February 21, 2020

To: Chief Judge Toshiro Tamiya
The Tsu Family Court
Mie Prefecture, Japan

To: President Mariko Watahiki
The Nagoya High Court
Aichi Prefecture, Japan

Re: No. 699, 2016 (Domestic Relations Mediation Case) Legacy Division Mediation Conference
No. 715, 2016 (Domestic Relations Mediation Case) Legacy Division Mediation Conference

No. 1478, 2019 (Family Court) Case Associated with a Petition for Legacy Division
No. 1479, 2019 (Family Court) Case Associated with a Petition for Legacy Division

I am Yukihisa Shida, the eldest son of the late Shigeo Shida, my father and Ikuyo Shida, my mother, one of the parties concerned of the aforementioned cases. On February 15, 2020, I received documents dated February 14, 2020 from the Tsu Family Court in connection with the cases associated with the petitions for legacy division (a letter to confirm that my letter to Mr. Toshiro Tamiya, Chief Judge of the Tsu Family and Ms. Mariko Watahiki, President of the Nagoya High Court dated February 11, 2020 regarding the main text of judgment dated January 31, 2020 in connection with the cases associated with the petitions means my willingness to file an immediate appeal «legal objection» against the main text of judgment dated January 31, 2020, in connection with the cases associated with the petitions for legacy division) and information on legal procedures for an immediate appeal. The following is an excerpt from the document of February 14, 2020.

> Please send a written reply to the Tsu Family Court (a document to confirm whether my letter to Mr. Toshiro Tamiya, Chief Judge of the Tsu Family and Ms. Mariko Watahiki, President of the Nagoya High Court dated February 11, 2020 regarding the main text of judgment dated January 31, 2020 in connection with the cases associated with the petitions means your (Dr. Yukihisa Shida's) willingness to file an immediate appeal (legal objection) against the main text of judgment dated January 31, 2020, in connection with the cases associated with the petitions for legacy division) before February 27, 2020. If we don't receive your reply before the deadline, we deem you don't intend to file an immediate appeal.

Since the Tsu Family Court (Judge Masato Morita and Chief Judge Toshiro Tamiya) is one of the parties concerned involved in this trouble, I believe that the documents dated February 14, 2020 prepared by the Tsu Family Court (Judge Masato Morita and Chief Judge Toshiro Tamiya) is not a response as the court (Judge Masato Morita and Chief Judge Toshiro Tamiya) from the party that received the complaint from me under normal social conventions, as with the case of the main text of judgment dated January 31, 2020 in connection with the cases associated with the petitions for legacy division.

It is beyond common sense in society at large, and not deemed to be reasonable that the deadline for indicating my intention regarding whether I file an immediate appeal (legal objection) was set as February 27, 2020, one-sidedly by the Tsu Family Court, the party who received a complaint. Please note that the content of the document sent to Mr. Toshiro Tamiya, Chief Judge of the Tsu Family and Ms. Mariko Watahiki, President of the Nagoya High Court dated February 11, 2020 is how a person in charge handled my complaint regarding the trouble occurred during the mediation conference at the Tsu Family Court. It is presumed that the judge of the Tsu Family Court wrote the documents of February 14, 2020 according to the law that took the place of family conciliation in connection with legacy division, after the Tsu Family Court, one party concerned with the trouble, committed a factual error concerning his own words and deeds in the discussions on the arbitration case in connection with legacy division, when obtaining permission from the Nagoya High Court and without fact-checking with the parties concerned, including me.

Again, let me tell you that you don't seem to understand what I said in the letter dated June 21, 2019 to President Mariko Watahiki of the Nagoya High Court: "It can be considered that Chief Judge Tamiya has broken the business rules because the chief judge who has enough authority didn't deal with a claim about the trouble at the mediation discussion and continues to have the mediation discussion as if nothing happed even after I sent a letter to him on October 21, 2018." The cases the Tsu Family Court and I face each other is a matter of common sense that a court and Chief Judge and President of a court should hold, even though the Tsu Family Court and the Nagoya High Court allege the legality of the cases. I suppose that both President Tamiya (Bachelor of Law, Ritsumeikan University) and President Watahiki (Bachelor of Law, Chuo University) are private university level (where 40% of the students are mediocrities in the 21st century) people. Therefore, it would be difficult to say that the Japanese judiciary system including Questions and Answers (the presence or absence of accountability) is working well.

