

Judiciary

The judiciary is a governmental body that judges cases according to the law of the nation and includes the Supreme Court and all lower level courts under its jurisdiction. The judiciary structure includes the High Courts below the Supreme Court. High Courts all have District Courts, Family Courts, and Branch Courts of the District Courts under their judicial circuits. The High Courts and associated courts are distributed locally across the country so that people have convenient access to the courts for the progress of civil, criminal, and family cases. The Patent Court has been established as a special court under the Supreme Court.

The Supreme Court is the highest court in the nation, and its judges hear appeals that will be met with final decisions. As a single-trial court, it mostly handles final

appeals cases. As the final jurisdiction, the Supreme Court has exclusive jurisdiction on the cases regarding the decisions of the Marine Accidents Inquiry Agency as well as cases about the validity of presidential and parliamentary elections. The Supreme Court also has jurisdiction regarding whether orders, rulings, or judgments of each Court are unconstitutional. Supreme Court decisions are made either by the Council of all justices or by the division court of four justices. In the case of the Supreme Court Justices Council, its quorum is 2/3 of all justices including the Chief Justice, and a decision is then made by the majority of attendees. In the case of the four justice division court, a unanimous decision is required.

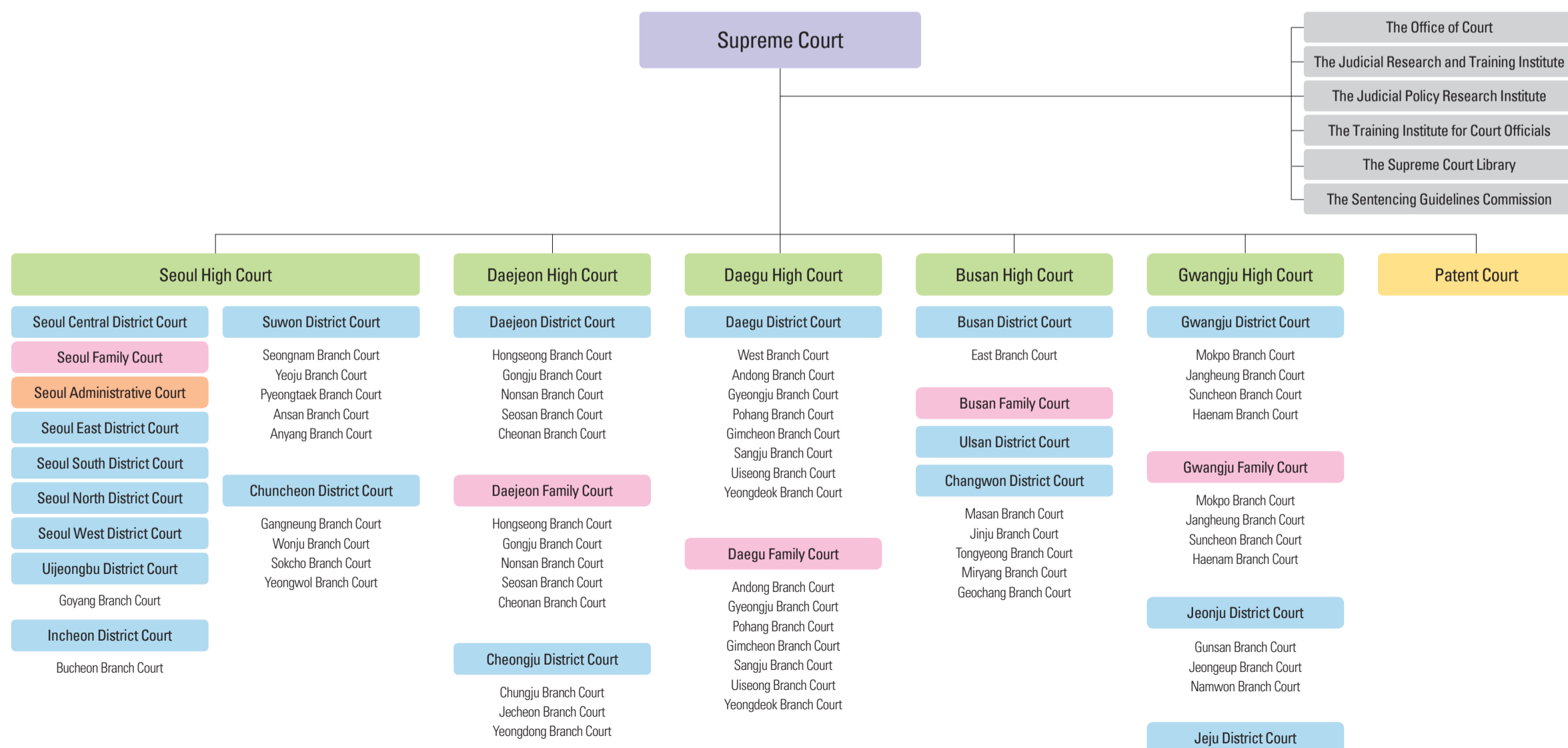
The Supreme Court Justices Council consists of a Chief Justice and 13 justices. The Chief Justice is

appointed by the President and is confirmed by the National Assembly. The term of the Chief Justice is six years, and it cannot be renewed. With the recommendation from a Chief Justice, Supreme Court justices are appointed by the President and are confirmed by the National Assembly. They work for a 6-year term and are allowed to have additional terms. The affiliated organizations under the Supreme Court are the Office of Court Administration, the Judicial Research and Training Institute, the Director of Training Institute for Court Officials or the Director of Supreme Court Library. The Minister of the National Court Administration, who is also one of the Supreme Court justices, manages the Office of Court Administration and supervises the works of the judicial administration. The Chief Justice of the Supreme Court, however, handles important judicial administration work in coordination with the Supreme Court Justices' Council.

