



中国法院

的

司法公开

Judicial Transparency of Chinese Courts

人民法院出版社





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最高人民法院

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前 言

“正义不仅要实现，还要以看得见的方式实现。”司法公开是促进司法公正、保障司法廉洁、提升司法水平的重要手段，是落实宪法法律原则、保障公民诉讼权利、展示现代法治文明的题中之义，是全面推进依法治国、加快建设法治中国的必然要求。

人民法院一直高度重视司法公开，始终把推进司法公开作为深化司法体制和工作机制改革的重要内容，采取各种有力措施不断拓展司法公开的广度和深度，创新司法公开的形式和渠道，着力构建开放、动态、透明、便民的阳光司法机制。

进入新世纪新阶段，深化司法公开工作面临着党和国家工作新要求、人民群众新期待、信息时代新挑战，愈发重要而紧迫。党的十八大强调要推进权力运行公开化、规范化，党的十八届三中、四中全会提出要深化司法公开。随着法治建设进程的加快，人民群众对司法公开透明的期待更加强烈。伴随大数据、云计算、新媒体的飞速发展，信息传播速度、模式、格局发生深刻变化，公众对司法信息的需求越来越多，在新形势下推进司法公开工作正面临前所未有的机遇，也充满巨大挑战。



一、人民法院推进司法公开的基本情况

推进司法公开一直是人民法院的重要工作，也是一项重要的司法改革举措。早在1999年，最高人民法院就制定了《关于严格执行公开审判制度的若干规定》。2006年至2010年，最高人民法院陆续发布《关于人民法院执行公开的若干规定》《关于加强人民法院审判公开工作的若干意见》《关于司法公开的六项规定》等规范性文件，提出立案、庭审、执行、听证、文书、审务等六个方面公开的具体要求。最高人民法院于2010年10月和2012年12月分两批在全国评选确定了200个司法公开示范法院，及时总结经验，发挥示范作用。

党的十八届三中全会以来，人民法院加快推进司法公开工作。最高人民法院先后出台《关于推进司法公开三大平台建设的若干意见》《关于人民法院在互联网公布裁判文书的规定》《关于人民法院执行流程公开的若干意见》等规范性文件，依托现代信息技术，推进审判流程公开、裁判文书公开、执行信息公开三大平台建设，运用网络、微博、微信、移动新闻客户端等载体，进一步拓展司法公开工作的广度和深度。地方各级人民法院不断创新司法公开举措，增加了司法透明度和司法公信力。

公开理念进一步转变。最高人民法院院长周强指出，要不怕群众“挑毛病”，不忌讳法官“出洋相”，让司法权力在阳光下运行。各级人民法院不断更新观念，以公开为原则，以不公开为例外，着力实现变被动公开为主动公开，变内部公开为外部公开，变选择性公开为全面公开，变形式公开为实质公开。

公开内容进一步拓展。司法公开的内容从审判公开拓展到立案、庭审、



执行、听证、文书、审务等各个方面，从面向当事人公开拓展到面向全社会公开，从结果的公开拓展到依据、程序、流程、结果的全面公开。

公开平台进一步优化。最高人民法院建成全国统一的中国审判流程信息公开网、中国裁判文书网、中国执行信息网、中国法院庭审直播网等，从过去各地法院零星分散地公开向集中统一的公开平台建设转变。

公开形式进一步创新。各级人民法院充分运用现代信息技术，通过建设法院政务网站、12368 诉讼服务平台、法院微博微信、移动新闻客户端、院长信箱等，不断拓宽人民群众获得司法信息的渠道，探索立体化、全方位、一站式、互动性的司法公开服务，促进司法更加公开透明。

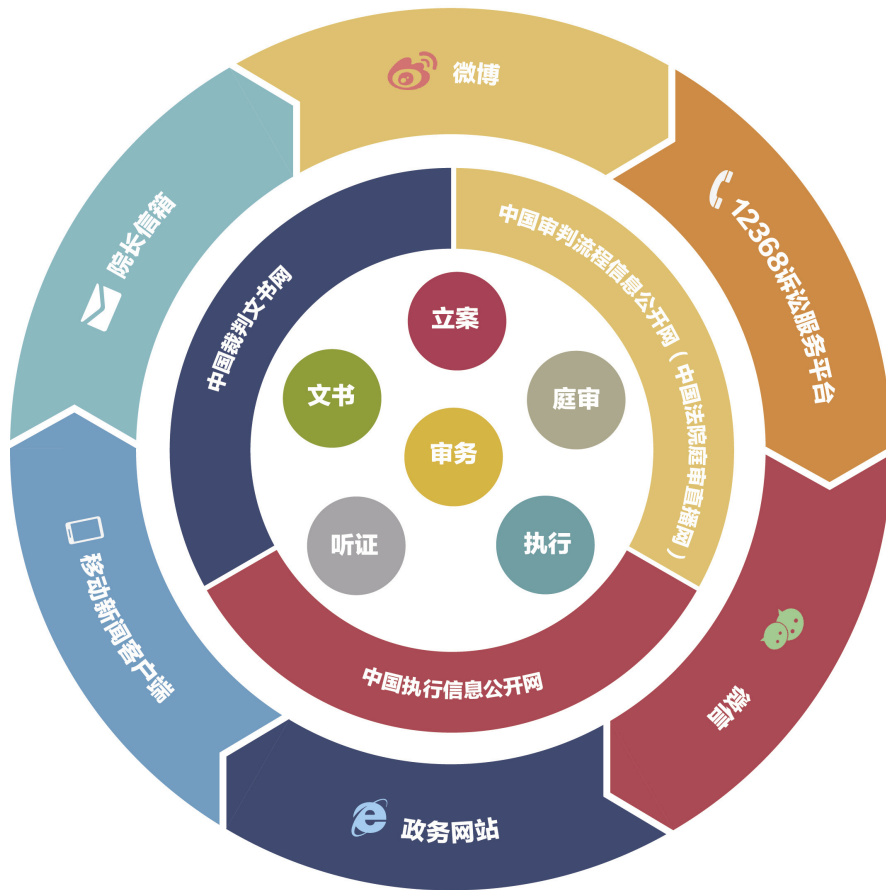


图1：全方位的中国法院司法公开机制

最高人民法院发布的关于司法公开的相关文件目录

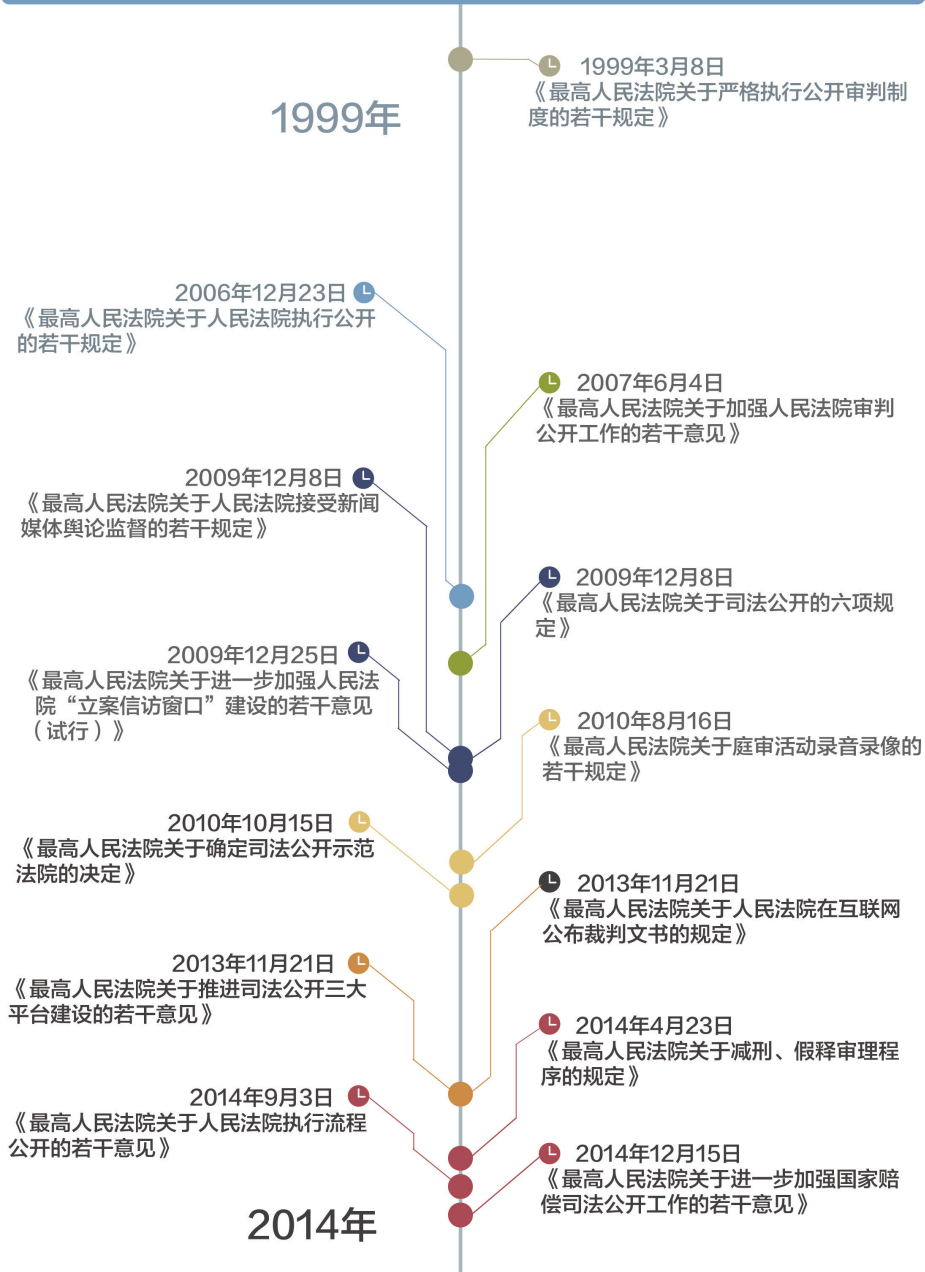


图2：最高人民法院发布的关于司法公开的相关文件目录

二、审判流程公开

审判流程公开是方便人民群众参与诉讼、保障当事人诉讼权利、满足人民群众知情权的重要途径，是构建开放、动态、透明、便民的阳光司法机制的有力举措。从人民法院登记立案到裁判文书送达，审判活动均在阳光下运行。

审判流程信息公开

2014年11月13日，经过3个多月的试运行，中国审判流程信息公开网正式开通。最高人民法院率先垂范，依托该网开通审判流程信息公开平台。当事人及其诉讼代理人自案件受理之日起，可以凭有效身份证件、手机号码以及最高人民法院提供的查询码、密码，随时登录查询、下载有关流程信息、材料等，及时了解和监督案件进展。最高人民法院案件的庭审笔录的查阅、程序性诉讼文书的电子送达都可以通过中国审判流程信息公开网进行。

自2014年8月1日最高人民法院审判流程信息公开平台上线试运行以来，截至2014年底，共公布开庭公告429个，审判信息项目36276个，中国审判流程信息公开网总访问量达76.6万次。自2014年8月至2014年底，最高人民法院新收2109件案件的审判流程信息已全部向当事人及其诉讼代理人公开，公开信息项目达41071个，成功推送短信6248条。

目前除最高人民法院外，北京、天津、河北、吉林、黑龙江、上海、江苏、浙江、安徽、福建、山东、湖北、湖南、广东、广西、重庆、四川、云南、陕西、甘肃、青海、宁夏等22个省、自治区、直辖市已经基本

建成了省级统一的审判流程信息公开平台，并建立了与中国审判流程信息公开网的链接。各地审判流程信息公开平台运行以来，基本满足了当事人及其诉讼代理人查询审判流程信息的需求。北京法院审判信息网、手机 APP 程序上可实时查询案件进展情况。2014 年 7 月 1 日起，当事人可在北京法院审判信息网实时查询立案、审理、执行、审限、结案等 5 大类 93 项信息。截至年底，共发布审判流程信息 100.5 万余条。上海法院以全流程公开为重点，为当事人提供从收案到结案全流程公开服务，截至 2014 年底累计公开审判流程节点信息 455.4 万余条。下一步，中国审判流程信息公开网将实现与全国所有高院的审判流程信息公开平台的链接，方便当事人及其诉讼代理人在同一平台查询到案件进展情况。