Thank you for your attention to the above.

Sincerely yours,

Yukihisa Shida, M.D., Ph.D.
Mie University

February 11, 2020

To: Mr. Toshiro Tamiya
Chief Judge
The Tsu Family Court
Mie Prefecture, Japan

To: Ms. Mariko Watahiki
President
The Nagoya High Court
Aichi Prefecture, Japan

Re: No. 699, 2016 (Domestic Relations Mediation Case) Legacy Division Mediation Conference
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No. 1478, 2019 (Family Court) Case Associated with a Petition for Legacy Division
No. 1479, 2019 (Family Court) Case Associated with a Petition for Legacy Division

I am Yukihisa Shida, the eldest son of the late Shigeo Shida, my father and Ikuyo Shida, my mother, one of the parties concerned of the aforementioned cases. I received the text of judgment dated January 31, 2020, in connection with the cases associated with the petitions for legacy division from the Tsu Family Court on February 1, 2020.

As you know, the problem occurred during the mediation conference at the Tsu Family Court on October 15, 2018. So, I sent a letter of October 21, 2018 to Chief Judge Tamiya of the Tsu Family Court and a letter of June 21, 2019 to Ms. Mariko Watahiki, President of the Nagoya High Court, a higher court of the Tsu Family Court, and now I am expecting her to handle the trouble. The following is an excerpt from the main text of judgment dated January 31, 2020, in connection with the cases associated with the petitions for legacy division from the Tsu Family Court (Judge Kazuyoshi Kato and Chief Judge Toshiro Tamiya).

> In this regard (the Tsu Family Court conducted adjudication that took the place of family mediation in connection with the cases associated with the petitions for legacy division on August 8, 2019), the petitioner, Yukihisa (Dr. Yukihisa Shida), who is the successor to late Shigeo Shida, filed an objection to the adjudication that took the place of mediation to the court. Regarding the reason for the objection, he (Dr. Yukihisa Shida) made a complaint about the way of the clerk of the Tsu Family Court and conciliation commissioner in charge's handling the case, but neither expressed any specific opinions as to the way of dividing the estate nor showed up on the day of adjudication. Given the circumstances where all the heirs other than Yukihisa (Dr. Yukihisa Shida), the petitioner and successor to late Shigeo Shida, reached an agreement and the content of the agreement is deemed to be rational, it is reasonable to divide the ancestor's legacy in accordance with the adjudication that took the place of family conciliation for this case.

Regarding the claim I pointed out as a trouble, this main text of judgment says that I "made an objection," or "made a complain." However, you don't seem to understand what I said in the letter dated June 21, 2019 to President Mariko Watahiki of the Nagoya High Court: "It can be considered that Chief Judge Tamiya has broken the business rules because the chief judge who has enough authority didn't deal with a claim about the trouble at the mediation discussion and continues to have the mediation discussion as if nothing happed even after I sent a letter to him on October 21, 2018."

