

Research on the Construction of Public Legal Service Supply System in Remote Areas Taking Region G as an Example

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ABSTRACT

The demand groups for public legal services in Region G can be divided into groups with different ages, different economic incomes and different knowledge structures. For their different needs, different legal services should be provided to achieve diversified services. Through efforts, the public legal service in Region G has its own national characteristics, for example, it has built a people's mediation system that conforms to the geographical and cultural environment of Region G. At the same time, Region G continues to adjust the process of public legal construction, issues guidelines and policies in line with the prefecture, people and world conditions of Region G, improves the linkage work system of people's mediation, administrative mediation and judicial mediation, and promotes the construction of a grand mediation work pattern, from the "rule of law" in the sense of formal rule of law to the "good law and good governance" in the unity of formal rule of law and substantive rule of law.

Keywords: Region G, Public legal service supply system, Construction.

1. INTRODUCTION

In April 2019, the Implementation Plan for Promoting the Construction of Public Legal Service System (hereinafter referred to as the Plan) was issued by Region G. The Plan specifies the overall requirements and main tasks for promoting the construction of the public legal service system. In terms of the main tasks, it is particularly proposed to optimize the supply of public legal services, such as deepening legal publicity, strengthening people's mediation, optimizing legal aid, and developing multi-level and multi-disciplinary public legal services. In the same year, the Guide Manual for Public Legal Services in Region G and the Publicity Manual for Public Legal Services in Region G were formulated, and the prefecture-wide public legal service system leapfrogged from "having one" to "having a good one".

Public legal services refer to the public services provided by the judicial administrative organs as a whole, mainly including the publicity of the rule of law, legal aid, lawyers, notarization, judicial

expertise, legal professional qualification examination, people's mediation and other content.

2. CURRENT SITUATION OF PUBLIC LEGAL SERVICE SYSTEM CONSTRUCTION IN REGION G

2.1 Building a "Trinity" Public Legal Service Platform of Entity, Hotline and Network

2.1.1 Entity Platform Construction

In 2018, the construction of a four-level entity platform of public legal service centers at the prefecture and county levels, public legal service workstations at the township level, and legal service studios or "one village, one legal adviser" at the village and town level was initially completed. As of December 10, 2020, the construction of 19 prefecture and county public legal service centers and 200 township public legal service workstations has been completed in Region G. The method of

"prefecture coordination and county enrichment" has been adopted to integrate prefecture-wide legal service talents and 1,484 "one village (residence), one legal adviser" has been equipped, covering 2,679 administrative villages. [1]

2.1.2 Hotline Platform Construction

The public legal service hotline "12348" was introduced. First, relying on information construction, Region G gradually promotes the physical connection, technical connection and smooth function of hotlines, networks and entity platforms. Second, Region G makes full use of legal publicity, all kinds of materials and modern media such as mobile phones, television, etc. to increase the social publicity of the "12348" hotline and the "12348" legal network of the prefecture, focusing on the use of mass meetings, face-to-face lectures, comprehensive training, entering villages and households, and distributing various legal publicity product materials such as the Publicity Manual for Public Legal Services in Region G.

2.1.3 Network Platform Construction

Region G uses the "Internet plus legal service" model to build the platform system of prefecture and county public legal service centers. Relying on the prefecture and county public legal service centers, Region G builds the hall touch inquiry machine, lawyer APP terminal, and administrator background system and staff, to achieve multi-channel communication and full-equipment coverage.

2.2 Optimizing the Supply of Public Legal Services

According to the requirements of the Directory of Prefecture-level Public Service Matters in Region G (2019 Version) issued by the Prefecture Government Office, the public legal service products currently provided by Region G can be divided into seven categories, specifically including lawyers and law firms, notarization services, judicial expertise services, legal professional qualification examination business consulting services, information inquiry of grass-roots legal service offices and grass-roots legal service workers, people's mediation services, and publicity of the rule of law.

2.2.1 Deepening the Publicity of Rule of Law

Region G deeply promotes systems and projects such as the "seven entering of law" and "people who understand the law", implements the responsibility of law popularization of "who enforces the law, who popularizes the law", "who serves, who popularizes the law", and "who is in charge, who is responsible", and carries out regular publicity and education on the rule of law, focusing on public officials, young students, temple monks and nuns, and farmers and herdsmen.

