

出國報告（出國類別：訪問.考察.學術交流）

赴韓國首爾參加國際合作工作坊及 學術參訪

服務機關：國立中正大學法學院

姓名職稱：施慧玲教授

臺灣法律資訊中心主任

派赴國家：韓國

出國期間：2017/02/08~2017/02/12

報告日期：2017/02/15

壹、摘要：

臺灣法律資訊中心在過去 7 年的國際合作案中，與位於首爾之韓國法律資訊中心 (Legal Information Service)、首爾三大國際法律事務所之一的 Lee & Koh 國際法律事務所、以及成均館大學法學院的關係最密切。

本次施慧玲主任代表臺灣法律資訊中心出訪首爾，主要目的在出席 LIS 舉辦的跨國法律資訊分享國際工作坊、拜訪 Lee & Koh 國際法律事務所資深合夥人 Dr. Hong，並參加成均館大學法學院主辦工作坊，討論東亞法律資訊分享與教學合作模式。

在此次參訪中，東亞各國皆體會法學專業教育所面臨的挑戰，臺灣法律資訊中心作為性質相同的研究單位，應該努力為中正大學法學院開拓發展契機。

貳、目次	
參、本文	1
一、目的	1
二、過程	1
三、心得及建議	7
肆、附錄	8
附件一、日本法律資訊中心邀請函 [PDF]	8
附件二、2017\02\08-12 國外差旅費經費預估表	10
附件三、行程表	11
附件四、會議做成主要決議	13
附件五、參訪研究報告	15

參、本文

一、出訪目的

(一)參加位於首爾之韓國法律資訊中心 (Legal Information Service) 舉辦的跨國法律資訊分享國際工作坊；

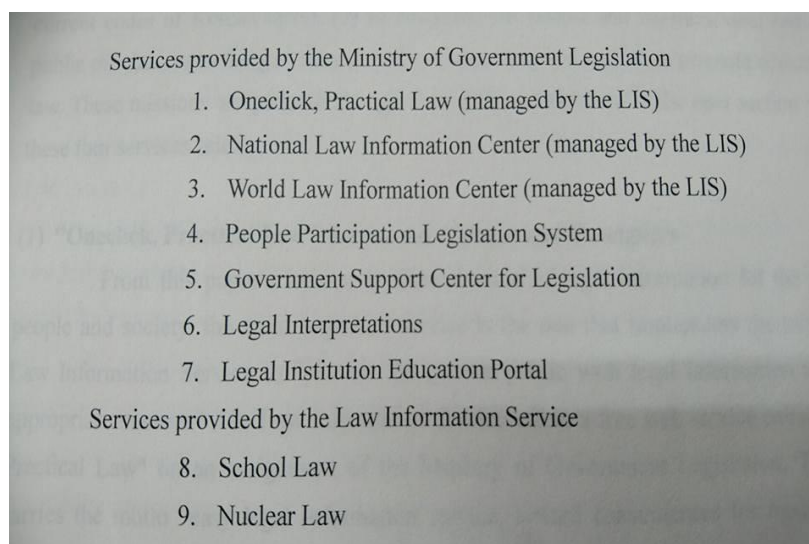
(二)參訪首爾三大國際法律事務所之一的 Lee & Koh 國際法律事務所，並洽談未來東亞實務界與學術界分享法律資訊之合作模式；

(三)拜訪已有長久合作關係之成均館大學法學院，洽談東亞主要大學合作開設全球法課程之各種可能性。

二、過程

(一)韓國法律資訊中心

韓國法律資訊的親民發展，始於法制局的按一下，適用法律 (One Click, Practical Law) 計畫。8 年來由中央統一編列發展預算。其內容包括 (由韓國中心協助翻譯為英文)：



從按一下，適用法律 (One Click, Practical Law) 首頁可以看見，韓國官網將人民常用法律，使用簡單的語言與例子，配合親民的圖片，讓人民可以使用 11 種語言查詢法律的內容與實務問題 (如下圖)：



Figure 1 Homepage of "OneClick, Practical Law"¹²
(English translation of main headings added)

按一下，適用法律 (One Click, Practical Law)強調日常生活實用法律。此為關於家庭之法律主題內容與實例頁面：

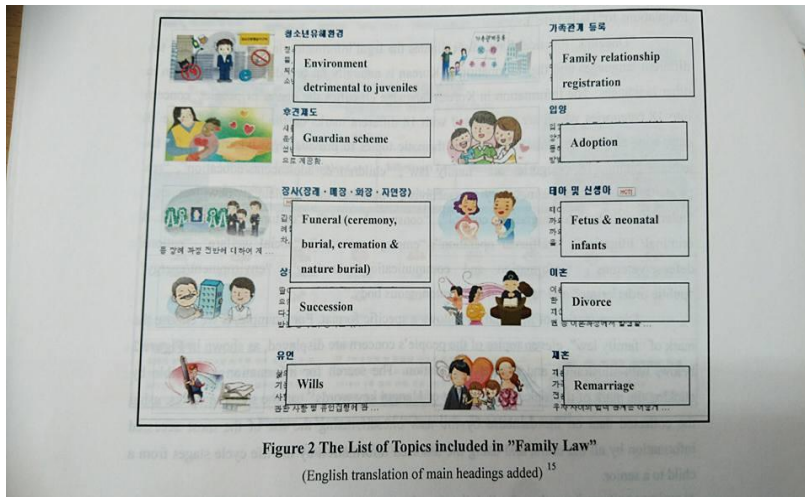


Figure 2 The List of Topics included in "Family Law"
(English translation of main headings added)¹⁵

按一下，適用法律 (One Click, Practical Law)共提供包括英文、阿拉伯文、俄文、蒙古文、泰文、日文、中文、孟加拉文、越南文及印度尼西亞文等 11 國語言的重要法律內容與實例：

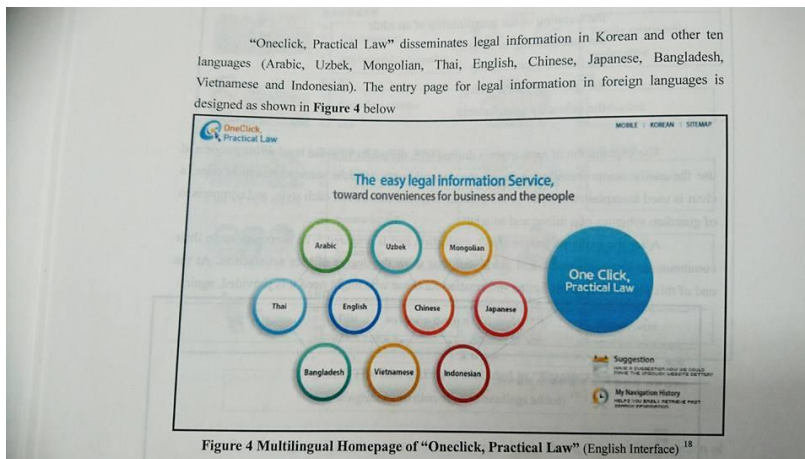


Figure 4 Multilingual Homepage of "OneClick, Practical Law" (English Interface)¹⁸

