

Activities of the Legal-Support Adult Guardian Center

1 Introduction

Japan's adult guardianship system is divided into two systems: the **statutory guardianship system** and the **voluntary guardianship system**. Statutory guardianship is further categorized into three types — **guardianship**, **curatorship**, and **assistance** — to provide support based on the degree of decline in each principal's decision-making capacity.

The **Legal-Support Adult Guardian Center**

was established in December 1999, prior to the enforcement of the **new Adult Guardianship System** in April 2000, as an entity to provide guardians.

With a branch office in every prefecture nationwide (four in Hokkaido), the center's more than 7,000 members conduct activities that reflect the actual circumstances of each individual region.

2 History

In February 1995, the Japan Federation of Shiho-Shoshi's Associations (the Japanese Solicitor's associations) conducted a public symposium, where we, as Japanese solicitors (Shiho-Shoshi), recognized various issues concerning the elderly, and realized the necessity for an adult guardianship system. The following year, we announced our plan for the Property Management Center, an organization that would train and provide individuals (guardians) who would provide support for people with disabilities, creating a great sensation among municipalities, welfare professionals, and other related organizations and individuals.

After that, we visited Canada, the U.S., and Germany, the forerunners of adult guardianship, to research their systems and to hunt for a new rights advocacy system. Meanwhile, Shiho-Shoshi's Associations (Japa-

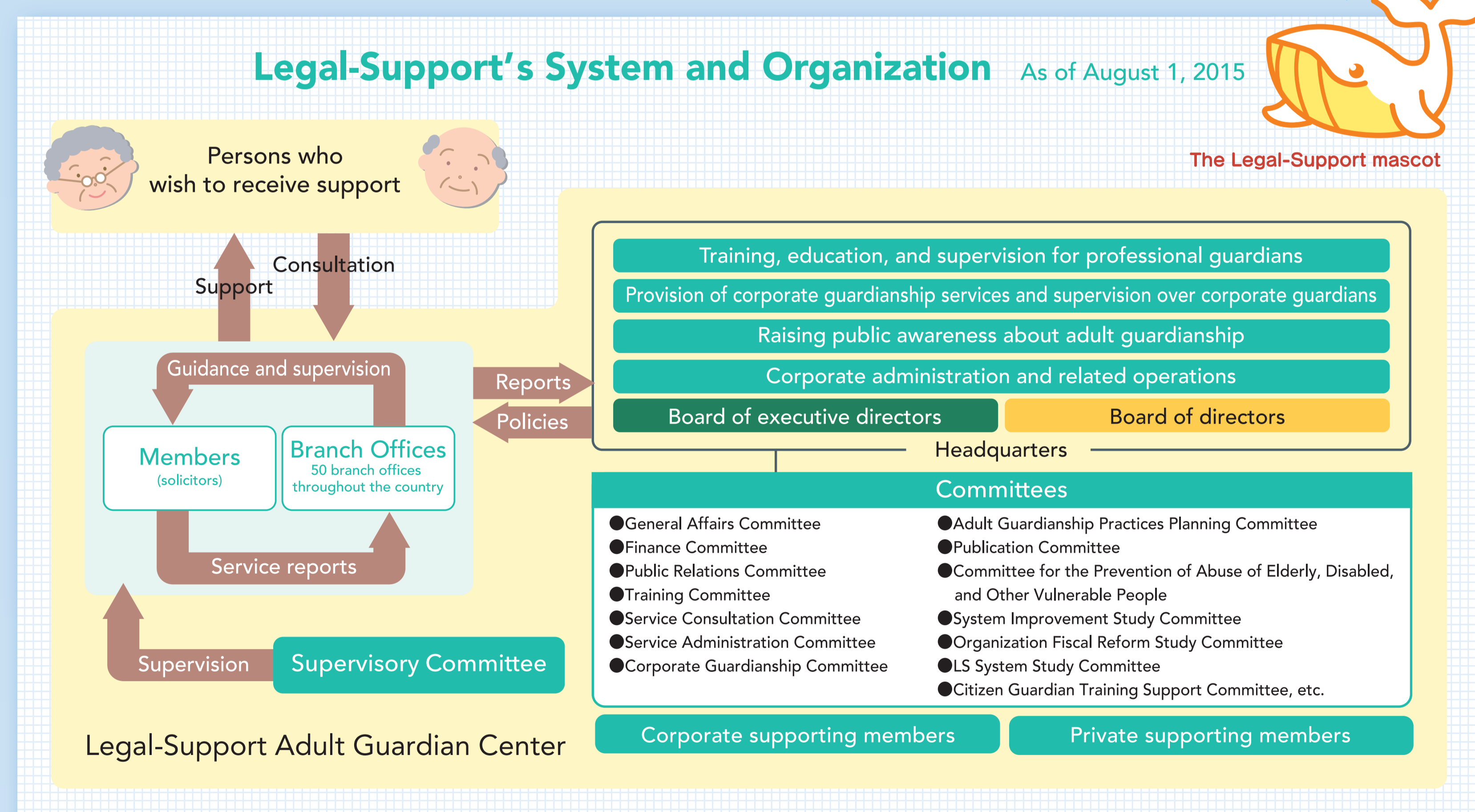
nese Solicitor's associations) across the country held a series of symposia. These efforts allowed the Japanese solicitors (Shiho-Shoshi) to gradually come to be recognized as professionals in rights advocacy activities for the elderly and the people with disabilities.