It is not I but the Tsu Family Court (part-time judicial scrivener, clerk and president) who admitted his words and deeds to "raise an objection" and "make a complaint" by saying, "There is no problem as I (the person in charge at the Tsu Family Court) am speaking in my dialect" and "Nobody will take the place of me (the person in charge at the Tsu Family Court) in this arbitration," while we were holding family arbitration discussions regarding legacy division within the Tsu Family court on October 15, 2018, and did not pronounce any specific view, including as to whether or not the parties concerned will be able to continue to be involved in discussions on family arbitration in connection with legacy division, the case associated with a petition for legacy division, etc. It is presumed that the judge of the Tsu Family Court wrote the text of judgment in connection with the cases associated with the petitions for legacy division according to the law that took the place of family conciliation in connection with legacy division, after the Tsu Family Court, one party concerned with the trouble, committed a factual error concerning his own words and deeds in the discussions on the arbitration case in connection with legacy division, when obtaining permission from the Nagoya High Court and without fact-checking with the parties concerned, including me. It seems that it was not mentioned in the main text of judgment in connection with the cases associated with the petitions for legacy division that the Chief Judge Tamiya of the Tsu Family Court and President Watahiki of the Nagoya High Court, the higher court of the Tsu Family Court, hadn't confirmed the facts regarding the claim from Dr. Yukihisa Shida, the successor to late Shigeo Shida, even though Dr. Yukihisa Shida said that it was difficult for him continue to hold family arbitration discussions in a calm manner and could not attend the meetings for arbitration held at the Tsu Family Court to be involved in the mediation.

As I have repeatedly told you in my past letters, one of the two persons in charge (part-time judicial scriveners) talked loudly for more than one minute one-sidedly, cutting me off, right in front of me who was the party concerned in the mediation at the mediation conference at the Tsu Family Court on October 15, 2018 (attendees were two persons in charge at the court and myself totaling three persons). Since the Tsu Family Court (Judge Kazuyoshi Kato and Chief Judge Toshiro Tamiya) is one of the parties concerned involved in this trouble, I believe that the text of judgment in connection with the case associated with the petitions for legacy division dated January 31, 2020, is not a response as the court from the party that received the complaint from me under normal social conventions. It is beyond common sense in society at large, and not deemed to be reasonable that after the case switched from arbitration to the petition for legacy division in 2019, the date of the judgment on this case (the date of discussions for the case associated with the petitions for legacy division at the Tsu Family Court) was set as October 16, 2019, one-sidedly by the Tsu Family Court, without asking about my availability in advance, i.e., the person who made the complaint, in the letter dated October 21, 2018 and the Tsu Family Court stated in the text of judgment dated January 31, 2020, that "he did not show up on the day of judgment on the case," (Dr. Yukihisa Shida, the petitioner, who filed a petition to the Tsu Family Court by submitting a letter dated October 21, 2018 to Chief Judge Toshiro Tamiya of the Tsu Family Court in which he made a claim against a staff member's behavior during the mediation conference for legacy division at the Tsu Family Court, didn't go to the Tsu Family Court on October 16, 2019, the day, the Tsu Family Court fixed one-sidedly), against me, who was unable to go to the Tsu Family Court as I was working in the Tokyo Metropolitan area as a regular part-time internal medicine doctor on the day.

Chief Judge Tamiya boasts on the Tsu Family Court's website by saying, "I passed Ritsumeikan University" or "I have been concentrating on my career as a judge to always engage with the parties." However, the cases the Tsu Family Court and I face each other is a matter of common sense that a court and Chief Judge and President of a court should hold, even though the Tsu Family Court and the Nagoya High Court allege the legality of the cases. I suppose that both President Tamiya (Bachelor of Law, Ritsumeikan University) and President Watahiki (Bachelor of Law, Chuo University) are private university level (where 40% of the students are mediocrities in the 21st century) people. Therefore, it would be difficult to say that the Japanese judiciary system including Question and Answers (the presence or absence of accountability) is working well.

Thank you for your attention.

Sincerely yours,

Yukihisa Shida, M.D., Ph.D.
Mie University

2020 年 2 月 21 日

三重県 津家庭裁判所 所長　多見谷寿郎殿
名古屋高等裁判所 長官　綿引万里子殿

いつもお世話になります。

事件名：平成 28 年（家イ）第 699 号 遺産分割調停事件
平成 28 年（家イ）第 715 号 遺産分割調停事件

令和元年（家）第 1478 号 遺産分割申立事件
令和元年（家）第 1479 号 遺産分割申立事件

津家庭裁判所におきます上記遺産分割調停事件及び遺産分割申立事件の当事者、故 志田成男、志田いく代の長男、志田幸久です。2020 年 2 月 15 日、津家庭裁判所より遺産分割申立事件の 2020 年 2 月 14 日付事務連絡（遺産分割申立事件の 2020 年 1 月 31 日付審判主文についての、別紙 2020 年 2 月 11 日付三重県 津家庭裁判所 多見谷寿郎所長及び名古屋高等裁判所 綿引万里子長官宛文書が、私から遺産分割申立事件の 2020 年 1 月 31 日付審判主文に対して即時抗告《法律上の異議申立て》を行うかどうかの意思確認、及び即時抗告の申立てを行う際の法的手続き案内）を受領致しました。以下は 2020 年 2 月 14 日付事務連絡からの一部抜粋です。

