

Implementation Opinions of the Supreme People's Court on Deepening the Building of the One-stop Diversified Dispute Resolution Mechanism at the people's courts to Promote the Resolution of Conflicts and Disputes at Their Source

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最高人民法院关于深化人民法院一站式多元解纷机制建设推动矛盾纠纷源头化解的实施意见

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For the purposes of thoroughly implementing the Opinions on Strengthening the Governance of Sources of Litigation and Promoting the Resolution of Conflicts and Disputes at Their Source, promoting the establishment of a comprehensive governance mechanism covering prevention and control of social conflicts at their source, screening and sorting of social conflicts, resolution disputes and response to emergencies, promoting the modernization of the primary governance system and governance capacity, and striving to advance the Peaceful China Initiative to a higher level, the following opinions on deepening the building of the one-stop diversified dispute resolution mechanism at the people's courts to promote the resolution of conflicts and disputes at their source are hereby offered.

为深入贯彻落实《关于加强诉源治理推动矛盾纠纷源头化解的意见》，推动构建源头防控、排查梳理、纠纷化解、应急处置的社会矛盾综合治理机制，促进基层治理体系和治理能力现代化，建设更高水平的平安中国，现就深化人民法院一站式多元解纷机制建设，推动矛盾纠纷源头化解工作提出如下意见。

I. General Requirements

一、总体要求

1. Guiding ideology. Under the guidance of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era, the guiding principles of the 19th CPC National Congress and the Second, Third, Fourth, and Fifth Plenary Sessions of the 19th CPC Central Committee shall be fully implemented, and Xi Jinping's thought on the rule of law shall be thoroughly implemented. Efforts shall be made to actively adapt to new changes in major social conflicts, pay close attention to three stages of conflicts and disputes including their generation, development, and evolution, highlight key aspects in terms of prevention of conflicts and disputes at their source, resolution of conflicts and disputes at an early stage, and control of conflicts and disputes, strengthen departmental interaction and overall coordination, and enable the people's courts to shift their focus towards the prevention of potential disputes, assign their strengths down to the primary level, and ensure their internal and external connections, so as to reduce conflicts and disputes at their source and the occurrence of derivative litigation cases, and effectively maintain social stability and security.

(一) 指导思想。以习近平新时代中国特色社会主义思想为指导，全面贯彻党的十九大和十九届二中、三中、四中全会精神，深入贯彻习近平法治思想，主动适应社会主要矛盾新变化，紧盯矛盾纠纷产生、发展、演变三个阶段，突出源头预防、前端化解、关口把控重点环节，加强部门联动和统筹协调，促进人民法院工作重心前移、力量下沉、内外衔接，从源头上减少矛盾纠纷产生，减少衍生诉讼案件发生，切实维护社会稳定和安全。

2. Work principles. Adhering to the Party's overall leadership and enabling the Party's leadership throughout the whole process of the prevention of potential disputes at their source and the diversified resolution of conflicts and disputes by the people's courts. Adhering to a people-centered approach to fully satisfy the multi-level, diversified judicial demands of the people. Upholding and developing the Fengqiao model in promoting social harmony in the new era to promote the shifting of the social governance at the primary level towards less litigation or no litigation from reduction of litigation and settlement of disputes. Remaining committed to addressing disputes at their source through systematic, law-based, and comprehensive approaches to reshape the pattern of people's courts regarding resolution of disputes at an early stage. Adhering to putting the non-litigation dispute resolution mechanism ahead, improving the mechanism for connecting litigation with non-litigation practice, and playing the role of the judicial organs in leading, promoting and guaranteeing the resolution of disputes in the diversified dispute resolution mechanism. Adhering to building different models by category based on actual circumstances through adopting measures suitable to local conditions and creating a litigation source governance mode that suits local actual circumstances.

