | 0             | 8.1              | 0   | 100.0 | 62    |
| Insurance        | 89.7                   | 0             | 10.3             | 0   | 100.0 | 58    |
| Public Authority | 70.4                   | 1.9           | 22.2             | 5.6 | 100.0 | 54    |
| Other            | 83.3                   | 0             | 12.5             | 4.2 | 100.0 | 24    |
| TOTAL            | 77.2                   | 10.9          | 10.9             | 1.0 | 100.0 | 2,230 |

### *Who Was on the Other Side*

As Table 8 demonstrates, the number of unknown persons is the largest among the people on the other side (27%) because traffic accident is the most often reported kind of problem. The second largest group is private companies (22%), excluding insurance companies, bank/credit/financial companies, hospital, landlord and tenant and supermarket/department store. When we combine neighbour, family/relative, friend/acquaintance and colleague, people with whom respondents probably had personal contact constitute the largest group (34%).

We also asked respondents to select the principal on the other side. The rank order for the principal is similar to that for multiple answers.

Table 8 Who Was on the Other Side

|                                     | On the Other Side<br>(Multiple Answers) |        | The Principal<br>on the Other Side |       |
|-------------------------------------|---|--------|------------------------------------|-------|
|                                     | %                                       | N      | %                                  | N     |
| Unknown Person                      | 26.9%                                   | 604    | 25.8%                              | 577   |
| Other Private Company               | 22.3%                                   | 500    | 21.8%                              | 486   |
| Neighbour                           | 15.2%                                   | 340    | 14.5%                              | 324   |
| Family/Relative                     | 9.8%                                    | 220    | 9.3%                               | 207   |
| Friend/Acquaintance                 | 6.6%                                    | 149    | 6.0%                               | 133   |
| Insurance Company                   | 4.1%                                    | 93     | 3.4%                               | 76    |
| Shop                                | 2.8%                                    | 63     | 2.7%                               | 61    |
| Local Government                    | 2.8%                                    | 62     | 2.2%                               | 49    |
| Colleague                           | 2.2%                                    | 50     | 1.8%                               | 40    |
| Landlord (Individual)               | 1.7%                                    | 39     | 1.7%                               | 37    |
| Bank/Credit/Other Financing Company | 1.7%                                    | 39     | 1.4%                               | 31    |
| Hospital                            | 1.7%                                    | 39     | 1.5%                               | 33    |
| Landlord (Corporate)                | 1.3%                                    | 29     | 1.3%                               | 28    |
| Other Public Agency                 | 1.1%                                    | 24     | 0.9%                               | 21    |
| National Government                 | 1.0%                                    | 23     | 0.9%                               | 20    |
| Supermarket/Department Store        | 0.9%                                    | 20     | 0.9%                               | 20    |
| Tenant (Individual)                 | 0.6%                                    | 13     | 0.4%                               | 10    |
| Indirect Acquaintance               | 0.5%                                    | 11     | 0.5%                               | 11    |
| Ex Spouse                           | 0.3%                                    | 7      | 0.3%                               | 6     |
| Tenant (Corporate)                  | 0.2%                                    | 4      | 0.2%                               | 4     |
| Others                              | 1.5%                                    | 34     | 1.3%                               | 29    |
| DK                                  | 1.3%                                    | 30     | 1.3%                               | 30    |
| TOTAL                               | –                                       | *2,244 | 100.0%                             | 2,233 |

\*A total of 2,244 respondents listed the most serious problem.

## 5. How People Handle Their Problems

A person facing a problem may want to get some information about how to handle it, try to get support for his/her own side, or directly go to see the person on the other side. Initially, we tried to pursue the sequence of those behaviours. However, as there could be too many variations of the sequence, we decided not to ask their behaviours chronologically<sup>17</sup>.

### *Seeking Information*

Respondents who experienced problems tended not to seek information from books and/or websites. In total, only 7% of the respondents consulted books, while 8% of them consulted websites; 83% of the respondents did not consult books or websites.

However, information seeking behaviour differs among the types of problems experienced. Respondents with family problems exhibit the highest percentage of seeking information both from books (25%) and websites (17%). While respondents with problems of Rent/Lease and those of Employment tended to consult books as often as website, and those with problems of insurance and public authority tended to consult books more often than websites. In contrast, those with problems of Goods/Services, Money/Credit and Land/House consulted websites more often than books.

Table 9 Consulted Books and/or Website

| Type of Problems | Consulted Books |      | Consulted Websites |      | Total N |
|------------------|-----------------|------|--------------------|------|---------|
|                  | N               | %    | N                  | %    |         |
| Accident         | 31              | 4.6  | 38                 | 5.6  | 679     |
| Neighbour        | 17              | 4.2  | 21                 | 5.2  | 405     |
| Goods/Services   | 9               | 2.8  | 34                 | 10.6 | 322     |
| Employment       | 21              | 9.1  | 19                 | 8.2  | 232     |
| Family/Relative  | 41              | 25.3 | 27                 | 16.7 | 162     |
| Money/Credit     | 7               | 4.5  | 11                 | 7.1  | 155     |
| Land/House       | 7               | 7.8  | 10                 | 11.1 | 90      |
| Rent/Lease       | 8               | 12.9 | 8                  | 12.9 | 62      |
| Insurance        | 6               | 10.3 | 4                  | 6.9  | 58      |
| Public Authority | 6               | 10.9 | 1                  | 1.8  | 55      |
| Other            | 1               | 4.2  | 4                  | 16.7 | 24      |
| TOTAL            | 154             | 6.9  | 177                | 7.9  | 2,244   |

### *Contact with the Other Side*

From Table 10, a quarter of the respondents who listed the most serious

<sup>17</sup> Another reason is that we found it was difficult for respondents to remember the chronological order correctly, after we had conducted preliminary surveys

Table 10 Contact with Other Side

| Contacted                     | N     | %      |
|-------------------------------|-------|--------|
| Yes                           | 1,645 | 73.3%  |
| No                            | 577   | 25.7%  |
| <i>Simply Did Not Contact</i> | 495   | 22.0%  |
| <i>The Other Unknown</i>      | 82    | 3.7%   |
| N.A.                          | 22    | 1.0%   |
| Total                         | 2,244 | 100.0% |

problems had not contacted the other party to deal with their problems. Four percent of the respondents did not contact the other party because they did not know whom they should contact, while 22% simply did not do anything.

The percentage of the respondents who contacted the other side differs greatly among the types of problems. Less than half (49%) of the respondents with Employment problems contacted the other party, while more than 80% of those with problems of Land/House, Family/Relative, Accident, or Money/Credit did so (Table 11).

Table 11 Contacted or Not According to the Type of the Most Serious Problems

|                  | Contact | No Contact | N.A. | Total N |
|------------------|---------|------------|------|---------|
| Accident         | 82.2    | 16.8       | 1.0  | 679     |
| Neighbour        | 64.0    | 35.3       | 0.7  | 405     |
| Goods/Services   | 69.6    | 28.9       | 1.6  | 322     |
| Employment       | 49.1    | 50.9       | 0    | 232     |
| Family/Relative  | 84.6    | 14.9       | 0.6  | 162     |
| Money/Credit     | 81.3    | 16.8       | 1.9  | 155     |
| Land/House       | 88.9    | 10.0       | 1.1  | 90      |
| Rent/Lease       | 77.4    | 22.6       | 0    | 62      |
| Insurance        | 70.7    | 27.6       | 1.7  | 58      |
| Public Authority | 72.7    | 25.5       | 1.8  | 55      |
| Other            | 75.0    | 25.0       | 0    | 24      |
| TOTAL            | 73.3    | 25.7       | 1.0  | 2,244   |

### *Ways of Contact*

The overwhelming majority of those contacting the other party contacted them by themselves, either directly (68%) and/or by phone or letter (24%) (Table 12). Respondents also relied on a third party, either family/friend/acquaintance (14%), lawyer (7%), and/or third party other than a lawyer (27%). Few respondents used court procedures: only 3% used conciliation, 1% litigation and/or other procedure.

Table 12 Ways of Contact (Multiple Answer)

| Action                     | N     | %      |
|----------------------------|-------|--------|
| Met and Talked Directly    | 1,112 | 67.6%  |
| Contacted by Phone/Letter  | 397   | 24.1%  |
| Contacted Through          |       |        |
| Family/Friend/Acquaintance | 225   | 13.7%  |
| Lawyer                     | 116   | 7.1%   |
| Others                     | 452   | 27.5%  |
| Filed                      |       |        |
| Conciliation               | 54    | 3.3%   |
| Litigation                 | 19    | 1.2%   |
| Other Procedure            | 18    | 1.1%   |
| Other Way                  | 8     | 0.5%   |
| Total                      | 1,645 | 100.0% |

### *Results of the Contacts: Occurrence of Disputes*

We define a dispute as a disagreement between the two parties after their contact. However, in the questionnaire, we simply asked whether the respondent with the most serious problems had a disagreement with the other party. Some respondents did not contact the other party but answered that they disagreed with the other party (Table 13). Apparently some respondents knew that they had disagreements with the other party without contacting them. These respondents have "latent" disputes.

Half (54%) of the respondents who contacted the other party had a disagreement with them.

Table 13 Occurrence of Disagreements

| Disagreement | Among Those with Problems* |        | Among Those Who Contacted |        |
|--------------|----------------------------|--------|---------------------------|--------|
|              | N                          | %      | N                         | %      |
| Existed      | 1087                       | 48.4%  | 894                       | 54.3%  |
| None         | 757                        | 33.7%  | 619                       | 37.6%  |
| Not known    | 387                        | 17.2%  | 131                       | 8.0%   |
| NA           | 13                         | 0.6%   | 1                         | 0.1%   |
| Total        | 2244                       | 100.0% | 1645                      | 100.0% |

\*Respondents who did not contact the other party are included.

### *Use of a Lawyer*

Among the respondents who contacted the other party, only a few (120; 7%) actually entrusted the resolution of their problems to lawyers while 13% of the respondents who contacted the other party considered entrusting the resolution to lawyers, but did not do so. Apparently, using a lawyer is not

a common way of dealing with a problem in Japan. However, it is to be noted that almost twice as many considered the possibility of entrusting their problems to lawyers but did not do so.

Table 14 Respondents Who Actually Entrusted or Only Considered Entrusting Resolution to Lawyers

|                            | Among Those Who Contacted |        | Among Those Who Contacted & Had Disputes |        |
|----------------------------|---------------------------|--------|--|--------|
|                            | N                         | %      | N  | %      |
| Actually Entrusted         | 120                       | 7.3%   | 92                                       | 10.3%  |
| Only Considered to Entrust | 217                       | 13.2   | 162                                      | 18.1%  |
| Total                      | 1,645                     | 100.0% | 894                                      | 100.0% |

### *Use of the Court as Plaintiff*

As Table 15 shows, court procedures are also not used very often by those who contacted the other party (5%) or by those who faced disputes after having contacted the other side (7%). However, there are almost twice as many who considered using the court but did not do so as those who actually used the court (10% and 14% respectively).

Table 15 Number of Respondents Who Actually Used and Only Considered Using the Court\*

|                 | Among Those Who Contacted |        | Among Those Who Contacted & Had Disputes |        |
|-----------------|---------------------------|--------|--|--------|
|                 | N                         | %      | N  | %      |
| Actually Used   | 76                        | 4.6%   | 65                                       | 7.3%   |
| Only Considered | 161                       | 9.8%   | 124                                      | 13.9%  |
| Total           | 1,645                     | 100.0% | 894                                      | 100.0% |

\*To use the court includes conciliation, litigation and other court procedures.

### *Use of the Court by the Other Side*

Respondents who had experienced the most serious problems rarely became defendants in court procedures. Only 2% of the respondents were filed against for conciliation, and 1% of them for litigation and other court procedure (Table 16).

Table 16 Number of Respondents Who Were Defendants at Court (Multiple Answers)

|                  | N     | %      |
|------------------|-------|--------|
| Conciliation     | 34    | 1.6%   |
| Litigation       | 22    | 1.0%   |
| Other Procedures | 19    | 0.9%   |
| Total            | 2,157 | 100.0% |



**Consultation Behaviour**

When people face problems, they often consult with others to obtain information and/or support. People consult with others more often than reading books or looking at websites. People seek advice not only after facing disputes, but also even before contacting the other party.