按一下，適用法律 (One Click, Practical Law)有一個線上法律學堂。民眾可以隨時針對特定問題，獲得法律諮詢服務：

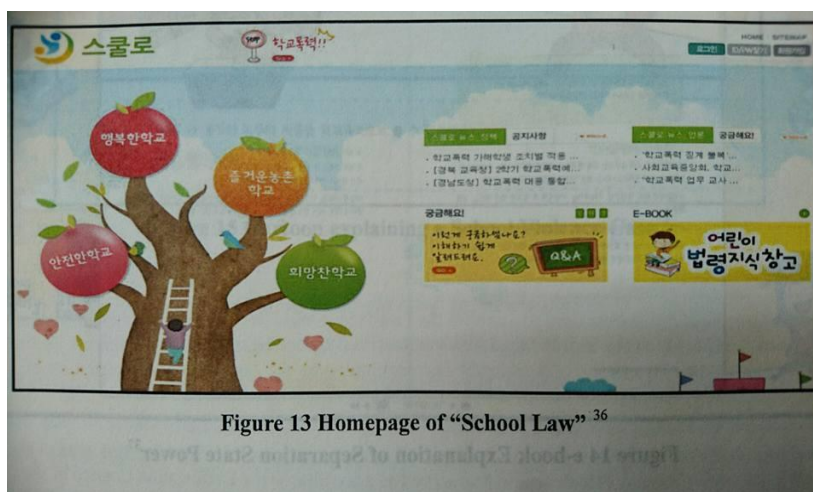


Figure 13 Homepage of “School Law”³⁶

按一下，適用法律 (One Click, Practical Law)定期邀請兒童參與立法，以線上對話的方式收集各階層兒童對於某一個法律的看法：

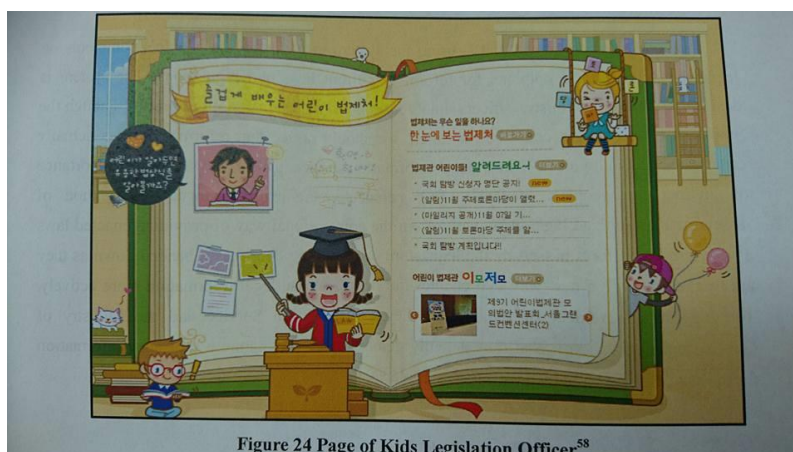
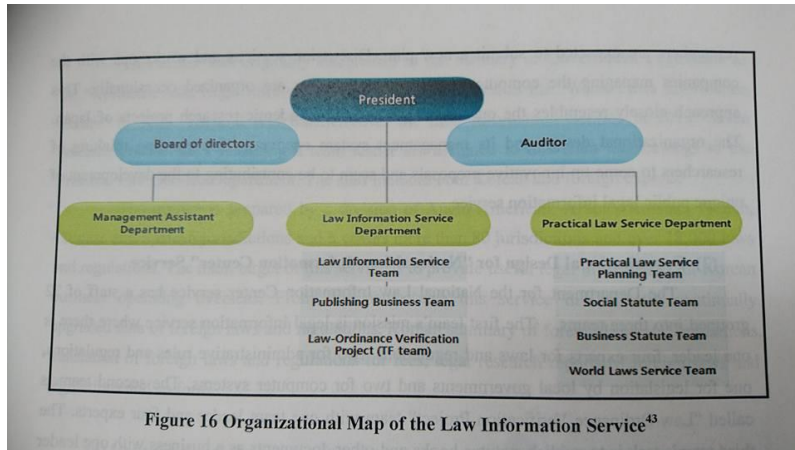


Figure 24 Page of Kids Legislation Officer⁵⁸

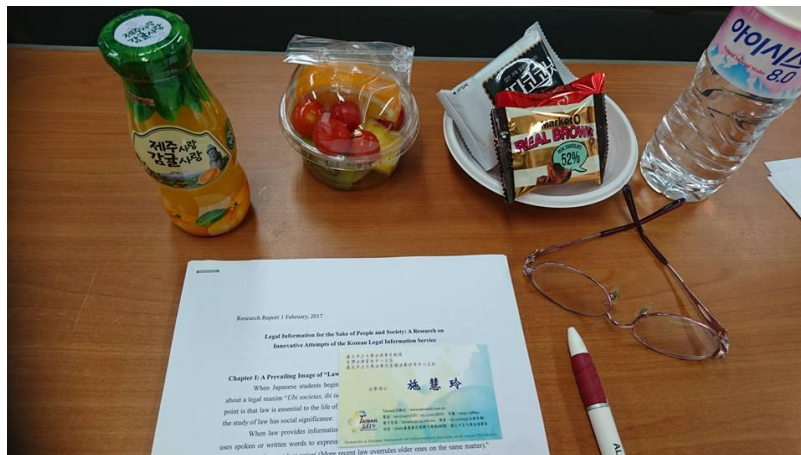
為了維護這個官網，韓國法務部 MOLEG 設立半官方的法律資訊中心 (Legal Information Service)，分為管理、法律資訊服務、法律實務個案服務等三個部門，聘任 21 位法律專業研究人員、2 位資訊科技人員、6 位出版人員、4 位行政人員及 11 位外語專業人員，提供 10 個語言、260 個主題的平民化法律解析及實例：



本人以臺灣法律資訊中心 (TaiwanLII) 主任的名義受邀來參加工作坊，對於藍國的法律資訊服務提出觀察報告，並參與策略小組的討論。圖為與韓國法律資訊中心 (Legal Information Service) (主辦機關) 的主管 President Huh 合影：



本人發表研究報告 (內容見附件三)：



(二)參訪 Lee & Koh 國際法律事務所

本人為進行臺灣法律資訊中心發展所需之專家訪談，拜訪首爾三大國際律師事務所之一的 Lee & Ko 法律事務所，由曾任法制局發言人的資深合夥人 Dr. HONG 接待：



在 Lee & Ko 法律事務所，針對法律資訊平臺的發展，求教於之前在法制局開發按一下，適用法律 (One Click, Practical Law)的 Dr. Hong，做了一場收穫滿滿的專家訪談：



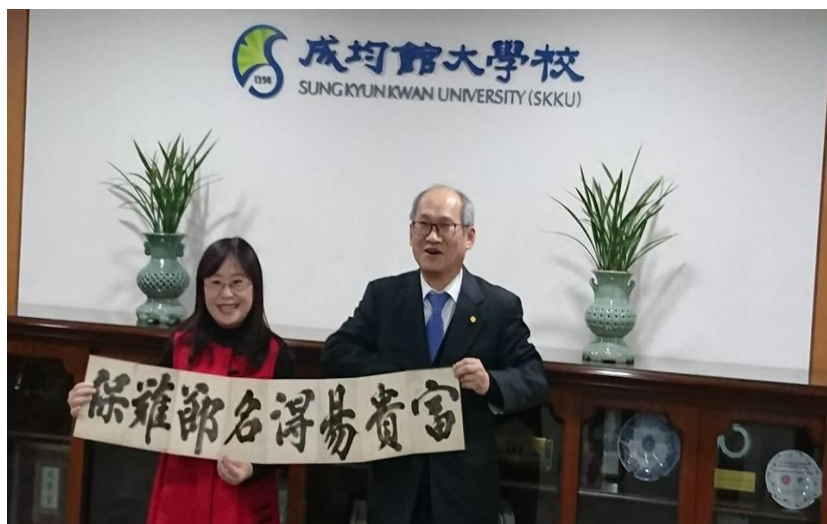
(三)成均館大學



本人與成均館大學的合作關係始於 12 年前受邀到首爾參加 “東亞家庭法國際研討會” 時。在我國際長任內，中正和成均館大學簽訂校級合作 MOU 和交換學生協議，也與法學院持續進行跨國合作研究與教學。今年過來，除了例行教研討論會外，還拜訪了鄭桂相校長以及金宰元副校長。



鄭校長還特別分享他的座右銘：富貴易得，名節難保 -- 這句話對當今韓國似乎有很深的意涵...