Since the establishment of the **Legal-Support Adult Guardian Center** in 1999, we have led Japan's adult guardianship system as one of the country's largest organizations for training and providing professional guardians. In 2014, we held a symposium entitled "The Significance of the Action Guidelines and Issues with the Future Adult Guardianship System" to commemorate the 15th anniversary of the establishment of the Legal-Support Adult Guardian Center and the new adult guardianship system, along with a commemorative ceremony.

3 Organization and Support System

In order to ensure that the members who serve as guardians properly provide their services, Legal-Support requires members to submit service reports. We strive to improve our members' abilities by providing them with education and training at branch offices nationwide. Although all Legal-Sup-

port members are Japanese solicitors (Shiho-Shoshi), some of our directors are not Japanese solicitors (Shiho-Shoshi), in order to ensure the propriety of our services. The organization is managed by taking into account opinions from various different fields.



4 Roles as an Adult Guardianship System Operator

Each member, who is a Japanese solicitor (Shiho-Shoshi), plays an important role in serving as a guardian of an adult, carrying out personal supervision and property management for the best interests of the elderly or the people with disabilities while directly communicating with them.

In addition, when it is difficult for an individual member to perform these guardian services, the Legal-Support corporation will be

able to serve as a guardian, allowing us to provide continuous support far and wide, leveraging our nationwide network of members.

Since the beginning of the adult guardianship system, Japanese solicitors (Shiho-Shoshi) have been those most frequently appointed by family courts among all third-party guardians other than the relatives, and have consistently provided trust-

worthy guardian services.

This activity is supported by a training system that helps members acquire the wide range of knowledge and skills related to ethics, laws, medical care, welfare, and other matters necessary for guardians, as well as by a system that provides members with guidance and assistance from their respective branch offices and the headquarters.