Among 2,244 who listed the most serious problem, 1,376 persons (61%) consulted with another person or agency, but 853 persons (38%) did not consult with anybody or any agency.

Table 17 Person or Agency Consulted about Problem

| Person/Agency                                | Overall* |       | First |       | Second |       |
|--|----------|-------|-------|-------|--------|-------|
|  | N        | %     | N     | %     | N      | %     |
| Family/Friend                                | 512      | 37.2  | 352   | 25.6  | 113    | 20.7  |
| Insurance Company                            | 436      | 31.7  | 306   | 22.2  | 114    | 20.9  |
| Police                                       | 270      | 19.6  | 209   | 15.2  | 43     | 7.9   |
| Lawyer                                       | 128      | 9.3   | 55    | 4.0   | 45     | 8.3   |
| Colleague at Work Place                      | 126      | 9.2   | 68    | 4.9   | 46     | 8.4   |
| Non-Legal Consultation Bureau at City Hall   | 122      | 8.9   | 76    | 5.5   | 31     | 5.7   |
| Legal Consultation Bureau at City Hall       | 77       | 5.6   | 45    | 3.3   | 23     | 4.2   |
| Public Office Other Than Police              | 56       | 4.1   | 29    | 2.1   | 22     | 4.0   |
| Consumer Advice Centre                       | 52       | 3.8   | 39    | 2.8   | 11     | 2.0   |
| Legal Professional Other Than Lawyers        | 51       | 3.7   | 24    | 1.7   | 18     | 3.3   |
| Welfare Commissioner                         | 42       | 3.1   | 24    | 1.7   | 9      | 1.7   |
| Consultation Bureau at the Bar Association   | 39       | 2.8   | 17    | 1.2   | 13     | 2.4   |
| Consultation Bureau at Court                 | 38       | 2.8   | 11    | 0.8   | 12     | 2.2   |
| Private Consultation Agency                  | 22       | 1.6   | 12    | 0.9   | 8      | 1.5   |
| School Teachers                              | 18       | 1.3   | 11    | 0.8   | 6      | 1.1   |
| Labour Union                                 | 17       | 1.2   | 15    | 1.1   | 1      | 0.2   |
| Real Estate Agencies                         | 16       | 1.2   | 13    | 0.9   | 2      | 0.4   |
| Apartment Managers                           | 14       | 1.0   | 10    | 0.7   | 3      | 0.6   |
| Politician                                   | 13       | 0.9   | 2     | 0.1   | 4      | 0.7   |
| Consultation Bureau at Legal Aid Association | 4        | 0.3   | 0     | —     | 2      | 0.4   |
| Others                                       | 88       | 6.4   | 58    | 4.2   | 19     | 3.5   |
| Total  | 1,376    | 100.0 | 1,376 | 100.0 | 545    | 100.0 |

\*Multiple Answers

Table 17 lists with whom or with which agency respondents consulted. Family members and friends are apparently the most frequently consulted group of people (37%). Colleagues at work places rank fifth (9%). Personal networks are important for people with problems to get advice and support.

Among agencies, 32% of the respondents consulted insurance companies and 20%, the police. Lawyers follow next, as 9% of the respondents consulted with them. Legal consultation bureaus at city halls, consultation bureaus of bar associations, and consultation bureaus of legal aid associations also provide legal advice. However, it is apparent that respondents consulted with non-legal agencies more often than with lawyers.

As is indicated in Table 17, we asked the respondents whom or which agency they consulted for the first advice and the second. We expected that the frequency of consultation with lawyers might increase from the first advice to the second, but this was not the case. Even for the second advice, lawyers and legal consultation in general remain no more significant than non-legal consultations.

### ***Helpfulness of Consultation***

We asked the respondents whether the consultation was helpful or not in such a manner as "instructed with regard to procedure and the law," "instructed with regard to what to do in practice," "helped me recognize I was right," "helped me mentally - consolation, encouragement, etc.," "negotiated with the other party for me," "informed me of other agencies," "made a judgment from an impartial stance," and "not helpful."

Table 18 indicates in what way and to what extent persons and agencies were felt helpful by those who consulted with them. As expected, family/friends and colleagues at work place were helpful mainly to give mental support. Insurance companies, lawyers and labor unions were felt helpful in negotiating with the

Table 18-1 Helpfulness of Consultation (Multiple Answers)

|                                 | Family/Friend | Insurance Company | Police | Lawyer at Office |
|---------------------------------|---------------|-------------------|--------|------------------|
| Not helpful                     | 17.0%         | 14.5%             | 26.3%  | 17.2%            |
| Procedures & Law                | 4.9%          | 24.6%             | 18.1%  | 46.1%            |
| What to Do in Practice          | 25.0%         | 45.7%             | 35.2%  | 55.5%            |
| Helped me Recognize I was right | 24.7%         | 15.4%             | 18.1%  | 29.7%            |
| Helped me Mentally              | 60.7%         | 12.2%             | 13.3%  | 28.9%            |
| Negotiated for me               | 16.8%         | 59.1%             | 11.5%  | 46.1%            |
| Informed of Other Agencies      | 3.7%          | 1.1%              | 4.4%   | 3.9%             |
| Made an Impartial Judgment      | 9.6%          | 15.9%             | 25.9%  | 25.8%            |
| Total N                         | 511           | 435               | 270    | 128              |

Table 18-2 Helpfulness of Consultation (Multiple Answers)

|                                 | Colleague at Work | Non-Legal Consultation Bureaus at City Halls | Legal Consultation Bureaus at City Halls | Quasi-Legal Professionals |
|---------------------------------|-------------------|--|--|---------------------------|
| Not helpful                     | 20.0%             | 39.5%  | 37.7%                                    | 31.1%                     |
| Procedures & Law                | 9.6%              | 21.0%  | 27.3%                                    | 44.4%                     |
| What to Do in Practice          | 18.4%             | 31.1%  | 18.2%                                    | 40.0%                     |
| Helped me Recognize I was right | 23.2%             | 18.5%  | 13.0%                                    | 22.2%                     |
| Helped me Mentally              | 54.4%             | 17.6%  | 15.6%                                    | 22.2%                     |
| Negotiated for me               | 16.8%             | 12.6%  | 0.0%                                     | 26.7%                     |
| Informed of Other Agencies      | 5.6%              | 12.6%  | 16.9%                                    | 2.2%                      |
| Made an Impartial Judgment      | 12.0%             | 15.1%  | 10.4%                                    | 13.3%                     |
| Total N                         | 125               | 119  | 77                                       | 45                        |

other party.<sup>18</sup>

Most advice providers, such as insurance companies, lawyers, non-legal consultation bureaus at city halls, quasi-legal professionals, consumer advice centres, national or prefectural agencies, consultation desks at court, consultation bureaus at bar associations and private consultation bureaus were felt helpful to provide information on what to do in practice for dealing with their problems. Lawyers, quasi-legal professionals, national or prefectural agencies, consultation desks at court, and consultation bureau at legal aid associations were felt helpful to provide information on procedures and the law. No persons or agencies were felt helpful in giving reference information of other agencies.

Table 18-3 Helpfulness of Consultation (Multiple Answers)

|                                 | Consumer Advice Centre | National or Prefectural Agencies | Consultation Desk at Court | Welfare Commissioner |
|---------------------------------|------------------------|----------------------------------|----------------------------|----------------------|
| Not helpful                     | 30.8%                  | 30.0%                            | 27.0%                      | 48.8%                |
| Procedures & Law                | 30.8%                  | 48.0%                            | 62.2%                      | 4.9%                 |
| What to Do in Practice          | 50.0%                  | 42.0%                            | 35.1%                      | 14.6%                |
| Helped me Recognize I was right | 25.0%                  | 34.0%                            | 10.8%                      | 12.2%                |
| Helped me Mentally              | 19.2%                  | 12.0%                            | 13.5%                      | 24.4%                |
| Negotiated for me               | 5.8%                   | 14.0%                            | 10.8%                      | 22.0%                |
| Informed of Other Agencies      | 13.5%                  | 4.0%                             | 8.1%                       | 7.3%                 |
| Made an Impartial Judgment      | 13.5%                  | 14.0%                            | 27.0%                      | 14.6%                |
| Total N                         | 52                     | 50                               | 37                         | 41                   |

<sup>18</sup> People tend to regard their insurance companies as representing their interests or being impartial to them.

Table 18-4 Helpfulness of Consultation (Multiple Answers)

|                                 | Consultation<br>Bureaus at<br>Bar Associations | Private Consultation<br>Bureaus<br>or Agencies | Labor Union | Politician |
|---------------------------------|--|--|-------------|------------|
| Not helpful                     | 23.1%  | 31.6%  | 11.8%       | 50.0%      |
| Procedures & Law                | 28.2%  | 10.5%  | 17.6%       | 16.7%      |
| What to Do in Practice          | 38.5%  | 42.1%  | 17.6%       | 16.7%      |
| Helped me Recognize I was right | 7.7%   | 26.3%  | 29.4%       | 8.3%       |
| Helped me Mentally              | 7.7%   | 21.1%  | 17.6%       | 33.3%      |
| Negotiated for me               | 7.7%   | 10.5%  | 52.9%       | 16.7%      |
| Informed of Other Agencies      | 5.1%   | 15.8%  | 11.8%       | 0.0%       |
| Made an Impartial Judgment      | 10.3%  | 10.5%  | 17.6%       | 0.0%       |
| Total N                         | 39   | 19   | 17          | 12         |

Table 18-5 Helpfulness of Consultation (Multiple Answers)

|                                 | Consultation<br>Bureaus at<br>Legal Aid<br>Associations |
|---------------------------------|---|
| Not helpful                     | 0.0%  |
| Procedures & Law                | 50.0%   |
| What to Do in Practice          | 0.0%  |
| Helped me Recognize I was right | 0.0%  |
| Helped me Mentally              | 0.0%  |
| Negotiated for me               | 25.0%   |
| Informed of Other Agencies      | 0.0%  |
| Made an Impartial Judgment      | 25.0%   |
| Total N                         | 4   |

Those who consulted gave most negative evaluation to the welfare commissioner/neighborhood association officers and politicians. Police were often consulted, particularly in case of accidents, but were not considered particularly helpful in any manner, probably because they were reluctant to influence outcomes of civil disputes. Lawyers at attorney's offices were evaluated more helpful in most aspects than legal consultation bureaus at city halls and consultation bureaus at bar associations, though the latter consultations were also given by lawyers.

## 6. Situational Variables

We asked respondents about various aspects of their problems that they must have felt and considered while dealing with the problems. We posed 14 questions, the answers to which are presented in Table 19-1 and Table 19-2.

Table 19-1 indicates that three-quarters of those who had the most serious problems thought that they were in the right concerning their problems with the other party. This also indicates that those who believed they were in the right tended to answer that they had problems rather than those who believed that the other side was right.

Table 19-1 Situational Variables

|   |        |
|---|--------|
| I was completely right                  | 62.5%  |
| I was right to some extent              | 13.5%  |
| I did not know which side was right     | 9.4%   |
| The other side was right so some extent | 4.0%   |
| The other side was completely right     | 4.3%   |
| D.K.                                    | 6.3%   |
| Total (%)                               | 100.0% |
| Total (N)                               | 2,226  |

Concerning the other situational variables, more than half of the respondents were aware of the legal relevance (52%), considered their problems personally serious (87%), socially serious (67%), responsible person was clear (85%), against whom claim should be filed was clear (84%), able to obtain desired outcome if the other side was informed (61%), concerned with the amount of personal time taken for resolution (57%), how long it would take to resolve the problem (65%), felt psychological burden (78%), and concerned with impact on the relationship with the other party (52%). It is to be noted that only a bare majority were concerned with effects on the relationship with the other party.

In contrast, more than 70% of the respondents were not concerned with views of other people upon the occurrence of their problems (71%) or upon the resolution of their problems (74%). Fifty-one percent of the respondents were also not very concerned about the financial cost of the resolution.

Although Japanese people have traditionally been characterized as concerned about how they look in the eyes of others, most respondents do not show such attitudes.