三、心得及建議

(一)韓國的按一下，適用法律 (One Click, Practical Law)堪稱民主國家法律資訊透明化與平民化的表率，我國政府可以考量委託研究單位，發展類似的網站。

(二)本世紀的法學教育必須跨域合作經營。在此次參訪中，東亞各國表皆充分體會法學專業教育所面臨的挑戰，並同意互助合作與分享各國法律資訊，才能做好比較法研究與教學。臺灣法律資訊中心作為性質相同的研究單位，應該努力為中正大學法學院開拓發展契機。

(三)姊妹校間的研究團隊互訪與教學合作 (joint teaching) ，可以增加教研動能，為跨國學者應從事的定期學術活動。

附錄

附件一、主辦者日本法律資訊中心邀請函 [PDF]

January 16, 2017

RE: Invitation

TO: Prof. Amy Huey-Ling Shee

Director of the Taiwan Legal Information Institute (TaiwanLII), College of Law,
National Chug Cheng University, Taiwan

FROM: Japan Legal Information Institute

Dear Prof. Shee,

On behalf of the Japan Legal Information Institute, I am writing to invite you to represent the Taiwan Legal Information Institute (TaiwanLII) to join a cross-border research tour to Seoul for the following business:

The Japan Legal Information Institute (JaLII) is organizing a delegation team to visit Seoul from Feb.8 through 12, 2017. The team including you will visit the Law Information Service of the Korean government, the Law School of Sungkyunkwan University (SKKU) and other organizations in Seoul for cross-border collaborations.

1. Visit to the Law Information Service (LIS, Korea)

The TaiwanLII and the JaLII are working with the Law Information Service to develop a multilingual translation dictionary of law covering four jurisdictions in East Asia. A joint delegation from the TaiwanLII and the JaLII made a research visit to the LIS last year to know and analyze its way to disseminate legal information in Korea. The delegation team will discuss the way to develop the dictionary further and submit the report of the visit of the last year to the LIS for discussion.

2. Visit to SKKU

The TaiwanLII and the JaLII have been working with some faculty members of the Law School of SKKU and the delegation team will discuss the way to begin a joint teaching program on comparative East Asian law.

3. Visit to Lee & Koh

A former government senior officer Dr. Hong is one of the leaders of Lee & Koh, a famous international law firm. Our research team has a long-term collaboration relationship with him on sharing cross-border legal information. This time we will meet Dr. Hong to know more about the history of the Korean government policy for disseminating legal information for the people.

Based on our long-term collaborations, it would be wonderful if you can join the visit and discuss the plans of joint research and teaching in Seoul. Though this is a short notice, please kindly consider to join our visit to Seoul. Your contributions to our joint work are essential to the success of our joint research and teaching programs.

Thank you very much for your kind attention.
Sincerely yours,

増田知子

Prof. Tomoko Masuda
Director of the JaLII
Nagoya University Graduate School of Law

附件二、106/02/08-12 日至首爾差旅費經費使用表

項目	單價	數量	合計	說明	備註
1.機票費	12,700	1	12,700	去程:臺灣桃園國際機場 至韓國仁川國際機場 回程:韓國仁川國際機場 至臺灣桃園國際機場	
2.高鐵	920(桃園)	來回各 1 張	1,840	嘉義-桃園(去程) 桃園-嘉義(回程)	
3.接駁車 交通費	30	來回各 1 張	60	高鐵桃園站至機場()	
4.生活費	29,016	1	29,016	2/08-09 每日生活費(含膳食及零用金為日支數額 USD260 元之 30%)為 USD78 元*2 天=USD156 元 2/10-12 每日生活費為 USD260*3 天=USD780 元	匯率以 1USD=NT31 USD156+780=USD 936 折合新臺幣 =29,016 元。
5.保險費	433	1	433		
合計			44,049		

附件三、行程表

本次首爾移地研究的主要行程		
日期	活動	內容
2017.02.08	飛抵首爾	<ol style="list-style-type: none"> 1. 桃園 (TPE) 國際機場 1210 出發，抵達仁川 (ICN) 國際機場 1535 2. 抵達首爾後參加成均館大學預備會議，與新進教學夥伴見面，並且分享對於 Campus Asia 日、韓、中國跨國教學計畫的想法，並提出加入臺灣夥伴 (中正大學臺灣法律資訊中心) 的建議。
2017.02.09	韓國法律資訊 One Click 研討會 主辦單位： Legal Information Service 韓國法律資訊中心，Lee & Koh 國際法律事務所	<ol style="list-style-type: none"> 1. 早上 10-12 點： 參訪 Lee & Koh 國際法律事務所，由資深合夥人 Dr. Hong 招待。Dr. Hong 在主管法制局期間，提出 One Click, Practical Law 的法律親民計畫，並且成立直屬於中央的韓國法律中心，負責韓國政府立法單位與人民之溝通。此次拜訪乃為學習 One Click, Practical Law 之設計理念與操作方法。 2. 下午 2-5 點： 跨國合作會議會前會： 主持人是日本法律中心的 Tomoko Masuda 主任。會議開始主席首先提案推選大會主席，並獲選為主席。其次確認會議討論題綱包括 CJKT 跨國資訊分享及平臺建置、專題報告時間及主題
2017.02.10	東亞跨國法律資訊分享國際合作案進程報告 主辦單位： Legal Information Service 韓國法律資訊中心	<ol style="list-style-type: none"> 1. 早上 10-12 點： 進行各法律專題報告。首先由韓國代表 Ms Heechung Lee 介紹 One Click Practical Law 之構想與建置內容。其次由臺灣代表施慧玲報告跨國資訊分享與民主化之進程。再由日本代表 Hiro Toyama 報告日本建置法律資訊中心之始末以及發展跨國資訊分享平臺的經驗。 2. 下午 2-5 點：

		各法域代表針對 One Click Practical Law 之發展，提出意見。並且反思是否可能在自己的國家推動。
2017.02.11	<p>全球化教學跨國合作工作坊</p> <p>主辦單位： Japan Legal Information Institute 日本法律資訊中心，School of Law, SKKU 成均館大學 法學院</p>	<ol style="list-style-type: none"> 1. 早上 10-12 點： 全球化比較法教學專題報告 I Sungwu Lee: SKKU Development on Global Education Amy Shee: CCU Developments on Global Education 2. 下午 2-4 點： 全球化比較法教學專題報告 II Jaywa Kim: Global Education in SKKU Law School SungChing Chang: Asian Global Education 3. 下午 4-5 點： Campus Asia 全球化比較法教學之跨國合作方略，綜合討論
2017.02.12	從首爾返國	<ol style="list-style-type: none"> 1. 仁川 (ICN) 仁川國際機場 1630 出發 2. 臺北桃園 (TPE) 臺灣桃園國際機場 1815 抵達