立案公开

立案公开是司法公开的第一个重要环节。各级人民法院积极推进诉讼服务中心建设，配备电子触摸屏、电子公告栏，设置文书样本台、导诉台，提供诉讼指南、诉讼风险告知书等材料，安排专人指导群众诉讼。立案条件、立案流程、诉讼费用标准等都通过 12368 诉讼服务热线、手机 APP 应用程序、政务网站等多种渠道清楚告知当事人。

许多法院建设全方位、立体化、一站式的诉讼服务平台，实现了司法公开和司法便民的有机结合。截至 2014 年底，北京、上海等 12 个地区开通了 12368 诉讼服务系统。上海法院 12368 诉讼服务平台具备联系法官、查询案件、诉讼咨询、投诉信访、意见建议、心理咨询、社会评价、督察考核等功能，实现上海三级法院整体联动、一站式综合性诉讼服务，当事人可以通过热线、短信、网络、微信、微博、窗口等途径获取所需的诉讼服务。截至 2014 年底，该平台热线人工接听

来电 10 万余宗，提供自助语音查询 2 万余次，网络平台发送涉案短信、诉讼服务等 12 万条（次）。广东省深圳市中级人民法院是在全国较早开通 12368 诉讼服务热线的地方法院之一，目前已实现辖区基层法院热线全覆盖，提供 24 小时自助查询和工作时间人工服务两种模式，自开通以来人工接听电话超过 2 万宗。江苏省南京市中级人民法院开通“手机 APP 网上诉讼服务平台”，通过手机进行网上立案、文书送达等，并提供信息查询、预约法官、材料收转、网上信访、判后答疑、减刑假释、案件查询、裁判文书等 13 项诉讼服务，创新了群众参与诉讼的途径，提高了立案透明度。

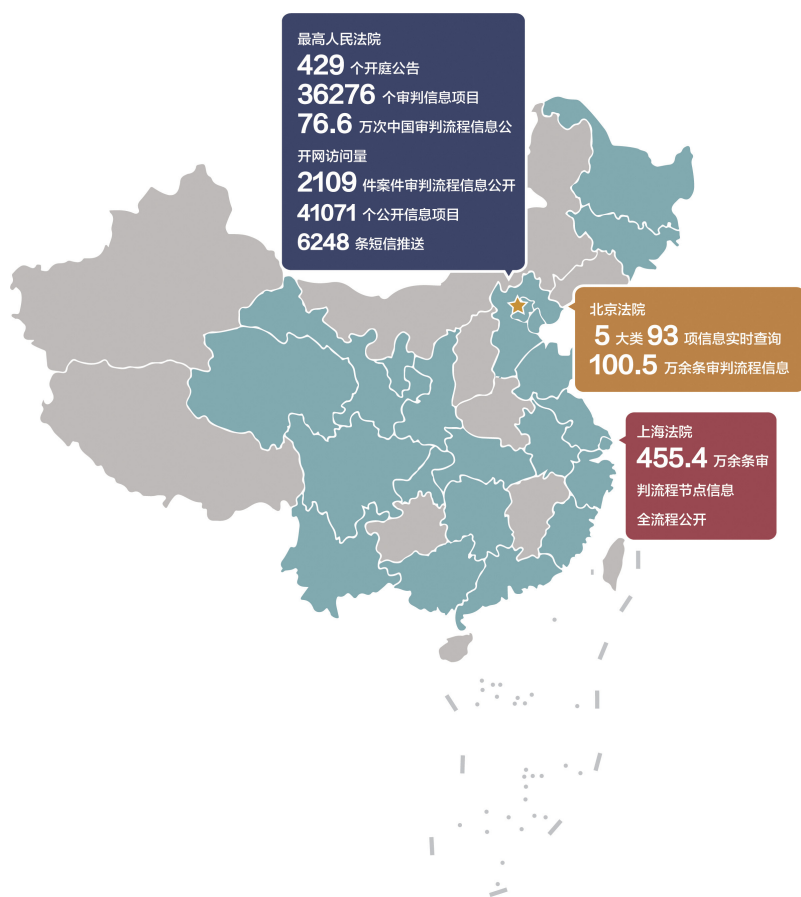


图3：已与中国审判流程信息公开网建立链接的省份（蓝色标注）

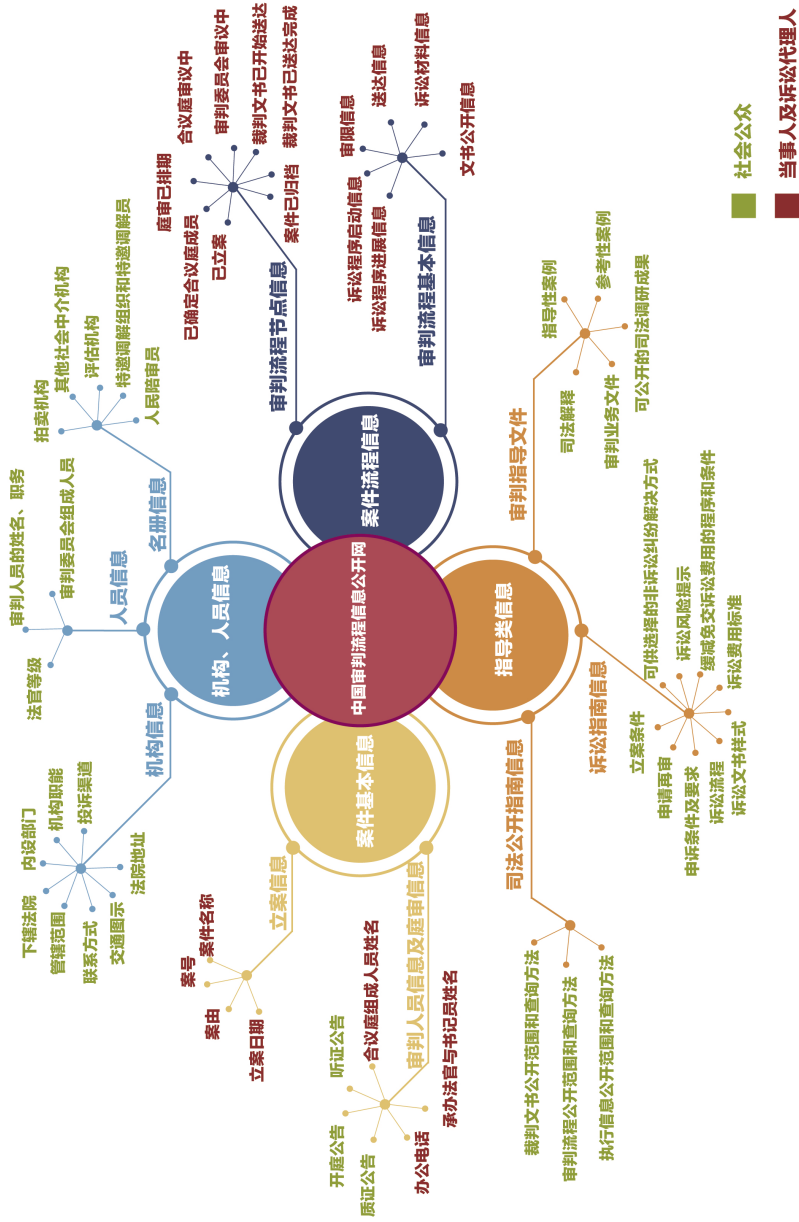


图4：中国审判流程信息公开网公布信息项目示意图

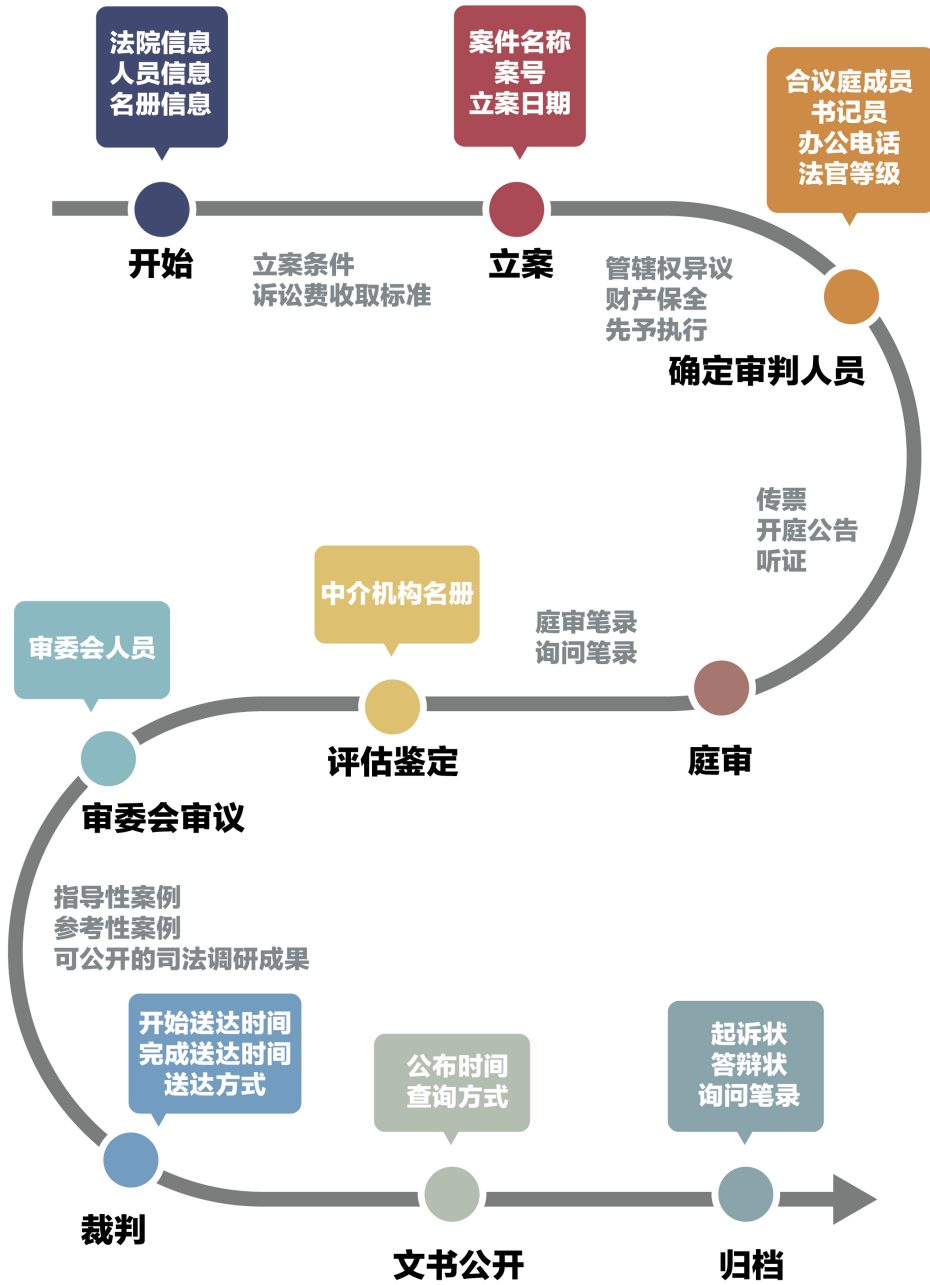


图5：中国审判流程信息公开示意图

庭审公开

庭审是人民法院审判活动的中心，也是司法公开的关键。各级人民法院积极创新庭审公开方式，以视频、音频、图文、微博等方式公开庭审过程，拓展庭审公开的形式和范围。

各地加强科技法庭、数字法庭建设，实行庭审活动全程同步录音录像，并以数据形式集中存储、定期备份、长期保存。推进诉讼档案电子化工作，当事人及其诉讼代理人可以按照规定查询庭审录音录像和电子卷宗，部分法院提供互联网远程阅卷等服务。山东法院所有案件均建立电子卷宗，所有开庭审理的案件全程同步录音录像，所有电子卷宗和庭审录音录像允许当事人查阅，自案件受理之日起的审判流程信息向当事人公开。江苏法院推行庭审同步录音录像、同步记录、同步显示庭审记录的“三同步”工作，目前全省 2279 个科技审判法庭全部实现了庭审“三同步”。浙江全省 1783 个审判用法庭全部建成数字法庭，实现“每庭必录”，累计保存录音录像资料达 110 万份。截至 2014 年底，全国法院建成科技法庭 17740 个。