The judicial administration supports operating the Judiciary organizations including personnel, budgets, accounts, and facility maintenance. The

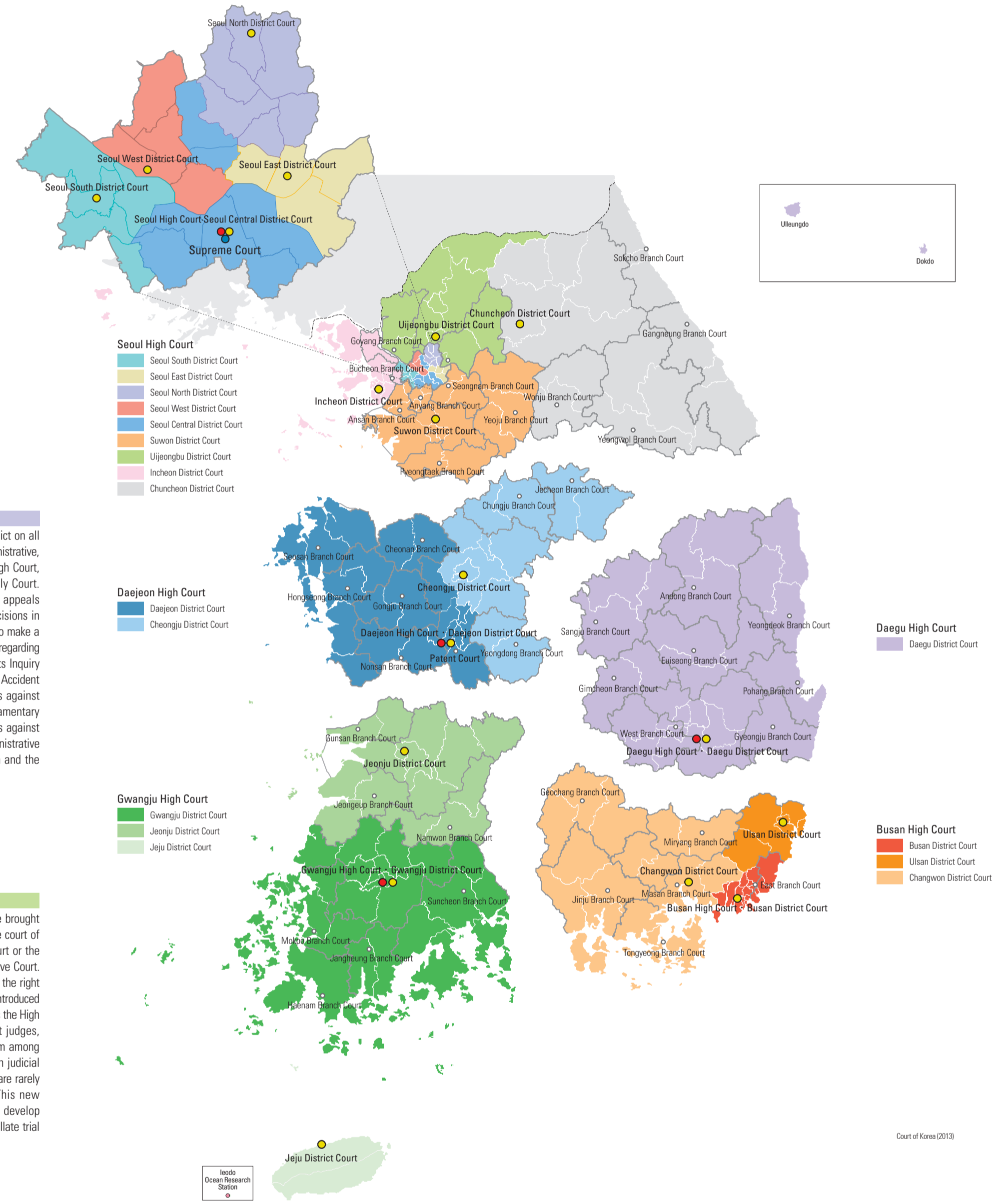
Chief Justice of the Supreme Court directs the judicial administration and supervises public officials. The Chief Justice of the Supreme Court in particular can delegate part of directing and supervising authorities of judicial administrative works to the Minister of the National Court Administration, the Directors of lower courts, the Director of the Judicial Research and Training Institute, the Director of Training Institute for Court Officials or the Director of Supreme Court Library. The Minister of the National Court Administration, who is also one of the Supreme Court justices, manages the Office of Court Administration and supervises the works of the judicial administration. The Chief Justice of the Supreme Court, however, handles important judicial administration work in coordination with the Supreme Court Justices' Council.

Organization Map of the Judiciary



Constitution of the Judiciary

Distribution of the Courts



Supreme Court

The Supreme Court has the final verdict on all appeals regarding civil, criminal, administrative, patent, and family cases from the High Court, Patent Court, District Court, or Family Court. It renders judgments on emergency appeals stemming from the District Court decisions in particular cases. It also has the right to make a final judgment on the following: cases regarding the decisions of the Marine Accidents Inquiry Agency following the Law on Marine Accident Investigations and Judgments, cases against the validity of Presidential and Parliamentary elections and their results, and cases against the orders, rules, sentences and administrative actions according to the constitution and the law.