附件四、會議做成主要決議

會議做成主要決議及其中文翻譯如下：

1. Campus Asia is a government-led program focusing on student exchange of China, Japan and Korea. The following is the explanation of the first stage program. From 2017 the second stage program starts. <http://www.niad.ac.jp/english/campusasia/>
2. The program enters into the second stage and expands its education from undergraduate to graduate programs. The following is the explanation of the first stage program. <http://www.niad.ac.jp/english/campusasia/concept.html> The following is the webpage of SKKU. Nagoya has not put up a new web yet. http://sls.skku.edu/eng_law/menu3/Academic_Campus.jsp Current program of Remin, Nagoya and SKKU focuses on law and invites CCU to join. Our discussion is about the development of new courses for graduate program. East Asian Comparative Law I and II are one of these attempts for the graduate program.
3. Each university can send some students to overseas partners, for example, to Remin and SKKU from Nagoya.
4. Students will stay overseas campus for one year, learning the language and some subjects.
5. East Asian Comparative Law I and II will be offered in Remin, Nagoya and SKKU.
6. Nagoya accepts only Renmin and SKKU students, not Nagoya students. (very strange to me)
7. Nagoya students can sit in the class as auditing students. But in the past there were only a couple.
8. Our plan is to create a virtual common program of East Asian Comparative Law I and II where students and teachers will benefit by attending and visiting courses offered overseas programs.
9. We want Taiwan experts to get involved in this virtual common program.
10. We would like to ask TaiwanLII (Prof. Amy Shee) to join this program as a colleague.

1. 亞洲校園是一個政府主導的項目，著重於中國、日本和韓國的學生交流。目前該計劃已進入第二階段(從 2017 年開始)，並將其教育從本科課程擴展到研究生課程，以下即是第二階段程序的說明

<http://www.niad.ac.jp/english/campusasia/>

2. 以下是第一階段程序的說明。

<http://www.niad.ac.jp/english/campusasia/concept.html>

以下是成均館大學的網頁。名古屋大學尚未建立一個新的網絡。

http://sls.skku.edu/eng_law/menu3/Academic_Campus.jsp

中國人民大學、名古屋大學和成均館大學的當前計劃側重於法律，並邀請中正大學加入。我們的討論是關於研究生課程的新課程的發展。東亞比較法 I 和 II 是可嘗試之一。

3. 每所大學可以派遣一些學生到海外，像是從名古屋大學到中國人民大學和成均館大學。

4. 學生將留在海外校園一年，學習語言和修習一些科目。

5. 東亞比較法 I 和 II 將提供於中國人民大學、名古屋大學和成均館大學。

6. 名古屋大學只接受中國人民大學和成均館大學學生，而不是名古屋本地學生。
(這讓我感到相當困惑)

7. 名古屋學生可以作為旁聽的學生坐在課堂上。但在過去只有一對夫婦。

8. 我們的計劃是創建東亞比較法 I 和 II 的虛擬共同課程，學生和教師將通過參加和訪問海外課程的課程而受益。

9. 我想讓臺灣的專家參與這個虛擬的共同程序。

10. 最後，我想誠摯邀請你作為一個同事加入這個計劃。

Socio-Legal Information for People and Society
--Innovation of the Korean Legal Information Service

Amy Shee

2017.02.04

Legal Information Service, Seoul

Chapter I: A Prevailing Image of “Law is for Professionals”

When Asian students begin learning the law, they are often told by a professor about a legal maxim “Ubi societas, ibi ius.(Where this is society, there is law.)” The professor’s point is that law is essential to the life of people as well as good governance of society and thus the study of law has social significance.

When law provides information about the people’s life and social management, law uses spoken or written words to express itself. For example, law may be orally announced as “lex posterior derogat legi priori (More recent law overrules older ones on the same matter).” Law may be announced as a written provision with the provision number such as “Article 1 (1) Private rights must conform to the public welfare (Japanese Civil Code of 1896).” Contemporary legal systems take the written words approach to disseminate legal information by combining many statutes and provisions to express complicated contents of law.

One of popular distinctions taught in a course on introduction to law is the one between the rules for adjudication and the rules for action. Whereas the rules for adjudication are ones to be used by professional lawyers as reference in the adjudication, the rules for action are to be used by the people as guides to their action in daily life. This distinction shows that law exists not only for professionals but also for the people.

However, the more the domain of legal regulation expands, the more institutions and regulations created by law get sophisticated and complicated. The legal terms become very technical and the syntax of legal rules loses its simplicity. The result is that people may be able to understand the meaning of one provision but it becomes virtually impossible for the people to understand law by combining some provisions coherently based on a proper understanding of a legal institution. Therefore, the perception that law becomes comprehensible only with the assistance of professional lawyers prevails deeply in society (the perception that law is for professional lawyers).

Since the last decade of the 20th century, we have observed the growing trend governments to decrease control and regulation of society and leave more freedom to the people to choose their course of behavior by their own decisions. For example, a public report “Recommendations of the Justice System Reform Council - For a Justice System to Support Japan in the 21st Century –“published in 2001 characterized this change as “This is a transformation in which the people will break out of viewing the government as the ruler (the authority) and instead will take heavy responsibility for governance themselves, and in which the government will convert itself into one that responds to such people.” and urged “In order for the people to easily secure and realize their own rights and interests, and in order to prevent those in a weak position from suffering unfair disadvantage in connection with the abolition or deregulation of advance control, a system must be coordinated to properly and promptly resolve various disputes between the people based on fair and clear legal rules.” With this trend both national and local governments of Japan seem to be gradually retiring from their supervising task for the people and encouraging people’s conscious and active use of law.

It is critically important to provide an environment that enables the people to access legal information easily and use it freely “[i]n order ... to easily secure and realize their own rights and interest”. It is true that the access to legal information has become impressively easier and broader via information and communication networks represented by the internet. For example, the information of Japanese law is provided by the “Japan Laws and Regulations Data Service System” and the case law information is available from the “Courts in Japan” webpage. The information of foreign laws and cases are getting more accessible through their English translations. As a result, the perspective that law is used not only by the professional lawyers of governments and courts but also by the people and the civil society as their reference is re-gaining importance. In other words, we should notice the noticeable revival of law as the rules for people’s action.

Easy access to the “Japan Laws and Regulations Data Service System” and the case law information of the “Courts in Japan”, however, does not always provide the user with accurate information of current law of Japan without difficulty. The accurate legal information still demands professional skills and expertise. A good social arrangement is, therefore, indispensable to enable the people to use legal information freely and fully as their rules for action. Given the highly sophisticated and complex legal information, we must construct an environment where the people can know their rights and duties without much difficulty and find the professional assistance of lawyers timely when they want to use their rights and perform duties.

The Korean government is remarkable for her attempts to provide the people

with easily comprehensible legal information to achieve a democratic state and social governance. In view of the people's easy access, legal information provided by the Korean government has already shifted from paper to digital information. She has developed an environment where various websites ("Center") provide public service to disseminate legal information that the user can access via a smart-phone as well as a personal computer. Main promoters of this project are the Ministry of Government Legislation which drafts and reviews government bills and the Law Information Service established by the initiative of the Ministry of Government Legislation in 2011.

Nine services listed below are provided by the Ministry of Government Legislation and the Law Information Service (LIS) and we can have a panoramic view of the Korean attempt by observing how these services are integrated and correlated one another.

