SHIN&KIM 韓国世宗律师事务所



金光在

Partner

TEL	+82-2-316-1624
FAX	+82-2-756-6226
E-MAIL	kjakim@shinkim.com

Mr. Kwangjae Kim is a partner at Shin & Kim. Mr. Kim's main practice areas include constitutional litigation, administrative proceedings, construction-/real estate-related disputes, environmental disputes, and general criminal matters.

Mr. Kim has been recognized for his outstanding expertise and competence in constitutional litigation by successfully obtaining victories in multiple constitutional lawsuits, including a judgment of constitutional nonconformity of the abortion provision in the Criminal Act and a judgment that declared the "internet real-name verification system operated during an election campaign pursuant to the Public Official Election Act" unconstitutional. He also provides his clients with custom legal services in administrative litigation and construction-/real estate-related disputes, including redevelopment and reconstruction. Furthermore, he has developed expertise in environmental disputes and ESG by handling various climate change litigations and other environment-related matters.

Mr. Kim acquired his Bachelor's degree in Economics at Seoul National University and received his Master's degree of Law, and completed a Doctor of Laws course, at Korea University. He also studied at the University of Munich, Germany as a visiting scholar. Mr. Kim is currently an adjunct professor at Soongsil University, Vice Chairman of the Academic Committee of the Korean Bar Association, and lecturer at the Lawyers Training Center, and also serves as the Deputy Head of the Public Interest Legal Support Center at Shin & Kim.

工作经历

2022-Present	Shin & Kim LLC
2025-Present	Vice Chairman, Korean Comparative Public Law Association (KCPLA)
2022-2025	Research Director, Korean ESG Society
2021-2024	Steering Committee Member and Instructor, Lawyers Training Center, Korean Bar Association
2021-2023	Member, Researcher Rights Committee, Ministry of Science and ICT

2021-2022	Visiting Professor, Inha Law School (Administrative Litigation Practice)
2020-2021	Chairman, Human Rights Committee, The Association of Korean Medicine
2020-2021	Director, Korean Society of Law
2020-Present	Executive Director, Constitutional Academic & Professional Association (CAPA)
2019-2022	Representative Attorney, Law Firm Family
2019-Present	Member, Standing Academic Committee, Korean Provisional Government Commemoration Project Association
2019-2023	Vice Chairman, Academic Committee, Korean Bar Association
2018-2024	Adjunct Professor, College of Law, Soongsil University (Constitution, Human Rights Law)
2007-2022	Representative, Doheon Public Law Research Institute
2006	Public Defender, Constitutional Court of Korea
2005	Judicial Research & Training Institute of the Supreme Court of Korea

主要业绩

- Attorney-at-law specializing in constitutional litigations (registered with the Korean Bar Association in 2020)
- Attorney-at-law specializing in redevelopment/reconstruction (registered with the Korean Bar Association in 2011)
- Attorney-at-law specializing in real estate (registered with the Korean Bar Association in 2011)
- Petitioned for adjudication on the unconstitutionality of Article 269 (1) of the Criminal Act (setting forth the crime of self-abortion and the crime of abortion by the doctor); resulting in a decision of non-conformity with the Constitution
- Handled a case seeking the unconstitutionality of Article 82-6 (1), etc. of the Public Official Election Act (on the identification of real names on bulletin boards during election campaigns); resulting in a decision of unconstitutionality of the clause
- Handled a case seeking the unconstitutionality of Article 79 (3), etc. of the Public Official Election Act (on the absence of noise exposure limits for the use of loudspeakers during public official election campaigns); resulting in a decision of non-conformity with the Constitution
- Handled a case seeking the unconstitutionality of Article 15 (2) of the Public Official Election Act (setting forth the right to vote for those aged 19 or older); resulting in the amendment of the Act to change the voting age to 18 years or older
- Study on Unconstitutionality of the Framework Act on Low-Carbon Green Growth (commonly known as the “Climate Change Constitutional Petition”) (amended by the enactment of the Framework Act on Carbon Neutrality)
- Handled a case seeking the unconstitutionality of Article 11 of the Assembly and Demonstration Act (setting forth complete ban on any outdoor assembly or demonstration anywhere within a 100-meter radius from the boundary of the Constitutional Court of Korea); resulting in the amendment of the Act to allow exceptions to the ban
- Handled a case seeking the unconstitutionality of Article 123 (1) of the National Assembly Act (requiring an

introduction by an assemblyman when petitioning to the National Assembly); resulting in the amendment of the Act to add a public consent clause

- Study of Improvement on the Korean National Assembly's Examination Criteria for Illegality, etc. of Administrative Legislation (policy research conducted at the request of the Secretariat of the National Assembly)
- Study on Unconstitutionality of the Provision Prohibiting the Use of the Title "Certified Tax Accountant" by Attorneys-at-Law Qualified as Certified Tax Accountants (Research Project for the Legislation Research Institute of the Korean Bar Association)
- Study on Constitutional Analysis and Improvement Measures for the Internet Real-Name System (Consultancy Project for the National Human Rights Commission of Korea)
- Study on Improvement of the Regulatory Framework for Local Government Contracts (Research Project for the Korea Local Finance Association)
- Study on Types and Criteria for Determining Unfair Contractual Terms in Public Contracts (Research Project for the Korea Local Finance Association)
- Study on Advance Payments and Payment of Consideration in Public Contracts (Research Project for the Korea Local Finance Association)
- Handled a case challenging a decision by a public corporation to reject a private contract (case won and judgment finalized
- Handled a case disputing whether a property was registered under a name trust 30 years ago (case won and judgment finalized)
- Handled a case challenging an order to meet eligibility requirements for major shareholders and an order to dispose of shares (case remanded by the Supreme Court)