High Court

The High Courts judge cases that are brought forward on appeal from the collegiate court of the District Court and the Family Court or the first trial judgment of the Administrative Court. A collegiate court of three judges has the right to make decisions. Due to the newly introduced two-track-career system that separates the High Court judges from the District Court judges, High Court judges are appointed from among the applications from individuals with judicial experience, and once appointed they are rarely transferred to the District Court. This new system allows High Court judges to develop their expertise at conducting the appellate trial process.

District Court

The District Court and its Branch Court primarily deal with civil and criminal cases. A single judge generally makes decisions, but a collegiate court may rule on important cases as defined by law. There are a total of 18 District Courts, composed of 40 Branch Courts within District Courts' judicial circuits.

Family Court

A Family Court operates at the same level in the judicial hierarchy as a District Court. It was founded in 1963 to handle family-related and juvenile protection cases. If the judicial circuit does not have a Family Court or its Branch Court, the District Court or the District Court's Branch Court will handle these types of cases. Since the Special Act on the Punishment of Domestic Violence was introduced in 1998, Family Courts have retained the right to judge domestic violence cases. A family-related case is typically assigned to a collegiate court consisting of three judges or a single judge, and a juvenile protection case or a family protection case is assigned to a single judge.

Administrative Court

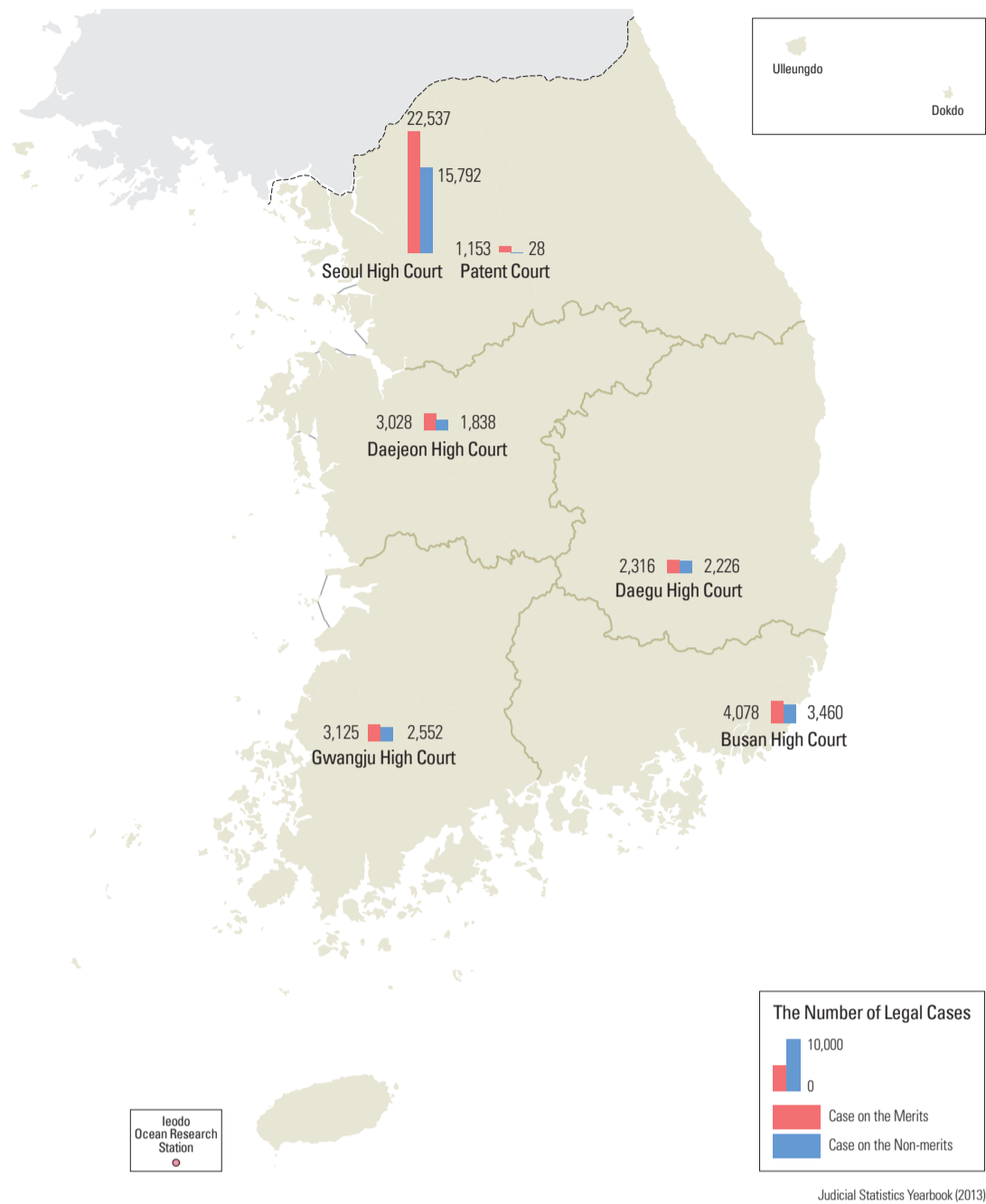
The first Administrative Court was established in 1998 in Seoul. The main District Court has the right to handle an administrative case if the Administrative Court is not installed yet in its judicial circuit. The Seoul Administrative Court judges cases regarding taxes, land expropriation, labor, and other administrative activities. Previously, administrative cases could be brought to an ordinary court only after going through bureaucratic procedures, but now they can be directly taken to an Administrative Court without such procedural detours.