Services provided by the Ministry of Government Legislation

1. Oneclick, Practical Law (managed by the LIS)
2. National Law Information Center (managed by the LIS)
3. World Law Information Center (managed by the LIS)
4. People Participation Legislation System
5. Government Support Center for Legislation
6. Legal Interpretations
7. Legal Institution Education Portal

Services provided by the Law Information Service

8. School Law
9. Nuclear Law

The first author of this paper visited the Law Information Service in January of 2016 and conducted an on-site hearing, including detailed presentations by the professionals of the Law Information Service about their services. After the visit, the first author worked with the other author, KIM Kwang-Suk, to improve our understanding of the contents of various data-bases. Authors discussed the structure of relevant web pages, the style of information dissemination, plainness of the language and Korean society that forms the background context of these data-base services.

This paper focuses on the activity of the Korean Law Information Service and describes how the Law Information Service works with the Ministry of Government Legislation. The paper will address the significance and important implication of the Korean attempt to disseminate legal information to the people in easily comprehensible manners so that the people can use legal information more actively

and effectively. The next chapter will review the activity of the Law Information Service in terms of its services, including ones assigned by the Ministry of Government Legislation.

Chapter II: Activity and Service of the Law Information Service

The Law Information Service strongly emphasizes its mission to contribute to democracy through dissemination of legal information. According to BAE Milan, a specialist researcher of the Law Information Service, its mission is “to contribute to the realization of democracy-based administration by carrying out systematic collections and management of legal information, and correct provision thereof, as well as education and publication operations regarding legislation policies.” For this purpose it is necessary to “customize” existing legal information for users’ easier use and application. The Law Information Service disseminates legal information customized by research professionals through its various services for the people and society.

Major missions of the Law Information Service are (1) to collect and manage legal information systematically and to provide the general public with legal information timely in an appropriate manner, (2) to manage the information about national laws (publication of the current codes of Korean laws), (3) to enlighten the people and organizations, excluding the public officials, as to the government policy concerning law and (4) to promote education about law. These missions are pursued through four different services. The next section will report these four services briefly.

(1) "Oneclick, Practical Law" Service for Citizens and Foreigners

From this paper’s interest in dissemination of legal information for the sake of the people and society, the most important service is the one that implements the mission of the Law Information Service to “provide the general public with legal information timely in an appropriate manner.” The Law Information Service offers a free web service called "Oneclick, Practical Law" on an assignment of the Ministry of Government Legislation. The webpage carries the motto “easy legal information service, toward conveniences for business and the people.” The service covers all of the current 4,500 Korean laws and subordinate regulations. The homepage of this service in Korean language is as shown in Figure 1 below.

Figure 1 Homepage of “Oneclick, Practical Law”
(English translation of main headings added)

At the end of this homepage a comprehensive link list for other information services is provided for those who wish to access further to the relevant legal information. Linked information sources are the National Law Information Center, the System of People Participation Legislation, the Government Support Center for Legislation, the Legal Interpretations, the Legal Institution Education Portal, the World Law Information Center and so forth. This comprehensive link symbolizes the firm policy of the Ministry of Government Legislation and the Law Information Service to provide well-organized legal information for the people.

"Oneclick, Practical Law" has four functions: (1) the function that helps users customize the legal information provided by this web service for the need of their own social lives ("Customized Laws and Regulations for Daily Life" in Figure 1), (2) the function that displays the most popular legal information sought by the people (Popular Laws and Regulations for Daily Life", (3) the function to provide relevant legal information for the different stages of human life cycle ("Life Stages Laws for Daily Life") and (4) the function to provide the foreigners living in Korea with relevant legal information ("Multi-lingual Law and Regulations for Daily Life").

"Oneclick, Practical Law" disseminates the legal information in Korean and other ten different languages and the information in Korean is naturally far broader and detailed than in other languages. The information in Korean language classifies the matter of peoples' concern into 18 categories which are represented with 18 different marks on the homepage. These 18 categories are further classified into 260 thematic topics to provide legal information for the general public. 18 categories are "family law", "children & adolescents/education", "real property/lease", "finance/monetary transactions", "business management", "new business", "international trade/immigration control", "consumer's right", "culture/leisure", "civil & criminal/ litigation", "traffic/car operation", "employment/work", "social welfare", "national defense/veterans", "information and communication/technology", "environment/energy", "public order/crime" and "state and local autonomous body."

Dissemination of information follows a specific format. For example, if we choose the mark of "family law", eleven topics of the people's concern are displayed, as shown in Figure 2 below, with illustration and a brief explanation. The search for information is possible by clicking the mark of the topic, using the list of Hangeul key words on the selected topics, using the collected data on the database by the user oneself, using the list of the most accessed information by all the users, and using the assorted information by the life cycle stages from a child to a senior.

Figure 2 The List of Topics included in "Family Law"

(English translation of main headings added)

By clicking an illustration or a text in the page shown above, a general explanation of important notions will be displayed. For example, if we choose “guardian scheme”, three important notions about the guardian, such as “guardian scheme”, “guardian of a minor” and “guardian of an adult”, are shown and legal explanation and rather detailed annotation are provided for each notion respectively. For example, the structured information about the guardian scheme is provided as a list for the relevant information at the left side of the page shown below.

- the guardian scheme
- the concept of the guardian scheme
- the meaning and types of the guardianship
- the guardianship of a minor
- commencement of the guardianship
- affairs of the guardianship and its supervision
- termination of the guardianship
- the guardianship of an adult
- the meaning of the guardianship of an adult
- the guardianship of an adult
- the limited guardianship
- the specified guardianship
- the voluntary guardianship

The explanation of each topic is drafted with the policy to avoid legal writing style and use the easily comprehensible style for the general public. On the same explanation page, a chart is used to explain the types of the guardianship, the contents of each style, and comparison of guardian schemes of a minor and an adult.

After the explanation, the user’s evaluation part is prepared. The users can leave their comments on the explanation and mark stars that show the degree of user satisfaction. At the end of this page, the link for further information for those who might need it is provided, again.

Figure 3 User’s Comment on the Explanation and User Satisfaction Feedback

“Oneclick, Practical Law” disseminates legal information in Korean and other ten languages (Arabic, Uzbek, Mongolian, Thai, English, Chinese, Japanese, Bangladesh, Vietnamese and Indonesian). The entry page for legal information in foreign languages is designed as shown in Figure 4 below

Figure 4 Multilingual Homepage of “Oneclick, Practical Law” (English Interface)

For example, the page titled “Japanese” provides information of five categories in Japanese language and covers eight topics such as “foreign students”, “quarantine for imports and exports”, “visa, passport, and nationality”, “quarantine for entry and departure”, “use of tax-free shops”, “driving license of motor vehicles”, “immigrants by marriage” and “multi-culture family.”

Dissemination of information in foreign languages follows the same format as the one in Korean. It provides a brief outline of a topic and detailed explanation of important topics (e.g., “quarantine for imports and exports”) under the heading of "Key Contents." The explanation includes the Japanese translation of relevant Korean legal provisions and the writing style does not use legal writing but Japanese writing style used in ordinary life.

"Satisfaction Survey" is included in a page where users evaluate the value of the provided information by choosing number of stars. Based on the user evaluation, research professionals continuously improve the contents of legal information as well as the way to provide information. Those who wish to read the relevant provisions can access to the database of English translation of Korean laws and regulations through a link provided on the same page.

One of the remarkable features is that users can collect the information of law and regulations they need and keep them in the database “customized information of law and regulations” (available only in the Korean language page). When a user chooses a mark from the first row of marks that identifies the user’s life cycle stage (infancy, boyhood, adolescence, middle age, later middle age and advanced age) and combine the mark with other marks such as gender, marital status, children, occupation, and circumstance (such as low income, multi-cultural family, single parent family, disability and N/A), the system provides the information of law and regulations relevant to the life of the user.

