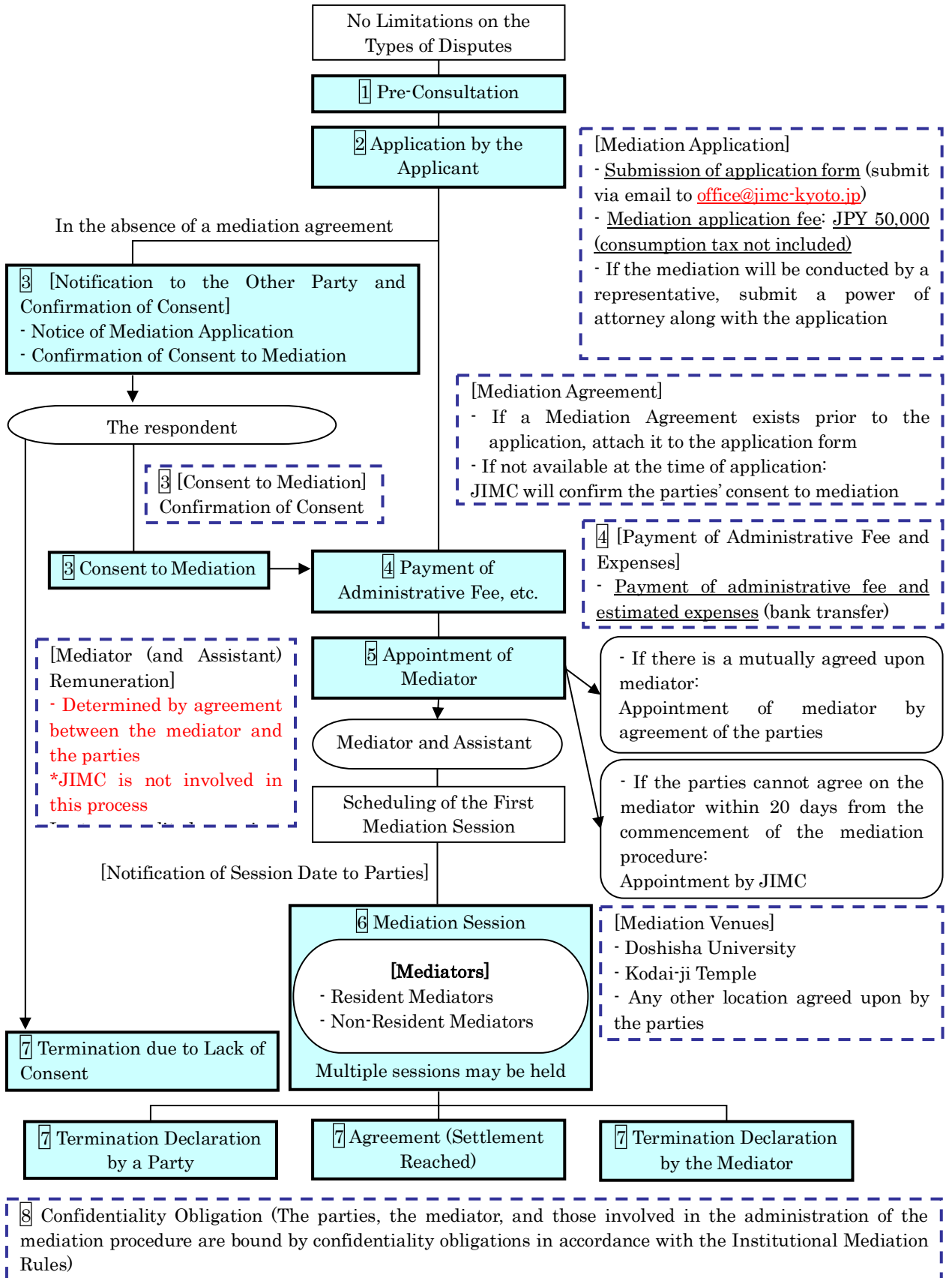


# JIMC Mediation Procedure Guide

Japan International Mediation Center  
2024.08.13

◇Flowchart of Institutional Mediation Procedure at the Japan International Mediation Center (JIMC)



## **0. Disputes Subject to Mediation**

There are no specific limitations on the types of disputes that can be handled under [the Institutional Mediation Rules](#) of the Japan International Mediation Center (JIMC) in Kyoto.