> 回答書（遺産分割申立事件の 2020 年 1 月 31 日付審判主文についての、別紙 2020 年 2 月 11 日付三重県 津家庭裁判所 多見谷寿郎所長及び名古屋高等裁判所 綿引万里子長官宛文書が、あなたから遺産分割申立事件の 2020 年 1 月 31 日付審判主文に対して即時抗告《法律上の異議申立て》を行うかどうかの意思確認書）を令和 2 年 2 月 27 日までに、当津家庭裁判所へご提出下さい。期限までに提出がない場合は、即時抗告の趣旨ではないものとして取り扱うことになりますのでご了承ください。

津家庭裁判所は今回の Trouble の一方の当事者でみえますため、2020 年 2 月 14 日付津家庭裁判所（森田正人裁判所書記官、多見谷寿郎所長）作成、事務連絡につきましては、遺産分割申立事件の 2020 年 1 月 31 日付審判主文と同様、Claim を受けた側の津家庭裁判所の人間（森田正人裁判所書記官、多見谷寿郎所長）が私からの Claim について連絡された内容としましては、社会通念上、津家庭裁判所の Claim 対応には相当しないと考えられます。

また、即時抗告（法律上の異議申立て）を行うかどうかの意思確認の期限を 2020 年 2 月 27 日までと一方的に決定してみえますのも、いわゆる Claim を受けた側、津家庭裁判所の Claim 対応としましては、一般社会におきます常識を逸脱してみえ、合理的とは認められません。2020 年 2 月 11 日付三重県津家庭裁判所 多見谷寿郎所長及び名古屋高等裁判所 綿引万里子長官宛文書の趣旨は、津家庭裁判所におけます津家庭裁判所調停担当者による調停協議 Trouble に対する Claim を取り扱う内容になります。ご了承下さい。Trouble の一方の当事者でみえる津家庭裁判所の書記官が、遺産分割調停事件の協議における津家庭裁判所自らの言動に関して、名古屋高等裁判所も容認の上、私を含めた当事者への事実確認を経ずして津家庭裁判所として事実誤認をされた後、2020 年 2 月 14 日付事務連絡を法律に基づいて書かれた可能性が考えられます。

重ねて申し上げますと、私からの 2019 年 6 月 21 日付名古屋高等裁判所 綿引万里子長官宛文書にて私からお伝えさせていただきました「調停協議におきます Trouble に対する Claim 対応をされず、津家庭裁判所の強権をお持ちになる多見谷寿郎所長が、Trouble 中の調停協議を 2018 年 10 月 21 日付津家庭裁判所 多見谷寿郎所長宛文書送付以降も何事もなかった様に継続してみえます様に拝見してまして、多見谷寿郎所長も、Business Manner 違反と考えられます。」との内容を、ご理解いただいていない様です。私と津家庭裁判所が対峙します本件は、たとえ法律上 津家庭裁判所及び名古屋高等裁判所が合法を主張されたとしましても、裁判所並びに裁判所所長、裁判所長官としての良識の問題です。津家庭裁判所 多見谷寿郎所長（私立立命館大学法学士）、名古屋高等裁判所 綿引万里子長官（私立中央大学法学士）共に、お二人共代わられず（21 世紀、学部生の 4 割程が凡才の）私立大学 Level と拝見されまして、そうしますと日本の司法制度は、質疑応答（説明責任の有無）を含めうまく機能しているとは言い難い状況です。