According to statistics, as of December 10, 2020, Region G carried out 1,691 legal publicity activities throughout the year, distributing more than 189,800 copies (pieces) of various legal publicity materials and products, covering more than 238,800 people including farmers and herdsmen, monks and nuns, teenagers and students. And it built 25 rule of law squares, rule of law cultural walls, and rule of law cultural corridors, named and praised 30 rule of law villages (communities), 22 rule of law-abiding temples, and 12 rule of law-abiding demonstration schools, conducted the selection of 50 excellent rule of law cultural works, and completed the standardized construction of 13 judicial offices, and 6 judicial offices were awarded the title of Provincial-level Standardized judicial offices. [2]

2.2.2 Strengthening People's Mediation

Region G adheres to and develops the "Fengqiao Experience", promotes the legalization, standardization and diversification of people's mediation, and plays the role of the "first line of defense" of people's mediation. Region G focuses on strengthening the construction of people's mediation organizations and teams. It builds a linkage mechanism among people's mediation, administrative mediation and judicial mediation, and promotes the connection among administrative mediation, people's mediation and judicial mediation of the government, departments and public security organs, the connection between litigation and non-litigation mediation, and the connection between interview and mediation. It also implements the working mechanisms of people's mediation, such as "ready mediation", "three-three mediation", and "border joint mediation", focuses on the cases that are easy to involve people and aggravate conflicts and disputes, such as "three mountains and one boundary",

marriage and family, law-related litigation, and immigration and relocation, strengthens the awareness of prevention, moves forward the focus of work, finds problems at the first time, properly mediates conflicts, and improves the level of resolving conflicts and disputes at the grass-roots level.

2.2.3 *Optimizing Legal Aid*

In 2019, the measures to optimize legal aid in Region G mainly include the following aspects:

First, it promoted legal aid to settle in public legal service platforms at all levels and provided free legal advice in all aspects.

Second, on the basis of doing a good job in traditional civil and criminal legal aid, it further relaxed the criteria for economic difficulties, expanded the coverage of aid, included matters closely related to people's livelihood such as labor security, education and medical care into the scope of legal aid, and promoted the expansion of legal aid to low-income groups, people in difficulties, suspects, criminals, forced-quarantine patients abstained from drugs and other special groups.

Third, it actively adapted to the reform of the criminal litigation system centered on trial, established and improved the legal aid on-duty lawyer and the legal aid work system such as notarization and judicial expertise, improved the legal aid work mechanism for applying for legal aid according to law and the defense work mechanism for the case handling organ, promoted the participation of legal aid in the representation of criminal, civil and other appeal cases, and promoted the implementation of criminal legal aid and the national judicial aid system.

Finally, it deepened the implementation of the legal aid project for people's livelihood, continued to carry out special aids for women, children and the disabled to safeguard their rights and for cleaning up the arrears of wage of migrant workers, and promoted the cooperation mechanism of legal aid in different places. It always strengthens the supervision of the quality of legal aid cases and the construction of the assessment and evaluation system, and constantly improves the quality of legal aid.

As of December 10, 2020, the legal aid agencies in Region G handled 155 legal aid cases involving 372 people and had provided 2,832 people with consultation and legal document writing, of which

7 legal aid cases related to stability and mafia involving 53 people were organized and supervised by lawyers. [3]

2.2.4 *Deepening the Reform of Lawyer and Notarization System*

It deepens the reform of the lawyer system and the notarization system, optimizes the management and operation mechanism of lawyers and notarization institutions, and improves the supporting policies that conform to the characteristics of the lawyer and notarization industry. It also introduces and builds standardized judicial expertise institutions. It aims to promote the construction of arbitration institutions, standardize the civil and commercial arbitration registration management system, and effectively resolve civil and commercial disputes. It promotes the construction of legal service industry associations and commonweal legal service alliances. It makes effort to improve the management system of legal services at the grass-roots level, standardize the practice of legal service workers at the grass-roots level, and implement the system of "one village (community), one legal adviser".

As of December 10, 2020, the notary office of Region G handled 394 cases in real time in the notarization industry management system throughout the year. It accepted 26 labor dispute cases such as migrant workers' salary seeking and work-related injury compensation, helped to recover migrant workers' salary of 1,216,371 million yuan, provided 599 migrant workers with telephone and legal consultation, found 22 disputes arising from the labor contract of migrant workers, 5,652 labor contracts not signed between enterprises and migrant workers, and 1,055 problematic labor contracts, and put forward 5 legal suggestions for the protection of the rights of migrant workers. [4][5][6]

3. PROBLEMS IN THE SUPPLY SYSTEM OF PUBLIC LEGAL SERVICES IN REGION G

In the face of the new situation and the needs of the grass-roots people, as well as the reasons for the regional economic development, the construction of the public legal service system in Region G is restricted by too many factors, and there are certain obstacles to the stability of the service society, which are reflected in the overall weak legal service

team in the whole prefecture, the development and supply of legal affairs products failing to keep up with the demand, the grass-roots legal service team being affected by the establishment, the lack of legal talents, the lack of establishment and other aspects.