Table 19-2 Situational Variables

|                                      | Very  | Somewhat | Not Much | Not at All | D.K. | Total (%) | Total (N) |
|--------------------------------------|-------|----------|----------|------------|------|-----------|-----------|
| Aware of the law                     | 21.1% | 31.4%    | 25.2%    | 19.4%      | 2.9% | 100.0%    | 2,232     |
| Personally serious                   | 49.5% | 37.6%    | 11.1%    | 1.3%       | 0.4% | 100.0%    | 2,234     |
| Socially serious                     | 33.1% | 34.1%    | 17.1%    | 11.4%      | 4.3% | 100.0%    | 2,234     |
| Responsible person was clear         | 66.7% | 18.7%    | 8.1%     | 2.8%       | 3.8% | 100.0%    | 2,234     |
| Whom to file claim against was clear | 70.0% | 14.4%    | 8.4%     | 3.6%       | 3.5% | 100.0%    | 2,234     |
| Can obtain desired outcome           | 28.6% | 32.6%    | 17.3%    | 14.3%      | 7.2% | 100.0%    | 2,233     |
| Financial cost                       | 19.4% | 24.9%    | 20.4%    | 30.7%      | 4.6% | 100.0%    | 2,231     |
| Personal time                        | 24.6% | 32.1%    | 24.8%    | 16.1%      | 2.4% | 100.0%    | 2,234     |
| How long before solved               | 28.6% | 36.6%    | 19.2%    | 11.3%      | 4.4% | 100.0%    | 2,226     |
| Psychological Burden                 | 44.6% | 33.6%    | 13.1%    | 7.2%       | 1.4% | 100.0%    | 2,235     |
| Relation with the other              | 21.7% | 30.2%    | 20.7%    | 24.4%      | 3.0% | 100.0%    | 2,233     |
| Others' views on the occurrence      | 8.9%  | 18.9%    | 28.6%    | 42.1%      | 1.6% | 100.0%    | 2,231     |
| Others' views on the resolution      | 7.0%  | 17.1%    | 29.1%    | 44.7%      | 2.0% | 100.0%    | 2,227     |

## 7. Financial Cost of Dealing with the Problem

Most respondents seem to be reluctant to pay for dealing with their problems. We asked respondents whether they spent money for consultation fees, lawyer's fees and/or court filing fees, and if so, how much they spent. As shown in Table 20, only 8% of the respondents spent certain amount of money, while 86% of them spent little.

Table 20 Financial Cost of Consultations, Lawyers and Court Procedures

|                                 | N     | %      |
|---------------------------------|-------|--------|
| Yes, I paid                     | 142   | 6.3%   |
| Yes, but I do not know how much | 41    | 1.8%   |
| No, I paid little               | 1,927 | 85.9%  |
| D.K./N.A.                       | 134   | 6.0%   |
| Total                           | 2,244 | 100.0% |

Although many respondents sought advice and support to deal with their problems, most advice-providing agencies give information and advice free of

charge, except for lawyers.<sup>19</sup> This is partly the reason most respondents spent little for dealing with their problems.

Table 21 lists how much the respondents spent for consultations, lawyers and/or court procedures. Twenty percent of them spent less than \$100, and the majority (51%) spent less than \$1,000, although four respondents paid \$50,000 for dealing with their problems.

Table 21 Amount of Money Spent for Consultations, Lawyers and Court Procedures  
(US\$1 = ¥100)

| Amount Spent        | N   | %      |
|---------------------|-----|--------|
| Less than \$100     | 29  | 20.4%  |
| \$100 - \$499       | 28  | 19.7%  |
| \$500 - \$999       | 15  | 10.6%  |
| \$1,000 - \$1,999   | 16  | 11.3%  |
| \$2,000 - \$4,999   | 18  | 12.7%  |
| \$5,000 - \$9,999   | 14  | 9.9%   |
| \$10,000 - \$19,999 | 14  | 9.9%   |
| \$20,000 - \$49,999 | 4   | 2.8%   |
| \$50,000            | 4   | 2.8%   |
| Total               | 142 | 100.0% |

The mean is \$4,489 and the median is \$750.

It is expected that the amount of money spent for dealing with problems can differ among the types of problems. Table 22 presents the average amount of money spent for consultation, lawyers and court procedures according to the type of problems. Land/House has the highest average of \$17,510, followed by Family/Relative, which includes problems of inheritance and divorce.

Table 22 Average Amount of Money Spent for Consultations, Lawyers and Court Procedures According to the Problem Type  
(US\$1 = ¥100)

| Problem Type     | Average Amount<br>(US\$) |
|------------------|--------------------------|
| Accident         | 2,500                    |
| Neighbour        | 3,310                    |
| Goods/Services   | 320                      |
| Employment       | 170                      |
| Family/Relative  | 6,800                    |
| Money/Credit     | 2,730                    |
| Land/House       | 17,510                   |
| Rent/Lease       | 2,470                    |
| Insurance        | 0                        |
| Public Authority | 420                      |
| Others           | 3,490                    |

<sup>19</sup> Lawyers give advice at their offices, the consultation bureaus at bar associations, consultation bureaus at legal aid associations, and legal consultation bureaus at city halls. Legal advice provided at the latter two is free, as the legal aid associations and the cities pay the lawyers.

## 8. Outcomes

Among the most serious problems listed by the respondents, 1,345 problems (60%) ended by the time of the survey, while 816 problems (36%) did not end by that time. However, the percentages of the concluded problems differ greatly by the type of problem. As is demonstrated in Table 23, Accident has the highest percentage of the concluded problems (80%), followed by Insurance (72%), Rent/Lease (68%), Goods/Services (67%), Public Authority (65%), Land/House (61%), Family/Relative (56%) and Others (54%). In contrast, Money/Credit has the lowest percentage of the concluded problems (33%), followed by Neighbor (40%) and Employment (41%).

Table 23 Percentage of the Concluded Problems by Problem Types

| Problem Type     | N     | %     | N of the Most Serious Problems |
|------------------|-------|-------|--------------------------------|
| Accident         | 543   | 80.0% | 679                            |
| Neighbour        | 163   | 40.2% | 405                            |
| Goods/Services   | 214   | 66.5% | 322                            |
| Employment       | 96    | 41.4% | 232                            |
| Family/Relative  | 91    | 56.2% | 162                            |
| Money/Credit     | 51    | 32.9% | 155                            |
| Land/House       | 54    | 60.0% | 90                             |
| Rent/Lease       | 42    | 67.7% | 62                             |
| Insurance        | 42    | 72.4% | 58                             |
| Public Authority | 36    | 65.5% | 55                             |
| Others           | 13    | 54.2% | 24                             |
| TOTAL            | 1,345 | 59.9% | 2,244                          |

### *Duration of the Problem*

More than three quarters of the concluded problems ended within a year, as Table 24 shows. In fact, a little more than a half of the problems were concluded within three months. Although a small number of problems remained unconcluded for years, most were concluded in a rather short time.



Table 24 Years From Problem Occurrence to its End

| Years                       | N     | %      |
|-----------------------------|-------|--------|
| Within 1 Year               | 1,065 | 79.2%  |
| <i>Up to 1 Month</i>        | 313   | 23.3%  |
| <i>Up to 2 Months</i>       | 262   | 19.5%  |
| <i>Up to 3 Months</i>       | 139   | 10.3%  |
| <i>Longer than 3 Months</i> | 351   | 26.1%  |
| 1 to 2 Years                | 88    | 6.5%   |
| 2 to 3 Years                | 42    | 3.1%   |
| 3 to 4 Years                | 18    | 1.3%   |
| Over 4 Years                | 19    | 1.4%   |
| D.K./N.A.                   | 113   | 8.4%   |
| Total                       | 1345  | 100.0% |

The mean is about 7 months.

### *Acceptance of Claims*

Table 25 shows to what extent respondents' claims were accepted by the other party. The majority (60%) said that their claims were completely or mostly accepted, while 32% reported that their claims were only partially accepted or rejected.

Table 25 Acceptance of Claims in Concluded Cases

| Outcome                 | N     | %      |
|-------------------------|-------|--------|
| Completely Accepted     | 402   | 29.9%  |
| Mostly Accepted         | 411   | 30.6%  |
| Only Partially Accepted | 206   | 15.3%  |
| Rejected                | 222   | 16.5%  |
| Others                  | 59    | 4.4%   |
| D.K./N.A.               | 45    | 3.3%   |
| Total                   | 1,345 | 100.0% |

The percentage of the problems for which claims were accepted differs among the types of the problems. Table 26 indicates the percentage of the positive evaluations according to the problem type. A positive evaluation means that the claim was either "completely accepted" or "mostly accepted." Accident has the highest percentage of positive evaluations (72%), followed by Goods/Services (63%), Land/House (61%), Money/Credit (61%), Neighbour (59%) and Family/Relative (52%). The other types of problems have rather unfavourable evaluations. Public Authority has the lowest percentage of positive evaluations (31%), followed by Insurance (31%), Employment (31%), Others (38%) and Rent/Lease (48%).

Table 26 Percentage of Positive Evaluations by Problem Type

| Problem Type     | N   | %     | Total N |
|------------------|-----|-------|---------|
| Accident         | 393 | 72.4% | 543     |
| Neighbour        | 96  | 58.9% | 163     |
| Goods/Services   | 134 | 62.6% | 214     |
| Employment       | 30  | 31.3% | 96      |
| Family/Relative  | 47  | 51.6% | 91      |
| Money/Credit     | 31  | 60.8% | 51      |
| Land/House       | 33  | 61.1% | 54      |
| Rent/Lease       | 20  | 47.6% | 42      |
| Insurance        | 13  | 31.0% | 42      |
| Public Authority | 11  | 30.6% | 36      |
| Other            | 5   | 38.5% | 13      |
| TOTAL            | 813 | 60.4% | 1,345   |

Although the acceptance of claims varied among the problem types, the overall outcomes of the concluded cases seem to be positive. However, the outcomes of the unconcluded problems do not. Table 27 presents the situation of the unconcluded cases at the time of the survey. The majority of the respondents whose problems were not concluded said that nothing had been done (65%). About a quarter of them (27%) were still negotiating with the other party either by themselves (20%), through non-lawyers (4%), or lawyers (3%). A small number of respondents (2%) were still in court, either for conciliation, litigation or other procedures.

Table 27 Present Situation of Unconcluded Problems (Multiple Answers)

| Present Situation                  | N   | %      |
|------------------------------------|-----|--------|
| Nothing Done                       | 530 | 65.0%  |
| Still Negotiating by Oneself       | 165 | 20.2%  |
| Negotiating Through Non-Lawyer     | 32  | 3.9%   |
| Negotiating Through Lawyer         | 21  | 2.6%   |
| In Conciliation                    | 9   | 1.1%   |
| In Litigation                      | 6   | 0.7%   |
| Other Court Procedure              | 5   | 0.6%   |
| Others                             | 65  | 8.0%   |
| <i>Receiving Medical Treatment</i> | 6   | 0.7%   |
| <i>Moved, Retired, Died</i>        | 15  | 1.8%   |
| <i>The Other Side Unknown</i>      | 7   | 0.9%   |
| <i>Did Something but No Result</i> | 25  | 3.1%   |
| <i>Others</i>                      | 3   | 0.4%   |
| D.K./N.A.                          | 8   | 1.0%   |
| Total                              | 816 | 100.0% |

As Table 28 demonstrates, the percentage of negative outcomes is very high among the respondents who had unconcluded problems. Only 7% of the respondents had their claims completely or mostly accepted, while 75% of them had their claims only partially accepted or rejected.

Table 28 Acceptance of Claims in Unconcluded Cases

| Outcome                 | N   | %      |
|-------------------------|-----|--------|
| Completely Accepted     | 14  | 1.7%   |
| Mostly Accepted         | 47  | 5.8%   |
| Only Partially Accepted | 127 | 15.6%  |
| Rejected                | 487 | 59.7%  |
| Others                  | 39  | 4.8%   |
| N.A.                    | 102 | 12.5%  |
| Total                   | 816 | 100.0% |

Table 29 lists the percentages of positive evaluations among the unconcluded problems according to problem type. Here, too, the percentage differs by the problem type, but it is apparent that few claims were completely or mostly accepted among the unconcluded problems.