(二) 工作原则。坚持党的全面领导，把党的领导贯穿人民法院源头预防和多元化解矛盾纠纷全过程。坚持以人民为中心，充分满足人民群众多层次、多样化的司法需求。坚持和发展新时代“枫桥经验”，促进基层社会治理从化讼止争向少讼无讼转变。坚持系统治理、依法治理、综合治理、源头治理，重塑人民法院前端纠纷解决格局。坚持把非诉讼纠纷解决机制挺在前面，完善诉讼与非诉讼衔接机制，发挥司法在多元化纠纷解决机制中的引领、推动和保障作用。坚持面向实际，因地制宜，分类建设，形成适合地区实际的诉源治理模式。

3. Work requirements. In deepening the building of an one-stop diversified dispute resolution mechanism, the people's courts shall accurately understand their functions and positioning, actively participate in and actively integrate into the governance of sources of litigation under the leadership of the Party committees, and take advantage of their expertise to provide judicial guarantees for resolution of disputes by non-litigation means; conscientiously control the threshold for acceptance of cases, play a leading role in disputes brought before the people's courts and promote the one-stop diversified dispute resolution. The people's courts shall, under the principles of voluntariness and legality, effectively provide guidance to the selection of dispute resolution methods, strictly implement the requirements of the system for docketing of cases where the parties disagree with non-litigation means. With respect to cases that should be accepted in accordance with the law, every case shall be accepted and heard, so as to effectively protect the litigation rights of the parties.

4. Work objectives. Efforts shall be made to enable the people's courts to extend the one-stop diversified dispute resolution to primary courts, communities, the Internet, and key industries and fields, improve the one-stop diversified dispute resolution mechanism that gives priority to prevention, enables progressive resolution of disputes on a tiered basis with a combination of specialized forces and the public, provides effective connection and supporting measures, and achieves full coverage by online and offline means, ensure the diversified dispute resolution and integrated coordination of conflicts and disputes throughout all villages, and promote the steady reduction of the ratio of civil and administrative actions filed per 10,000 persons to a reasonable range.

(三) 工作要求。在深化一站式多元解纷机制建设中准确把握人民法院职能定位，既积极参与、主动融入党委领导下的诉源治理工作，发挥专业优势，为非诉讼方式解决纠纷提供司法保障；又认真把好案件“入口关”，对起诉到人民法院的纠纷，发挥主导作用，促进纠纷一站式多元化解。按照自愿、合法原则做好纠纷化解方式引导，对于当事人不同意非诉讼方式解决的，严格落实立案登记制要求，对依法应该受理的案件，有案必立，有诉必理，切实保障当事人诉权。

(四) 工作目标。推动人民法院一站式多元解纷向基层延伸，向社会延伸，向网上延伸，向重点行业领域延伸，健全预防在先、分层递进、专群结合、衔接配套、全面覆盖、线上线下的一站式多元解纷机制，做到矛盾纠纷村村可解、多元化解、一网通调，推动将民事、行政案件万人起诉率稳步下降至合理区间。

II. Improving the work pattern of the people's courts with regard to resolving conflicts and disputes at their source

二、完善人民法院源头化解矛盾纠纷工作格局

5. Establishing a path to prevent and resolve conflicts and disputes on a tiered and classified basis through an in-depth analysis of the causes and characteristics of social conflicts and disputes and by a combination of the regional characteristics of cities, villages, ethnic groups, hometowns of overseas Chinese, and borders, among others, and risk points in key industries and fields, the functions of people's courts in terms of prevention and resolution of disputes shall be precisely extended to the initial source of disputes and the source of litigation, and a progressive prevention and resolution path shall be established by category based on local conditions, so as to ensure the effective diversion of conflicts and disputes and resolution thereof at their source.

(五) 建立分类分级预防化解矛盾纠纷路径。深入分析社会矛盾纠纷成因特点，结合市域、乡村、民族、侨乡、边境等地域特点，以及重点行业领域风险点，将人民法院预防化解职能精准延伸到纠纷产生的初始源头、讼争源头，因地制宜、分门别类建立递进式预防化解工作路径，确保矛盾纠纷有效分流、源头化解。

6. Strengthening the functions of the people's courts in terms of coordinating the separation of disputes. The litigation service centers and mediation platforms of the people's courts shall be regarded as the main hubs for the people's courts to participate in the governance of sources of litigation and coordinate separation of disputes, and a chain of prevention and resolution of disputes shall be created with primary-level entities and key industries and fields. With respect to disputes brought before the people's courts, efforts shall be made to conduct the work such as guidance to separation of disputes, connection between litigation and non-litigation, connection between mediation and adjudication, docketing of cases, and separation of complicated cases from simple ones.