3.1 Coexistence of Lack of Resource Supply and Waste

Region G requires "centers in counties, stations in towns and offices in villages" in a standardized way, but it is limited by the lack of special funds and talent support. At present, the entity platform established by the prefectural and county judicial bureaus can only achieve formal coverage and cannot meet the needs of the masses for legal services. The public legal service station is established by relying on the judicial office, and some judicial offices don't have independent business rooms. In the case that the office space, staffing and capital are difficult to guarantee, the service quality will not be guaranteed, and there are also problems in the relevant service specifications and supervision and management system. It is the lack of soft resources that leads to the waste of hard resources.

3.2 The Supply Subject of Legal Service Products Is Relatively Single

The supply subject of public legal service products in Region G has formed a diversified structure led by the government, with the participation of law firms, universities, grass-roots mass autonomous institutions and other subjects. However, there are many problems in terms of the number and actual role of various themes. The specific situation and reasons are as follows:

3.2.1 Insufficient Participation of Social Professional Subject

The current marketization of legal services has led to the non-sustainability of free legal services provided by lawyers, and its quality is also difficult to guarantee. At present, there are 23 law firms and 6 legal aid centers registered in the prefecture, most of which are state-owned assets institutions.

Self-discipline law firms that do not occupy the national establishment and funding are very rare, and the only few self-discipline law firms are also concentrated in the local capital. Therefore, the supply subject of public legal services in Region G

is relatively single, mainly relying on the government, especially, the judicial administration department provides public legal services, while the participation rate of market-oriented law firms and social organizations is low.¹

3.2.2 Less Establishment for Political and Legal Personnel

At present, there are 325 township judicial offices in Region G, and 370 people have access to political and legal special establishment. In addition to the judicial administrative functions, the judicial offices also undertake many work responsibilities. In addition, the contradiction between the small number of staff and the large number of events is very prominent, making it impossible to provide legal services to the masses in a timely and effective manner. Most of the work is concentrated at the county level, which not only increases the burden of the masses, but also increases the workload of the center.

3.2.3 Serious Shortage of Legal Service Personnel

In the process of deepening the reform, the 19 notary offices in the whole prefecture have the embarrassing situation of having no staff for the office. According to the building of a moderately prosperous society in all respects inspection index system issued by the State Council, the number of lawyers per 10,000 people is set at 2.3. However, through the annual survey, there were 38 registered lawyers (12 actual practitioners), 11 legal aid lawyers and 55 grass-roots legal service workers in 2018². It is difficult for "one village, one legal adviser" to truly achieve full coverage. Third, the legal aid centers at the prefecture and county levels have not set up the legal aid center as a subordinate institutional organization of the judicial administrative organ according to the Sanding Scheme of the Sichuan Provincial Department of Justice. The legal aid centers in the prefecture have no organization, establishment or full-time staff.

3.2.4 Lack of Bilingual Legal Talents

Although with the improvement of local basic education, the cultural level of the younger

1. The data is provided by the Judicial Bureau of Region G.

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generation has been continuously improved and the Chinese language ability has also been improved, and with the increasingly frequent economic and cultural exchanges within and outside the prefecture, Chinese is becoming more and more popular in Region G, talents who know the local language are still in need. Because many local people can use the common language fluently in daily communication, but once it comes to litigation or disputes with others or more in-depth communication, the local people still tend to use the local language, because their familiarity, trust and feelings of the local language make them believe that in these cases, only the local language can fully and truly express their true meaning. Therefore, the role of bilingual talents is highlighted when carrying out in-depth public legal services such as law popularization, legal aid and legal publicity. However, from the perspective of the implementation of the "one village, one legal adviser" system, although the formal provision of lawyers and university law major students as village legal advisers has achieved full formal coverage, due to language barriers, geography, transportation and other reasons, the location of the law office is usually far away from the associated village, and few lawyers can go deep into the village. Therefore, local judicial offices can often only train people with relatively high local cultural level and certain social prestige to become so-called legal advisers, and these people are often village cadres of the village. This is not only true in the implementation of the "one village (community), one legal adviser" system, but also in the training of "people who understand the law" and the training of the people's mediator team, it is also the village cadres who ultimately undertake the work, thus forming a situation of "multiple brands, the same group of people".