By using this system, both an individual and a group of people with the same interest can collect the relevant laws and regulations and share the updated legal information. We can notice the perspective of the Korean government to provide legal information for the sake of the general public here again.

Figure 5 Page of “Customized Information of Law and Regulations”

The people can access the substantial amount of legal information relevant to their life by using “Oneclick, Practical Law.” When it is not enough, the environment of free

web information service is already available in Korea to obtain the information of statutes and court cases. The next section reports the database disseminating laws and regulations of Korea. The database is operated by the Law Information Service under the Ministry of Government Legislation.

(2) The Comprehensive Service to Manage and Disseminate the Information of the National Law

The “National Law Information Center” managed by the Law Information Service on the assignment of the Ministry of Government Legislation systematically collects, manages and disseminates the information of laws and regulations that are reported by the digitized official gazette.

There are four notable points about this service. First, information is daily updated based upon the digitized Official Gazette. By using this service, the people can access to the most recent information of Korean law free of charge, which is a good reference when other countries, including Japan, attempt to provide public service of legal information.

Figure 6 National Law Information Center (Korean Homepage)

Second, the National Law Information Center is the main entrance (portal website) to other related legal information such as the court case information, relevant rules and regulations of local governments and international treaties. This Center’s service covers legal information at the national level which includes most recent information of promulgated laws and regulations, comprehensive information of the current Korean law, laws and regulations of the past, laws and regulations prior to 1948 and international treaties. The Center further provides the information of ministry rules, rules and regulation of local governments, court cases and legal interpretations, related tables and forms by linking the Center website to other databases. In fact, the English homepage of the Center announces at the very outset its mission that this Center is “the Korean representative legal information web site where all the law information can be searched” (emphasis added by the author). We should also notice that the information provided by the English pages and the Korean pages is almost equal in its contents and quality.

We can overview its function by using the English homepage. At the left side of the page shown in Figure 7 below, there are ”MINISTRY” tab that lists national ministries with jurisdictions over various categories of laws and regulations and ”FIELD” tab that lists fields of laws and regulations. The field of laws and regulations are classified into 44 fields and titled such as “Constitution”, “National

Assembly”, “Election and Political Party”, “Administration in General”, Public Official”, “ Court”, “Judicial Affairs”, “Civil Affairs”, “Crime and Criminal Procedure”, “Local Government” and so forth. These 44 fields are further classified. For example, “Election and Political Party” field is divided into “Election Administration Commission”, “Elections, Referendum” and “Political Party, Political Fund.”

Concerning recent legislations the webpage reports the list of new legislations and identifies the most frequently accessed ones. When the author visited the page on October 4, 2016, the most frequently accessed legislation was the Act on the Prevention of Domestic Violence and Protection etc. (Enforcement Date 19, Nov. 2014).

Figure 7 The National Law Information Center (English homepage)

The “Law Search” page of the Center provides pull-down menus to find the legal information sought. One pull-down menu "Alphabetical Order" shows 8 options (“Alphabetical Order “, “Gov. Body “, “Field “, “Type “, “Prom. Date “, “Enf. Date “, “Prom. Num.“ and “Revision”) at the first layer. The user will choose one, for example, “Gov. Body“ and push “click” button next to the right. Then, the next pull-down menu provides a list of all national ministries one of which the user can choose. If the user chooses the “Ministry of the Interior” and push “click” button, the page displays the title of laws and regulations within the jurisdiction of the Ministry of the Interior, the promulgation date, the type of legislation, the number of law or regulations, the enforcement date, the nature of revision (new enactment, whole amendment, partial amendment, amendment by other act and so forth) and the information about the ministry section in charge of a particular law or regulations. By clicking the title of law or regulations, the whole English text is displayed (the English translation is not always the translation of the current law or regulations). The link to the original Korean text is also provided.

Figure 8 A Search Result of Law Search

The English page has a heading of "ABOUT KOREAN LAW" which offers a brief annotation of the structure and types of the Korean law with an illustration. The annotation explains that the Korean law is classified into five types: (1) Constitution, (2) Acts, Emergency Executive Orders, Emergency Financial and Economic Executive Orders and Treaties, (3) Presidential Decrees, Rules of the National Assembly, Rules of the Supreme Court, Rules of the Constitutional Court and Rules

of the National Election Commission, (4) Ordinances of the Prime Minister and Ordinances of Ministries and (5) Administrative Rules (Directives, Regulations, Public Notices, Guidelines and so forth) and Municipal Ordinances and Municipal Rules of Local Governments. The annotation illustrates how these sources of law are structured.

Third point to be remarked is that dissemination of information is, like the case of “Oneclick, Practical Law”, not one way flow of information but the Center has a route to receive the feedback from the people. For example, if the user searches the English translation of the most accessed “the Act on the Prevention of Domestic Violence and Protection etc. (Enforcement Date 19, Nov. 2014)” , the search result includes the telephone number of the ministry section in charge of this act (as shown with the arrow in Figure 9 below) in addition to the revision history of this act and other information. This telephone number enables the user to contact the section in charge. According to the hearing at the Law Information Service, active response from the people in the form of questions and criticisms has been observed.

Figure 9 Phone Number of the Office in Charge

Fourth, one notable point is that the website of the Center has the tool to display the relationship among higher and lower rules. This function is offered only on the Korean page. When the user select a particular law or regulations and then use this tool, the user can know that what rules are made at the next lower level under a highest rule, and what rule is made at the lower level under the second highest rule. This tool can display this relationship at four levels. The whole contents of each rule are accessible through the link. It is critically important for both public official of law enforcement and the general public to know how the highest law is implemented into most specific rules at the social level of law enforcement. This tool makes it possible for the general public to examine that the ideals announced in the higher law are legitimately and conscientiously realized in the lower and more specific rules. Figure 10 below shows the table of the provisions of the “Act on 119 Rescue and Emergency Medical Services” and lower rules made for each provision. From the left each column displays the information of the Act, relevant enforcement decree, enforcement order, and delegated administrative rules respectively. If the user clicks the delegated administrative rules, the whole text of the rules is displayed.

Figure 10 Table of Provision Text of the Act and Relevant Inferior Rules

The Ministry of Government Legislation has the mission to research and report

the foreign law information needed by the people and the industry in addition to dissemination of legal information of Korean law. This service is provided by the Center described in the next section.

(3) “World Laws Information Center” Service

The third service provided by the Law Information Service is called “World Laws Information Center.” This service is the official mission of the Ministry of Government Legislation but the substantial work of developing the information is taken care of by the Law Information Service as assigned task by the ministry. The service intends to respond to the needs of the Korean business and covers legal information of more than eighty jurisdictions of the world, including Arabian jurisdictions. The Center provides the original text of foreign laws, Korean summary of these foreign laws, information of new laws & amendments, legal research results and newsletters. The Center offers the Korean translation of foreign laws for a fee. Figure 11 below is the homepage of “World Laws Information Center.”

Figure 11 Homepage of “World Laws Information Center”

The Center’s service follows a format as shown in Figure 12 below. Figure 12 provides information of the British law. The Center provides the list of the Korean translation of the British law titles and the user can read the information of the British law in English through a link to a British official website . The Center adds the information of new British laws and amendments in Korean with the last upgraded date.