Patent Court

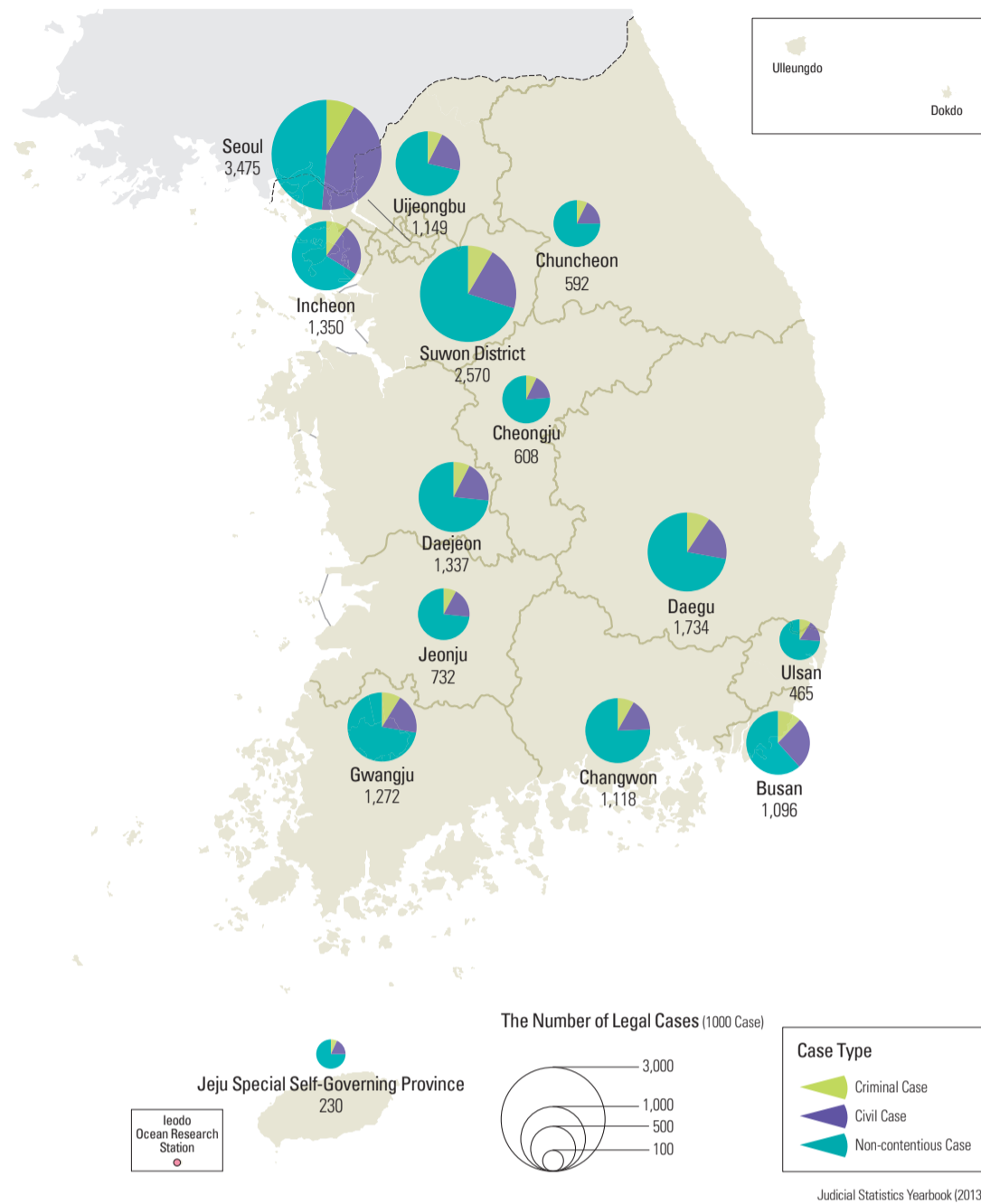
The Patent Court is a High Court that is responsible for a protest against the decision of a patent tribunal. One can make the final appeal to the Supreme Court when protesting the decision of a Patent Court. Technical examiners who majored in natural science or engineering are assigned to their field of expertise to assist the judicial panel to understand the technical aspects of patent and utility model cases and help with the panel's decision-making processes.