最高人民法院正在修订《人民法院人民法庭规则》，建立健全有序开放、有效管理的旁听和报道庭审的规则，依法保障公民旁听庭审权利。各地法院积极邀请人大代表、政协委员、专家学者、社会人士等参加庭审旁听与观摩，自觉接受群众监督。许多法院推出公民凭身份证等有效证件即可旁听庭审、网上预约旁听庭审等措施，努力为公民旁听庭审提供便利。

2013 年 12 月 11 日，中国法院庭审直播网正式开通，公民可以在线观看庭审直播和录播。截至 2014 年底，中国法院庭审直播网进行庭审直播 519 次。2014 年各级人民法院进行庭审直播 8 万余次。各级人民法院充分利用电视、网络、微博、微信等媒体，依法对公开开庭审

理的重大案件进行庭审直播。2013年12月4日，最高人民法院首次利用电视直播、广播连线、网络直播等全媒体形式，直播“奇虎诉腾讯垄断上诉案”，庭审时间超过28小时，创最高人民法院庭审直播时间之最。2013年8月22日至26日，山东省济南市中级人民法院对薄熙来受贿、贪污、滥用职权案进行全程微博直播，5天庭审发布150余条微博，近16万字。广东省广州市中级人民法院推出“全日制”庭审网络直播项目。自2014年9月24日启用新的庭审网络直播平台以来，广州两级法院一个月完成609件案件网络直播，基本实现“天天有直播，件件有直播”的庭审直播新常态。重庆市第一中级人民法院开展官方微博与官方网站“双网同步直播”，仅该院审理的“加多宝诉王老吉不正当竞争纠纷案”的直播，微博阅读量就达15万余次。许多法院将庭审直播引入诉讼服务中心电子显示屏和城市广场LED屏，将庭审现场直接展现给公众。

减刑、假释、暂予监外执行公开

最高人民法院以阳光司法机制促进减刑、假释、暂予监外执行案件的司法公正。2014年4月23日，最高人民法院发布《关于减刑、假释案件审理程序的规定》，规范了减刑、假释案件的审理程序。最高人民法院按照“五个一律”的要求，保障减刑、假释、暂予监外执行案件的公开公正：凡是减刑、假释、暂予监外执行案件一律在立案后将减刑、假释建议书或者暂予监外执行申请书等材料依法向社会公示；凡是职务犯罪、黑社会性质组织犯罪和金融犯罪罪犯减刑、假释案件，一律依法公开开庭审理；凡是职务犯罪、黑社会性质组织犯罪和金融犯罪罪犯减刑、假释案件的公开开庭一律邀请人大代表、政协委员或有关方面代表旁听；凡是减刑、假释、暂予监外执行案件的裁判文书



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一律在中国裁判文书网依法公布；凡是法院工作人员在办理减刑、假释、暂予监外执行案件中有违纪违法行为甚至构成犯罪的，一律依法从重追究责任。

各地法院积极推进以数字化狱内法庭为重点的减刑、假释工作机制建设，提升减刑、假释案件审理透明度。河北省衡水市中级人民法院利用狱内科技法庭大力推进减刑、假释公开透明，假释案件开庭率和社会关注的贪污、渎职案件的减刑开庭率均达到 100%。江苏省徐州市中级人民法院对暂予监外执行案件建立“法官陪同、检查留痕、层层把关、社会监督、定期公告”的工作机制，邀请检察院、人大代表、政协委员对保外就医案件进行有效监督，提升暂予监外执行审核工作透明度。

三、裁判文书公开

裁判文书是人民法院审判工作的最终产品，是承载全部诉讼活动、实现定分止争、体现司法水平的重要载体。建立生效裁判文书公开上网和统一查询制度，让公众通过网络便捷查阅裁判文书，是最高人民法院深化司法公开、保障司法公正、展现司法文明的重要举措。

2013年7月1日，最高人民法院开通中国裁判文书网，建立全国统一的裁判文书公开平台，并率先在该网站公开裁判文书。自2014年1月1日起，各级人民法院的生效裁判文书陆续在该网公布。截至2014年底，全国已有28个省、自治区、直辖市的高级、中级、基层三级法院实现了在中国裁判文书网上传裁判文书，已公布裁判文书5685491份，其中最高人民法院公布裁判文书7582份。

为保障裁判文书上网工作的及时规范、有序，最高人民法院制定《关于人民法院在互联网公布裁判文书的规定》，要求除涉及国家秘密、个人隐私、未成年人违法犯罪、以调解方式结案等情形外，各级人民法院生效裁判文书都应当在生效后七日内统一上传至中国裁判文书网，并对具体处理方式作出规定。各级人民法院在互联网上传裁判文书时，注意把握保障公众知情权与维护公民隐私权和个人信息安全之间的关系，结合案件类别，对不宜公开的个人信息进行技术处理。浙江法院细化了裁判文书上网范围和工作流程，推行严格的文书不上网在线审批机制，开发了裁判文书辅助管理系统，将文书制作、自动排版、校对纠错、隐名处理、上网发布等功能进行整合，实现从文书制作到上网发布一体化管理。重庆法院研发了一套裁判文书自动生成和纠错软

件，集成近千种裁判文书模板，同时设立专门的裁判文书校核室，提高裁判文书公开质量。

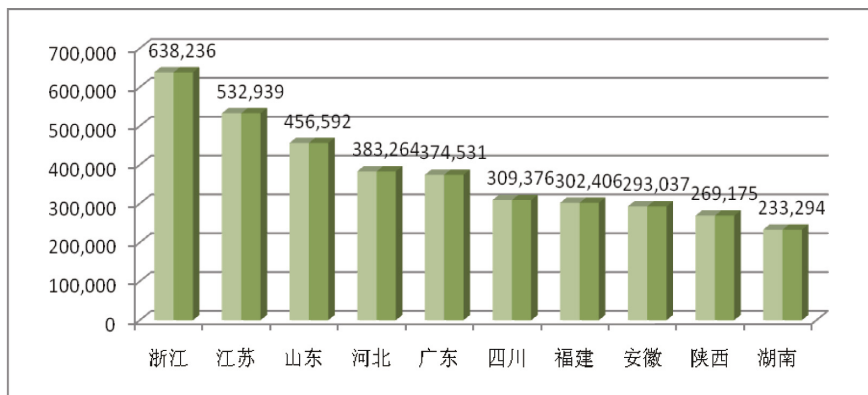


图6：在中国裁判文书网公布裁判文书数量排名前十的省份（截至2014年12月31日）

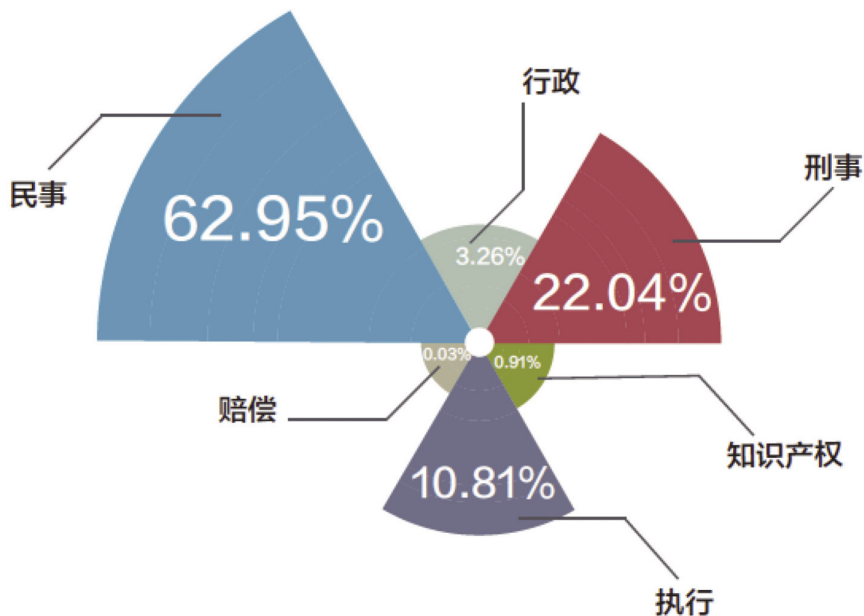


图7：中国裁判文书网上网文书案件类型分布图（截至2014年12月31日）

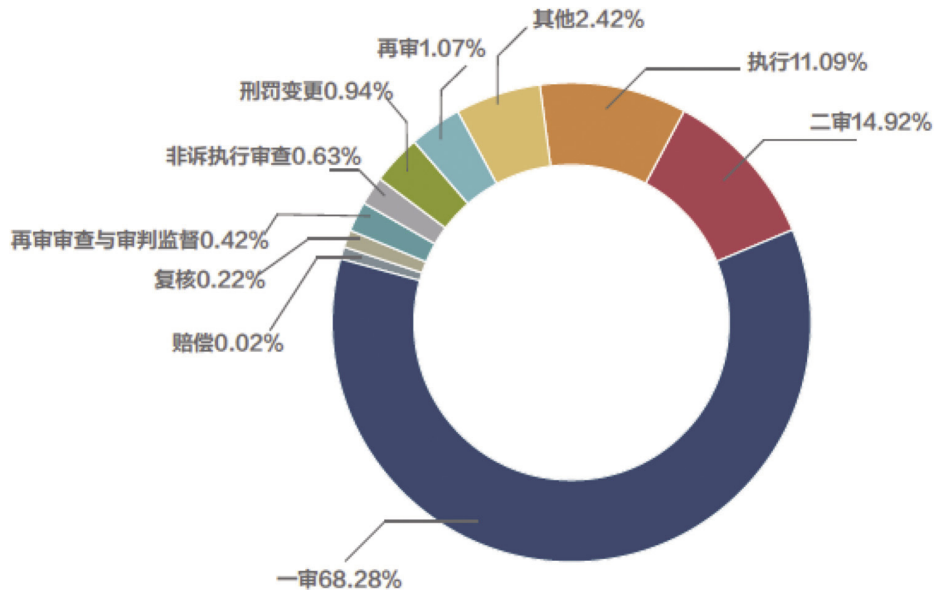


图8：中国裁判文书网上网文书诉讼程序分布图（截至2014年12月31日）

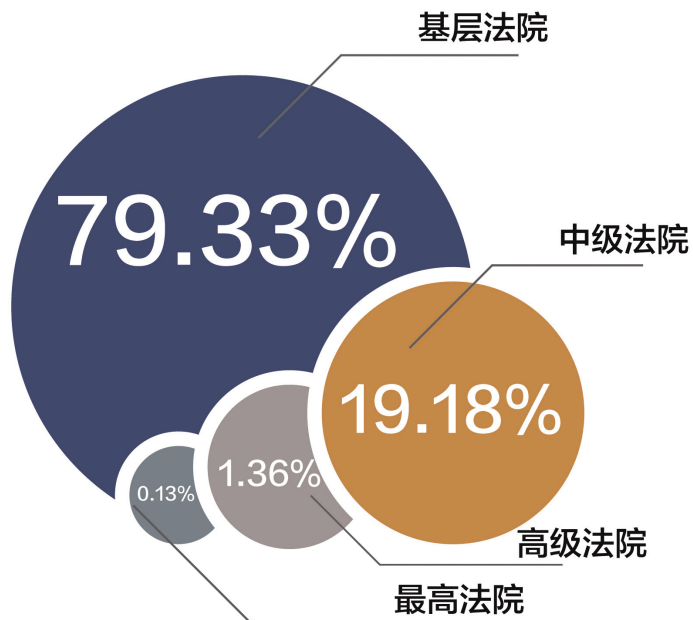


图9：中国裁判文书网上网文书法院层级分布图（截至2014年12月31日）

四、执行信息公开

执行公开是人民法院司法公开的重要组成部分，也是争取各方理解与支持执行工作的重要手段。各级人民法院推进执行公开，加强执行信息公开平台建设，积极与社会征信体系对接，主动接受社会监督，着力破解执行难。