Figure 12 Information of British Law in Korean Language

(4) “School Law” Service

The fourth service of the Law Information Service is called as “School Law.” One of the major purposes of establishing the Law Information Service is to disseminate legal information closely related to the daily life of the people. Korea is known to be a country with very strong commitment to education. This web system provides the legal information concerning every aspect of elementary to higher education and helps the people enhance the understanding of “School Law.” In addition, this system has a special function to provide the opportunity for parents and children to learn the relevant legal information together. Figure 13 below shows a tree with four fruits which are named from the left as “safe school”, “happy school”, “fun school in the farm area” and “school with great hopes.” For example, “safe school” provides the

information specially prepared for four types of the users (“elementary school children”, “junior and senior high school students”, “parents” and “professionals working for school). For elementary school children “School Law” uses many illustrations and cartoons in its explanation. There are many users of this service. The information disseminated by this service is broad. The page of “happy school” features such topics as educational inequality and education at a dining table. “Fun school in the farm area” explains a special program for university education that attempts to overcome educational inequality. “School with great hopes” reports various information about “higher education & study abroad”, “career option & aptitude”, “cost of education & aid for education”, “application documents” and so forth.

Figure 13 Homepage of “School Law”

The most remarkable aspect of this service is to offer the information tailored for the special need and the ability of comprehension of four different types of users and to educate them about school law deeply related to them. For example, the homepage has the visible invitation “Let’s become a Kid Law Search Expert!” which is the entrance to the page of “Q&A” on laws and regulations about school and the e-book “Kids Repository of Law and Regulations to See with Parents.” The “Q&A” explains three levels of the Kid Law Search Expert: the level 1 (introductory level of classes 1 to 3), the level 2 (classes 4 to 6) and the level 3 (classes 7 to 9). The “Q&A” gives questions with multiple choice answers. The user will choose one answer and can know the right answer with additional explanation. The parents and children open the textbook “e-book” and learn together before or after the “Q&A.” The “e-book” covers variety of topics and discusses them with illustration and a brief explanation. The user can listen to the recorded explanation as well. For example, Figure 14 below (e-book at page 20) talks about three branches of the state power with illustration. The e-book covers situations that students of elementary, junior high and senior high schools are likely to encounter, such as noise, smoking, bullying in school and explain these situations with legal information.

Figure 14 e-book Explanation of Separation State Power

The page for elementary school children uses the four-frame cartoon to describe a scene from school life followed by questions. This approach encourages the parents and their children to go through the cartoon, questions and explanation of answers together and learn more about their school law. If this approach of learning Korean

laws and regulations with the parents from the time of elementary school works effectively, it is naturally expected that many Korean people would understand the Korean law across generational lines, use smart-phones or more advanced devices to access to the legal information necessary for their own lives, express opinions to improve contemporary laws, and use statutory information, case reports, and other relevant information for better management of the Korean society by the time the current children in the elementary school become adults. The “Kid Law Search Expert” and “Kids Legislation Officer” mentioned later are very inspiring ideas and are excellent in the sense that the users will learn the law without the sense of forced learning.

Figure 15 Cartoon explaining a School Violence Case

Chapter III Institutional Design to Generate the Service of the Law Information Service

The previous chapter introduced the various legal information services for the people by the Law Information Service. This chapter will report how the Law Information Service is organized so that it could provide these services successfully.

The Law Information Service is not a government organization but an independent organization with legal personality for public service. The Ministry of Government Legislation exercised initiative to create the Law Information Service. The permission of incorporation was granted to the Law Information Service in May, 2011 and the registration as a legal person was completed in June of the same year. Mr. CHO Jung Chang was named as the first President in July and the Law Information Service was assigned to be the publication company of the current Korean laws and regulations and was registered as such. It introduced the services of “Oneclick, Practical Law” and “National Law Information Center” in January, 2012. In December of the same year the Law Information Service was designated as the “Organization related to Public Offices” because of its public function. Mr. HUH Chul became the second President of the Law Information Service in May, 2015.

The Law Information Service has a staff of 50, including the President. Its service is offered under supervision of the President by three departments: “Law Information Service Department”, “Practical Law Service Department” and “Management Assistant Department” as shown in Figure 16 below.

Figure 16 Organizational Map of the Law Information Service

The qualification of research experts working for the Law Information Service

Department is a Master's degree in law or admission to the bar. The World Law Service section of the Practical Law Service Department requires a bachelor or a master's degree in law and professional experience of more than two years. In fact, many experts in the World Law Service section have studied abroad. Following sections will review how the service is developed and offered by these departments.

(1) Organizational Design for "Oneclick, Practical Law" Service

The "Oneclick, Practical Law" section consists of 15 experts who works in three groups (planning, society related laws and business related laws) with one team leader respectively. All the staff members are professional researchers with high research ability and three researchers are assigned to the planning task, six to society related laws and remaining six to business related laws.

The planning of "Oneclick, Practical Law" service is discussed in inclusive workshops where all professional researchers engaged in this service and the officers from the Ministry of Government Legislation attend and the annual plan is finalized by the annual or biannual meeting of all professional researchers of this service. In this meeting the medium- to long-term policy of the service, major targets of each year's service and the possibility of expanding the information disseminated in foreign languages are discussed. In addition, all professional researchers are expected to submit a new plan. Discussion sessions and workshops with the companies managing the computer system of the service are organized occasionally. This approach closely resembles the one used by large-scale academic research projects of Japan. The organizational design and its management system encourage freewheeling thinking of researchers to come up innovative proposals and seem to be contributing to the development of unique public legal information service.

(2) Organizational Design for "National Law Information Center" Service

The Department for the National Law Information Center service has a staff of 22 grouped into three teams. The first team's mission is legal information service where there is one leader, four experts for laws and regulations, two for administrative rules and regulations, one for legislation by local governments and two for computer systems. The second team is called "Law-Ordinance Verification Project" team with one team leader and four experts. The third team's task is to publish statutes books and other documents as a business with one leader and six experts.

The mission of the second team needs some additional clarification. The Korean title of "Law-Ordinance Verification Project" is "법령·자치법규사업단" which literally reads as the group for laws and regulations & local government rules and regulations. The group has the task related to inclusion of more local government

rules into the National Law Information Center service. As already mentioned, the National Law Information Center service includes the function to show how higher rules are implemented into more specific rules at lower levels. In the past this function covered three layers (law, order for enforcement and ordinance for enforcement) but the Ministry of Government Legislation decided to include administrative rules and local government legislation as the fourth layer. Therefore, it becomes necessary to verify the correct alignment of national law and local government legislation, which is done by this team.

The policy of the Ministry of Government Legislation and the Law Information Service to provide legal information for the people in easily comprehensible way is directly connected to the task to display how higher national laws are implemented into more specific lower level rules and how national laws are linked into local government rules. The fact that five research professionals, rather large human resources, are assigned to the task to relate national law and local government rules symbolically shows the strong commitment of two institutions to their policy.

(3) Organizational Design for "World Laws Information Center" Service

This center was originally established in the Ministry of Government Legislation as the "Northeast Asia Legal Information Center" and re-named as the "World Laws Information Center" in 2006. Then, it was transferred to the Law Information Service in 2013. Seven research professionals including a team leader are assigned to this team that belongs to the Practical Law Service Department. The staff includes both Korean and foreign experts.

The service is prepared by a division of Anglo-American, Arabic, Russian, French, Chinese and Spanish jurisdictions and it covers more than 80 jurisdictions and over 18,000 laws and regulations. The main target of this service is to provide useful legal information for Korean business operating overseas. From this perspective this service disseminates continually upgraded data of foreign laws and regulations, Korean summary of foreign laws and regulations, translation of foreign laws and regulations for fees, legal research reports of foreign laws and regulations and so forth.