Judicial Practice

Number of Legal Cases by High Court

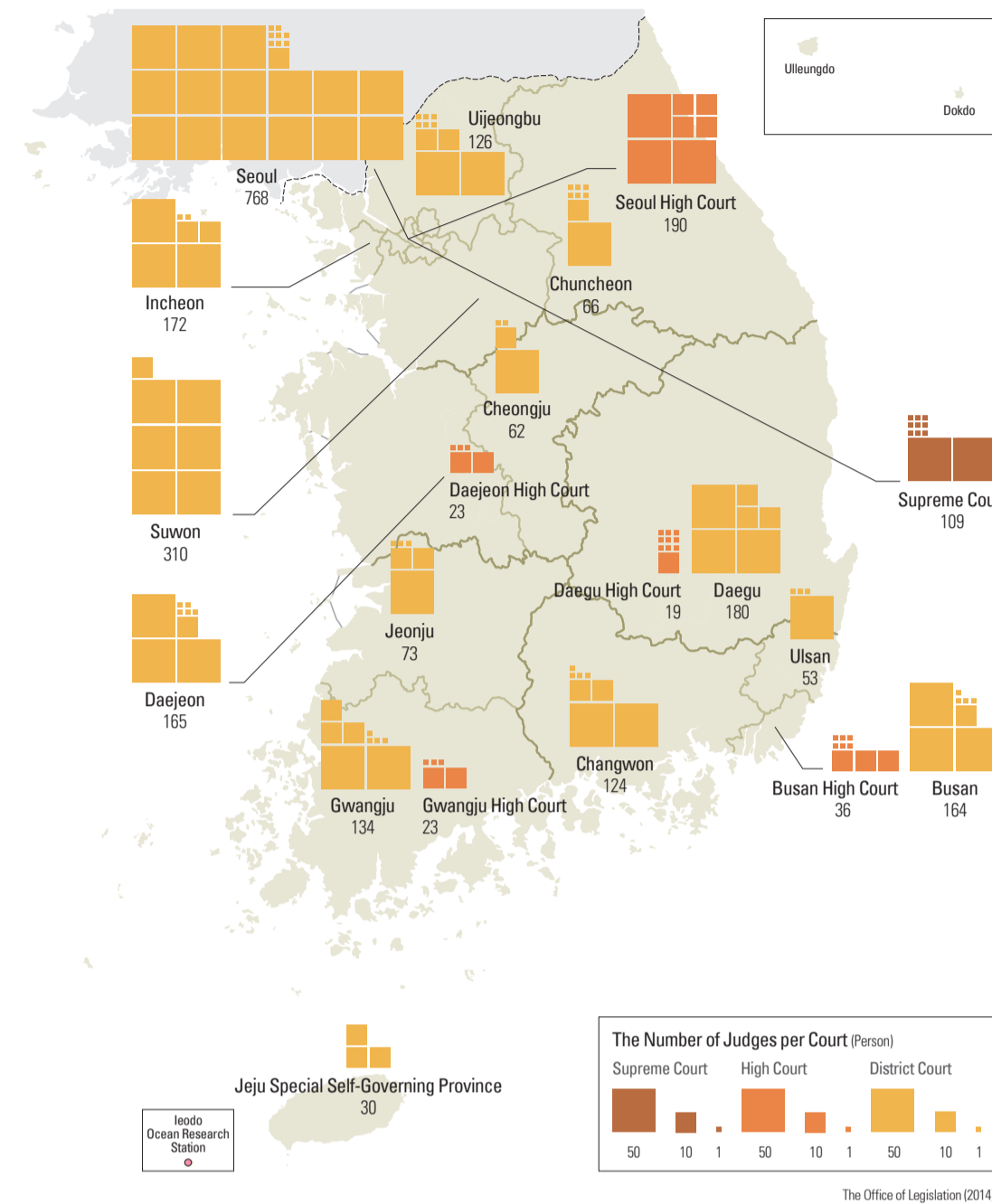


Number of Legal Cases by District Court

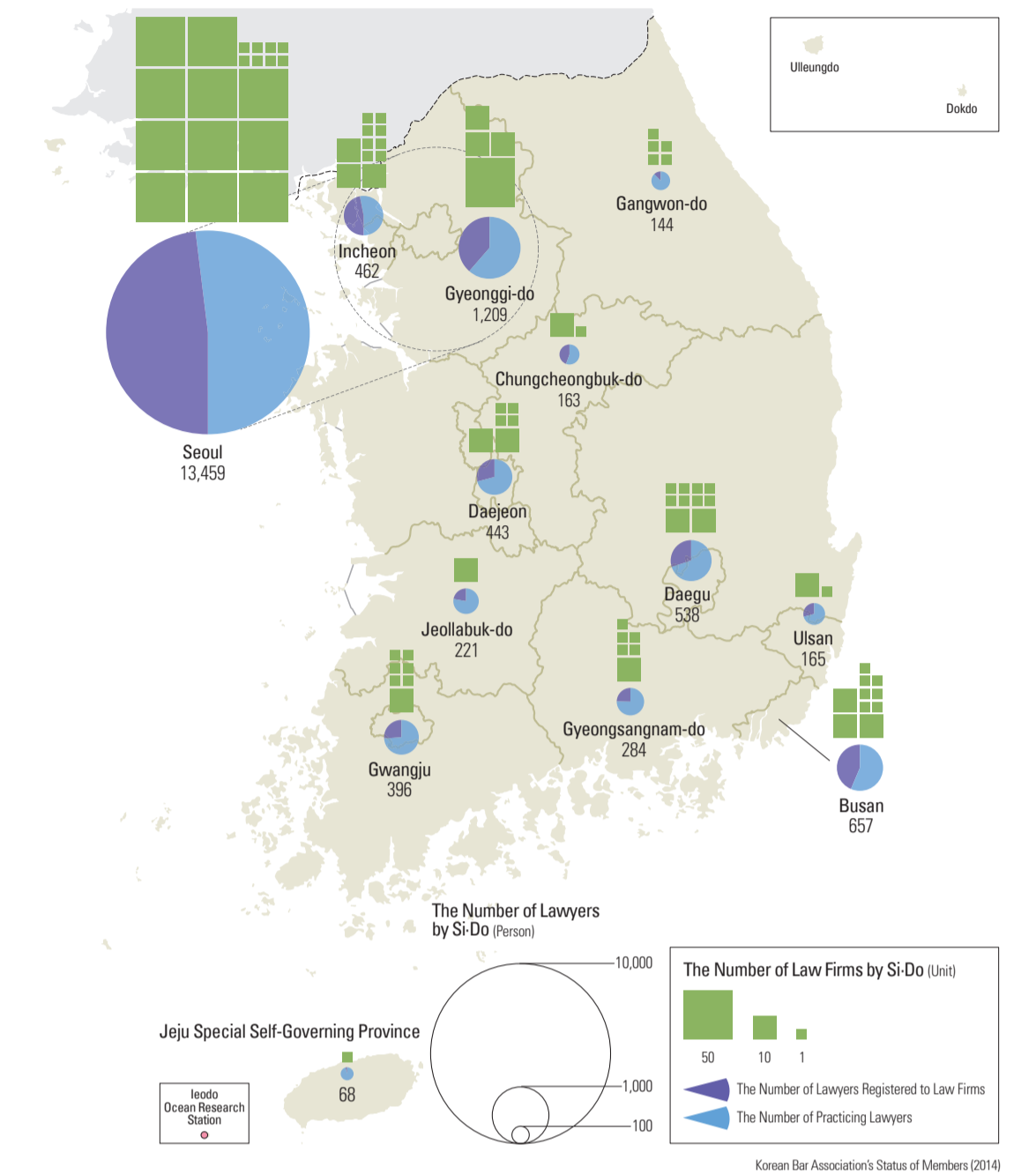


Legal Service

Number of Judges of High Court and District Court

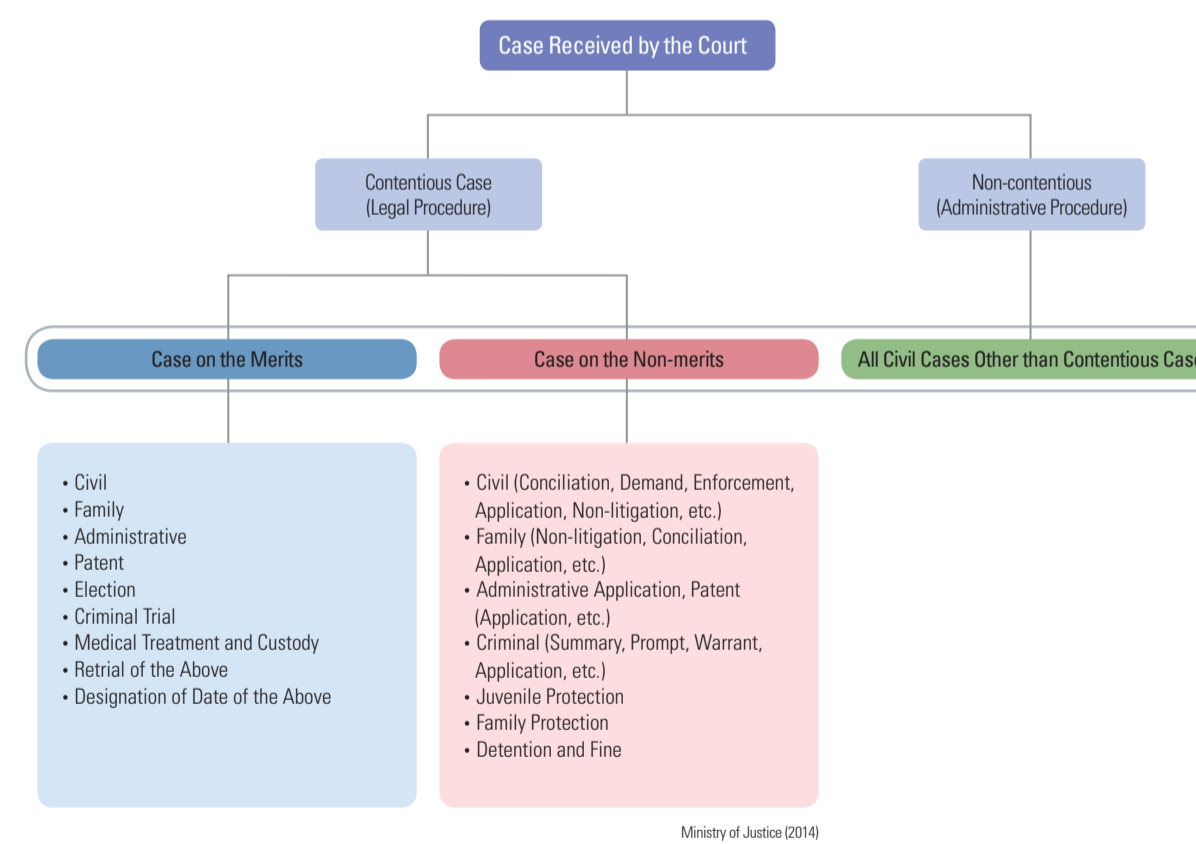


Number of Law Firms and Lawyers by Si · Do

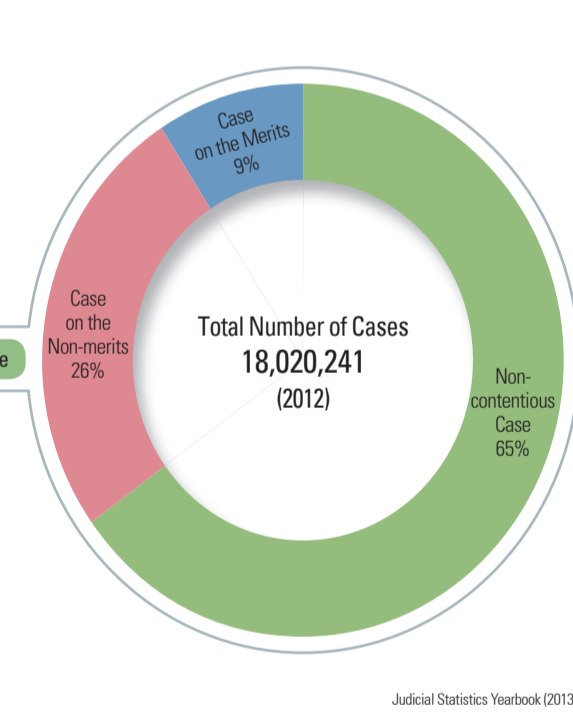


Civil trials handle disputes regarding property rights and juristic relations of everyday life. Efforts have been made to guarantee the people's right to access the judicial process in a timely manner. The New Case Management System (2001), the New Civil Procedure Code (2002), and the Revision of the Civil Procedure Code for Civil Proceedings (2008) represent attempts to improve the timely administration of the judicial process in civil cases. The law describes in detail the trial procedure for not only the first, second, and third trials, but also the trial procedure of small claims cases, the procedure of civil conciliation, civil execution proceedings, property description and property inquiry, and the procedure of provisional attachment and injunction. Criminal trials determine guilt or innocence of the accused under indictment and impose a punishment in the case of a guilty verdict. With respect to criminal trials, the law describes in detail the procedures of investigation, prosecution, trial, appeal, and a summary trial.