最高人民法院将全国法院失信被执行人名单信息公布与查询、被执行人信息查询、执行案件流程信息公开、执行裁判文书公开四项内容进行整合，开发建设统一的中国执行信息公开网，已于2014年11月1日建成上线。当事人可通过中国执行信息公开网查询未执结案件的基本信息、失信被执行人名单信息和执行裁判文书信息，还可以通过自己的姓名、身份证号码、执行案号登录查询案件的流程信息，包括执行立案、执行人员、执行程序变更、执行措施、执行财产处置、执行裁决、执行款项分配、暂缓执行、中止执行、执行结案等信息，在线了解执行案件进展情况。社会公众可以从执行信息公开网上方便地查询到执行案件立案标准、启动程序、执行收费标准和依据、执行费缓减免的条件和程序、执行风险提示、悬赏公告、拍卖公告等。截至2014年底，执行信息公开平台累计公布未结案件2149万余件、被执行人信息2789万余条，提供执行案件信息查询1930万余人次。

最高人民法院推进建立执行信息共享机制，加强与公安、国土、住建、金融、工商等协助执行单位的网络执行查控机制建设，降低查控成本，提高执行工作效率。加强与铁路、民航、工商、银行业金融机构等相关部门征信平台的对接，将失信被执行人名单信息通报给相

关部门，联合实施信用惩戒，限制失信被执行人购买列车软卧车票、飞机票和申请贷款、办理信用卡，禁止担任企业法定代表人、高级管理人员等，促使被执行人主动履行执行义务。与中国铁路总公司和中国民航信息网络股份有限公司合作，分别于2014年6月18日、7月1日正式限制失信被执行人购买列车软卧车票和飞机票，截至2014年底，已累计限制1055414人次购买飞机票，限制56038人次购买列车软卧。各级人民法院还为公众查询未结执行实施案件的被执行人信息、失信被执行人名单信息、限制出境、限制招投标、限制高消费的被执行人名单信息提供方便，发挥执行信息公开平台作用，积极推进社会征信体系建设。截至2014年底，公布失信被执行人894906人次，其中自然人776288名，法人及其他组织118618个。



图10：对失信被执行人进行信用惩戒示意图



中国法院的司法公开

2014年12月24日，最高人民法院执行指挥系统开通。最高人民法院执行指挥系统将实现全国四级法院之间的执行网络纵向互联，与各中央国家机关、商业银行总行网络横向对接，全国法院的执行人员都可以在全国范围内通过网络对债务人身份和财产信息进行查询和控制。目前，最高人民法院已与全国27个高级人民法院实现了执行网络纵向联网，与公安部身份证查询中心、全国组织机构代码管理中心、国家工商总局、银监会、证监会、20家银行业金融机构等签署合作备忘录，搭建了联合查控被执行人财产、惩戒失信行为的网络专线。

各地法院在加强执行公开方面做了许多积极探索，通过多种途径方便当事人及其诉讼代理人查询执行案件信息，探索建立执行办事、服务、监督三位一体的执行公开新机制。目前北京法院已实现执行信息自动采集和动态发布，实时发布各级法院正在执行的案件数量，并为社会诚信体系提供实时公开数据。江苏全省所有执行指挥中心向社会公布被执行人和财产线索举报电话，在互联网建立执行信息互动平台，实现了对举报被执行人财产线索的及时反馈。深圳市中级人民法院以深圳法院网上诉讼服务平台为主体，利用鹰眼查控网和集约极光系统，建立统一的执行信息公开平台，将被执行人信息纳入深圳信用网，提高执行效率。陕西省西安市中级人民法院探索在重大执行活动中引入网络视频同步直播方法扩大执行公开范围，提升执行工作透明度。

许多地方探索在互联网上进行司法拍卖，保障司法拍卖工作的公开透明。浙江法院早在2012年6月就联合淘宝网开通网络司法拍卖平台，法院以电子竞价方式依法自行处置涉讼财产，拍卖所有环节全部在互联网上进行，且不收取佣金或其他费用，实现司法拍卖全程公开，使拍卖资产变现值最大化，挤压了暗箱操作空间。截至2014年底，浙江全省法院司法网拍总成交额突破270亿元，平均溢价率42.11%，为



当事人节约佣金 5.9 亿余元。重庆法院于 2011 年 7 月 1 日上线运行诉讼资产网，自 2009 年 4 月至 2014 年 10 月 31 日，重庆法院共进行司法拍卖 2626 宗，成交 2169 宗，拍卖总成交率 82.6%，已成交项目平均溢价率 9.73%，与改革前成交率不到 20%，成交价平均缩水 30% 形成鲜明对比。目前，全国性的人民法院诉讼资产网已经建成并运行。



五、拓宽和创新司法公开途径

进入互联网和新媒体时代，司法公开的受众成倍扩张，司法信息传播速度成倍提高，司法公开的影响力进一步扩大，司法公开工作步入信息化、数据化、精细化时代。各级人民法院以信息化助推司法公开，推出许多创新举措，为社会公众更加及时、全面、便捷地了解司法、参与司法、监督司法提供保障。

定期发布公报、人民法院工作报告和审判白皮书

及时权威发布司法信息是人民法院推进司法公开、满足人民群众知情权的必然要求。最高人民法院定期发布《最高人民法院公报》《最高人民法院工作报告》《人民法院工作年度报告（中英文）》等，面向国内外公开司法文件、重大案件和法院工作情况。连续多年开展知识产权日主题宣传周活动，发布中国知识产权司法保护状况白皮书、知识产权年度十大案例、年度50个典型案例等，展现了我国知识产权司法保护良好形象。2014年9月最高人民法院发布海事审判白皮书，公布海事审判十大案例，展现了我国海事海商裁判的水平。各地法院积极适应大数据时代要求，分析案件信息和数据，发布金融、破产、消费者权益保护等专业审判白皮书，加大各专业审判领域司法信息公开力度。

各级人民法院加强对与审判工作有关的法院信息公开。社会公众可通过政务网站、法院公告栏、电子显示屏、案件信息查询平台等查阅法院机构、法院人员、司法公开操作指南、诉讼指南、庭审公告、听证公告、审判指导文件等信息。许多法院将一些不涉及国家秘密的



司法统计数据及调研成果、法院“三公”经费情况、人民法院接受监督的情况等面向社会公开，最大限度满足社会公众的司法信息需求。

建立健全新闻发布会制度

最高人民法院自 2009 年 5 月建立新闻发布月度例会制度以来，及时对司法解释和司法政策性文件进行权威发布和解读，对重大案件事实情况和审理结果公开回应，向社会提供充分权威的司法信息。2009 年以来，最高人民法院召开新闻发布会 101 场次，其中 2013 年召开 18 次，2014 年召开 19 次，共计发布司法文件 57 件，通报工作进展 49 次，发布案例 327 个。发布议题涉及知识产权司法保护、打击拐卖妇女儿童、未成年人保护、工伤赔偿、网络侵权、食品药品安全、环境污染、政

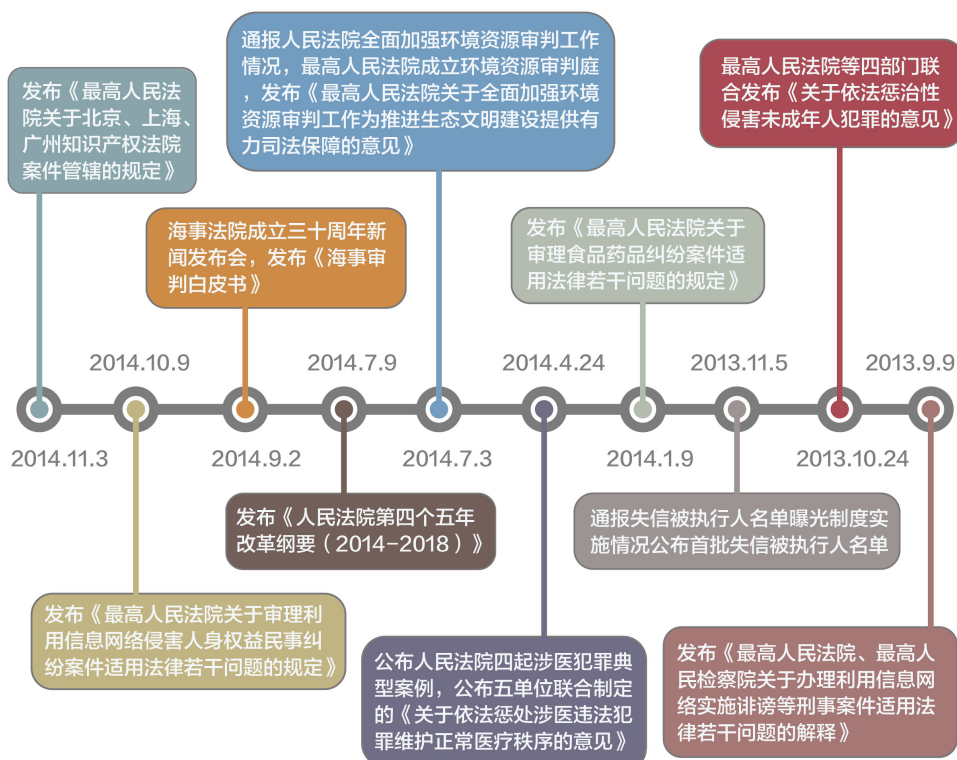


图11：2013-2014年部分最高人民法院新闻发布会



府信息公开、征收拆迁等社会高度关注的话题，同时通过全媒体直播、网友现场提问、与地方法院联合发布等形式增强发布效果。

最高人民法院建立健全指导性案例和典型案例发布制度。截至2014年底，共发布九批指导性案例44个。2014年发布典型案例171个，其中，2014年8月29日，公布人民法院征收拆迁十大案例；2014年9月12日，公布人民法院政府信息公开十大案例。

加强法院政务网站建设

法院政务网站是互联网时代社会公众了解法院的重要窗口。按照“一个法院一个政务网站”的要求，各级人民法院加强政务网站建设，使之成为人民法院司法公开工作的基础平台。各级人民法院在网站开设法院概况、法院动态、法官介绍、开庭公告、视频点播、诉讼指南、审判指导文件、法院工作报告、司法统计数据、投诉监督渠道等栏目，在醒目位置提供审判流程公开、裁判文书公开、执行信息公开平台的链接。

各地加强对政务网站内容的及时更新，并努力探索将单向发布信息资讯平台逐步转换为具备在线预约立案、查询、办事、咨询、答疑、下载等多功能的双向互动平台。2014年12月31日，最高人民法院政务网站全面改版，同时开通诉讼服务网，极大方便了当事人咨询查询、预约立案、网上阅卷、联系法官。北京法院于2013年12月底建成北京法院审判信息网，具备信息发布、在线服务、便捷查询等功能，成为北京法院司法公开和在线服务的综合性平台。浙江法院公开网于2014年7月开通，利用互联网技术把全省法院全部连接起来，后台数据中心统一自动向该网安全输送司法公开信息，设置9个一级栏目和66个二级栏目，当事人凭密码查询案件信息，公众和当事人可通过网



站查阅诉讼指南、裁判文书、司法文件、失信被执行人、执行拍卖等信息，观看庭审直播和录像，预约庭审旁听、网上阅卷、网上调解等。网站同步运行移动微网站，支持手机、iPad 等移动平台终端和浏览器，实现随时、随地、随身访问。