Table 29 Percentage of Positive Evaluations in Unconcluded Problems by Problem Type

| Problem Type     | N  | %     | Total N |
|------------------|----|-------|---------|
| Accident         | 20 | 16.0% | 125     |
| Neighbour        | 7  | 3.3%  | 210     |
| Goods/Services   | 7  | 7.4%  | 94      |
| Employment       | 4  | 3.3%  | 122     |
| Family/Relative  | 8  | 11.6% | 69      |
| Money/Credit     | 11 | 11.1% | 99      |
| Land/House       | 3  | 8.6%  | 35      |
| Rent/Lease       | 0  | 0.0%  | 19      |
| Insurance        | 0  | 0.0%  | 12      |
| Public Authority | 1  | 6.7%  | 15      |
| Other            | 0  | 0.0%  | 10      |
| TOTAL            | 61 | 7.5%  | 810     |

## 9. Structure of Disputing Process

### *Pyramids of Disputes*

We have described the frequency of problem experiences and subsequent behaviour. When we look at stages of the disputing process, from experiencing a problem to contacting the other party,<sup>20</sup> the occurrence of a dispute, seeking

<sup>20</sup> "Contact with the other party" means all manners of contact between respondents and those on the other side, including contacts through third parties who can be lawyers and the courts.

advice from a lawyer, and filing a court procedure, we can see that fewer cases reach the later stages. In fact, only a tiny fraction of the problems reach the court. Figure 2 illustrates this dispute pyramid for all the problems.

However, how people try to solve their problems significantly differs according to the problem type. Figure 2 also indicates the ratio of the number of respondents who reached next stage in the disputing process, taking the number of the respondents who experienced the most serious problems as 1,000, according to the problem type.<sup>21</sup> If we consider the pattern of all the problems as the general standard, we note that the patterns of Accidents, Employment, and Family significantly differ from the general standard.

For Accidents, 82.2% of those who had experienced problems contacted the other party and only 30.5% of them found disagreement with the other side. This means that the majority, 51.7%, of those who had experienced problems had their claims accepted by the other parties. However, for Employment, claims seem difficult to make, and only 49.1% of those who had experienced problems contacted with the other side. Given this low contact rate, the rate of disputes, 34.9% is high, as 71% of those who had contacted the other party faced rejection of their claim.<sup>22</sup> For Accidents and Employment, the ratio of legal consultation is low, only about 3%, and filing a court procedure is even lower, less than 1% in both cases.

For Family problems, most of those, 84.6%, who experienced problems contacted the other party. However, 61.7% of them, or 72.9% of those who contacted the other party faced disagreements with that party. In contrast to the Accident and Employment cases, many, 37.7%, of those who had experienced problems sought legal advice, and a large segment, 16.7%, of them went to court to deal with the problems.

### *Structure of Disputing Process*

Pyramids of disputes can give wrong impressions about real disputing processes, as the stages of the disputing process do not always occur in such a chronological order. In reality, people who have problems may seek advice about what to do before contacting the other side. In extreme cases, people might file a court procedure even before making claims directly by themselves against the other party. Furthermore, people use court procedures as defendants as well as plaintiffs. In both cases the court is used for resolving disputes.

Figure 3 depicts the structure of the disputing process for each problem type when the chronological order of the stages in Figure 2 is not presumed. The

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<sup>21</sup>In Figure 2, the ratio of each stage, except for the experience of the most serious problem, is based on the number of the respondents who experienced the former stage of the disputing process. Therefore, the number of disputes is counted among those who contacted the other side; the number of legal consultations is counted among those who experienced disputes; the number of those who used court procedures is counted among those who consulted lawyers and other law-related professionals. However, it is to be noted that these experiences may not occur chronologically in this order.

<sup>22</sup>For further discussion of employment problems and disputing behavior, see, Isamu Sugino and Masayuki Murayama, "Employment Problems and Disputing Behavior in Japan," 3 *Japan Labor Review*, 51-67 (2006).

figure presents the ratio of the respondents who experienced each stage without presuming any chronological order of the stages. In addition to the stages illustrated in Figure 2, Figure 3 also shows the ratio of non-legal consultations. In Figure 3, the use of a court procedure means to be either a plaintiff or a defendant.

From Figure 3, it is apparent that people seek advice from non-legal agencies more often than lawyers and other law-related professionals in most types of problems. The ratios in the stages following contact with the other side in Figure 2 increase in Figure 3, indicating that people seek advice or go to court even before contacting the other side by themselves.

For Accidents, 77.5% of those who experienced problems sought advice from agencies other than lawyers. The majority of the accident cases are traffic accidents, and many people involved in traffic accidents consult with the police and insurance companies.<sup>23</sup> The high ratio of non-legal consultation is a characteristic of the disputing process in accident cases.

For Employment, people do not seek legal or non-legal advice very often, compared to other types of problems. They do not go to court very often either. The ratio of disagreements without presuming contacts is 58.6%, which is 24.3% higher than the same ratio with presuming contacts presented in Figure 2. This indicates that many people are aware of disagreements with their employers, not just thinking that they have problems, and are yet reluctant to express their disagreements in front of their employers and even to take such action as seeking advice from third parties.

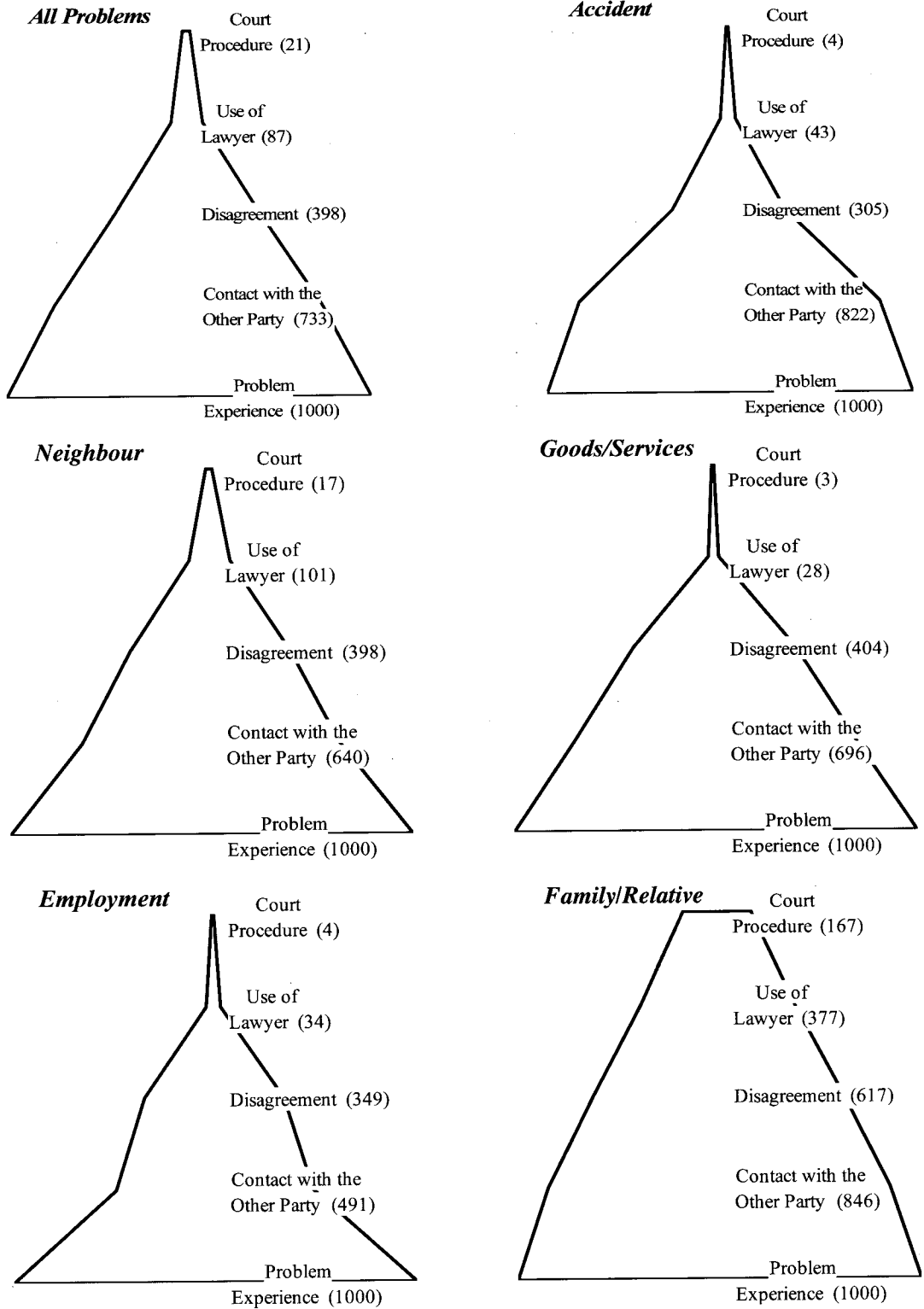
The distinguishing characteristic of the disputing process in Family cases is the heavy reliance on lawyers and the courts, compared to other types of problems. Legal advice is more often sought than non-legal advice only in the cases of Family and Money/Credit. Since most family problems are those of divorce and inheritance, which are to be dealt with in conciliation at court, 34.0% of those who had problems of this type went to court to resolve the problems. Also in the cases of Money/Credit, almost 10% of those who had problems of this type used court procedures.

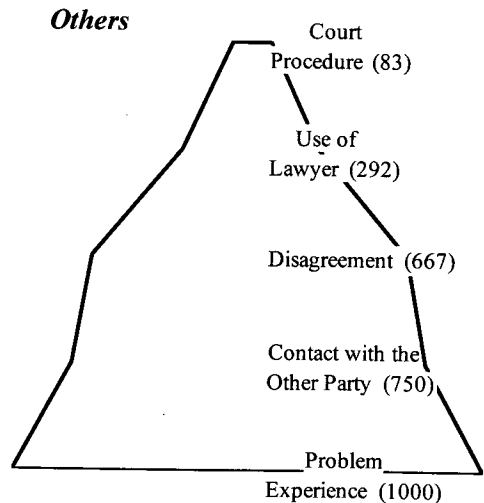
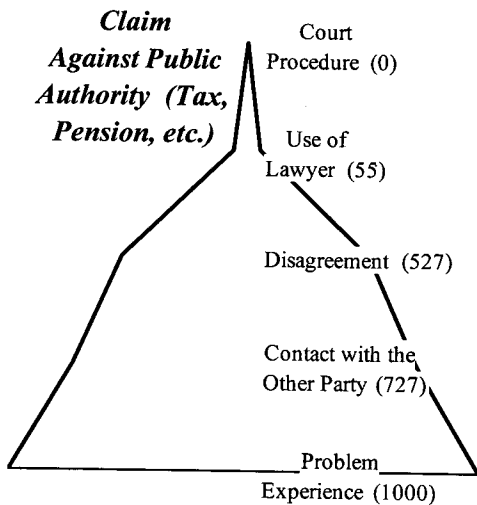
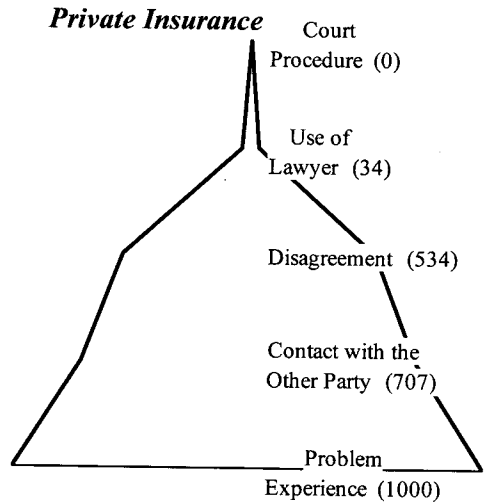
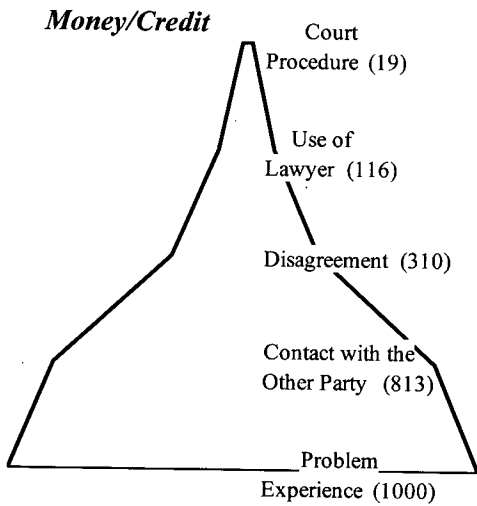
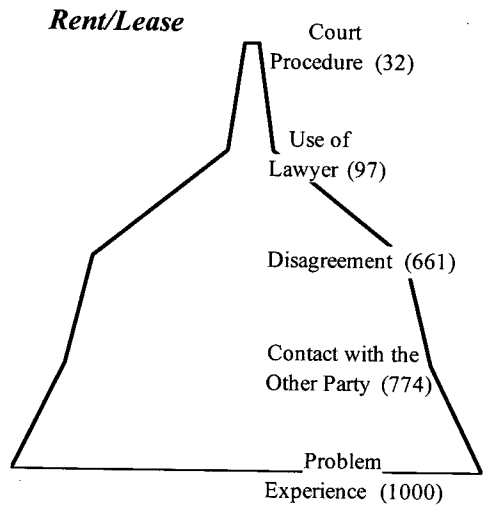
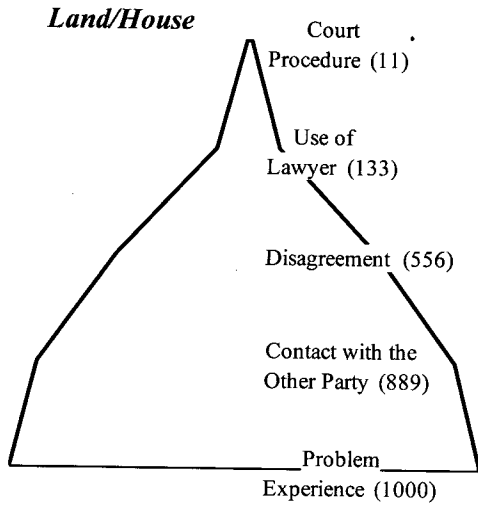
Finally, it is to be noted that the structure of the disputing process is related to the outcomes. For instance, we saw that less than half of Accident cases led to disputes. In Accidents, many cases had been concluded at the time of the survey, and the rate of claim acceptance is high. In contrast, in cases of Employment, more than half of people who have problems did not contact their employers and even when they did contact their employers, most claims were not accepted and led to disputes. In fact, many Employment cases have not been concluded and the rate of claim acceptance is low.