(4) Organizational Design for "School Law" Service

Education is a national concern of Korea and there is enormous public interest in the legal information about school. The service is prepared by research professionals of "Oneclick, Practical Law" service section. Ideas and plans are discussed by a planning team and information is upgraded four times a year.

Chapter IV: A System to Encourage the People to Participate in National Legislation

The efforts of the Ministry of Government Legislation and the Law Information Service discussed so far have a clear focus on contribution to democratic administration through dissemination of legal information. In addition, the Ministry of Government Legislation is promoting the people's participation in legislation. By understanding this element we can properly understand the policy ideals of the Ministry of Government Legislation and the Law Information Service toward democratization of and the people's involvement in the process from draft bills, enactments and application of law.

The Ministry of Government Legislation directly operates four systems: the "System for the People's Participation in Legislation" , the "Center for Government Legislation Assistance" , the "Interpretation of Laws and Regulations" and the "Portal for Education of Legal Institutions." The "System for the People's Participation in Legislation" deserves special mention. This system is available only in Korean and its homepage is shown in Figure 17 below.

Figure 17 Homepage of the System for the People's Participation in Legislation

Figure 18 below shows the homepage with English translation of major topics. This page briefly explains the concept of the "People's Participation in Legislation." The page invites the people to propose ideas for law reform, collects people's criticisms of unreasonable laws currently in force, shares the ideas proposed by the people widely, and announces excellent examples for reform proposals by the people, all of which show the Korean government's determination to link the people's debate to the work of national legislation. The webpage attempts of "My Page", "Citizen Legislation Officer", "Kid Legislation Officer" and so forth are introduced to attract more public attention to legal information and to assist positive use of it by the people.

Figure 18 Homepage of the System for the People's Participation in Legislation (English translation of major headings added)

Figure 19 below explains the system of the People's Participation in Legislation. It explains the idea that the people can propose specific opinions about legislation based on their own social life and the public officers can add their expertise knowledge and experience to these opinions so that high quality bills should emerge to introduce new laws and reform old laws. This idea turns into a motto "Advanced Legislation Hand in

Hand with the People.” This page depicts the people voluntarily participating in legislative drafting (Citizen Legislation Officer) on equal footing with the professionals of the Ministry of Government Legislation (MOLEG Officer) which performs similar talk to the Cabinet Legislation Bureau of Japan. Citizen Legislation Officers are portrayed as engaging broadly in information dissemination of law and regulations, review of draft bills, legislation plans and legal interpretations.

Figure 19 Page of “Explanation of the System of the People’s Participation in Legislation” (English translation added to main headings)

The bottom half of the page shown in Figure 19 shows an illustration of a four-step development of this institutional arrangement. The first stage was the keen awareness of very frequent reforms and amendments of laws and regulations in Korea. It is reported that the number of reviewed bills in 2010 reached 1,619 in which 228 bills were about laws and regulations that had been amended more than twice in the past. The research of the people’s satisfaction of contemporary laws and regulations reported that 229 laws and regulations were improperly enacted and thus inconvenient for the people.” The second stage was the analysis of the causes of “inconvenient laws and regulations for the people.” The page reports that (1) the legislation officers and legislators failed to realize the people’s voice fully in laws and regulations at the time of legislation, (2) there was no system to monitor the reality of law enforcement and (3) even law reforms and amendments in the past could not satisfy the people with implementation of proposed policies. Therefore, a reform proposal was announced to improve the communication with the people at the third stage. The fourth stage was the Presidential Report of 2011 that reported the introduction of Citizen Legislation Officer and promoted the system of the People’s Participation in Legislation. It is not rare in Korea that the Presidential initiative leads to a radical reform within a short period. The introduction of this system may illustrate it.

At the end of this webpage, four expected effects of the system of the People’s Participation in Legislation are announced. They are (1) the system invites the people to participate directly in legislative activity of the nation, (2) the system can feedback the experience of the society directly to the legislative process and reform of legal institutions, (3) the government policies are accurately conveyed to the people through the communication between the people and the government and (4) the diverse opinions among the people will be taken into the legislative deliberation and produce the government legislation of higher quality with real effectiveness

Figure 20 Background of the System of the People’s Participation in Legislation

(English translation of some headings added)

The people who wish to propose law reform or to participate in discussion on legal institutions can visit the relevant page by clicking “Log-in” on the right side of the page shown on Figure 18. Those who wish to join “Proposals for Law Reform” or “Discussion on Legal Institutions” are asked to enter their identification information (i.e., to identify who they are). Though the web page does not display the identity of the person who submitted a reform proposal, the administrator of the web could know who proposed what reform proposals.

With a successful log-in, the user sees the page of reform proposals of law and regulations shown in Figure 21 below. The part of the proposer’s name is omitted on this page to avoid identification of the proposer. The access to the proposal is restricted to the proposer and the officer in charge of the target law. The proposer can change the content of proposal at any time.

Figure 21 Citizen Proposals for Law Reform

Replies and responses of the officer in charge are sent to the proposer. In addition the people are informed about the government responses. The following Figure 22 includes a block graph in the center. This graph reports how the submitted 403 proposals are processed by the government. In Korea legislation begins in the ministry or agency in charge of a particular law or regulation. They review and deliberate over proposals and develop reform bills, if they agree with the opinions and proposals. The prepared draft bill is sent to the Ministry of Government Legislation for review and, in turn, is submitted to the National Assembly. The graph reports that 11 proposals are accepted and draft bills are under development. 26 draft bills are completed and 9 bills are under review by the Ministry of Government Legislation. 256 bills have been submitted to the National Assembly for deliberation and 101 proposals are enacted and promulgated.

Figure 22 Process Report of Citizen Proposals

Publication and sharing good reform proposals will not only contribute to the quality of reform proposals by the people for the future but also motivate those who are interested in national legislation to participate in the process. We can notice this effort of publishing good practice of the people in this Korean webpage. When a reform proposal is accepted by a ministry, proposer’s contribution is announced to the public to express the governmental appreciation and to appeal the importance of

people's participation in legislation. For example, the web page of Figure 23 below publishes "Examples of Excellent Proposals."

Figure 23 Report of Excellent Reform Proposals

"Legislation Officers Community to assist Professional Participation" is a scheme to encourage the people without legal education and young people including kids to propose points and ideas for law reform and help proposals develop into specific reform proposals of laws and regulations. For example, when a user completes the identity authentication steps and enters "Kids Legislation Officer", the page shown in Figure 24 below appears. The user can read law reform proposals by kids.

Figure 24 Page of Kids Legislation Officer

The proposals by Kids Legislation Officers are announced as a list shown in Figure 26 below. It seems that there will be a response from the officer in charge of a specific law to each proposal within 10 to 30 days. Any successful proposal leading to a law reform is reported further with a detailed explanation of what improvements were made.

Figure 26 Law Reform Proposals by Kids Legislation Officers

Korea has developed and is using the system to welcome the people's comments on legislative bills and the opinions for reform of current laws and regulations. The system is designed to make the ministry officers timely respond to the opinions of the people. Though the proposers of law reform could be identified, we should notice that reform proposals actually came in substantial number. Korean legal information service is clearly aware of the importance of inviting the people's feedback. This perspective radically changed the method of disseminating digitized legal information from the conventional way of providing enacted laws as they are in the form passed by the legislature or providing court cases handed down as they are by the courts to a new way that enables the people to use legal information more actively. The biggest achievement of the Korean Legal Information Service and the Ministry of Government Legislation is that they actually demonstrated a dynamic use of legal information for the sake of the people by a working example.