(六) 强化人民法院分流对接功能。以诉讼服务中心、人民法院调解平台作为人民法院参与诉源治理、开展分流对接总枢纽，与基层、重点行业领域形成预防化解链条，对起诉到人民法院的纠纷，开展分流引导、诉非衔接、调裁对接、登记立案、繁简分流等工作。

7. Establishing a sound service system for resolution of primary-level disputes. Under the leadership of the Party committees, according to the working approach with priority given to prevention, mediation and resolution and the policy guidance, legal guidance, resource and experience support, litigation services, and judicial guarantees provided by the people's courts, a diversified dispute resolution and litigation service system with primary people's courts and people's tribunals playing a dominate role and extensive participation by the public shall be established as well as be extended to townships (sub-districts) and villages (communities) and connected with primary-level governance organizations, primary-level Party organizations, and public legal service centers (stations), among others; a three-tiered path from villages (communities) through townships (sub-districts) to primary people's courts and people's tribunals shall be formed to promptly prevent and resolve disputes on the spot and provide litigation services at the nearest courts or on their doorstep. Professional guidance given by primary people's courts and people's tribunals to people's mediation in villages (communities) shall be innovated, and judicial guarantees in villages shall be strengthened.

(七) 建立健全基层解纷服务体系。在党委领导下，按照“基层预防调处优先、法院提供政策指引、法律指导、资源经验支持、诉讼服务和司法保障”工作思路，构建以基层人民法院及人民法庭为主体，纵向延伸至乡镇（街道）、村（社区），横向对接基层治理单位、基层党组织、公共法律服务中心（站）等，群众广泛参与的多元解纷和诉讼服务体系，形成村（社区）--乡镇（街道）--基层人民法院及人民法庭三级路径，及时就地预防化解纠纷，就近或者上门提供诉讼服务。创新基层人民法院及人民法庭对村（社区）人民调解的业务指导，强化乡村司法保障。

8. Promoting the prevention and resolution of conflicts and disputes in key industries and fields. With respect to frequently and easily occurring disputes in finance, construction, education, property management, environment, consumption, real estate, Internet, transportation, medical and health and other industries and fields, the people's courts shall actively work together with the competent department of the industry to study measures for governance of sources of litigation, establish mechanisms for information sharing, business collaboration, and connection between litigation and non-litigation, and unify compensation standards and evidence rules, among others, for types of disputes, so as to prevent and reduce disputes. Various joint mediation work systems shall be improved, and a tiered resolution mode that gives priority to internal reconciliation or negotiation and specialized mediation for specific industries, arbitration and other non-litigation means, with litigation providing an effective shield, shall be created. The people's courts shall redouble efforts to prevent and resolve administrative disputes, and under the leadership of the Party committees and political and legal affairs commissions, cooperate with the functional departments of governments in terms of joint building of systems, coordinated governance, and joint prevention and control to resolve administrative disputes in a diversified manner. Joint forces shall be created to advance mediation by chambers of commerce, and mediation organizations under federations of industry and commerce and chambers of commerce shall be supported in resolving enterprise-related disputes. A coordination and settlement mechanism for disputes over integrated military-civilian development that enables military and civilian agencies to be jointly involved shall be established. The prevention, mediation, and diversified resolution of conflicts and disputes among veterans shall be advanced.

(八) 推动重点行业领域矛盾纠纷预防化解工作。对金融、建筑、教育、物业、环境、消费、房地产、互联网、交通运输、医疗卫生等行业领域多发易发纠纷，积极会同行业主管部门研究源头治理举措，建立信息共享、业务协同和诉非衔接机制，统一类型化纠纷赔偿标准、证据规则等，预防和减少纠纷产生。完善各类调解联动工作体系，形成内部和解、协商先行，行业性专业性调解、仲裁等非诉方式挺前、诉讼托底的分级化解模式。加强行政争议预防化解工作，在党委政法委领导下，与政府职能部门开展制度共建、治理协同、联防联控，多元化解行政争议。合力推进商会调解，支持工商联、商协会调解组织化解涉企纠纷。建立吸纳军地机关共同参与的军民融合发展纠纷协调处理机制。推动退役军人矛盾纠纷预防调处和多元化解工作。

9. Maximizing the synergy of various social forces. The people's courts shall broaden the channels for connection with government departments, reinforce the connection with people's mediation organization, specialized mediation organizations for specific industries, administrative mediation organizations, lawyers' mediation, arbitration institutions, notary agencies, among others, invite third parties such as deputies to the people's congress, CPPCC members, experts and scholars to participate in the mediation and resolution of disputes, and place qualified organizations and persons on their rosters of specially invited mediators. The people's courts shall improve the institutionalized channels for the participation of the public in the prevention of disputes at their source and the diversified dispute resolution, innovate on the public participation mechanism in the Internet era, and maximize the role of social forces in clarifying the advantages of diversified dispute resolution, guiding pre-litigation mediation, and publicizing mediation platforms.