推进法院微博微信等新媒体建设

2013 年 11 月 21 日，最高人民法院新浪官方微博、腾讯官方微信、全国法院微博发布厅同时上线。此后，又陆续于 2014 年 3 月 9 日开通腾讯微博、4 月 9 日开通人民微博，全面进驻国内主流微博平台。截至 2014 年底，三个官方微博粉丝总数达 1993 万余人，发布微博 7675 条，被转发、评论 21.6 万条。在人民网舆情监测室发布的《2014 年新浪政务微博报告》中，@ 最高人民法院在十大政务机构微博、十大部委微博中均位于前列，并荣获全国政务微博十佳应用奖和十大司法微博第一名。2014 年 12 月 14 日，最高人民法院新媒体居 2014 年度全国政务新媒体综合影响力排行榜第三名。“全国法院微博发布厅”成为首个上至国家级别下涵全国 31 个省级机构的微博发布厅，初步建成了国家队 + 地方队的微博格局。截至 2014 年底，全国共有 3250 个法院开通官方微博，有 13 个省份开通了微博发布厅。

2014 年 4 月 21 日，最高人民法院微信全新改版，增加服务互动功能，整合法院系统各类媒体资源，为订阅用户提供一站式司法公开和民意沟通服务，实现全国法院全媒体展现、全方位沟通。截至 2014 年底，已发布 2236 条图文消息，订阅用户 10.2 万余人。最高人民法院官方微信入选“2014 年度全国十大政务微信”。2013 年 12 月 26 日，最高人民法院入驻搜狐新闻移动客户端。截至 2014 年底，新闻客户端已发布各类信息 5420 篇，订阅用户达到 88 万余人。



为适应移动互联网时代的传播要求，2015年2月27日，中国法院手机电视APP正式开通上线。目前，该APP已开设法制新闻、法治热点、庭审直播等栏目，具有热门推荐、直播预约、视频点播等功能。

办好公众开放日活动

公众开放日活动是人民法院主动邀请人民群众走进法院看法院、走近法官看法官的重要举措。最高人民法院常年举办主题鲜明、形式多样的公众开放日活动，邀请人大代表、政协委员、基层群众、未成年人等走进最高人民法院，直观感受最高审判机关的魅力和我国司法事业发展成就。2014年5月28日，最高人民法院举办面向未成年人的公众开放日活动，同日举办《法在身边——未成年人法律保护》一书首发活动，最高人民法院院长周强回答了受邀参观的代表提问。7月初，全国各级人民法院开展“法在身边——送法进校园”专题宣传活动，全国25个省区市近500家法院参与了活动。8月27日，最高人民法院首次举办面向外国驻华使节的主题开放活动，16个驻华使馆的25位外交使节参加。地方各级人民法院结合本地实际，开展了内容丰富、多种多样的法制宣传和主题开放活动。广西壮族自治区高级人民法院出台《关于组织“公众开放日”活动的实施办法（试行）》，促进开放日活动规范化、制度化、常态化。南京市中级人民法院开展“万人进法院”活动，使法院成为向社会公众传播司法文化的窗口。

进一步畅通民意沟通渠道

各级人民法院积极回应人民群众的关切与期待，进一步畅通民意沟通渠道，创新民意沟通方式，构建法院与民众的良性互动沟通机制。早在2009年，最高人民法院就开设了民意沟通电子邮箱，收集网民意



见建议并及时回复。2014年2月21日，最高人民法院网、中国法院网正式开通“给大法官留言”栏目，目前收到留言7161条，均及时回复。最高人民法院聘请了特约监督员100人，特邀咨询员40人，开设人大代表、政协委员电子沟通信箱，进一步主动公开信息、自觉接受监督。

各地也通过开设院长信箱、给大法官留言、司法公信力调查、阳光司法指数测评等方式，在增进与公众沟通、树立法院和法官良好形象、提升司法透明度和公信力方面取得了良好效果。重庆市高级人民法院早在2008年就向社会公布三级法院院长电子邮箱，于2010年6月重新公布升级后的院长邮箱。截至2014年底，重庆全市法院院长邮箱共处理邮件3.4万件。浙江省高级人民法院联合浙江大学研制阳光司法指数评估体系，2013年起委托中国社会科学院法学研究所作为中立第三方独立对司法公开工作进行动态监测和评估，客观全面地展现了法院司法公开的成效和问题，促进法院整改不足，进一步推动司法公开。



结束语

司法公开是一种自信，一种力量。近年来，人民法院全面深化司法公开，司法公开从形式到内容都取得了重大进展，特别是以信息化推动司法公开，使司法公开工作实现了新的突破。以公开促公正、保廉洁、提公信，已经深入人心。党的十八届四中全会提出要构建开放、动态、透明、便民的阳光司法机制，这成为新时期人民法院司法公开工作的方向，也对人民法院司法公开工作提出了更高的要求。司法公开只有进行时，没有完成时。下一步，最高人民法院要继续全面深化司法公开，依托信息技术推动立案、庭审、执行、听证、文书、审务等各方面的司法公开，推动司法依据、程序、流程、结果和生效法律文书全面公开，推动司法公开平台整合、技术创新、深度应用、整体推进，推动司法公开规范化、制度化、信息化，不断完善公开机制、拓宽公开渠道，创新公开方式，建设开放、动态、透明、便民的阳光司法，为全面推进依法治国、建设社会主义法治国家、实现中华民族伟大复兴的中国梦作出更大贡献！

Foreword

“Justice is not to be done, but to be seen done.” Judicial transparency is an important means to facilitate judicial fairness, prevent corruption in the judicial system and improve judicial competence, and is the crux to carry out the constitutional and juristical principles and protect the litigation rights of citizens and demonstrate modern legal civilization, and is also a must in comprehensively promoting the rule of law and accelerating the construction of China’s rule of law.

People’s courts have been paying high attention to judicial transparency and always treated it as an important constituent to deepen the reform in judicial system and working mechanism, and taken various measures to constantly expanding the width and depth of judicial transparency, and made innovations on forms and channels of judicial transparency, and spent great efforts in building up an open, dynamic, transparent and convenient sunshine judicial mechanism.

In the new century and new stage, facing new requirements in the work of the Party and the State, new expectations of the masses and new challenges



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in the era of information, the deepening of judicial transparency has become more important and urgent. The 18th Central Committee of the Communist Party has emphasized on the promotion of disclosure and standardization of the exercise and operation of powers, and the 3rd and 4th Plenary Sessions of the 18th Central Committee of the Communist Party have proposed to deepen the judicial transparency. As the legal construction process accelerates, the general public has stronger expectations on the transparency of judicial transparency. With the rapid development of big data, cloud computing and new media, the speed, models and patterns of information dissemination change greatly, and the masses' demands for judicial information vary, and under the new situation, the promotion of judicial transparency is facing an unprecedented opportunity and great challenges.

I. Basic Situation of the Promotion of Judicial Transparency by People's Courts

It has always been an important work of the people's courts and an important measure in judicial reform, to promote judicial transparency. As early as in 1999, the Supreme People's Court has formulated the *Several Provisions on Strictly Implementing the Open Trial System*. From 2006 to 2010, the Supreme People's Court has subsequently issued the *Several Opinions on Enforcement Disclosure by People's Courts*, and the *Several Opinions on Strengthening the Trial Disclosure by People's Courts*, the Six Provisions on Judicial Transparency and other normative documents, to put forward specific requirements for information disclosure on case registration, court trial, enforcement, hearing, judicial documents and administrative affairs of the court. The Supreme People's Court has selected, appraised and confirmed 200 judicial transparency demonstration courts in two batches in October of 2010 and December of 2012, to timely summarize their experience and play their role in demonstration.

Since the 3rd Plenary Session of the 18th Central Committee of the Communist Party, people's courts have accelerated the promotion of judicial transparency. The Supreme People's Court has successively issued the *Several Opinions on Promoting the Construction of Three Platforms for Judicial Transparency*, the *Provisions on Publishing Judgments, Verdicts*



and Reconciliation Statements on Internet by People's Courts, the Several Opinions on Enforcement Process Disclosure by People's Courts and other normative documents, aiming to rely on modern information technologies to promote the construction of “Three Platforms” , i.e. the trial process disclosure platform, the platform of disclosure of judgments, verdicts and reconciliation statements, and the platform of the enforcement information disclosure, and to make use of network, Weibo, WeChat, mobile news client and other media, and to further expand the width and depth of the judicial transparency work. Local people's courts at all levels have constantly made innovations on judicial transparency measures and enhanced the judicial transparency and judicial creditability.

Further Transformation on Concept of Disclosure. Mr. ZHOU Qiang, chief justice of the Supreme People's Court indicated that, judges shall not be afraid of the “pickiness” of the masses or making fool of themselves; otherwise, the judicial powers will never walk in the sunshine. People's courts at all levels shall constantly update their concepts on judicial transparency and take it as granted to make disclosure, with exceptions only in a very few cases; and shall make efforts in changing the passive disclosure into active disclosure, internal disclosure to external disclosure, optional disclosure to full disclosure and disclosure in disguised form to substantial disclosure.

Further Expansion on Content of Disclosure. The content of judicial transparency shall be expanded from open trial to the open and disclosure of case acceptance and registration, court trial, execution, hearing, documents

and administrative affairs concerning court and proceedings, and from open to the parties concerned to open to the public, and from disclosure of results to full disclosure of bases and grounds, procedures, process and results.

Further Optimization on Platform of Disclosure. The Supreme People's Court has built up several websites for nation-wide disclosure of information on trial process (<http://www.court.gov.cn/zgsplcxxgkw/>), judgments and verdicts (<http://www.court.gov.cn/zgcpwsw/zscqhz/>), person subject to enforcement (<http://zhixing.court.gov.cn/search/>) and court trial (<http://ts.chinacourt.org/>), changing from the separate disclosure by courts at different places to the centralized disclosure on an open platform.

Further Innovation on Form of Disclosure. The people's courts at all levels shall make full use of modern information technologies to constantly expand the channels and ways for the public to obtain judicial information by building websites on administrative affairs of courts and 12368 litigation service platform, and making public Weibo and WeChat IDs, mobile news client and president's email, so as to explore the three-dimensional, one-stop, comprehensive and interactive judicial transparency services to build up a more transparent and open judicial environment.

II. Disclosure of Trial Process

Disclosure of trial process is an important means to provide convenience for the general public to participate in litigation, protect the litigation rights of the case parties and satisfy and safeguard the needs and right to information of the general public. It is also a powerful measure to construct the open, dynamic, transparent and convenient sunshine judicial mechanism. From case acceptance and registration to service of judgments and verdicts and reconciliation statements, the trial activities of a people's court shall be operated in the sunshine.

Information Disclosure of Trial Process

On November 13, 2014, China's first website on disclosure of information on trial process (<http://www.court.gov.cn/zgsplcxxgkw/>, hereinafter referred to as the "China Trial Process Information Disclosure Website") has been officially launched after commissioning for three months. The Supreme People's Court therefore becomes the first court in China to disclose information on trial process based the said Website. The case parties and their agents ad litem may at any time log on the said website to inquire, search and download relevant process information and materials, with their ID cards, mobile phone numbers and the inquiry codes and passwords provided by the Supreme People's Court from the date of acceptance and registration of the case, in order to timely understand and supervise the

progress of the case. The court trial records and the electronic service of procedural litigation documents and instruments of the cases tried by the Supreme People's Court can all be consulted and completed on the China Trial Process Information Disclosure Website.

Since the launch for commissioning of the trial process information disclosure platform of the Supreme People's Court on August 1, 2014, by the end of 2014, the number of notices of trial published on this platform has reached 429 in total, and there are 36,276 trial information disclosure items, and during this period, the traffic of China Trial Process Information Disclosure Website has exceeded 766,000. From August of 2014 to December of 2014, the trial process information of the 2,109 cases newly accepted by the Supreme People's Court has been disclosed to the case parties and their agents ad litem, and the number of information disclosure items reaches 41,071, with 6,248 text messages successfully sent.