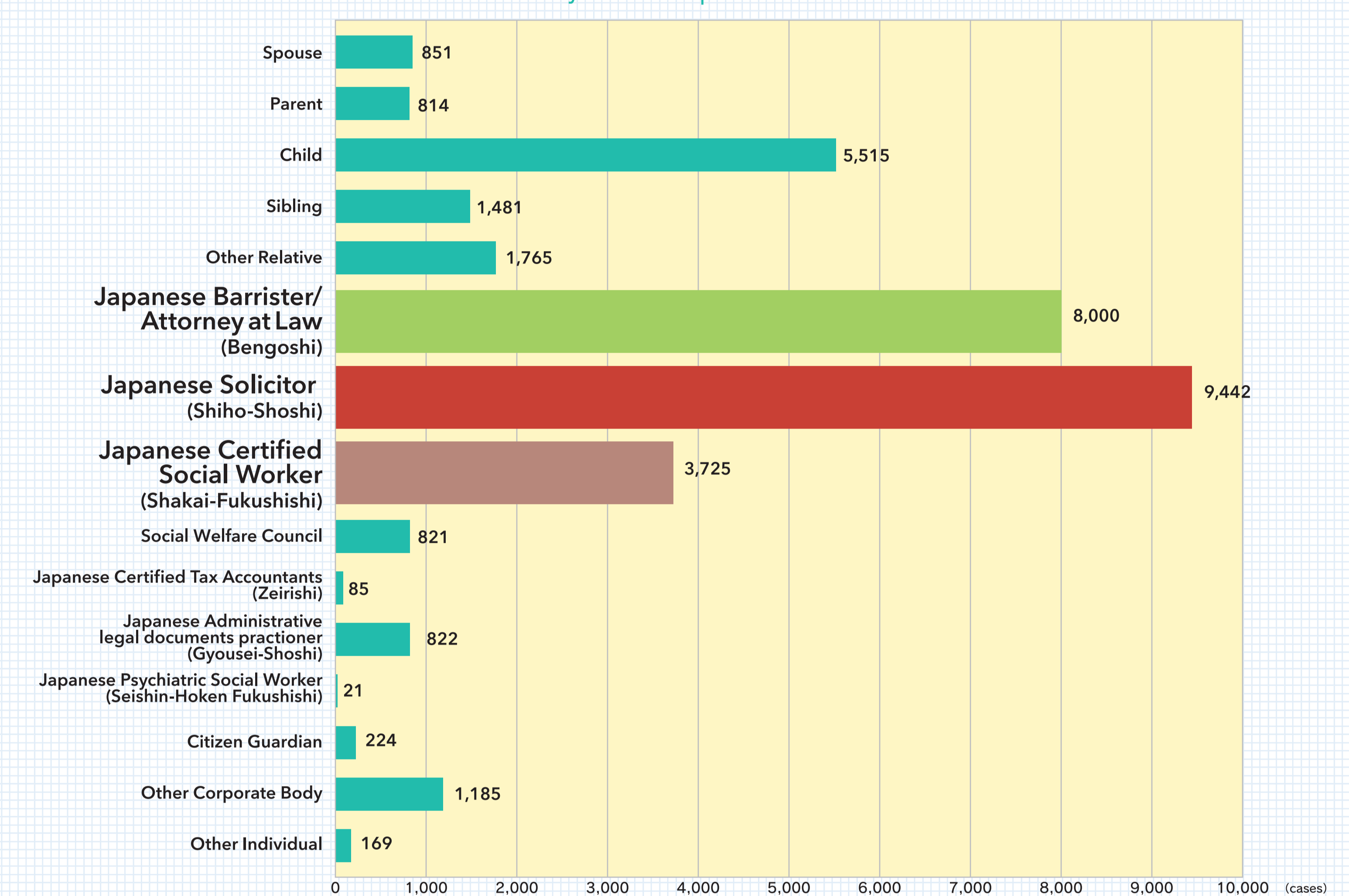
To this end, Legal-Support will not permit members to perform guardian services unless they have completed the designated level of training.

We maintain a List of Candidates for Guard-

ians and Supervisors of Guardians who have completed the required training. The names of candidates are removed from the list if they fail to take at least new training course every two years, allowing us to ensure that the knowledge and skills of the listed candidates are maintained at suitable levels. Furthermore, the listed candidates carry special liability insurance policies in addition to the professional liability insurance for Japanese solicitors (Shiho-Shoshi), in order to be prepared for possible future contingencies such as infringement of property rights due to negligence.

Relationship between Guardians of Adults and Principals (Material 10)

Material 10 : Number of Cases by Relationship of Guardians of Adults to their Wards



[Excerpt from the 2015 Overview of Cases Related to Adult Guardianship issued by the Supreme Court]

5 Other Activities

In addition to the provision of Japanese solicitors (Shiho-Shoshi) acting as guardians, Legal-Support offers a wide variety of activities as follows:

- 1 Consultation with regard to the adult guardianship system, petition proceedings, etc.
- 2 Holding of training courses for relatives who are to become guardians, lectures, explanatory meetings, and symposia
- 3 Support activities for advocacy for the rights of elderly, disabled, and other vulnerable people, which include abuse prevention, in collaboration with governmental bodies such as community comprehensive support centers, as well as with welfare and medical professionals and other relevant parties.
- 4 Activities to promote the adult guardianship system, such as the publication of books and journals
- 5 Research and recommendation activities to improve the adult guardianship system
- 6 Activities for the promotion of the socialization of adult guardianship, such as assistance in training citizen guardians

further step up their efforts to train citizen guardians following the establishment of the **Act to Promote the Use of the Adult Guardianship Systems** in Japan. Legal-Support, therefore, is concentrating its energies on developing the framework to support municipalities.

Internally, we are working to enhance our members' knowledge and to share information by holding training sessions for the branch offices.

Externally, we hold seminars for municipalities at various parts of the country. In these seminars, we invite relevant people, such as officials from local family courts and social welfare councils, to report on activities and exchange opinions, thus strengthening cooperation with these organizations.



With respect to the assistance in training citizen guardians mentioned in item (6) in particular, we expect that municipalities will