III. Innovating in the methods and paths of the people's courts for resolving conflicts and disputes at their source

(九) 发挥社会各方力量协同作用。拓宽与政府部门对接途径，加大与人民调解、行业专业调解、行政调解、律师调解、仲裁、公证等衔接，邀请人大代表、政协委员、专家学者等社会第三方参与调解、化解，并将符合条件的组织和人员纳入人民法院特邀调解名册。完善群众参与源头预防和多元化解的制度化渠道，创新互联网时代群众参与机制，充分发挥社会力量在释明多元解纷优势、引导诉前调解、宣传调解平台方面作用。

三、创新人民法院源头化解矛盾纠纷方法路径

10. Motivating the mediation platforms of the people's courts to enter villages, communities and community grids. The practice of "Internet plus Fengqiao Model in promoting social harmony" shall be furthered, and primary-level dispute resolution forces shall be intensively integrated online to promote the substantive resolution of conflicts and disputes at the primary level. Primary people's courts and people's tribunals shall invite party and government leaders, persons in charge of police stations, judicial offices, villages (communities) and other appropriate entities, people's mediators, grid administrators, "five types of seniors" and sages, legal advisers of villages (communities), et. al, within their respective jurisdictions to settle in the mediation platforms of people's court, separate those disputes that are suitable for settlement in townships (sub-districts) or villages (communities) through the platforms to primary-level organizations or personnel on a level-by-level basis for resolution or mediation, and provide legal guidance, online judicial confirmation, online docketing of cases and other services. For disputes in townships (sub-districts) or villages (communities) of which the resolution requires the guidance of the people's courts, applications may be filed online through the mediation platforms of the people's courts, and the people's courts shall coordinate efforts to effectively conduct the work on counseling, resolution and joint mediation.

(十) 推动人民法院调解平台进乡村、进社区、进网格。深化“互联网+枫桥经验”实践，通过在线方式集约集成基层解纷力量，促进矛盾纠纷在基层得到实质性化解。基层人民法院及人民法庭邀请本辖区街道党政领导、派出所、司法所、村（社区）等单位负责人、人民调解员、网格员、五老乡贤、村（社区）法律顾问等入驻人民法院调解平台，对适宜在乡镇（街道）、村（社区）处理的纠纷，通过平台逐级分流至基层组织或人员进行化解、调解，并提供法律指导、在线司法确认、在线立案等服务。乡镇（街道）、村（社区）需要人民法院指导处理的纠纷，可以通过人民法院调解平台在线提出申请，由人民法院协同做好疏导化解和联合调解工作。

11. Actively enter the one-stop social conflict mediation and resolution centers. The people's courts shall participate in the construction of one-stop social conflict mediation and resolution centers led by the Party committees and governments, and according to the work arrangements of centers and their own functions and roles, assign teams or personnel for litigation services and fast-tracking procedure into the centers based on local conditions to guide mediation, conduct judicial confirmation, carry out fast-tracking procedures, and provide supporting litigation services for the convenience of the people.

12. Enhancing the capability of litigation service centers of diversified dispute resolution. The people's courts shall fully respect the will of the public to bring disputes before the people's courts for resolution, deepen the reform of the mechanism of "separation of cases, pretrial mediation, fast-tracking and summary procedures for simple cases," set up mediation and fast tracking zones in litigation service centers equipped with fast tracking teams, establish types of mediation studios or integrated mediation rooms, and invite mediation organizations or mediators to settle in the people's courts, so that more options are provided for the pre-litigation mediation of the public and all litigation matters can be resolved in one place.