At present, in addition to the Supreme People's Court, 22 provinces, autonomous regions and municipalities directly under central government including Beijing, Tianjin, Hebei, Jilin, Heilongjiang, Shanghai, Jiangsu, Zhejiang, Anhui, Fujian, Shandong, Hubei, Hunan, Guangdong, Guangxi, Chongqing, Sichuan, Yunnan, Shaanxi, Gansu, Qinghai and Ningxia, have basically built up a provincial uniform trial process information disclosure platform linked with the China Trial Process Information Disclosure Website. The operation of the local trial process information disclosure platforms has basically satisfied the needs of the case parties and their agents ad litem in inquiring about the trial process information. Beijing court trial

information website and mobile APPs allow visitors and users to inquire about the case progress in real time. Since July 1, 2014, the case parties can inquire about information on five categories (93 items in total), namely case acceptance and registration, case trail, case enforcement, trial period and close of case on Beijing court trial information website. By the end of 2014, over 1,005,000 trial process information has been published on Beijing court trial information website. Courts in Shanghai focus on the whole process disclosure and provide information disclosure services for the case parties from acceptance of case to close of case, and the information on trial process disclosed by the end of 2014 has exceeded 4,554,000 on a cumulative basis. China Trial Process Information Disclosure Website is planning to realize the linking with the court process information disclosure platforms of all higher people’s courts in China in the future, aiming to facilitate the case parties and their agents ad litem to inquire and follow up the case progress and update on the same platform.

Table 1: Items of Information Disclosed on China Trial Process Information Disclosure Website

Items of Information	Content	Scope of Disclosure
Institutional Information	court address, traffic map and tips, contacts, scope of jurisdiction, subordinated courts, internal organization and their duties and functions, complaint channel, etc.	general public
Crew Information	members of judicial committee, names, titles and ranks of judges, etc.	general public

Items of Information	Content	Scope of Disclosure
Information Provided in the Judicial Disclosure Guideline	scope of disclosure of information on trial process, judgments, verdicts and reconciliation statements and enforcement, and the inquiry methods	general public
Information Provided in the Litigation Guideline	conditions for case registration, application for re-trial, conditions and requirements for complaints, litigation procedure, format of litigation documents, litigation charging standards, procedures and conditions for reduction and exemption of litigation costs, litigation risks reminder, alternative non-litigation dispute resolution methods, etc.	general public
Information Provided in the Trial Guidance Documents	judicial interpretation, trial business documents, guiding cases, reference cases, judicial research and study results that are not confidential, etc.	general public
Court Trial Information	notice of trial, announcement of hearing, cross-examination, etc.	general public
Register Information	register of people's jurors, register of specially invited organizations and specially invited mediators, and register of evaluation institutions, auction institutions and other social intermediary agents, etc.	general public
Information on Case Registration	Name, number, cause of action and date of registration, of the Case, etc.	case parties and agents ad litem
Information of judges	Names of members of collegial panel, name of presiding judge and clerk, office phone number, etc.	case parties and agents ad litem

Items of Information	Content	Scope of Disclosure
Basic Information of Trial Process	litigation procedures and change of case parties, treatment of jurisdiction, property preservation, advanced execution, entrustment of appraisal, evaluation and auction and other situation; time and place of court trial, hearing, inquiry, investigation and evidence collection and cross-examination; statutory or stipulated trial period, deduction and extension of trial period, and other change to trial period; time of commencement of delivery of judgments, verdicts and reconciliation statements, time of completion of delivery of judgments, verdicts and reconciliation statements, methods of services and other service information; notice of acceptance of case, notice of appearance, notice of trial, notice of hearing, notice of inquiry, notice of investigation and collection of evidence, notice of cross-examination and summons, etc.; complaint, appeal, motion for new trial, petition for revision, State compensation application, answer, court records, inquiry records, statement of mediation and other judgments and the date of publication and inquiry method of judgments on the Website of Judicial Opinions of China, etc.	case parties and agents ad litem
Information of Trial Process Nodes	when the case is registered; when members of collegial panel are determined; when a trial schedule is set; when collegial panel is reviewing the case; when the judicial committee is reviewing the case; when the delivery of judgments, reconciliation statements and verdicts commences, and when judgments, reconciliation statements and verdicts are completed; and when the case is archived.	case parties and agents ad litem

Disclosure of Case Registration

Disclosure of case registration is an important part of judicial transparency. People's courts at all levels are proactively promoting the construction of litigation service center and equipping themselves with electronic touch screens and electronic bulletins, and are carrying out the setting-up of instrument sample inquiry counters and litigation guidance counters, provision of litigation guidance, litigation risk disclosure and other related materials, and arrangement of special personnel to provide guidance for any litigation issue raised by the general public. The case parties will be clearly informed of the case registration conditions, case registration procedures, litigation charging standards and other relevant information through 12368 litigation service hotline, mobile APPs, administrative affairs disclosure websites and other channels.

Many courts have already built up all-around, all-dimensional and one-stop litigation service platforms to realize the organic combination of judicial transparency and provision of judicial convenience to the masses. By the end of 2014, twelve regions (including Beijing and Shanghai) have deployed the 12368 litigation service system. One of the typical examples in this aspect is the 12368 litigation service platform established by courts in Shanghai, through which case parties can contact judges, inquire case information, consult about litigation, file complaints and petitions, express opinions and propose suggestions, obtain psychological consulting services, provide social comments, supervise and examine the works of the court by means of hotline, text message, internet, WeChat, Weibo, service windows and other

means. By the end of 2014, the platform hotline has answered over 100,000 incoming calls and handled over 20,000 inquiries made through self-service voice messages, and the said network platform has sent out over 120,000 text messages on involvement in the case and litigation services. Guangdong Shenzhen Intermediate People's Court is one of the pioneer local people's courts in opening up 12368 litigation service hotline in China, and all basic courts within its jurisdiction have now been covered by the hotlines. There are two modes of hotline services available to users, 24 hour self-service inquiry and manual service during work hours, and over 20,000 calls have been answered through manual service since its inception. Jiangsu Nanjing Intermediate People's Court has launched the "Mobile App Online Litigation Service Platform", which allows online case registration and service of legal documents and provides 13 litigation services including information inquiry, judge booking, receipt and transfer of materials, online petition, post judgment Q&A, commutation and parole, case inquiry and judgments, verdicts and reconciliation statements, and has innovated the ways for the masses to participate in the litigation and increased the transparency of case registration.

Court Trial Disclosure

Court trial is the core of the trial activities of a people's court and the key of judicial transparency. The people's courts at all levels have proactively made innovations on court trial disclosure means, and have carried out court trial disclosure via video, audio, graphic and text, Weibo and other methods and expanded the forms and scope of court trial disclosure.

All local people's courts are strengthening the construction of technology court and digital court, carrying out entire synchronous audio and video recording of the court trial activities, and conducting centralized storage, regular backup and long-term preservation of such recording in digital form. The use of electronic litigation files has been promoted, and the case parties and their agents ad litem may inquire court recordings and electronic case files in accordance with relevant regulations, and some courts may even provide internet remote case files reading services. Courts in Shandong have established electronic case files for all cases, and all cases in trial will have entire synchronous audio and video recording. And all electronic case files and court trial recordings are available to case parties for consulting, and information on trial process from the date of acceptance of case will be disclosed to the case parties. Courts in Jiangsu have promoted the "three synchronous" practices, namely, synchronous audio and video recording, synchronous records and synchronous display of court trial records, and all 2,279 scientific trial courts in Jiangsu province have realized the "three synchronous" practices for court trial. 1,783 trial courts in Zhejiang province have been all built into digital courts and realized "recording every court trial", and the audio and video records and materials have cumulated to 1,100,000 copies. By the end of 2014, there are 17,740 technology courts constructed in China.

The Supreme People's Court has revised the *Court Rules of People's Courts* (issuing soon) to establish and improve rules on orderly opening and effective management of the attendance of trials and court reporting,

and to legally protect citizens' right to attend court trial. The local people's courts have proactively invited NPC members, CPPCC members, experts and scholars and members of the community to attend and observe court trial and consciously accept the supervision by the public. Many courts have launched measures such as attending court trial by ID cards or other valid identity proof and booking attendance to court trial online, and strived to provide convenience to citizens attending court trial.

On December 11, 2013, China Court's Live Trial (<http://ts.chinacourt.org/>) has officially launched and citizens may watch live broadcasting and recording of court trial online. By the end of 2014, there are 519 live broadcasting of court trials through China Court's Live Trial (<http://ts.chinacourt.org/>). In 2014, people's courts at all levels have conducted live broadcasting for over 80,000 court trials. People's courts at all levels have made full use of television, network, Weibo, WeChat and other media to legally carry out live broadcasting of significant cases of open court trial. On December 4, 2013, the Supreme People's Court for the first time used television live broadcasting, radio connection, online live broadcasting and other omnimedia forms to broadcast live of "*Qihoo 360 v. Tencent Antitrust Appeal Case*", with a court trial period of over 28 hours, a historical record of live broadcasting time of the Supreme People's Court. From August 22 – 26, 2013, Shandong Jinan Intermediate People's Court has carried out entire Weibo broadcast of the BO Xilai's case on taking bribery, corruption and abuse of power, and over 150 Weibo messages with nearly 160,000 words have been sent during the five day court trial. Guangdong Guangzhou

Intermediate People's Court has launched a "full-time" court trial online broadcasting project, and since its inception of the new court trial online broadcasting platform on September 24, 2014, people's courts of two tiers in Guangzhou have completed online broadcasting for 609 cases in one month, and a new normal court trial live broadcasting characterized as "Live Broadcasting Everyday and Live Broadcasting for each case" has been basically formed. Chongqing First Intermediate People's Court has carried out "bi-network synchronous live broadcasting" by its official Weibo ID and official website, and the live broadcasting of the "*Case of JDB v. Wong Lo Kat over Unfair Competition*" tried by the Court has been viewed by more than 150,000 times. Many courts have introduced court trial live broadcasting into the electronic screen of the litigation service centers and city square LED screens, to directly show the court trial scenes to the general public.

Disclosure of Commutation, Parole and Serving Sentence outside Prison Temporarily

The Supreme People's Court is making efforts to facilitate the justice of cases of commutation, parole and serving sentence outside prison temporarily through the open sunshine judicial mechanism. On April 23, 2014, the Supreme People's Court has promulgated the *Provisions of the Supreme People's Court on Trial Procedures for Commutation and Parole Cases*, to standardize the trial procedures for commutation and parole cases. The Supreme People's Court is now making every effort to safeguard the disclosure and justice of cases of commutation, parole and serving sentence

outside prison temporarily in accordance with the requirements of “five alls”. For all cases of commutation, parole and serving sentence outside prison temporarily, the commutation or parole recommendation or the application for serving sentence outside prison temporarily and other materials shall be legally disclosed to the general public after such cases are registered; for all cases of commutation or parole of criminals committed duty-related crimes, organized crimes related to gangs and financial crimes, such cases shall be legally heard in public; for all public hearing of cases of commutation or parole of criminals committed duty-related crimes, organized crimes related to gangs and financial crimes, NPC members, CPPCC members or relevant representatives shall be invited to attend the court trial; for all judgments, verdicts and reconciliation statements of the cases of commutation, parole or serving sentence outside prison temporarily, they shall be legally published on Judicial Opinions of China (<http://www.court.gov.cn/zgcpwsw/>); and for all personnel of the courts who have acted against discipline or laws, or even constituted a crime during his/her handling of the cases of commutation, parole and serving sentence outside prison temporarily, they shall be legally investigated liabilities and given heavier punishment for that.

All local people’s courts are proactively promoting the construction of the commutation and parole working mechanism to take digital courts within prison as their focuses, in order to enhance the trial transparency of commutation and parole cases. Hebei Hengshui Intermediate People’s Court has used technology court within the prison to greatly promote the disclosure and transparency of commutation and parole, and the parole case trial rate and the commutation case

trial rate (for corruption and malfeasance cases with high social concerns) have both reached 100%. Jiangsu Xuzhou Intermediate People's Court has established the working mechanism of "accompanying by judge, inspecting with records, making checks at all levels, social supervision and regular announcement" for cases of serving sentence outside prison temporarily, and invited the people's procuratorate, NPC members and CPPCC members to carry out valid supervision over the cases of serving sentence outside prison temporarily, in order to enhance the transparency of the examination over severing sentence outside prison temporarily.