3.3 The Supply Level of Public Legal Service Products Is Not Equal to Social Demand

Due to the limited reserve of legal talents, the proportion of legal professionals participating in the publicity of the rule of law, legal aid, dispute mediation and other work is low, and most of them are based on traditional service methods, lacking professional division of labor and lawyers related to emerging industries such as modern finance, Internet industry and intellectual property industry. Moreover, the proportion of staff with legal background in local judicial bureaus or judicial

offices is also low, and it is easy to feel at a loss for complicated legal disputes.

4. COUNTERMEASURES AND SUGGESTIONS FOR IMPROVING THE PUBLIC LEGAL SERVICE SYSTEM IN REGION G

4.1 Building a Multi-level and Multi-dimensional Three-dimensional Supply System

Public legal services need to be built to meet the needs of people from different groups, different levels, and different demand levels. For example, the demand groups for legal services in Region G can be divided into groups with different ages, different economic incomes and different knowledge structures, and it's needed to provide different legal services for different needs, and provide more diversified and richer legal services. Due to the geographical location, there are rural areas, pastoral areas and urban residents in Region G, with literacy levels ranging from higher education levels to villagers who cannot even understand Chinese, creating a multi-level system of legal needs.

4.1.1 Building a Three-dimensional Supply System

Region G is vast, and diverse groups need diversified and three-dimensional service supply. The legal needs of Region G can be summarized as the following characteristics: The dependence on the court is weak and people prefer to seek the mediation of authoritative persons. Their appeals are often grassland disputes and marriage disputes, which are symbolic disputes of acquaintance society. However, with the strengthening of economic and social progress, Region G has gradually changed from agricultural civilization and partnership to economic subject relationship, with more and more types of disputes. Labor contract disputes, contract disputes and compensation for demolition issues have become more and more common. The following legal demand is also increasing, but the traditional non-litigation methods still exist. Therefore, people there are vacillating between customary law and statute law, and all hope to use the most economical and convenient way to change the burden of litigation. The public legal services provided by the local government of Region G should also comply with

the public opinion and provide a three-dimensional supply model according to local conditions under the guidance of the Constitution.

4.1.2 Increasing the Participation of Legal Professionals

As a provider of commonweal legal services, there is a need for not only lawyers who have enough legal literacy, but also "people who understand the law" who only provide legal services from the perspective of morality and local customs, such as highly-respected people in villages or ethnic groups, eminent monks in temples and college students, and so on. Multi-dimensional and multi-level legal groups can increase the proportion of legal providers, form full coverage of legal services, and play the essential role of law, namely, bringing an end to the conflict, so as to promote the stability and anti-division of Region G and build a harmonious and friendly social form.

4.1.3 Diversified Government Supply Service Modes

As the deployer of public legal services, the government can provide public legal services through government services, intergovernmental agreements, contracting-out, franchise, subsidies and other diversified ways. This is also conducive to solving the problems of narrow coverage and poor sustainability of commonweal legal services.

4.2 Improving the Competitive Mechanism of Public Legal Services

Since the establishment of human civilization, institutions must be set up to maintain social order and meet the needs of society for fairness and justice in dispute resolution. The public security and judicial institutions have gone all the way with human economic civilization and social civilization. A modern public legal service system that covers urban and rural areas, which is convenient, efficient, and equally inclusive, can form the same goals as a country, government and society ruled by law. For example, the legal service poverty alleviation project can include the service items within the scope of government responsibilities into the scope of government purchase services, guide social forces to participate in the provision, and form a public legal service competition mechanism.

4.3 Insisting on Taking the People as the Center and Improving People's Mediation

The demand for mediation and settlement of disputes in Region G is unparalleled in other regions. Basically, disputes at the village level are resolved through mediation. Many floating people in pastoral areas live on high-quality grasslands. In addition to the top dispute resolution tool — law, in many regions, the effectiveness of township regulations and civil agreements is particularly prominent. They don't want to become estranged due to litigation, and jurisdiction and other litigation issues are also confusing because of mobility. The economic costs of litigation are also beyond people's ability to bear. Therefore, many people hope to solve disputes in the most convenient and economical way. Region G should adhere to the principle of taking the people as the center, improve the people's mediation mechanism, resolve disputes as much as possible, establish a harmonious and beautiful legal environment in Region G, and ensure the orderly social order. In Region G, the tangible and intangible elements of the rule of law culture are effectively integrated, and the rule of law atmosphere is strong, which enlightens people imperceptibly. [2]

As a strategic decision of China, law-based governance of the country requires achieving the situation of good law and good governance, and forming the concept of rule of law into thousands of households. In order to accomplish this arduous historical task, the government of Region G continues to adjust the process of public legal construction, issues guidelines and policies in line with the prefecture, people and world conditions of Region G, constantly improves the people-centered system, improves the linkage work system of people's mediation, administrative mediation and judicial mediation, promotes the construction of a grand mediation work pattern, from the "rule of law" in the sense of formal rule of law to the "good law and good governance" in the unity of formal rule of law and substantive rule of law[3], shares mediation guidance cases, jointly builds an industrial and professional mediation expert pool, jointly promotes mediation brands such as Wang Xinghua and Lao Ma Studio, and jointly builds multiple "Fengqiao" judicial offices to resolve disputes among the masses. [4]

4.4 Creating a Diversified Product System and Promoting the Construction of Public Legal Service System in Depth

For the various needs of the society, Region G should build a diversified product system and provide it to the society in a dynamic product way, so as to promote the construction of the public legal service system.