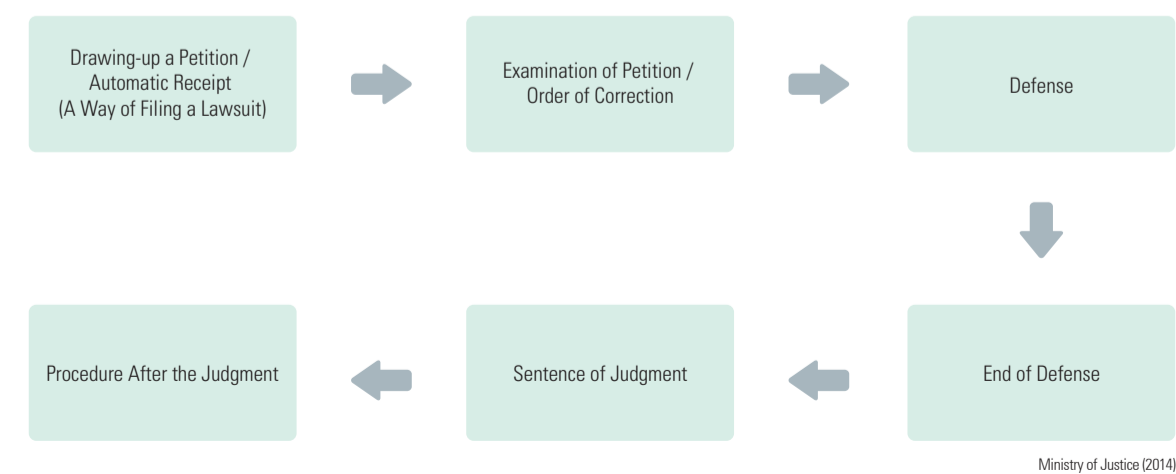
Case Received by the Court



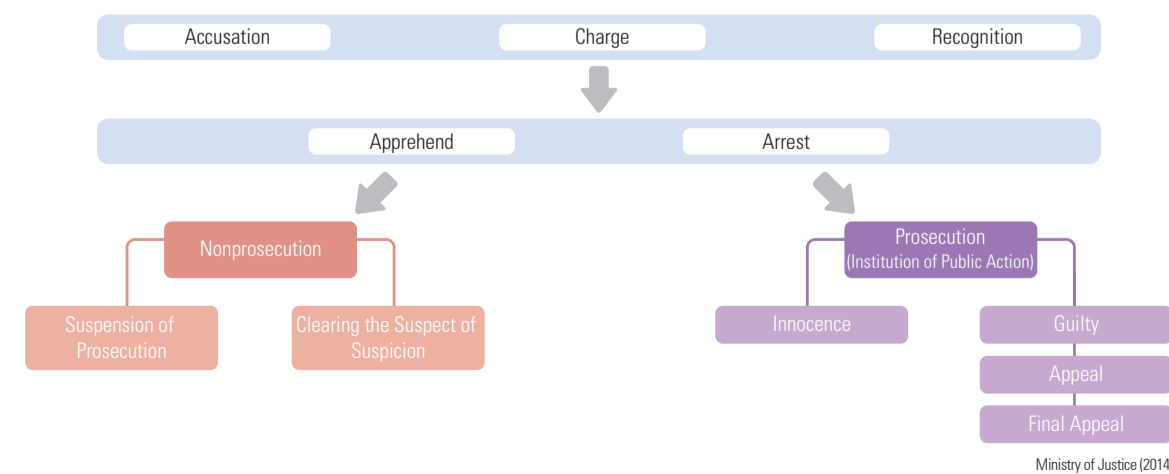
Frequency by Case Type



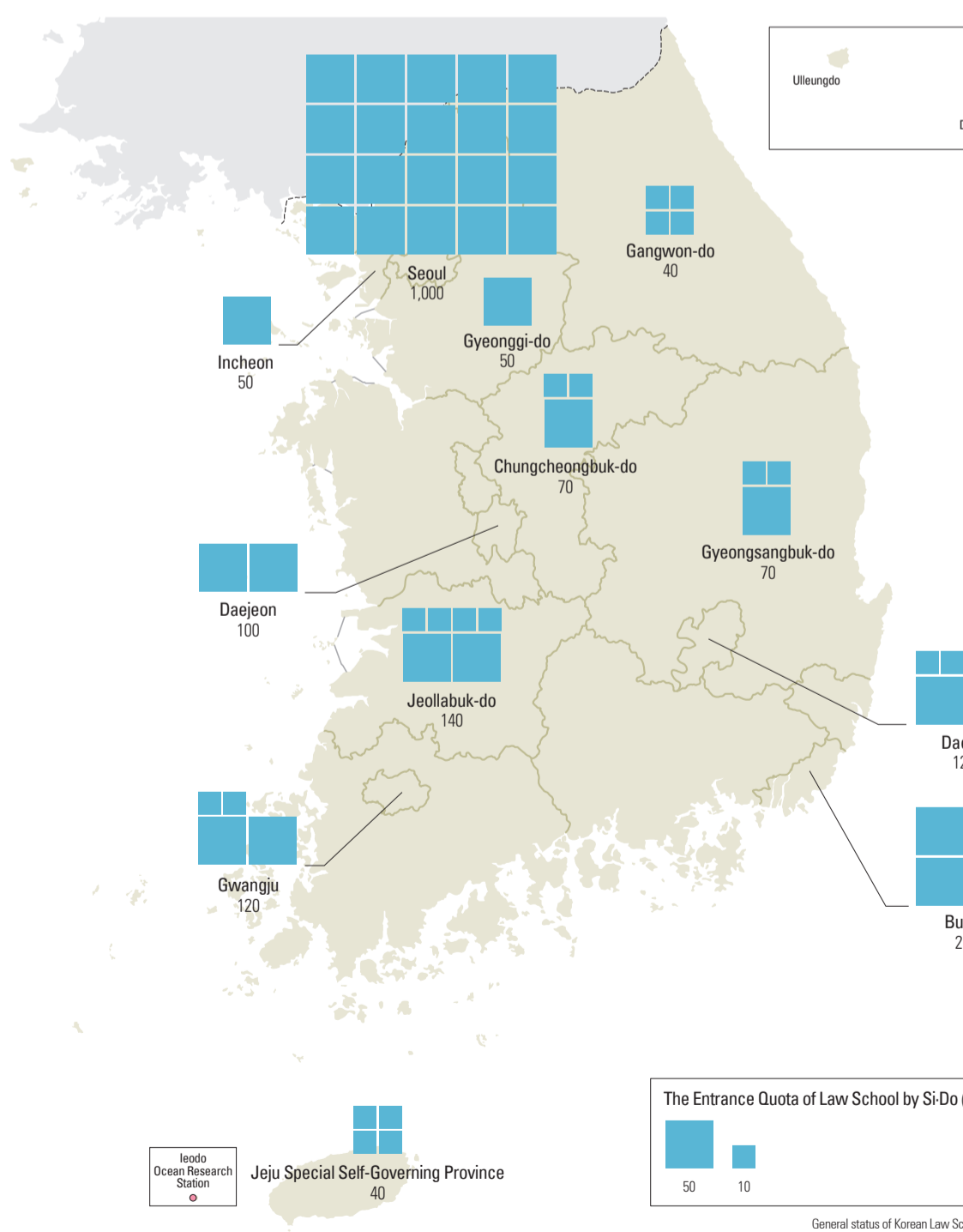
Civil Proceedings



Criminal Proceedings



The Entrance Quota of Law School by Si · Do



The courts judge, in principle, all legal disputes on the basis of the Constitution. The courts also have the jurisdiction over controlling and monitoring the registration of real estate, movable assets and receivables, family relations, deposits, as well as bailiff and judicial transcription. The trial, which is the most fundamental duty of the courts, is handled by a single judge or a panel consisting of three judges. Court hearings and trials are open to the public and the Korean language is used. Judges are responsible for the hearing and decision of a trial except in the military court. Since 2013, judges have been appointed among those who have a judicial career of 3 years or more. Previously, judges were appointed among the candidates who passed the bar exam and completed training at the Judicial Research and Training Institute.

Since the introduction of the Civic Participation in Criminal Trials system in 2008, ordinary citizens have participated in select criminal trials. The Civic Participation in Criminal Trials is a unique system that appropriately modified and improved both the jury system and layman judge systems. In the Civic Participation in Criminal Trials system, a jury judges a case independently of the judge. In the case of disagreement on guilt or innocence with a judge, the jury is asked to judge again after hearing the judge's opinion and relevant evidence. A jury does not need to reach a unanimous decision. They judge a case accepting the majority opinion. In addition to determining guilt or innocence, a jury can also suggest terms of punishment. A judge is not subject to the jury member's opinion on the verdict or the punishment. Currently, the

Civic Participation in Criminal Trials system is an option offered only when the accused asks for this procedure at the collegiate court during the process of a criminal case. The courts are a national organization that handles the registration of real estate, movable assets and receivables, and ships. District Courts and Branches of District Courts provide the registration service because registration is, unlike simple works of administrative civil affairs, a quasi-judicial process wherein the complex interests of different groups are interwoven. District Courts have a registration office as an affiliated organization to handle part of the administration of registration within their jurisdiction. A registration office handles commercial, real-estate, and ship registrations, and issues registration certificates, authentication certificates of seal and date-fixed stamps on private documents. The courts are responsible for the administration of family-relation registration that replaces the patriarchal family system. Family-relation registration is the system that registers citizen's status individually to the family-relation registration record and officially certifies the record. This is completely different from the patriarchal family system that classified a citizen's status relation by the head of the family. Family-relation registration (previously patriarchal family registration work) is administrated nationally, and the Supreme Court is appointed to act as the responsible unit to handle the family-relation registration. The Supreme Court delegates the authority of registration to the head of administrative units (si · gu · eup · myeon), for the citizen's convenience.