教育背景

2020	Korea University Graduate School of Law (Ph.D., coursework completed)
2017	Korea University Graduate School of Law (LL.M.)
2013-2014	Ludwig Maximilian University of Munich, Visiting Scholar
1995	Seoul National University College of Social Sciences (B.A., International Economics)

资格

2005	Admitted to bar, Korea

语言

Korean, English, German

主要活动

Publications

- Constitutional Law: Basic Course (Willbes, 22nd ed., 2026)
- Types and Criteria for Determining Unfair Contractual Terms in Public Contracts, Final Report on Research Commissioned by the Korea Local Finance Association (Co-author, 2024)
- Advance Payments and Payment of Consideration in Public Contracts, Final Report on Research Commissioned by the Korea Local Finance Association (Co-author, 2024)
- Study on Improvement of the Regulatory Framework for Local Government Contracts, Final Report on Research Commissioned by the Korea Local Finance Association (Co-author, 2023)
- Administrative Litigation Practice – Theory and Preparation – , Willbes (2021)
- “Establishing Human Rights and Justice,” Decisions of Unconstitutionality by Constitutional Court for 30 Years – Unconstitutional Decisions and Subsequent Changes – , Willbes (2019)
- Succession to Legal Tradition of Provisional Government of Republic of Korea, Willbes (2019)
- Constitutional Litigation for Practitioners – Theory and Preparation – , Willbes (2017)
- Birth and Origin of Constitution of Republic of Korea, Willbes (2017)

Research Paper

- Introduction of the constitutional petition against court decision system and practical issues, Public Law Study, Korean Comparative Public Law Association (2026)
- Development and succession of the provisional assembly constitution and the first constitution of the Republic of Korea, Special Exhibition in Commemoration of the 80th Anniversary of National Liberation, National Memorial of the Korean Provisional Government (2025)
- Commentary on Discrepancy between Constitution Day and “Enacted on July 12, 1948” in Preamble to Constitution, Collection of Legal Treatises, Legal Research Institute of Soongsil University (2022)
- Review on Freedom of Divorce and Post-divorce Support – Reinterpretation of Duty of Support for Conversion to No-fault Divorce Regime –, Human Rights and Justice, Korean Bar Association (Co-author, 2021)
- Consideration of Decision of Constitutional Nonconformity of Abortion Provision and How to Improve Relevant Legislation – Regarding 2017 Heonba 127 Judgment dated April 11, 2019, Human Rights and Justice, Korean Bar Association (2020)

- How to Build Multicultural Society and Democracy – Focusing on Expansion of Political Rights of Foreigners – , Judges and Lawyers, Korea Lawyers Association (2019)
- Constitutional Reinterpretation of March 1 Korean Independence Movement as March 1 Korean Revolution – In connection with Controversy over National foundation Day – , Collection of Legal Treaties, Institute for Legal Studies of Chonnam National University (2019)
- Problems in, and How to Improve, Presidential Veto Power System – Focusing on Extraordinary Issues Arising When National Assembly Closes due to Expiration of Term of Office – , Comparative Law Research, Korea Comparative Public Law Association (2018)
- Constitutional Consideration of Online Real Name System during Election Campaign Period – Critical Review of 2012 Heonma 734 Judgment and 2012 Heonba 338 Judgment (Combined) dated July 30, 2015 – , Collection of Legal Treaties, Legal Research Institute of Soongsil University (2018)
- Comparative Study on Abortion Issues – Focusing on Legislations and Precedents of Other Countries – , Human Rights and Justice, Korean Bar Association (2018)
- Study on Application, and How to Achieve Intent, of Right to be Forgotten Online – Focusing on Digital Extinction Technology – , Law and Society, Korean Law & Society Association (2018)
- Study on Form of Semi-presidential Government and Argument of Constitutional Amendment to Semi-presidentialism, Constitutional Research, Constitutional Academic & Professional Association (2018)
- Constitutional Points at Issue Regarding Law on Support for Victims of Sewol Ferry Disaster – Focusing on Provisions on Deemed Judicial Settlement and Prohibition of Objection – , Judges and Lawyers, Korea Lawyers Association (2017)
- Constitution of Korean Provisional Government and Preservation of Its Spirit – Continuity of Constitution of Korean Provisional Government and 1948 Korean Constitution – , LL.M Thesis, College of Law of Korea University (2017)

受賞

2025	Exemplary Public Defender Award, Constitutional Court
2025	Pro Bono/Public Interest Award, Korea Law Awards
2019	9th Excellent Attorney Award, Korean Bar Association
2018	Best Paper Award, Constitutional Academic & Professional Association

外部评价

- Public Interest Award of the Year - Amendment of a Supreme Court Rule on Name-Length Restrictions for Children of Korean–Foreign Parentage, Money Today Korea Legal Awards, 2025
- Outstanding Court-Appointed Counsel Award - Contributions to the Protection of Petitioners' Fundamental Rights

and the Development of Constitutional Adjudication, Constitutional Court of Korea, 2025

Copyright SHIN & KIM LLC. All rights reserved.