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<sup>23</sup> Although insurance companies are not disinterested third parties, people do not always clearly realize the possibility of conflicts of interests between them and their insurance companies. In 2006, six major insurance companies disclosed that they had not paid what the insured were entitled to in 262,158 cases. The total amount of non-payment was about 161,000,000 Yen, that is, about US \$1,342,000 (US\$1=120 Yen) according to the internal count of the six companies. Reuters, October 2, 2006. This scandal made some people more cautious in approaching to insurance companies. However, our survey was conducted before this scandal surfaced.

Figure 2 The Structure of Disputing Process – Dispute Pyramids

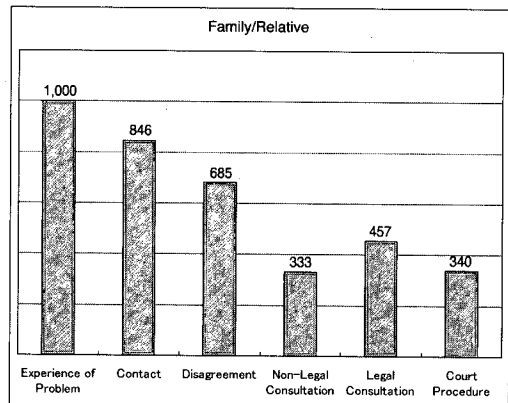
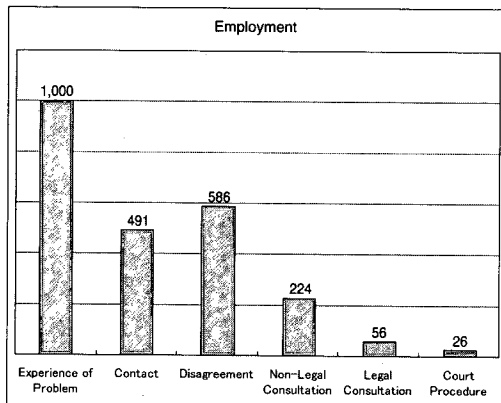
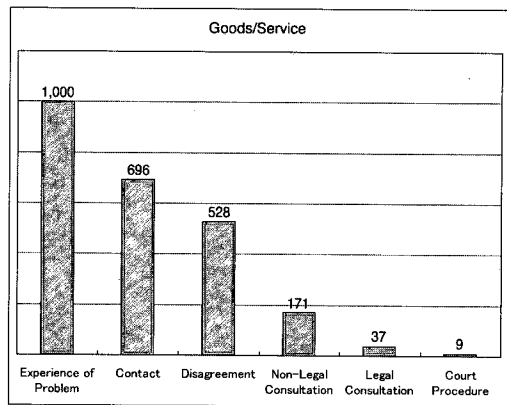
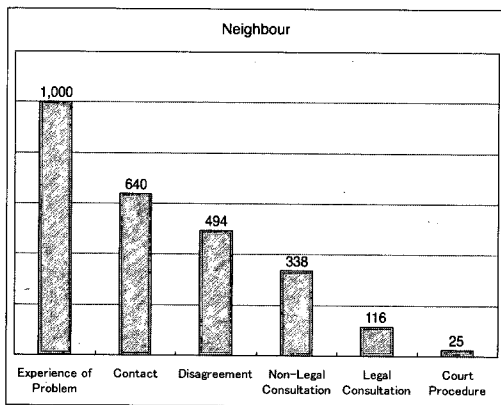
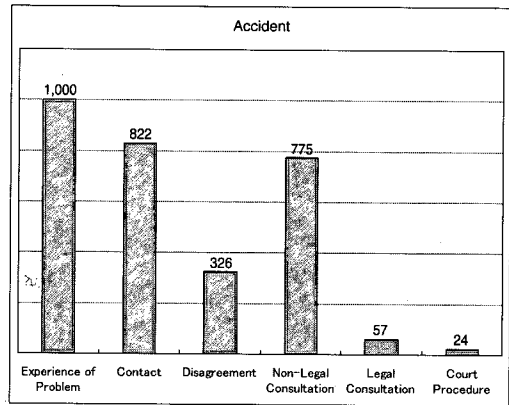
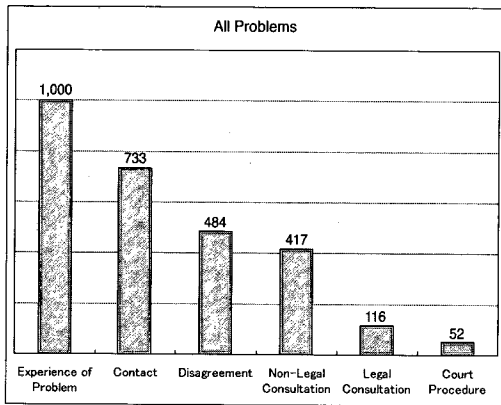


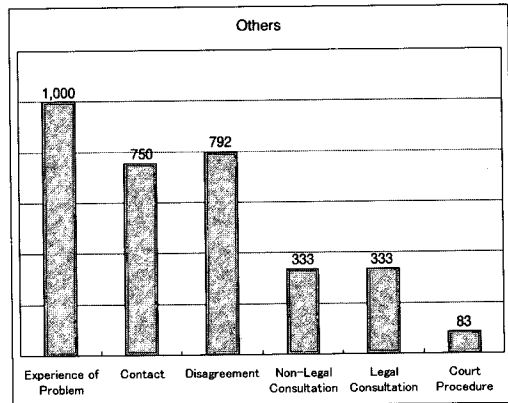
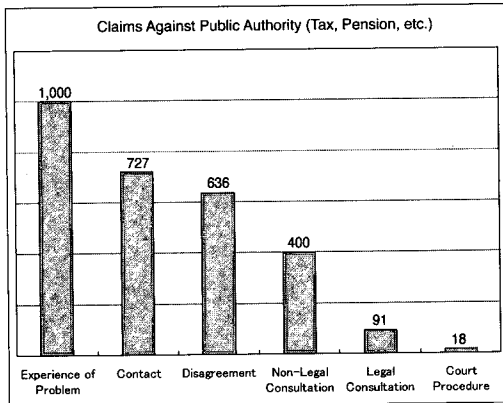
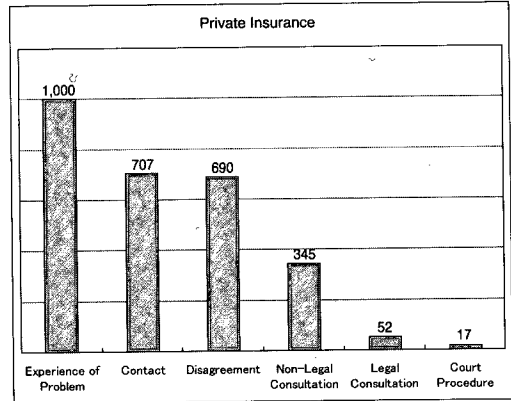
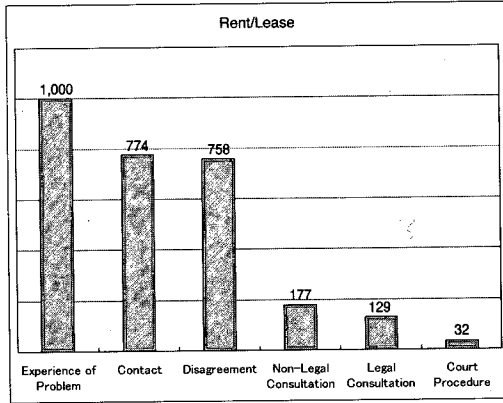
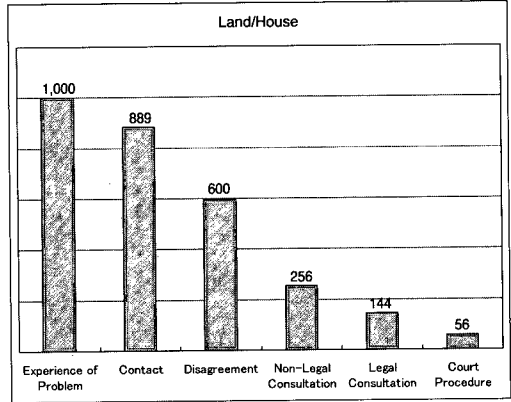
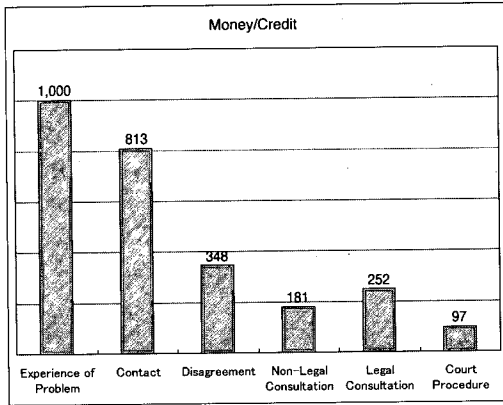


|                   | N of Experience | Experience of Problem | Contact | Dispute | Legal Consultation | Court Procedure |
|-------------------|-----------------|-----------------------|---------|---------|--------------------|-----------------|
| All Problems      | 2,244           | 1,000                 | 733     | 398     | 87                 | 21              |
| Accident          | 679             | 1,000                 | 822     | 305     | 43                 | 4               |
| Neighbour         | 405             | 1,000                 | 640     | 398     | 101                | 17              |
| Goods/Services    | 322             | 1,000                 | 696     | 404     | 28                 | 3               |
| Employment        | 232             | 1,000                 | 491     | 349     | 34                 | 4               |
| Family/Relative   | 162             | 1,000                 | 846     | 617     | 377                | 167             |
| Money/Credit      | 155             | 1,000                 | 813     | 310     | 116                | 19              |
| Land/House        | 90              | 1,000                 | 889     | 556     | 133                | 11              |
| Rent/Lease        | 62              | 1,000                 | 774     | 661     | 97                 | 32              |
| Private Insurance | 58              | 1,000                 | 707     | 534     | 34                 | 0               |
| Public Authority  | 55              | 1,000                 | 727     | 527     | 55                 | 0               |
| Others            | 24              | 1,000                 | 750     | 667     | 292                | 83              |



