

1. Record Nr.	UNINA9910629300203321
Autore	Wang Yiming
Titolo	Judicial transparency in China : theory and realization path // Yiming Wang and He Tian
Pubbl/distr/stampa	Gateway East, Singapore : , : Springer, , [2023] ©2023
ISBN	981-19-7822-0
Descrizione fisica	1 online resource (359 pages)
Disciplina	174.3
Soggetti	Judicial process Judicial ethics Transparency in government
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Intro -- Foreword -- Contents -- 1 Justice: From Mystery to Openness -- 1 Judicial Openness in Ancient China -- 1.1 Movement of Enacting Statutes and Openness of Laws -- 1.2 Public Trials in Ancient China -- 1.3 Dissimilation and Extension of Public Trials: Open Trials, Publication of Judgments, and Open Enforcement -- 2 Judicial Openness in the Ancient West -- 3 All Roads Lead to Rome: Value Selection and Practice of Ancient Judicial Openness Centered on the Establishment of Judicial Authority -- 4 Judicial Openness in Modern Times -- References -- 2 Development of Contemporary China's Judicial Openness System -- 1 Tradition of People-Centered Judicial Openness -- 2 Evolution of Judicial Openness After the Founding of the PRC -- 2.1 From "Justice by the People" to "Justice for the People" After the Founding of the PRC -- 2.2 General Secretary Xi Jinping's Remarks on Promoting Judicial Openness -- 2.3 Building of China's Judicial Openness System -- 2.4 Judicial Openness Prescribed by the Supreme People's Court -- 3 Informatization Construction of People's Courts and New Development of Judicial Openness -- References -- 3 The Rationale Behind Judicial Transparency -- 1 Judicial Transparency and Judicial Openness -- 2 Practical Significance of Judicial Transparency -- 2.1 Effective Implementation of the Policy of Justice for the People -- 2.2 Protection

of the Public's Right to Know and Legitimate Rights and Interests of the Parties -- 2.3 Prevention of Judicial Corruption and Realization of Judicial Justice -- 2.4 Enhancement of Judicial Credibility and Maintenance of Judicial Authority -- 2.5 Improvement of Judicial Personnel's Competence and Judicial Proficiency -- 3 Judicial Openness in Controversy Firmly Moving Forward -- 3.1 Scope of Judicial Openness.

3.2 Live Broadcasting of Court Hearings, Judges' Free Evaluation of Evidence, and Formation of a Judgment -- 3.3 Disclosure of Judgments and Potential Negative Effects -- 3.4 Judicial Openness and Protection of Personal Information and Privacy -- 3.5 Disputes Over Judicial Openness Caused by Court Informatization -- References -- 4 Methodologies for Researching Judicial Transparency -- References -- 5 The Overall Situation of China's Judicial Transparency -- 1 Steady Improvements in Judicial Openness -- 1.1 Openness is an Important Means of Furthering Judicial System Reform -- 1.2 Information Involved in Judicial Openness is Expanding -- 1.3 Informatization Construction Has Expanded Judicial Openness -- 1.4 Judgment Disclosure Has Become the Highlight of Judicial Openness -- 1.5 Judicial Openness of Many District Courts Has Improved Steadily -- 1.6 Judicial Openness of the Courts Nationwide Has Fluctuated Slightly. -- 2 Remaining Problems in Judicial Openness -- 2.1 Large Gap Between Courts and Between Sections -- 2.2 Relatively Slow Progress in Judicial Openness -- 2.3 Insufficient Judicial Openness in Primary people's Courts -- 2.4 Judicial Openness in Some Courts Incommensurate with Local Development -- 2.5 Erratic Performance in Judicial Openness by Some Courts -- 2.6 Further Efforts to Be Made for Judicial Openness by Specialized Courts -- 2.7 Problems to Be Solved Regarding Judgment Disclosure -- 2.8 Weak Disclosure of the Information About Enforcement and Judicial Reforms -- 2.9 Less Advanced Construction of Judicial Openness Platforms -- References -- 6 Status Quo of Judicial Transparency in Various Fields -- 1 Disclosure of Personnel Information -- 1.1 Overview -- 1.2 Information on Court Leaders -- 1.3 Information on Business Department Heads -- 1.4 Information on Administrative Department Heads -- 1.5 Information on Quota Judges.

1.6 Information on the Members of a Judicial Committee -- 1.7 Information on Enforcement Judges -- 1.8 Disclosure Channels -- 2 Roster Information -- 2.1 Overview -- 2.2 Mediation Rosters -- 2.3 The Roster of Authentication Institutions -- 2.4 The Roster of Evaluation Institutions -- 2.5 The Roster of Bankruptcy Administrators -- 2.6 Disclosure Channels -- 3 Information on Office Disqualification -- 4 Results of the Handling of Motions and Proposals -- 5 Litigation Guides -- 5.1 Overview -- 5.2 Adequacy of a Litigation Guide -- 5.3 Accuracy of a Litigation Guide -- 5.4 Popularity of a Litigation Guide -- 5.5 Disclosure of the Guidelines in Response to the Epidemic -- 5.6 Places of a Litigation Guide -- 6 Disclosure of Judgments -- 6.1 Overview -- 6.2 Disclosure of the Data on Judgment Disclosure -- 6.3 Judgments Disclosed in the Full Text -- 6.4 Reasons for Not Disclosing the Full Text of Judgments -- 6.5 The Time When Judgments Are Published Online -- 7 Disclosure of Enforcement Information -- 8 Disclosure of Judicial Reform Information -- 9 Disclosure of Judicial Data -- 10 Construction of Openness Platforms -- References -- 7 Promoting More Transparent Justice -- 1 Analysis of the Reasons for the Problems in Judicial Openness -- 1.1 Insufficient Attention to Judicial Openness -- 1.2 Gap in Understanding Judicial Openness -- 1.3 Lack of a Regular Mechanism for Judicial Openness -- 1.4 Low Ranking of Scattered

Provisions Governing Judicial Openness -- 1.5 Low Standardization of Judicial Openness -- 1.6 Lack of Strict Requirements for Judicial Openness -- 1.7 Insufficient Pressure in and Outside of the Courts -- 1.8 Inadequate Informatization of the Courts -- 2 Ways to Further Judicial Openness -- 2.1 Unifying Various Understandings of Judicial Openness -- 2.2 Detailing the Standards for Judicial Openness. 2.3 Attaching Importance to the Supply-Side Reform of Judicial Openness -- 2.4 Establishing a Regular Mechanism for Judicial Openness -- 2.5 Strengthening the Assessment of and Supervision Over Judicial Openness -- 2.6 Promoting the Construction of Judicial Openness Platforms -- 2.7 Enhancing Informatization to Promote Judicial Openness -- 2.8 Promoting Legislation on Judicial Openness -- Afterword.