III. Disclosure of Judgments,

Verdicts and Reconciliation Statements

Judgments, verdicts and reconciliation statements are the final products of the trial work of a people's court, and are important carriers that carry all litigation activities, settle disputes and reflect judicial competence. The establishment of the system of online disclosure and uniform inquiry of judgments to enable the public to rapidly and conveniently consult judgments through internet, is an important initiative of the Supreme People's Court to deepen judicial transparency, safeguard justice and demonstrate judicial civilization.

On July 1, 2013, the Supreme People's Court launched the Website of Judicial Opinions of China (<http://www.court.gov.cn/zgcpwsw/>) to establish a national uniform platform for disclosure of judgments, verdicts and reconciliation statements. From January 1, 2014, the effective judgments, verdicts and reconciliation statements rendered by people's courts at all levels have been published on that Website subsequently. By the end of 2014, higher, intermediate and basic people's courts in 28 provinces, autonomous regions and municipalities directly under central government in China have realized the uploading of judgments, verdicts and reconciliations to the Website of Judicial Opinions of China, and the number of published judgments, verdicts and reconciliation statements has reached 5,685,491, of

which, the Supreme People's Court has published 7,582 judgments, verdicts and reconciliation statements in total.

In order to safeguard the timely, standardized and orderly online disclosure of judgments and judgments, verdicts and reconciliation statements, the Supreme People's Court has formulated the *Provisions on Publishing Judgments and Judicial Opinions on Internet by People's Courts* to demand that the effective judgments, verdicts and reconciliation statements rendered by people's courts at all levels, except for those involving State secret, personal privacy, juvenile delinquency or closing in mediation, shall be uploaded to the Website of Judicial Opinions of China uniformly within seven days upon effectiveness, and to stipulate the specific handling methods thereof. People's courts at all levels shall, when uploading judgments, verdicts and reconciliation statements on the Internet, pay attention to control the relationship of safeguarding the right to information of the general public and protecting the privacy of citizens and personal information safety, and carry out any necessary technical handling of the personal information that is inappropriate to make public based on the types of cases. Courts in Zhejiang have elaborated the scope of uploading of judgments, verdicts and reconciliation statements and the working procedure thereof to promote a strict online examination and approval mechanism for judicial documents not uploading to the internet, and have developed the computer-aided management system for judgments, verdicts and reconciliation statements, and integrated the preparation, automatic formatting, proofreading and error correction, treatment of non-disclosure of name and online publishing of



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judicial documents, to realize the integrated management from preparation to online publishing of judicial documents. Courts in Chongqing have researched and developed a set of software for automatic generation and error correction of judgments and judicial opinions, which integrates nearly a thousand templates of judgments, verdicts and reconciliation statements, and have set up special judgments proofreading and verification offices, in order to enhance the quality of the disclosure of judgments and judicial opinions.

IV. Disclosure of Enforcement Information

Enforcement disclosure is an important constituent of the judicial transparency of a people's court, and an important measure to strive for the understanding of and support to the enforcement work by each party. People's courts at all levels are promoting the enforcement disclosure, strengthening the construction of enforcement information disclosure platform, actively connecting with the social credit system, proactively accepting social supervision and focusing on solving the issues causing difficulties in enforcement.

The Supreme People's Court has integrated the disclosed information of all courts in China in four aspects to develop and construct a uniform China Enforcement Information Disclosure Website, namely, the disclosure and inquiry of information on list of dishonest persons subject to enforcement, inquiry of information on persons subject to enforcement, information disclosure on procedures of enforcement cases and judgment enforcement disclosure, and has launched the Website on November 1, 2014. The case parties may inquire through the Enforcement Information Disclosure Website about the basic information of unclosed enforcement cases, information of list of dishonest persons subject to enforcement and judgment enforcement information, and may log on the Website to inquire about the procedure information of the case by their names, ID card numbers and

enforcement case numbers, including the information on case registration for enforcement, enforcement personnel, change in enforcement procedure, enforcement measures, disposal of properties subject to enforcement, enforcement award, allocation of amounts from enforcement, probation of enforcement, suspension of enforcement and close of enforcement, and may follow up the progress of the enforcement case. The general public may conveniently inquire through the Enforcement Information Disclosure Website about the standards for registration of enforcement cases, launch procedures, enforcement charging standards and basis, and moratorium, reduction or exemption of enforcement fee, enforcement risk reminder, reward announcement and auction announcement, etc. By the end of 2014, the Enforcement Information Disclosure Website has published 21,490,000 unclosed cases and 27,890,000 pieces of information on persons subject to enforcement on a cumulative basis, and handled 19,300,000 inquiries of information on enforcement case.

The Supreme People's Court has promoted the establishment of an enforcement information sharing mechanism to strengthen the construction of the online enforcement investigation and control mechanism with public security organs, land and resources bureaus, housing and urban-rural development departments, finance departments, industrial and commercial administrations and other assistance enforcement units, in order to lower investigation and control costs and enhance the enforcement work efficiency. The information sharing and exchange among credit platforms established by the railway departments, civil aviation bureaus, industrial and

commercial administrations, banking and financial institutions and relevant departments is strengthening. And the information of list of dishonest persons subject to enforcement will be circulated to the relevant departments to carry out joint credit punishment, such as restricting the persons subject to enforcement to purchase cushioned berth tickets or flight tickets, or apply for loans and credit cards, and prohibiting such persons to hold office as legal representatives or senior officers of the enterprise, so as to procure the persons subject to enforcement to actively perform their enforcement obligations. China Railway Corporation and TravelSky Technology Limited have respectively and officially launched the measures to restrict dishonest persons subject to enforcement to purchase cushioned berth ticket and flight ticket on June 18, 2014 and July 1, 2014, and by the end of 2014, 1,055,414 persons have been restricted from purchasing flight tickets and 56,038 persons have been restricted from purchasing cushioned berth tickets, under such measures and on a cumulative basis. People's courts at all levels are also providing convenience for the general public to inquire about the information of persons subject to enforcement of unclosed enforcement cases, information of list of dishonest persons subject to enforcement, and information on list of persons subject to limitation on departures, limitation on tender and bidding and limitation on high consumption, and are making efforts to give full play of role of enforcement information disclosure platform and proactively promote the construction of the social credit system. By the end of 2014, there are 894,906 dishonest persons subject to enforcement punished, consisted of 776, 288 natural persons and 118,618 legal persons and other organizations.

On December 24, 2014, the Supreme People's Court Enforcement Command System launched. The Supreme People's Court Enforcement Command System has realized the longitudinal mutual connection of the enforcement networks of the four-tier courts in China and the horizontal mutual connection with the all central national authorities, departments and ministries and the headquarters of commercial banks. And enforcement personnel of all courts in China can inquire information on identity and property of the debtors within the territory of China through network and control such property. At present, the Supreme People's Court has realized the longitudinal mutual connection with 27 higher people's courts in China, and signed cooperation memorandums with the ID Card Inquiry Center of the Ministry of Public Security, the National Administration for Code Allocation to Organizations, the State Administration for Industry and Commerce, China Banking Regulatory Commission, China Securities Regulatory Commission and another 20 banking and financial institutions, and has built up a special network for joint investigation and control of the properties of persons subject to enforcement and for punishment of dishonest activities.

All local people's courts have made many proactive explorations in terms of strengthening the enforcement disclosure, and provided convenience for case parties and their agents ad litem to inquire about information on enforcement case by many approaches, and examined the construction of a new enforcement disclosure mechanism integrating enforcement handling, enforcement service and enforcement supervision. At present, courts in

Beijing have realized the automatic collection and dynamic publishing of enforcement information, and the real-time release of number of cases under enforcement by courts at all levels in Beijing, and are able to provide real-time public data for the social credit system. All enforcement command centers in Jiangsu province will make public the list of persons subject to enforcement and the hotline for reporting clues about the properties of such persons, and have built up an enforcement information interactive platform online to realize timely feedback on the reported property clues concerning the persons subject to enforcement. Shenzhen Intermediate People's Court has taken the online litigation service platform for courts in Shenzhen (<http://ssfw.szcourt.gov.cn>) as the subject and taken advantage of the hawk-eye investigation and control network and the intensive aurora system, to build up a uniform enforcement information disclosure platform to include information of the persons subject to enforcement into the Shenzhen Credit Website (<http://www.szcredit.com.cn>) to enhance the enforcement efficiency. Shaanxi Xi'an Intermediate People's Court has explored the introduction of simultaneous video broadcasting online to the significant enforcement activities to expand the scope of enforcement disclosure, and enhance the transparency of enforcement work.

Many local people's courts have also explored online judicial auction to guarantee the disclosure and transparency of judicial auction. Courts in Zhejiang have allied with Taobao.com to establish an online judicial auction platform since June, 2012, through which the courts will legally and independently dispose properties involved in the litigation by means



of electronic bidding, and all auction steps and procedures are carried out on internet, and no commission or other charges will be collected. This not only realizes the entire disclosure of judicial auction, but also maximizes the realization value of the auctioned assets and squeezes the space of black-box operation. By the end of 2014, courts in Zhejiang have made a turnover exceeding RMB27,000,000,000 from the online judicial auction, with an average premium of 42.11%, and saved over RMB590,000,000 commissions for the case parties. Courts in Chongqing have launched the litigation assets website on July 1, 2011. From April, 2009 to October 31, 2014, courts in Chongqing have carried out 2,626 judicial auctions with 2,169 auctions successfully completed. The 82.6% total auction completion rate and 9.73% average premium rate for completed auctions have formed a strong contrast with the less than 20% auction completion rate and 30% average value shrinking, achieved before the reform. At present, a national litigation assets website for all people's courts (<http://www.rmfysszc.gov.cn/>) has been built up and put into operation.

V. Expanding and Innovating

Approaches to Judicial Transparency

In the era of internet and new media, the audience of judicial transparency grows exponentially, and the speed of dissemination of judicial information doubles and redoubles, and the influence of judicial transparency has further expanded, which all mark the judicial transparency work has entered into the age of informization, datamation and elaboration. By taking advantage of information-based approaches to propel the judicial transparency, people's courts at all levels have launched many innovative measures to safeguard the social public to better understand the justice, participate in the judicial affairs and supervise the judicial activities in a timely, complete and convenient way.

Regular Publication of Bulletin, Work Report of People's Court and Trial White Paper

It is the inherent and necessary requirement for the people's courts to promote judicial transparency and satisfy the needs of general public on access to judicial information, to timely and authoritatively publish judicial information. The Supreme People's Court has regularly published the *Bulletin of the Supreme People's Court*, the *Work Report of the Supreme People's Court* and the *Annual Work Report of People's Courts* (in

Chinese and English) and other materials in an attempt to disclose judicial documents, significant cases and court work to the general public at home and abroad. The Supreme People's Court has carried out such theme activities in the form of publicity week such as "IPR Day" and has published China IPR Judicial Protection Status White Paper, Top 10 IPR Cases of the Year and Top 50 Typical Cases of the Year and other materials to show our good image in IPR judicial protection. In September, 2014, the Supreme People's Court has issued the *Maritime Trial White Paper and published the Top 10 Maritime Trial Cases*, which demonstrate our trial competence and level in maritime and marine cases. The people's courts at all levels have proactively accommodated to the demand of the times of big data, analyzed case information and data, released professional trial white papers in finance, bankruptcy and protection of rights and interests of consumers, and intensified their efforts in disclosing information on all professional trial fields.

The people's courts at all levels have strengthened court information disclosure in connection with trial work. The general public is now able to consult information regarding court institutions, crew of the court, judicial transparency operation guide, litigation guide, court trial announcement, hearing announcement and trial guidance documents, through administrative affairs disclosure website, court bulletin, electronic screen and case information inquiry platform. Many courts have also disclosed some

judicial statistics data, research and survey results, information on the “three public expenses” of courts and information on acceptance of supervision by people’s courts that do not involve any State secret, so as to satisfy the public’s demand for judicial information to the maximum extent.