Figure 3 Structure of Disputing Process





|                   | N of Experience | Experience of Problem | Contact | Disagreement | Non-Legal Consultation | Legal Consultation | Court Procedure |
|-------------------|-----------------|-----------------------|---------|--------------|------------------------|--------------------|-----------------|
| All Problems      | 2,244           | 1,000                 | 733     | 484          | 417                    | 116                | 52              |
| Accident          | 679             | 1,000                 | 822     | 326          | 775                    | 57                 | 24              |
| Neighbour         | 405             | 1,000                 | 640     | 494          | 338                    | 116                | 25              |
| Goods/Services    | 322             | 1,000                 | 696     | 528          | 171                    | 37                 | 9               |
| Employment        | 232             | 1,000                 | 491     | 586          | 224                    | 56                 | 26              |
| Family/Relative   | 162             | 1,000                 | 846     | 685          | 333                    | 457                | 340             |
| Money/Credit      | 155             | 1,000                 | 813     | 348          | 181                    | 252                | 97              |
| Land/House        | 90              | 1,000                 | 889     | 600          | 256                    | 144                | 56              |
| Rent/Lease        | 62              | 1,000                 | 774     | 758          | 177                    | 129                | 32              |
| Private Insurance | 58              | 1,000                 | 707     | 690          | 345                    | 52                 | 17              |
| Public Authority  | 55              | 1,000                 | 727     | 636          | 400                    | 91                 | 18              |
| Others            | 24              | 1,000                 | 750     | 792          | 333                    | 333                | 83              |

**APPENDIX A**

## Descriptive Data about the Respondents

## 1. Gender

| Gender | N      | %      |
|--------|--------|--------|
| Male   | 5,832  | 47.0%  |
| Female | 6,576  | 53.0%  |
| Total  | 12,408 | 100.0% |

## 2. Age

| Age   | N      | %      |
|-------|--------|--------|
| 20's  | 1,257  | 10.1%  |
| 30's  | 2,026  | 16.3%  |
| 40's  | 2,374  | 19.1%  |
| 50's  | 3,282  | 26.5%  |
| 60's  | 3,469  | 28.0%  |
| Total | 12,408 | 100.0% |

## 3. Number of Persons in Household

Minimum 1  
 Maximum 11  
 Average 3.52  
 Number of Respondents 12,367

## Number of Children in the Household

Minimum 0  
 Maximum 8  
 Average 0.66  
 Number of Respondents 12,326

## 4. Highest Education Level

| School                     | N      | %      |
|----------------------------|--------|--------|
| Junior High School         | 1,964  | 15.8%  |
| Senior High School         | 5,733  | 46.2%  |
| College/Technical College  | 1,195  | 9.6%   |
| Specialist School after SH | 9,07   | 7.3%   |
| University                 | 2,343  | 18.9%  |
| Graduate School            | 115    | 0.9%   |
| Others                     | 8      | 0.1%   |
| DK/NA                      | 143    | 1.2%   |
| Total                      | 12,408 | 100.0% |

## 5. Present Job

| Job                    | N      | %      |
|------------------------|--------|--------|
| Managerial             | 471    | 3.8%   |
| Full-time              | 4,194  | 33.8%  |
| Part-time              | 1,769  | 14.3%  |
| Dispatched             | 113    | 0.9%   |
| Self-employed          | 1,276  | 10.3%  |
| Family business        | 525    | 4.2%   |
| Side job at home       | 51     | 0.4%   |
| Student                | 162    | 1.3%   |
| Housewife/Househusband | 2,268  | 18.3%  |
| No job                 | 1,540  | 12.4%  |
| DK/NA                  | 39     | 0.3%   |
| Total                  | 12,408 | 100.0% |

## 6. Size of the Company/Organization Employing Respondent

| Persons             | N     | %      |
|---------------------|-------|--------|
| 1                   | 464   | 5.6%   |
| 2-4                 | 1,541 | 18.5%  |
| 5-9                 | 754   | 9.0%   |
| 10-29               | 1,168 | 14.0%  |
| 30-99               | 1,194 | 14.3%  |
| 100-299             | 809   | 9.7%   |
| 300-499             | 348   | 4.2%   |
| 500-999             | 312   | 3.7%   |
| 1000 or more        | 924   | 11.1%  |
| Government employee | 592   | 7.1%   |
| DK                  | 243   | 2.9%   |
| Total               | 8,349 | 100.0% |

## 7. Studied Law (Multiple Answers)

| Study of Law  | N      | %    |
|---|--------|------|
| Undergraduate or Graduate in Law  | 314    | 2.5% |
| Studied law in a faculty or a graduate school in a field other than law | 449    | 3.6% |
| Studied at other than university (including self-education)             | 777    | 6.3% |
| Total   | 12,408 | -    |

Did not study all 10,655 (85.9%)      DK/NA 237 (1.9%)

## 8. Law-Related Work (Multiple Answers)

| Law-related work                 | N      | %    |
|----------------------------------|--------|------|
| Yes, in a law department         | 151    | 1.2% |
| Yes, but not in a law department | 613    | 4.9% |
| Total                            | 12,408 | -    |

No Law-Related Work 11,366 (91.6%)      DK/NA 283 (2.3%)

## 9. Personal Connection with a Person with Legal Knowledge

| Acquaintance  | Know to consult with | Can be introduced | None/Do not know | Total  | N      |
|---|----------------------|-------------------|------------------|--------|--------|
| Lawyer/Judge/Prosecutor/Notary/Law Professor                | 13.2%                | 12.5%             | 74.3%            | 100.0% | 12,383 |
| Judicial Scrivener/Tax Accountant /Administrative Scrivener | 21.3%                | 11.9%             | 66.8%            | 100.0% | 12,377 |
| Insurance Company Employee                                  | 32.0%                | 11.7%             | 56.3%            | 100.0% | 12,374 |
| Court Official/Conciliator                                  | 2.4%                 | 3.8%              | 93.8%            | 100.0% | 12,361 |
| Police Officer  | 16.4%                | 10.5%             | 73.0%            | 100.0% | 12,369 |
| Welfare Commissioner  | 20.9%                | 11.6%             | 67.4%            | 100.0% | 12,369 |
| Teacher (Elementary to High School)                         | 26.3%                | 8.7%              | 65.0%            | 100.0% | 12,375 |
| Public Officials of National or Municipal Government        | 25.4%                | 10.7%             | 63.9%            | 100.0% | 12,378 |

## 10. Use of a Lawyer and/or the Court (Multiple Answers)

| Experience                        | N     | %    |
|-----------------------------------|-------|------|
| Used a lawyer                     | 712   | 5.7% |
| Experienced conciliation          | 323   | 2.6% |
| Experienced litigation            | 141   | 1.1% |
| Experienced other court procedure | 50    | 0.4% |
| Total                             | 12408 | —    |

No Experience 11,244 (90.6%)      DK/NA 173 (1.4%)

## 11. Type of Housing

| Housing                              | N      | %      |
|--------------------------------------|--------|--------|
| Rental                               | 1,798  | 14.5%  |
| Student-/Company-/Government Housing | 219    | 1.8%   |
| Parents' House/Relative's House      | 782    | 6.3%   |
| Own House/Condominium                | 9,480  | 76.4%  |
| Other                                | 79     | 0.6%   |
| DK/NA                                | 50     | 0.4%   |
| Total                                | 1,2408 | 100.0% |

## 12. Length of Residence

|                       |            |
|-----------------------|------------|
| Minimum               | 1 year     |
| Maximum               | 70 years   |
| Average               | 23.4 years |
| Number of Respondents | 12,380     |

## 13. Annual Individual Income Before Tax Deduction

(Thousand Yen)

| Amount of Income | N      | %      |
|------------------|--------|--------|
| 0                | 1,918  | 15.5%  |
| 1 – 699          | 928    | 7.5%   |
| 700 – 999        | 1,148  | 9.3%   |
| 1,000 – 1,999    | 1,482  | 11.9%  |
| 2,000 – 2,999    | 1,376  | 11.1%  |
| 3,000 – 3,999    | 1,072  | 8.6%   |
| 4,000 – 4,999    | 766    | 6.2%   |
| 5,000 – 5,999    | 563    | 4.5%   |
| 6,000 – 6,999    | 408    | 3.3%   |
| 7,000 – 7,999    | 362    | 2.9%   |
| 8,000 – 8,999    | 165    | 1.3%   |
| 9,000 – 9,999    | 191    | 1.5%   |
| 10,000 – 14,999  | 159    | 1.3%   |
| 15,000 – over    | 51     | 0.4%   |
| DK/NA            | 1,819  | 14.7%  |
| Total            | 12,408 | 100.0% |



## 14. Annual Household Income Before Tax Deduction

(Thousand Yen)

| Amount of Income | N      | %      |
|------------------|--------|--------|
| 0                | 97     | 0.8%   |
| 1 – 699          | 81     | 0.7%   |
| 700 – 999        | 156    | 1.3%   |
| 1,000 – 1,999    | 489    | 3.9%   |
| 2,000 – 2,999    | 950    | 7.7%   |
| 3,000 – 3,999    | 1,054  | 8.5%   |
| 4,000 – 4,999    | 1,124  | 9.1%   |
| 5,000 – 5,999    | 987    | 8.0%   |
| 6,000 – 6,999    | 838    | 6.8%   |
| 7,000 – 7,999    | 737    | 5.9%   |
| 8,000 – 8,999    | 491    | 4.0%   |
| 9,000 – 9,999    | 737    | 5.9%   |
| 10,000 – 14,999  | 763    | 6.1%   |
| 15,000 – over    | 332    | 2.7%   |
| DK/NA            | 3,572  | 28.8%  |
| Total            | 12,408 | 100.0% |

## APPENDIX B

### Request for Cooperation on “The National Survey of Everyday Life and the Law”

Dear Sir/Madam,

We trust that you are well and prosperous.

Please excuse us for sending you this letter out of the blue. We are a group of researchers conducting research on everyday life and the law with a research fund given by the state (Project Director is Masayuki Murayama, Professor at Chiba University).

We plan to conduct “The National Survey of Everyday Life and the Law” with a national sample of the Japanese people. We are conducting this survey to learn how the Japanese people try to solve various problems that occur in their everyday life. The government is reforming judicial institutions, and this survey aims at making proposals for improving the access to the law and justice.

We used a formal procedure to draw a random sample of Japanese people from the registry of the constituents or the Basic Resident Registers. We are writing to you in advance to ask your cooperation. We know we are bothering you when you are busy, but we would be grateful if you would understand our research purpose and cooperate in the survey.

We will use your answers only for statistical analyses, such as “the percentage of such and such answers is A %.” Your name and personal information will not be made public. The Project Director is responsible for the safekeeping of the information you provide. Thus, answering our questions will not create any problems for you. The data that will be analyzed statistically will be utilized exclusively for the academic purposes.

We will ask 25,000 persons nationwide to cooperate in the survey and have commissioned Central Research Services, Inc., to conduct interviews. Central Research Services, Inc. is the largest research company in Japan and has conducted many surveys, such as academic research for universities and opinion surveys for government ministries. An interviewer of this company will visit you at home with a questionnaire between March 4 and March 21, 2005. We would be very grateful if you would kindly cooperate with him/her.

Sincerely yours,

Masayuki Murayama  
Project Director

February 2005

#### Other Participants

Yoshiyuki Matsumura (Professor, Hokkaido University)

Satoshi Minamikata (Professor, Niigata University)

Ryo Hamano (Professor, Rikkyo University)

Akira Fujimoto (Associate Professor, Shizuoka University)

Manako Kinoshita (Associate Professor, Doshisha University)

Keiichi Ageishi (Associate Professor, Niigata University)

Ichiro Ozaki (Associate Professor, Hokkaido University)

Isamu Sugino (Lecturer, Ochanomizu University)

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#### Inquiry

Center for Law and Social Sciences

Graduate School of Social Sciences and Humanities, Chiba University

1-33 Yayoi-cho, Inage-ku, Chiba 263-8522

HP of the Center <http://www.shd.chiba-u.ac.jp/info/center2004/index.html>

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This letter is mailed in Tokyo, together with an explanation of Central Research Services, Inc., which is commissioned to conduct the interview.

## APPENDIX C

“NATIONAL SURVEY OF EVERYDAY LIFE AND THE LAW”  
EXPLANATION OF INTERVIEW PROCEDURE

The Central Research Services, Inc., was created by combining the National Public Opinion Research Institute and the research division of the JIJI Press, Ltd., in October 1954. It conducted 18,000 surveys for state and municipal governments, universities, research institutes, and private enterprises for 50 years (“National Research on People’s Living” in 2002 and “National Research on Everyday Life and Health” in 2004, and many others). The Central Research Services, Inc., has the headquarter in Tokyo and branch offices in 56 cities throughout Japan.

