

What would happen if you have a baby of new boyfriend before being legally granted the divorce with "wife-beater" husband?

★★ Let's think about "300-day rule" after divorce. ★★



Domestic violence and divorce...  
And you had a baby of new boyfriend.  
However, your baby might join former  
violence husband's family register.



According to the Civil Code, a woman who has divorced her husband cannot get married within 6 months. This is to avoid confusion as to the identification of child's father when woman marry shortly after divorcing and have a baby.

On the other hand, a child born within 300 days of his or her mother's divorce is considered to be the child of the former husband under the civil code.

This law has been making headlines recently. A lot of people may have heard the issue.

Why does this law become an issue?

The number of divorce has been increasing each year in Japan. Due to domestic violence, quite a lot of couples decide to divorce.

Here is a hypothetical story. A woman named A who has suffered violence from her husband named B was able to run away from B. She finally finished divorce proceedings. And then she remarries another man named C after 6 months of divorce.

A ran away from her husband 3 years ago but she could not talk about divorce because she was scared of him. She finished divorce proceedings quite recently. Meanwhile, she got intimate with another man C. She was pregnant with child of C when she got a divorce.

In this case, if the divorce proceedings were finished at the end of January, A can marry C at the end of July. If the child is born before end of July, he/she will join violence husband B's family register. If you neglect to register the birth of the child because you can't stand it, the child becomes "a child without a family registry".

In the same situation, if a woman A is a foreign national she will think how to obtain Japanese nationality for the child because it gives him/her a real advantage.

When the child is born, you get a determination that the child is not former husband's child at a family court. If you can gain former husband's cooperation, you may ask him to bring an action to rebut presumption of the child in wedlock. (Action to Rebut Presumption of Legitimacy) Or, if you lived apart from former husband before pregnancy, the child or a mother may bring an action for declaratory judgment of non-existence of a parent-child relationship.

After this action, if A marries C and then C acknowledges the child, the child can obtain Japanese nationality. In this case, the child has dual nationality. Persons holding both foreign citizenship and Japanese citizenship (dual nationals) must choose a single nationality before reaching age 22. Sometimes parents can choose his/her child's nationality as an agent.

If A can marry C the child can obtain Japanese nationality as mentioned above. However, if A cannot marry C she must find another way.

When C refuses to acknowledge the child, you may bring an action for affiliation against C as an agent of the child. If the acknowledgement of paternity is approved by the court, the child can obtain Japanese nationality. (commented by Miho MAEDA)

[www.ficec.jp/foreign/](http://www.ficec.jp/foreign/)

●The back numbers of "Information Fujimino" are available at online.

★It is useful for emergency situation!★  
 “Recruitment of Mutual Aid Traffic Accident Insurance Plan members in 2010.”

Strange Japanese custom for foreigners

Ayumi Kanda

This is information about Mutual Aid Traffic Accident Insurance Plan.

This plan offers a consolation payment when any of its members becomes a victim of a traffic accident (death or bodily injury). It is only good for one year.

The membership fee is 900 yen for each person (500 yen for a junior high school children or younger). You will receive a benefit in case you are involved in a traffic accident. The details are as follows.

1. Death grant: 1,200,000 yen
2. Injury case 1: 2,000 yen per day in case of hospital stay  
 1,000 yen per day in case of hospital visit or house visit by a doctor
3. Injury case 2 (When you can't get a traffic accident certificate)  
 1,000 yen per day in case of hospital stay, hospital visit or house visit by a doctor

Any foreign national who registers as a foreign resident can join this system. If you live in an area other than Fujimi-city, Fujimino-city or Miyoshi-town, you might not be able to join the plan. For more details, please contact municipal government office or FICEC.

The topic of this month is “emotional expression by Japanese”. March is called “farewell season” in Japanese because there are class change, promotion to the next grade and graduation ceremony in many schools and personnel transfers in companies.

It is often said by foreigners that “we can't understand what Japanese people think because they don't express their emotion.” Hiding emotion was regarded as virtue when SAMURAI still existed in Japan. Japanese people tend to mind public eyes and be poor at breaking relation consisted of ages and posts. That might be the reason of taking a long time to establish a frank relationship. However, we use a word “Bureikou” in farewell parties for someone who graduates or leaves by personal transfer. “Bureikou” means we can act a bit rudely in farewell even if there is some difference in post and age. Japanese pecking order seems to be strict, but they make a racket and enjoy in this kind of party. In this way, they can build trust.

Translated by Eri Sawada

Who am I ? February 3 is “Setsubun”.  
 Bean-throwing, called mamemaki, was done at FICEC.



February 3rd is the day of “Mamemaki”, which is Japanese traditional culture. Bean-throwing was done at FICEC's Japanese class. Foreign residents who learn Japanese at FICEC wore Oni(ogre) mask, ate

roasted beans and prayed for good health for the upcoming year.  
 Bean-throwing (Mamemaki) is performed throughout the nation. This event is done for expelling a bad demon (evil influences) because it has been believed that the soybeans possess the cereal power to ward off evil influences. We throw roasted soybeans to outside and inside of the house, saying “Oni wa soto, fuku wa uchi” (Get out Ogre! Come in Happiness!). After that we eat the same number of soybeans as our age (some people eat one more beans than their age), praying long and healthy life.

“A good shortcut to know Japanese people”  
 Natural Hot Spring (Onsen)

We, Japanese people, love “Hot Springs”. Since ancient times, we have loved it. We can learn about it by the discovery of remains of bath of the Jomon period.

Why don't you go to the various hot springs with your family to get to know more about Japanese people? There are many “super sentou” (natural hot springs) in our neighborhood. The entry fee is about 600-700 yen. You can enjoy the hot spring all day.

- Ofuro no Osama (Shiki-city) • Niiza Onsen (Niiza-city) • Koedo Hatsukari Onsen (Kawagoe-city) • Yura no Sato (Kawagoe-city) • Manai no Yu (Fujimi-city) • Musashino Onsen Saiyuki (Tokorozawa-city) • Makiba no Yu (Iruma-city)
  - Furusato no Yu (Tokorozawa-city), etc.
- Taking hot spring, enjoying the lovely views of young leaves, is excellent!

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Living Guidance translated in 6 languages is available.