Establishment and Improvement of the System of Press Conference

Since the inception of monthly press conference system in May of 2009, the Supreme People’s Court has been timely carrying out authoritative release and explanation of judicial interpretations and judicial policy documents, and public response to the facts, progress and trial results of significant cases, and provision of fully authoritative judicial information to the society. Since 2009, the Supreme People’s Court has called 101 press conferences (of which, 18 press conferences were convened in 2013, and the number in 2014 is 19), and released 57 judicial documents, circulated work progress for 49 times and published 327 cases, in total. The topics of publication cover IPR judicial protection, combating trafficking of women and children, protection of minors, worker’s compensation, network infringement, drug and food safety, environmental pollution, disclosure of government information,

land acquisition and demolition and other highly concerned social issues, and other approaches such as omnimedia broadcasting, online question & answer and joint publication with local court have been adopted to enhance the publication effects.

Table 2: Selected Press Conferences of the Supreme People’s Court in 2013 and 2014

Date	Agenda
2014.11.3	publishing the provisions concerning case jurisdiction of IPR courts
2014.10.9	publishing the <i>Provisions of the Supreme People’s Court on Several Issues concerning Application of Laws in Trying Civil Cases Regarding Infringement upon Personal Rights and Rights by Using Information Network</i>
2014.9.2	press conference for the 30 th anniversary of the establishment of maritime court, publishing the <i>Maritime Trial White Paper</i>
2014.7.9	publishing the <i>Outlines for the 4th Five-Year Reform of People’s Courts (2014-2018)</i>
2014.7.3	circulating the working situation of people’s courts on strengthening the trial of environmental resource cases, and the establishment of the Environmental Resources Trial Division by the Supreme People’s Court, and publishing the <i>Opinions of the Supreme People’s Court on Fully Strengthening Environmental Resources Trial Work to Provide Powerful Judicial Safeguarding for the Promotion of Ecological Civilization Construction</i>
2014.4.24	publishing four typical medical related crime cases tried by the people’s courts, and publishing the <i>Opinions on Legally Punishing Medical Related Crimes to Maintain Normal Medical Order</i>
2014.1.9	publishing the <i>Provisions of the Supreme People’s Court on Several Issues concerning Application of Laws in Trying Food and Drug Dispute Cases</i>

Date	Agenda
2013.11.5	circulating the implementation situation of the exposure system of list of dishonest persons subject to enforcement, and publishing the first list of dishonest persons subject to enforcement
2013.10.24	joint publishing of the <i>Opinions on Legally Punishing Sexual Crimes against Minors</i> by four departments including the Supreme People's Court
2013.9.9	publishing judicial interpretations on handling criminal cases of using information network to carry out libel and defamation

The Supreme People's Court has established and improved the system of publication of guiding cases and typical cases. By the end of 2014, 44 guiding cases have been published in 9 publications. There are 171 typical cases published in 2014, of which, on August 29, 2014, the Supreme People's Court published the Top 10 Land Acquisition and Demolition Cases Tried by People's Courts, and on September 12, 2014, the Supreme People's Court published Top 10 Government Information Disclosure Cases.

Strengthening Construction of Website of Administrative Affairs of Court

The website of administrative affairs of court is an important window for the general public to know about the court in the era of internet. Based on the requirement of "one administrative affairs website for one court", people's courts at all levels have strengthened the construction of administrative affairs websites, turning the same into the basic platform for judicial transparency by the people's court. The people's courts at all levels shall set up on the website such columns as Overview of Court, Court News,

Introduction to Judges, Notices of trial, VOD, Litigation Guide, Trial Guidance Documents, Work Report of Court, Judicial Statistics Data and Complaint and Supervision Channels, and provide at conspicuous place the links to the platform of trial process disclosure, the platform of disclosure of judgments, verdicts and reconciliation statements and the enforcement information disclosure platform.

All local people's courts are strengthening the timely update of the content of the websites, and striving to explore the conversion from one-way information publishing platform to a bi-directional interactive platform with functions such as online appointment for case registration, inquiry, business handling, consulting, Q&A and download. On December 31, 2014, the administrative affairs website of the Supreme People's Court completed its comprehensive revision and update, and the litigation service website was officially launched, which will greatly facilitate the case parties to consult and inquire, make appointments for case registration, read case files online and contact judges. Courts in Beijing have built up the Beijing Court Trial Information Website (<http://www.bjcourt.gov.cn/>) in late December, 2013, which has become a comprehensive platform for judicial transparency and online services by courts in Beijing, with the functions of information release, online services and rapid inquiry. Zhejiang Court Disclosure Website (<http://www.zjsfgkw.cn/>) started its service in July, 2014 and connected all people's courts in Zhejiang province by internet technologies. Its backstage data center will uniformly, automatically and safely transmit judicial transparency information to it, and the Website has set up 9 first-tier columns

and 65 second-tier columns. Case parties can inquire case information by their passwords, and general public and case parties may consult litigation guideline, judgments, verdicts and reconciliation statements, judicial documents and instruments, dishonest persons subject to enforcement and enforcement auction and other judicial information, and may watch court trial live broadcasting and videos, make an appointment to attend and hear the court trials, read case files online and carry out online settlement, etc. The Website has simultaneously operated a mobile micro website, and supports mobile phone, iPad and other mobile platform terminals and browsers, and realizes access at anytime anywhere with any device.

Promoting Construction of Weibo and WeChat of Courts and other new media

On November 21, 2013, the Sina official Weibo ID and Tencent official WeChat ID of the Supreme People's Court and the Weibo IDs of all courts in China were launched and published on the same day. Thereafter, the Supreme People's Court and all local people's courts have subsequently applied and published Tencent Weibo IDs on March 9, 2014 and Renmin Weibo IDs on April 9, and entered into the mainstream Weibo platforms in China. By the end of 2014, the total number of fans of the three official Weibo IDs of the Supreme People's Court has exceeded 19,930,000 and these three official Weibo IDs have published 7,675 messages and received comments of 216,000. In the *Sina Administrative Affairs Weibo Report of 2014* published by the Public Opinions Monitoring Office of People's Daily, @ 最高人民法院 ranked in Top 10 Administrative Affairs and Institutional



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Weibo IDs and Top 10 Department and Ministry Weibo IDs, and ranked in Top 10 Best Application Awards for Administrative Affairs Weibo IDs in China and No.1 of Top 10 Judicial Weibo IDs. On December 14, 2014, the new media of the Supreme People's Court ranked 3rd in the List of Administrative Affairs New Media with Comprehensive Influence in China in 2014. "National Court Weibo Hall" has become the first Weibo hall serving institutions at national level and at provincial level (31 provincial institutions), and the rudiment of Weibo pattern of "national team + local team" has formed. By the end of 2014, there are 3,250 courts in China that have opened official Weibo, and thirteen provinces have established the Weibo hall.

On April 21, 2014, the WeChat of the Supreme People's Court has comprehensively revised and updated, and added in service interaction functions and integrated all media sources of the court system, to provide one-stop judicial transparency and public opinion communication services for subscribers and realize the omnimedia reveal of and all-around communication with courts in China. By the end of 2014, there are 2,236 graphic messages published and 102,000 subscribers. The official WeChat ID of the Supreme People's Court has shortlisted the "Top 10 Administrative Affairs WeChat ID in China of 2014". On December 26, 2013, the Supreme People's Court has joint the Sohu News Mobile Client. By the end of 2014, the news client has published 5,420 pieces of information of various types, and 880,000 subscribers.

On February 27, 2015, Chinese Courts mobile phone TV APP was officially



launched so as to adapt to disseminating requirement of the era of Mobile Internet. At present, The APP has set up such columns as Legal News, Hot Spot Information of Legal Construction, Court Trial Online and has such functions as what's hot recommendation, make an appointment to watch court trial online, VOD.

Well Completing the Campaign of Public Open Day

The Campaign of Public Open Day is an important measure for a people's court to actively invite general public to go to the court, get access to the judges and visit the daily work of judges. The Supreme People's Court regularly holds thematic and diversified Campaigns of Public Open Day to invite NPC members, CPPCC members, grassroots and minors to pay a visit to the Supreme People's Court to directly feel about the charisma of the highest trial authority and the judicial achievements in China. On May 28, 2014, the Supreme People's Court has held the Campaign of Public Open Day for minors and the launching ceremony of the book *Law on Your Side—Legal Protection for Minors*, and Mr. ZHOU Qiang, chief justice of the Supreme People's Court has answered questions raised by representatives invited for visit. At early July, the people's courts at all levels in China have carried out the special publicity and popularization campaign "*Law on Your Side — Laws into School*", and nearly 500 courts in 25 provinces and cities all around China have participated in this campaign. On August 27, the Supreme People's Court has held a thematic open day activity for foreign ambassadors, and 25 ambassadors from 16 embassies in China have participated in this activity. Local people's courts at all levels shall carry out



informative and diversified legal publicity and theme open day activities, in combination with local actuality. Guangxi Higher People's Court has launched the *Implementing Measures for Organizing Campaigns of Public Open Day (for Trial Implementation)*, to facilitate the standardization, institutionalization and normalization of the public open day activities. Nanjing Intermediate People's Court has carried out the Campaign of "Ten Thousand Visitors to Court" to turn the court into a window to disseminate judicial culture to the general public.

Further Smooth the Public Opinion Communication Channel

People's courts at all levels are proactively responding to the concerns and expectations of the masses, and further smoothing the public opinions communication channel, making innovations on public opinions communication approaches and building up the good interactive communication mechanism between the court and the masses. As early as in 2009, the Supreme People's Court has established a public opinion communication email address to collect opinions and suggestions from netizens and timely respond the same. On February 21, 2014, the Supreme People's Court Website (<http://www.court.gov.cn/>) and the China Court Website (<http://www.chinacourt.org/index.shtml>) have added a column named "Messages to Chief justices", and to date, 7,161 messages have been received and timely responded. The Supreme People's Court has retained 100 special supervisors and 40 special advisors, and set up an electronic communication mail box for NPC members and CPPCC members, for the purpose of further and actively disclosing information and consciously

accepting supervision.

The local people's courts have also achieved good results and effects in terms of increasing communication with the public, building up the good image for court and judges and, improving judicial transparency and creditability by setting up court president mailbox, messages to chief justice, judicial creditability investigation and sunshine judicial indicators test and assessment. Chongqing Higher People's Court has published the email addresses of presidents of courts at all three levels to the public in 2008, and republished the updated president emails to the public in June, 2010. By the end of 2014, the president mailboxes of courts in Chongqing have received and dealt with 34,000 emails. Zhejiang Higher People's Court has cooperated with Zhejiang University to develop and formulate the sunshine judicial indicators evaluation system, and has entrusted the Institute of Law, Chinese Academy of Social Sciences as an independent third party to carry out dynamic monitoring and evaluation of the judicial transparency work since 2013, which has objectively and fully revealed the effects and problems in judicial transparency by courts and facilitated courts to correct any imperfectness and further promote the judicial transparency.

Conclusion

Judicial transparency is a strength and a sense of confidence. In recent years, as the people's courts keep increasing input and efforts in judicial transparency, judicial transparency has obtained great progress in form and substance and a new breakthrough, especially in terms of promoting judicial transparency by information-based approaches. It is deeply rooted in people's mind that disclosure can bring justice, anti-corruption and creditability. An open, dynamic, transparent and convenient sunshine judicial mechanism was proposed as a concept and target on the 4th Plenary Session of the 18th Central Committee of the Communist Party, and has become the direction of the judicial transparency work of people's courts in the new era, and put forward higher requirements for people's courts in judicial transparency. Judicial transparency is always on the way and never ends. In the near future, the Supreme People's Court will continue to thoroughly deepen judicial transparency and rely on information technologies to promote the judicial transparency in case registration, court trial, enforcement, hearing, documents and instruments and administrative affairs concerning the court, push forward the full disclosure of judicial basis, process, procedures, results and effective legal documents and instruments, propel the integration,

technical innovation, in-depth application and overall advancement of the judicial transparency platforms, accelerate the standardization, institutionalization and informization, and constantly improve the disclosure mechanism, expand disclosure channels, innovate disclosure approaches and construct an open, dynamic, transparent and convenient sunshine judicial transparency, so as to make greater contribution to the full promotion of the rule of law, the construction of a socialist country under the rule of law and the realization of the China Dream of the great rejuvenation of the Chinese nation.