Central Research Services, Inc., is accredited for the privacy protection policy by the Japan Information Processing Development Corporation. It will strictly protect the information you give according to its policy for protecting personal information.

|                                    |
|------------------------------------|
| EXPLANATION OF INTERVIEW PROCEDURE |
|------------------------------------|

- The Procedure of the Research: An interviewer will visit your home, ask questions directly, leave a questionnaire and come back to pick it up later.
  1. The interview will last 10 to 20 minutes.
  2. It will take about 10 minutes to fill out the questionnaire.
  3. The interviewer will come back to pick up the questionnaire when it is convenient for you.
- ※ The interviewer carries an “Interviewer Card.” Please confirm the identity of the interviewer.
- The Date of Visit: An interviewer will visit your home between March 4, 2005, and March 21, 2005.
- We have prepared book coupons for honorarium to interviewees.

We made Questions and Answers to answer questions you might have when you cooperate in our survey. We hope they help you understand this survey.

December 2005

Headquarter 6-16-12 Ginza, Chuo-ku, Tokyo  
Central Research Services, Inc.  
Home Page: <http://www.crs.or.jp>

Please contact the following to ask about interview procedures and how to fill out the questionnaire.

Central Research Services, Inc. The names of the persons in charge  
Phone: 03 (3549) 3125 or 0120 (48) 5351  
e-mail: [kanri@crs.or.jp](mailto:kanri@crs.or.jp)

## APPENDIX D

### Q & A ABOUT THE RESEARCH

#### Q. WHERE DID YOU GET MY NAME AND ADDRESS?

A. We first randomly selected 1,137 voting districts among all the municipalities nationwide. After explaining the purpose and outline of our research to each of the selected municipal offices, we formally applied to obtain permission for reading the registry of the constituents or the Basic Resident Registers. We then randomly selected names and addresses from those listed in the registry or the Registers. This procedure was taken by the Central Research Services, Inc. on behalf of the Center for Law and Social Sciences, Chiba University.

#### Q. WHY WAS I SELECTED FOR THE RESEARCH?

A. We selected 25,000 residents, both men and women, 20 to 70 years old, from all over Japan, by drawing lots (random sampling), according to a statistical principle. Using this selection method, we will be able to obtain scientifically reliable data. We are asking for the cooperation of the people who were chosen according to this procedure.

#### Q. WHY DO YOU ASK ABOUT SUCH PRIVATE MATTERS AS EDUCATION, OCCUPATION AND INCOME?

A. In this research, we include questions about such private matters because we are testing the possibility that problem experiences, categories of experienced problems, and legal consciousness vary, depending upon education, occupation, income, and others.

#### Q. CAN I SEE RESULTS OF THIS RESEARCH?

A. We will make public results of data analyses at symposia, in presentations at academic meetings, and by publications.

#### Q. IS MY PRIVACY PROTECTED?

A. We consider the protection of your privacy the most important matter. We will do our best to protect your privacy in the following three ways.

- (1) You do not have to write your name and address on the questionnaire, so you are not identified by the questionnaire. Please trust us when you answer.
- (2) Findings from data analyses will be made public only in the form of statistical numbers.
- (3) The survey data will be used exclusively for academic purposes.

#### Q. CAN I REFUSE TO ANSWER QUESTIONS I DO NOT WANT TO ANSWER?

A. Yes. You may answer only those questions that you can answer.

#### Q. COULD MY FAMILY MEMBER ANSWER QUESTIONS FOR ME?

A. We would be grateful if you answer the questions yourself. In this survey, we chose respondents randomly, based on the scientific statistical principle. Please answer by yourself to make results of data analyses reliable.

#### Q. IS IT OBLIGATORY TO COOPERATE ON THE RESEARCH?

A. There is no obligation to cooperate. This is a voluntary survey, and it is up to you to cooperate or not. We would be very happy if you would understand the purpose of our survey and cooperate in it.

If you have any comments and/or questions on this survey, please contact:

Central Research Services, Inc.  
 Phone: 03 (3549) 3125 or 0120 (48) 5351  
 e-mail: kanri@crs.or.jp

A more detailed Q & A can be found on the Homepage of CRS (<http://www.crs.or.jp>).



(c) Have you experienced any problem concerning the rental or lease of a house/an apartment/land?

- |  |  |
|--|--|
| 1. Rent  | 4. Key money (Extra charge for entering a contract or its renewal) |
| 2. Termination of contract/<br>Termination money | 5. Repairs   |
| 3. Security deposit                              | 6. Others (Please specify: )                                       |
|  | 7. No problem of this sort   |

(d) Have you experienced any problem concerning employment?

1. No payment (or partial payment) of wages
2. Unfair dismissal
3. Unfair transfer
4. Unpaid overtime work/Unpaid work on a holiday
5. No payment (or partial payment) of a retirement allowance
6. Sexual harassment
7. Other harassment
8. Others (Please specify: )
9. No problem of this sort

(e) Have you experienced any problem concerning family matters or relatives?

1. Divorce (including property division, consolation money, child support, child custody)
2. Inheritance/division of inherited property
3. Nursing care
4. Others (Please specify: )
5. No problem of this sort

(f) Have you experienced any problem concerning an accident such as the following?

(Please exclude any case in which you nearly became involved in an accident, but no real damage was caused.)

1. Traffic accident with personal injury or death
2. Traffic accident, without personal injury or death
3. Medical accident
4. Work-related accident (including accident while commuting, and sickness from overwork)
5. Bullying, violence or accident at school
6. Defamation/mental damages
7. Other accident or incident resulting in personal injury
8. Other accident of incident resulting in property damage or monetary loss
9. No problem of this sort

- (g) Have you experienced any problem with your neighbor?
1. Boundary line
  2. Noise, odor, or vibration
  3. Pets
  4. Water leakage
  5. Blockage of sunshine, air, or view
  6. Others (Please specify: \_\_\_\_\_)
  7. No problem of this sort
- (h) Have you experienced any problem concerning lending or borrowing money?
1. With an acquaintance or a relative
  2. With a bank or a post office
  3. With a credit card company
  4. With a consumer credit company
  5. With others (Please specify: \_\_\_\_\_)
  6. No problem of this sort
- (i) Have you experienced any problem concerning a contract for private insurance or cancellation or payment of private insurance?
1. Life insurance (including pension)
  2. Casualty insurance
  3. Health insurance
  4. Accident insurance
  5. Others (Please specify: \_\_\_\_\_)
  6. No problem of this sort
- (j) Have you experienced any problem concerning tax, annuity, or public insurance?
1. Tax
  2. Annuity
  3. Public insurance (for public health, nursing care, unemployment, workmen's accident compensation)
  4. Other social security benefits (including children's allowance, livelihood protection, etc.)
  5. Others (Please specify: \_\_\_\_\_)
  6. No problem of this sort
- (k) Have you experienced any problem other than those listed above?
1. Yes (Please specify: \_\_\_\_\_)
  2. No

**INSTRUCTION TO THE INTERVIEWER**

1. If the respondent experienced at least one problem → Ask the following questions
2. If the respondent did not experience any problem → Go to F1 on Page 13.

Q2. Which was the most serious problem?

Letter (        ) Number (        )

**INSTRUCTION TO THE INTERVIEWER**

The following questions, from Q3 to Q18, are concerned with “the most serious problem over the previous five years” listed in Q2.

From now on, we will ask questions about the most serious problem.

Q3. When did it occur?

Year (                    ) Month (        )

Q4. Do you know how much was at stake with the problem? If the problem can be calculated in money, please tell us the amount.

1. Yes, I know. -----→ The amount is \_\_\_\_\_,000 Yen.
2. No, I do not know.
3. The problem cannot be calculated in money.

Q5. What was the problem? Please explain briefly.

**[INSTRUCTION TO THE INTERVIEWER: WRITE DOWN WHAT THE RESPONDENT TELLS YOU]**

|  |
|--|
|  |
|  |
|  |
|  |
|  |
|  |
|  |

Q6. On which side did you find yourself with the problem?

1. Having been damaged
2. Having caused damage
3. Difficult to say
4. Do not know



Q7. Who was on the other side of the problem? Please choose as many categories as apply from the list below. Who was the primary actor, if there were more than one?

**[INSTRUCTION TO THE INTERVIEWER:** Concerning problems in employment, ask the respondent to identify the type of employer, such as shop, supermarket, or local government rather than just “colleague at work.”]

1. Family member/Relative
2. Friend/Acquaintance
3. Neighbor
4. House owner/Landlord (Individual)
5. House owner/Landlord (Corporate)
6. Tenant/Leaseholder (Individual)
7. Tenant/Leaseholder (Corporate)
8. Colleague at work (including one working under you or one under whom you work)
9. Unknown person
10. Shop
11. Supermarket/Department store
12. Insurance company
13. Bank/Credit card company/Other financing company
14. Other private company or association
15. Hospital
16. Local government (prefecture or municipality)
17. National government (including ministries, agencies, and their local offices)
18. Other public agency or organization
19. Other (Please specify: \_\_\_\_\_)
20. Do not know

If the respondent chose more than one actor, the primary actor was ( \_\_\_\_\_ )

---

Q8. Have you consulted a book and/or an Internet site concerning the problem?

1. Consulted a book
2. Consulted an Internet site
3. Consulted neither
4. Do not know

---

Q9. In order to solve the problem, have you contacted or talked with the other party by yourself or through a third party? Please choose all actions you have done.

Please do not choose conciliation, lawsuit and other court procedure, if

such a procedure was initiated by the other party.

1. Met and talked with the other party
2. Contacted the other party by phone or letter (including fax or e-mail)
3. Contacted the other party through a family member, relative, friend, or acquaintance
4. Contacted the other party through a lawyer
5. Contacted the other party through a third party other than a lawyer
6. Went to conciliation.
7. Filed a lawsuit
8. Used other court procedure (family court judgment, payment order, provisional disposition, etc.)
9. Other means (Please specify: )
10. Did nothing -----> Go to Q10
11. Did not know who the other party was -----> Go to Q10
12. Do not know -----> Go to Q10

**[INSTRUCTION TO THE INTERVIEWER:** If the respondent chose more than one among choices 1 to 9, ask what the first two actions taken were, in order of time.]

|            |  |            |  |
|------------|--|------------|--|
| 1st action |  | 2nd action |  |
|------------|--|------------|--|

**[INSTRUCTION TO THE INTERVIEWER:** Ask the next question if the respondent chose at least one of choices 1 to 9.]

Q9-1. Did you entrust the resolution of the problem to a lawyer? (“Entrust” means asking a lawyer to handle the problem, rather than a simple consultation.)

1. Yes, I entrusted the matter to a lawyer. -----> Go to Q9-3
2. No, I did not entrust the matter to a lawyer.
3. Do not know. -----> Go to Q9-3

**[INSTRUCTION TO THE INTERVIEWER:** Ask the next question if the respondent chose “2. No, I did not entrust the matter to a lawyer.”]

Q9-2. Have you thought of entrusting the resolution of the problem to a lawyer?

1. Yes, I have
2. No, I have not
3. Do not know

**[INSTRUCTION TO THE INTERVIEWER:** Ask the next question if the respondent did not choose any of the court procedures listed in 6, 7, or 8 in Q9]

- Q9-3. Have you thought of using a court procedure for the resolution of the problem? "Using a court procedure" means using a procedure such as conciliation, litigation, payment order, or provisional disposition.
1. Yes, I have
  2. No, I have not
  3. Do not know

---

**[INSTRUCTION TO THE INTERVIEWER:** Ask the following questions of all respondents who experienced a problem.]

Q10. How did you feel about the problem?

- (1) Which side did you think was right?
1. I was completely right.
  2. I was right to some extent.
  3. I did not know which side was right.
  4. The other side was right to some extent.
  5. The other side was completely right.
  6. Do not know.

---

(2) How much were you aware of whether the problem was related with the law?

1. Strongly aware
2. Somewhat aware
3. Not so aware
4. Not aware at all
5. Do not know

---

(3) How serious was the problem to you?

