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## A Brief Introduction to Civil Procedure in China

Zuo Bin, Chief Judge & director of No. 2 Civil Division of Shanghai High People's Court

1. When a case is brought in a court in China, what will happen?

**1. First step: Docketing the case**  
Every court in China has a division called Docketing Division, which is composed of judges who are in charge of accepting or rejecting cases, giving rulings on the motions about jurisdictions, and case management, etc.

One of the jobs of docketing the case is to determine the types of the cases filed by the litigants because different type of cases go to different divisions, and in China, a court includes a lot of divisions, such as criminal division, civil division, Commercial Division, administrative division, IP rights division, etc. The Supreme People's Court of China issued A Guide to the types of Cases which covers more than 300 types of cases, and often covers disputes in that field.

**2. Second step: Service of the Documents**  
In China, service of legal documents, including litigant documents, complaints, summons, etc., ought to be taken by court, which makes court system facing a lot of difficulties and causes a series problems on efficiency.

**3. Third step: Preparation of trial**  
At pretrial stage, main tasks of judges are to serve documents and sometimes (though fee) to organize the litigants to exchange the materials of evidence. We don't have the rules of disclosure of evidence, interrogation, etc. For many cases, the courts directly enter the session without any pretrial works.

**4. Fourth step: Trial**  
The trial includes opening statement by the plaintiff and reply by the defendant, the introduction of evidence and examination and cross-examination, debate, closing statement, etc.

**5. Fifth step: Judgment and Ruling**  
The courses of deliberating the cases by collegial panels are not open to the public. After the deliberation, the judgments should be

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