以上、津家庭裁判所及び名古屋家庭裁判所にご連絡させていただきます。よろしくお願い申し上げます。

志田幸久（三重大学医学博士）

2020 年 2 月 11 日

三重県 津家庭裁判所 所長　多見谷寿郎殿
名古屋高等裁判所 長官　綿引万里子殿

いつもお世話になります。

事件名：平成 28 年（家イ）第 699 号 遺産分割調停事件
平成 28 年（家イ）第 715 号 遺産分割調停事件

令和元年（家）第 1478 号 遺産分割申立事件
令和元年（家）第 1479 号 遺産分割申立事件

津家庭裁判所におきます上記遺産分割調停事件及び遺産分割申立事件の当事者、故 志田成男、志田いく代の長男、志田幸久です。2020 年 2 月 1 日、津家庭裁判所より遺産分割申立事件の 2020 年 1 月 31 日付審判主文を受領致しました。

知ってみえます様に、津家庭裁判所での遺産分割調停事件の調停協議にて、2018 年 10 月 15 日、協議会議中に問題が発生しましたため、津家庭裁判所 多見谷寿郎所長に 2018 年 10 月 21 日付 津家庭裁判所 多見谷寿郎所長宛文書にてお伝えし、津家庭裁判所の上級裁判所である名古屋高等裁判所、綿引万里子長官へも、津家庭裁判所 多見谷寿郎所長のご様子を一度見ていただきます様、私から 2019 年 6 月 21 日付 名古屋高等裁判所 綿引万里子長官宛文書お送りさせていただきましたが、以下はその Trouble に関係します内容、津家庭裁判所（加藤員祥裁判官、多見谷寿郎所長）作成、遺産分割申立事件の 2020 年 1 月 31 日付審判主文からの一部抜粋です。

> この点（津家庭裁判所が遺産分割調停事件について、令和元年 8 月 8 日、調停に代わる審判をしたこと）に関し、申立人亡志田成男承継人幸久は、本件調停に代わる審判に対し、異議を申し立てたところ、異議申し立ての理由について、本件調停事件における担当書記官及び調停委員の対応等に不満を述べるものの、遺産分割方法については具体的な意見を述べず、本件審判期日にも出頭しない。そうすると本件調停に代わる審判は、申立人志田成男承継人幸久以外の全相続人が合意しており、その内容も合理的なものと認められるから、被相続人の遺産の分割方法は、本件調停に代わる審判の趣旨に従ったものとするのが相当である。

この遺産分割申立事件の審判主文では、私から Trouble と指摘されました Claim について、「異議を申し立てた」「不満を述べる」と触れてみえますが、私からの 2019 年 6 月 21 日付名古屋高等裁判所 綿引万里子長官宛文書にて私からお伝えさせていただきました「調停協議におきます Trouble に対する Claim 対応をされず、津家庭裁判所の強権をお持ちになる多見谷寿郎所長が、Trouble 中の調停協議を 2018 年 10 月 21 日付津家庭裁判所 多見谷寿郎所長宛文書送付以降も何事もなかった様に継続してみえます様に拝見してまして、多見谷寿郎所長も、Business Manner 違反と考えられます。」との内容を、ご理解いただいていない様です。

2018 年 10 月 15 日に、「私（津家庭裁判所担当者）は方言を話しているのだから問題ありません」「私（津家庭裁判所担当者）は本調停の担当者を（他の人には）代わりません」など津家庭裁判所内での遺産分割調停事件協議中に私に「異議を申し立てた」「不満を述べる」言動を認め、調停に継続して関与する（遺産分割調停事件の当事者が、遺産分割調停事件、遺産分割申立事件等の協議に継続して出席する）ことが可能もしくは不可能などそれ以上具体的な意見を裁判所にて公にしてみえないのは、私ではなく、津家庭裁判所（非常勤司法書士、書記官、所長）の側です。Trouble の一方の当事者でみえる津家庭裁判所の裁判官が、遺産分割調停事件の協議における津家庭裁判所自らの言動に関して、名古屋高等裁判所も容認の上、私を含めた当事者への事実確認を経ずして津家庭裁判所として事実誤認をされた後、遺産分割調停事件に代わる遺産分割審判申立事件の審判主文を法律に基づいて書かれた可能性が考えられます。「当 津家庭裁判所所長の多見谷寿郎及びその上級裁判所である名古屋高等裁判所長官の綿引万里子は、津家庭裁判所における遺産分割調停事件及びそれに代わる遺産分割申立事件において、当事者亡志田成男継承人 志田幸久より『冷静な調停協議継続が難しく、津家庭裁判所における調停協議会議に出席し、本調停に関与することは出来なくなりました』との申し出を受けたにも関わらず、その申し立てについて事実関係の確認をせず…」と、津家庭裁判所作成、遺産分割申立事件の審判主文には書かれなかった様です。