1. Very serious
2. Somewhat serious
3. Not so serious
4. Not serious at all
5. Do not know

---

(4) Did you feel that the problem was serious to other people?

1. I felt it was very serious
2. I felt it was somewhat serious
3. I felt it was not so serious

4. I felt it was not serious at all
  5. Do not know
- 

(5) For solving the problem, was it clear who was responsible?

1. Very clear
  2. Somewhat clear
  3. Not so clear
  4. Not clear at all
  5. Do not know
- 

(6) For solving the problem, was it clear against whom you should make a claim?

1. Very clear
  2. Somewhat clear
  3. Not so clear
  4. Not clear at all
  5. Do not know
- 

(7) Did you think that you could obtain the desired outcome if you would inform the other party of your claim?

1. I thought I could completely obtain the desired outcome.
  2. I thought I could partially obtain the desired outcome.
  3. I thought I could obtain only a little of the desired outcome.
  4. I thought I could obtain none of the desired outcome.
  5. Do not know
- 

(8) Were you concerned with the financial cost for the resolution of the problem?

1. Very concerned
  2. Somewhat concerned
  3. Not so concerned
  4. Not concerned at all
  5. Do not know
- 

(9) Were you concerned with the amount of time you would have to spend for resolving the problem?

1. Very concerned
2. Somewhat concerned
3. Not so concerned
4. Not concerned at all
5. Do not know

(10) Were you concerned with how long it would take to resolve the problem?

1. Very concerned
  2. Somewhat concerned
  3. Not so concerned
  4. Not concerned at all
  5. Do not know
- 

(11) Leaving aside such matters as the time, money and energy it would take to resolve the problem, did you feel psychologically burdened, as though there was a weight on your mind?

1. Felt very much
  2. Felt somewhat
  3. Did not feel so much
  4. Did not feel at all
  5. Do not know
- 

(12) Did you consider the impact on your relationship with the other party in connection with the resolution of the problem?

1. Considered very much
  2. Considered somewhat
  3. Did not consider so much
  4. Did not consider at all
  5. Do not know
- 

(13) Were you concerned about the views of other people with regard to the fact that the problem occurred?

1. Very concerned
  2. Somewhat concerned
  3. Not so concerned
  4. Not concerned at all
  5. Do not know
- 

(14) Were you concerned about the views of other people in connection with the resolution of the problem?

1. Very concerned
2. Somewhat concerned
3. Not so concerned
4. Not concerned at all
5. Do not know

Q11. Was there a difference between your position (assertion) and that of the other party?

1. Yes
2. No
3. Do not know

Q12. In order to solve the problem, have you consulted with someone or some agency? Please list all the third parties you have consulted.

[**INSTRUCTION TO THE INTERVIEWER:** If a third party consulted falls into more than one category, ask the respondent to choose one.]

1. Legal consultation bureau at city hall
2. Non-legal consultation bureau at city hall (Consultation for residents, employment, traffic accidents, real estate, family, gender equality, etc.)
3. Consumer advice center
4. Police or police officer
5. National or prefectural agency (Labor standards inspection office, ADR agencies for construction disputes, pollution and public nuisance and labor disputes, tax office, etc.)
6. Consultation desk at court
7. Consultation bureau at a bar association
8. Lawyer (Private attorney's office)
9. Consultation bureau at a legal aid association
10. Quasi-legal professionals (Judicial scrivener, tax accountant, notary, administrative scrivener, etc.)
11. Insurance company or its employee
12. Private consultation bureau or agency (ADR agency for traffic accident disputes, product liability center, NPO/NGO agencies, etc.)
13. Welfare commissioner/neighborhood association officer
14. Labor union
15. Politician/political party
16. Colleague at work place, other than those listed in categories 1 to 15
17. Family member, relative, friend or acquaintance, other than those listed in categories 1 to 16
18. Other (Please specify: \_\_\_\_\_)
19. No consultation -----→ Go to Q14 on page 11
20. Do not know -----→ Go to Q14 on page 11.

[**INSTRUCTION TO THE INTERVIEWER:** If the respondent consulted more than one person or agency, ask the respondent to list them in the sequence in which they were consulted.]



[**INSTRUCTION TO THE INTERVIEWER:** Ask all respondents who experienced a problem.]

Q14. Has the problem been concluded?

- 1. Yes, it has. -----> Go to next question
- 2. No, it has not. -----> Go to Q16-1
- 3. Do not know. -----> Go to Q17

[**INSTRUCTION TO THE INTERVIEWER:** Ask the following questions if the respondent answered "1. Yes, it has" in Q14]

|   |                 |               |
|---|-----------------|---------------|
| Q15-1. What was the conclusion? Please choose one of the following. |                 |               |
| 1. My claim was fully accepted.                                     |                 |               |
| 2. My claim was mostly accepted.                                    |                 |               |
| 3. My claim was only partially accepted.                            |                 |               |
| 4. My claim was not accepted at all.                                |                 |               |
| 5. Other (Please specify: _____)                                    |                 | )             |
| 6. Do not know  |                 |               |
| -----   |                 |               |
| Q15-2. When was the problem concluded?                              |                 |               |
| Year ( _____ )  | Month ( _____ ) | * Do not know |

[**INSTRUCTION TO THE INTERVIEWER:** Ask the following questions if the respondent answered "2. No, it has not" in Q14]

|  |  |   |
|--|--|---|
| Q16-1. What is the present situation? Please choose all that apply.                                    |  |   |
| 1. In conciliation   |  |   |
| 2. In litigation   |  |   |
| 3. In another procedure at court (family court judgment, payment order, provisional disposition, etc.) |  |   |
| 4. In the process of negotiation through a lawyer  |  |   |
| 5. In the process of negotiation through a person or an agency other than a lawyer                     |  |   |
| 6. In the process of negotiation by myself   |  |   |
| 7. The problem remains and nothing has been done   |  |   |
| 8. Other (Please specify: _____)   |  | ) |
| 9. Do not know   |  |   |
| -----  |  |   |
| Q16-2. At present, to what extent has your claim been accepted?  |  |   |
| Please choose one of the following.  |  |   |
| 1. My claim has been fully accepted.   |  |   |
| 2. My claim has been mostly accepted.  |  |   |
| 3. My claim has been only partially accepted.  |  |   |
| 4. My claim has not been accepted at all.  |  |   |
| 5. Other (Please specify: _____)   |  | ) |
| 6. Do not know   |  |   |



**[INSTRUCTION TO THE INTERVIEWER:** Ask all respondents who experienced a problem.]

Q17. Has the other party taken any court procedure against you concerning the problem?

Please choose all that apply.

1. Conciliation
2. Litigation
3. Family court judgment, payment order, provisional disposition, etc.
4. Other (Please specify: \_\_\_\_\_ )
5. No procedure taken
6. Do not know

Q18. How much have you spent for consultation fees, lawyers' fees, and court filing fees for the resolution of the problem? (For those matters that have not yet been concluded, how much have you paid to date?)

1. I have spent money -----→ approximately \_\_\_\_\_,000 Yen
2. I have spent money, but I do not know how much.
3. I have hardly spent any money (including cases in which no person or agency has been consulted)
4. Do not know

**[Questions addressed to all respondents: We now ask you about yourself]**

F1 Your gender

1. Male            2. Female
- 

F2 When were you born?

Born in (month \_\_\_\_\_), (year \_\_\_\_\_)

---

F3 How many persons are in your household?

Of these, how many persons under 20 years old (including children under 20 to whom you send a monthly allowance) are there in your household?

( \_\_\_\_\_ ) persons (including ( \_\_\_\_\_ ) persons under 20)

---

F4 What is your highest education level? Please choose one. (For those currently taking education, please list your current educational level.)

- |   |                                   |
|---|-----------------------------------|
| 1. Junior high school                             | 5. University                     |
| 2. Senior high school                             | 6. Graduate school                |
| 3. College, Technical college                     | 7. Other (Please specify: _____ ) |
| 4. Specialist school after high school graduation | 8. Do not know                    |

---

F5 Which is your present job, according to the following rough categories?

1. Management/Executive
  2. Permanent general employee
  3. Part-time worker
  4. Dispatched worker
  5. Self-employed
  6. Family worker (?)
  7. Side job at home
  8. Student .....→ Go to F8
  9. Housewife/Househusband .....→ Go to F8
  10. No job .....→ Go to F8
  11. Do not know .....→ Go to F8
- 

F6 What is the content of your job? Please specify as concretely as possible.

[**INSTRUCTION TO THE INTERVIEWER:** Get an answer such as “desk work at a transportation company” or “driver at a transportation company,” rather than “transportation,” so that what the respondent does on the job is clear]  
( )

---

F7 Approximately how many people are employed in your company or organization?

- |                    |                         |
|--------------------|-------------------------|
| 1. One person      | 7. 300–499 persons      |
| 2. 2–4 persons     | 8. 500–999 persons      |
| 3. 5–9 persons     | 9. 1000 persons or more |
| 4. 10–29 persons   | 10. Public service      |
| 5. 30–99 persons   | 11. Do not know         |
| 6. 100–299 persons |                         |
- 

F8 Have you studied law?

[**INSTRUCTION TO THE INTERVIEWER:** Respondents who studied law at junior college or specialist school are classified into “3. Studied at other than university (self-education included).”]

1. Studied in a law faculty or at a graduate school of law
2. Studied in a university faculty other than law or at a graduate school specialized in a field other than law
3. Studied at other than university (self-education included)
4. Have not studied law
5. Do not know

F9 Have you done law-related work?

1. Worked in a department directly related with law, such as a law department or law section
2. Worked in relation with the law, but not in a department directly related with law
3. Have not done law-related work
4. Do not know

F10 Are you close to any of the following types of people

[**INSTRUCTION TO THE INTERVIEWER:** If, in Question 2, the respondent answered that he/she experienced a serious problem, say: "Please do not include people with whom you have become acquainted in connection with the problem"]

- (1) Among lawyers, judges, prosecutors, notaries and law professors:
- (a) Is there anyone you can consult when you have a problem?
  - (b) If not, do you think that you can be introduced to one of them?

[**INSTRUCTION TO THE INTERVIEWER:** Repeat the same questions (a) and (b) for each of categories (1) to (8) below.]

|  | (a) There is someone to consult with | (b) Can be introduced to someone to consult with | (c) None/Do not know |
|--|--------------------------------------|--|----------------------|
| (1) lawyer/judge/prosecutor/notary/law professor               |                                      |  |                      |
| (2) judicial scrivener/tax accountant/administrative scrivener |                                      |  |                      |
| (3) insurance company employee                                 |                                      |  |                      |
| (4) court official/conciliator                                 |                                      |  |                      |
| (5) police officer   |                                      |  |                      |
| (6) welfare commissioner                                       |                                      |  |                      |
| (7) teacher (elementary to high school)                        |                                      |  |                      |
| (8) public official of national and municipal government       |                                      |  |                      |

F11. Have you ever used a lawyer or experienced a court procedure, such as conciliation or litigation? Please choose all that apply, including your experience in conciliation or litigation that was filed against you.

**[INSTRUCTION TO THE INTERVIEWER:** To respondents who answered, in Q2, that they had experienced a serious problem, add "Please answer with respect to your experience before you had the problem on which we inquired in detail."]

1. I have used a lawyer
2. I have experienced conciliation
3. I have experienced litigation
4. I have experienced another court procedure (Please specify: \_\_\_\_\_)
5. I have not experienced any of the above
6. Do not know

F12. Among the following, what is your residence type?

1. Rental house/apartment
2. Company housing/student housing/apartment for government workers
3. Parents' house/relative's house
4. My own house/my own condominium (or other owned apartment)
5. Other (Please specify: \_\_\_\_\_)
6. Do not know

F13. How long have you lived in the present location?

**[INSTRUCTION TO THE INTERVIEWER:** If the respondent moved from somewhere else within the same local district, count it as living in the same location. Count less than a year as one year, and round down to the whole year (e.g., "3 years and 8 months" would become "3 years")

( \_\_\_\_\_ ) years

.....

Would you mind cooperating with us, if we, university researchers, later come back to ask you more questions about the problem which you listed today?

1. Yes, I will cooperate .....→ We will send you a letter by next autumn.
2. No, I will not cooperate
3. Do not know

**[INSTRUCTION TO THE INTERVIEWER:** Ask the respondent to fill out the other questionnaire.]

This concludes the interview. Thank you very much for your cooperation!