### **1. Pre-Consultation**

- If you have any questions or would like to consult regarding the use of JIMC's mediation procedure, please send an email to [office@jimc-kyoto.jp](mailto:office@jimc-kyoto.jp). JIMC's consultation staff is as follows:
  - Lawyer Eriko Hayashi (Eri Law Office)
  - Lawyer Kazuaki Aoi (Mio Sogo Law Office)

The above lawyers will strictly maintain the confidentiality of the content of your consultation and will not disclose such information, even within their respective law offices. The above lawyers will immediately withdraw from the consultation if you point out that there is a possibility of a conflict of interest between you and them, or if they determine that there is a possibility of a conflict of interest.

- For procedures using [the Joint Protocol](#) with SIMC, please separately request a consultation by sending an email to the above address.

### **2. Application by the Applicant (Documents and Fees Required to Initiate the Mediation Procedure)**

- The necessary requirements to initiate the mediation procedure are the submission of an application form and payment of the application fee. To create [the application form](#), please use the form available on the JIMC website.
- Please submit the application form via email to [office@jimc-kyoto.jp](mailto:office@jimc-kyoto.jp). Upon receipt of the application form, we will provide instructions for the payment of JIMC's application fee of JPY 50,000 (consumption tax not included). If there already is a mediation agreement with the other party, please submit the mediation agreement along with the application form.
- If the mediation will be conducted by a representative, please also submit a power of attorney when submitting the application form.
- The applicant should directly send the application form to the other party.

### **3. Notification to the Other Party / Confirmation of Consent**

- Except in cases where there is a mediation agreement between the parties, JIMC will contact the other party mentioned in the application form, notify them that a mediation application has been filed, and confirm whether they consent to mediation.
- When consenting to mediation, the other party should notify both the applicant and JIMC in writing to confirm their consent.
- If the other party does not consent to mediation, the mediation procedure will be terminated.

### **4. Payment of Administrative Fee, etc.**

- When a mediation agreement (or consent) is confirmed, JIMC will request both the applicant and the other party to pay the administrative fee and estimated expenses. The amount of the administrative fee is calculated according to Article 2 of the JIMC in Kyoto Fee Schedule for Institutional Mediation.

### **5. Appointment of Mediator**

- JIMC has mediator candidates residing both in Japan and abroad. For information on the nationality, capabilities, qualifications, experience, etc. of each mediator, please refer to the CVs on the ["Non-Resident Mediators"](#) and ["Resident Mediators"](#) pages of the JIMC website.
- Unless otherwise agreed between the parties, the number of mediators shall be one.
- Parties may request JIMC to provide a list of mediators or to recommend mediator candidates.

- If the parties cannot agree on the appointment of a mediator within 20 days from the commencement of the mediation procedure (submission of the application form and payment of the application fee), JIMC will appoint a mediator after hearing the opinions of the parties.
- The mediator's remuneration is determined by agreement between the mediator and the parties, and JIMC is not involved in this.

#### **6. Mediation Date**

If a mediation session is to be held, the parties and the mediator will consult and decide on the method, date, time, and place of the mediation session. JIMC collaborates with Doshisha University and Kodai-ji Temple, and if the parties agree, we can arrange for these facilities to be used as mediation venues.

#### **7. Conclusion of Mediation Procedure**

The mediation procedure concludes when (a) a settlement agreement is reached between the parties, (b) the mediator declares that further efforts at mediation are no longer justified, or (c) one of the parties declares to the other party (and the mediator) that the mediation procedure is terminated.

#### **8. Confidentiality Obligation**

All information regarding the mediation procedure must be kept confidential. The parties to the mediation procedure, the mediator, and those involved in the administration of the mediation procedure are bound by confidentiality obligations in accordance with the Institutional Mediation Rules.