4.4.1 Continuing to Promote the "Seven Entering" Work of Law with Distinctive Characteristics

According to the needs of Region G, Region G has launched the "seven entering of law" activity, which proves to be in line with the needs of the people of Region G, and can solve the actual problems of the people. For example, during the "three movements to the countryside" activity of college students every year, students who understand the law can popularize the law for villagers, which is simple and clear, easy to accept, and can strengthen the legal concept of the villagers. Therefore, it is very promising to continue to promote the "seven entering" work of law with distinctive characteristics in Region G. From the perspective of Tibetan culture, the principles of intergenerational equity and public participation are prevalent in the living habits of the local people, and have laid a good mass foundation for the work of "seven entering" of the law. [5]

4.4.2 Creating Precise Legal Publicity Products

First, it is to give lectures on the rule of law. For example, the first batch of prisoners in the Region G "advised others by using their own experience". The six prisoners combined their own criminal facts to advise others by using their own experience, making the listeners moved. Second, it is to carry out thematic legal knowledge competition. For example, special knowledge contests regarding Constitution Day can be carried out. Third, it is to build a legal publicity and education base. For example, Region G has built a rule of law street, rule of law corridor, rule of law theme park, rural rule of law culture square, etc., so that people can directly accept the influence of rule of law culture in their spare time and leisure walks. Fourth, it is to create publicity products for the rule of law culture. For example, rule of law animation, micro-film, short video, comics, books, public service ads, sketches, etc., can all be created.

4.4.3 Innovating the Publicity Method of Rule of Law

In today's era of big data, We-Media, and streaming media, the electronic process is also a process of innovating the rule of law publicity. How to use the "Internet plus" to promote the rule of law publicity, how to integrate with the lifestyle of young people, and how to promote the rule of law publicity are all issues that the rule of law department should focus on thinking about. Online and offline interaction will be more popular and accepted by young people.

5. CONCLUSION

North, an American economist, pointed out that establishing and maintaining order in a dynamic and changing environment is an ancient social problem and a central issue of modern society [6]. Public legal services bear the responsibility of building a safe China, which is of vital interest to the people. With the promotion of public legal services, it can further guarantee the people's health and happiness, and the country and people's peace. The establishment and normal operation of the rule of law society is to build the environment that everyone needs, so that the residents have their own houses, the workers have their own jobs, and the people enjoy peace and ease. There is still a long way to go for Region G to improve the public legal service system, and it needs the joint efforts of people from all walks of life to realize the modernization of the national governance system and governance capacity.

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REFERENCES

- [1] Ganzi Prefecture Bureau of Justice The judicial administration system of Ganzi Prefecture strongly promotes the construction of public legal service system [EB/OL] [2020-12-10]. <http://sfj.gzz.gov.cn/gzsfj/c102096/202012/5045eb79c10d43cf99e95465f319d8d8.shtml> (in Chinese)
- [2] Department of Justice of Zhejiang Province, The Practical Exploration of the Construction of the Rule of Law for Rural Areas in

- Zhejiang [J]. Justice of China, 2021 (5): 12 (in Chinese)
- [3] Zhang Wenxian. 40 years of rule of law in China: history, track and experience [J]. Social Sciences Digest.2018 (11): 66 (in Chinese)
- [4] Research Group of Chengdu Judicial Bureau, Sichuan Province, Suggestions on Building the Chengdu-Chongqing Legal Service Alliance to Serve the Construction of the Chengdu-Chongqing Two-city Economic Circle [J]. Justice of China, 2021 (5): 78 (in Chinese)
- [5] Fang Guirong, Yao Runzhi, On the Rule of Law Construction of Ecological Civilization in Ethnic Areas [J]. Journal of Sichuan Minzu College. 2021(6):97 (in Chinese)
- [6] Douglass North. Understanding the Process of Economic Change [M]. Zhong Zhengsheng et al., trans. Beijing: China Renmin University Press, 2007:92-93 (in Chinese)