

07—02 PUDT
Duties of Bailiff at the Trial Court

When a trial court is to be convened for a trial (including an opposition to grant of patent, an opposition to registration of trademark, and Hantei (advisory opinion)) case to conduct an oral proceeding or an examination of evidence, a bailiff shall follow the instructions given by a chief administrative judge and perform the following duties:

1. Taking a bailiff's seat in the trial court when receiving a notification from a trial/appeal clerk to attend oral proceedings and examination of evidence.
2. When parties concerned, etc. start entering the trial court, seating them in their designated positions and informing the trial/appeal clerk of the status of their attendance.
3. Asking all attendees to stand up by saying "all rise, please" when administrative judges enter the court.
4. After everyone has stood up, they bow following a chief administrative judge's bow. No order is given for the bow.
5. Announcing the name of the case. (→33—05)
6. Asking everyone to stand up by saying "all rise, please" when a witness reads out a written oath at the beginning of the examination of witness.

7. When there are two or more witnesses, after they finish signing a written oath, guiding a witness who is to be questioned later to the waiting room to wait according to an instruction from the chief administrative judge, and then calling a witness sequentially back to the court according to an instruction from the chief administrative judge.

8. When there is an article such as evidence or other items to be transported between a party concerned, a witness and administrative judges, delivering said article promptly according to an instruction from the chief administrative judge.

9. When examination of a witness is conducted, if oral proceedings are commenced continuously after the chief administrative judge announces the termination of the examination, do not ask everyone to stand up.

10. Taking necessary procedures for a payment of a daily allowance, travel expenses, etc. for a witness who has finished the examination. (→35-01 5.(3))

11. During the session, wearing a cap and uniform and maintaining an attitude of courtesy. If there is a person whose behavior possibly disturbs the order of the trial court, or an observer with bad manners, giving an advice in a small voice to said person or said observer that “please conduct yourself properly otherwise you will receive a warning from the chief administrative judge”, and if instructed by the chief administrative judge, following that instruction and supervising the behavior of said person or said observer, and taking an action such as ordering them to leave.

12. At the end of the session, when the chief administrative judge announces the termination of oral proceedings or examination of evidence,

asking everyone to stand up by saying “all rise, please”. After they have stood up, do not order them to bow, similar to when opening the court.

13. Checking for lost articles and organizing the equipment after everyone has left the court.

Note that a trial/appeal clerk may perform any of the duties mentioned above on behalf of a bailiff.

(Revised December 2023)