すでに何度も繰り返し文書にてお伝えしてます様に、2018 年 10 月 15 日津家庭裁判所におきます、遺産分割調停事件の調停協議会議（出席者は、私と津家庭裁判所の担当者 2 名の計 3 名）にて、2 名の担当者（司法書士 2 名、非常勤）のうち 1 名の担当者（司法書士、非常勤）が、1 分以上に渡り、大声で、調停協議当事者であります私（Dr. 志田）の目の前で、私（Dr. 志田）の話を担当者（司法書士、非常勤）ご自身で遮りながら、私に一方的に話されました。津家庭裁判所は今回の Trouble の一方の当事者でみえますため、2020 年 1 月 31 日付津家庭裁判所（加藤員祥裁判官、多見谷寿郎所長）作成 遺産分割申立事件 審判主文は、Claim を受けた側の津家庭裁判所の人間（加藤員祥裁判官、多見谷寿郎所長）が私からの Claim について述べられた内容としましては、社会通念上、津家庭裁判所の Claim 対応には相当しないと考えられます。2019 年に遺産分割調停事件より遺産分割申立事件に移行後、本件審判期日（津家庭裁判所における遺産分割申立事件のための協議日）を、2018 年 10 月 21 日付文書で Claim を受けた津家庭裁判所が、Claim を申し出た私の都合を事前にお聞きにならず 2019 年 10 月 16 日と一方的に決定され、同日東京首都圏で定期非常勤内科勤務のため津家庭裁判所に赴くことが出来なかった私に対して「本件審判期日に出頭しない」（遺産分割調停事件の調停協議における津家庭裁判所の職員に対しての Claim を、2018 年 10 月 21 日付津家庭裁判所 多見谷寿郎所長宛文書にて津家庭裁判所に申し出た申立人 志田幸久が、遺産分割調停事件に代わる遺産分割申立事件において、津家庭裁判所が一方的に決定した審判協議日 2019 年 10 月 16 日に津家庭裁判所に来なかった）と 2020 年 1 月 31 日付遺産分割申立事件の審判主文で断じられたのも、いわゆる Claim を受けた側、津家庭裁判所の Claim 対応としましては、一般社会におきます常識を逸脱してみえ、合理的とは認められません。

多見谷寿郎所長は、津家庭裁判所の Homepage にて、「立命館大学に合格した」「裁判官としては、現場一筋で常に当事者と向き合って仕事をしてきました」と自慢してみえますが、私と津家庭裁判所が対峙します本件は、たとえ法律上 津家庭裁判所及び名古屋高等裁判所が合法を主張されたとしましても、裁判所並びに裁判所所長、裁判所長官としての良識の問題です。津家庭裁判所 多見谷寿郎所長（私立立命館大学法学士）、名古屋高等裁判所 綿引万里子長官（私立中央大学法学士）共に、お二人共（21 世紀、学部生の 4 割程が凡才の）私立大学 Level と拝見されまして、そうしますと日本の司法制度は、質疑応答（説明責任の有無）を含めうまく機能しているとは言い難い状況です。

以上、津家庭裁判所及び名古屋家庭裁判所にご連絡させていただきます。よろしくお願い申し上げます。

志田幸久（三重大学医学博士）