(十一) 积极入驻一站式社会矛盾纠纷调处化解中心。参与党委政府牵头的一站式社会矛盾纠纷调处化解中心建设，根据中心工作部署及法院职能作用，因地制宜指派诉讼服务、速裁快审团队或者人员入驻中心，指导调解，进行司法确认，开展速裁快审，并提供相配套的便民诉讼服务。

(十二) 增强诉讼服务中心多元解纷能力。充分尊重群众到人民法院解决纠纷的意愿，深化“分调裁审”机制改革，在诉讼服务中心设立调解速裁区，配备速裁团队，建立类型化调解工作室或者综合调解室，邀请调解组织或者调解员入驻人民法院，为人民群众诉前调解提供更多选择，方便在一个地方就能解决全部诉讼事项。

13. Innovating on effective carriers that can closely contact the public. The people's courts shall participate in the creation of litigation-free villages (communities and military units), establish litigation service stations in rural areas, sub-districts, enterprise parks and other places where demands are concentrated, promote such beneficial practices as "people explain the facts and judges explain the law," "judges enter the grids," "quick answer to community calls," and "integration of the governance of sources of litigation into five chains in terms of party building, public interests, the judicial guarantee, social civilization, and innovative services," strengthen the construction of socialist rule-of-law culture, improve the demonstrative adjudication mechanism, send law home, and ensure that similar cases are resolved and a group is educated by handling of a case. Efforts shall be made to improve the systems under which the leaders of intermediate and primary people's courts link and contact with the primary-level entities within their respective jurisdictions, make regular visits to such primary-level entities, and resolve major disputes arising out of cases tied to them, etc., strengthen circuit trials, and resolve conflicts and disputes on the spot in a timely manner.

IV. Improving the working mechanism of the people's courts for resolving conflicts and disputes at their source

(十三) 创新密切联系群众有效载体。参与创建无讼村（社区、连队），在乡村街道、企业园区等需求集中的地方建立诉讼服务站点，推广“群众说事、法官说法”“法官进网格”“吹哨报到”“五链共治”等有益做法，加强社会主义法治文化建设，完善示范裁判机制，送法上门，做到办理一案、化解类案、教育一片。健全中级、基层人民法院领导干部与辖区内基层单位挂钩联系、定期下访、包案化解等制度，加强巡回审判，及时就地化解矛盾纠纷。

四、健全人民法院源头化解矛盾纠纷工作机制

14. Improving the mechanism for the application of judicial proposals. The people's courts shall deeply apply judicial big data and connect such data with other information and data resources, strengthen the analysis and judgment of fields prone to litigation, new-type disputes, public complaints and proposals involving litigation, and dynamics and hot issues of social governance, make judicial proposals on common, tentative and trend issues, provide big data analysis reports to appropriate departments, and supervise appropriate departments and enterprises in taking the initiative to assume responsibilities in terms of issuance of policies, improvement of rules, risk assessment, compliance review, and work safety. A people's court at any level shall conduct numbering management for the judicial proposals made by the court, and effectively track and guide the implementation of such proposals and assess the effects thereof. Model cases involving types of disputes shall be released in a timely manner to interpret the law on a case-by-case basis, and the ability of the public to predict the outcome of dispute resolution shall be enhanced.

(十四) 完善司法建议运用机制。深度应用司法大数据，并与其他信息数据资源开展对接，加强对诉讼高发领域、新类型纠纷、涉信访案件，以及社会治理动态和热点问题的分析研判，对发现的普遍性、倾向性、趋势性问题提出司法建议，并向有关部门提供大数据分析报告，督促有关部门和企业主动承担出台政策、完善规则、风险评估、合规审查、安全生产等责任。各级人民法院对于本院作出的司法建议，应当进行编号管理，做好落实情况的跟踪指导和效果评估。及时发布类型化纠纷典型案例，以案释法，提高人民群众对纠纷化解结果的预判能力。

15. Improving the screening and sorting of conflicts and disputes and the risk assessment mechanism. The people's courts shall actively strengthen communication with the community grid members of primary-level community grids and exclusive grids, and carry out targeted screening and sorting, resolution of disputes, and other relevant work, so as to reduce the hidden risks of conflicts involved in litigation and prevent civil disputes from turning into criminal cases. When issuing major judicial policies or handling major sensitive cases, the people's courts shall remain committed to taking risk assessment as an early step to effectively prevent disputes, and solve problems and control the situation as soon as possible.

(十五) 完善矛盾纠纷排查梳理和风险评估机制。主动加强与基层网格、专属网格的网格员沟通联系，有针对性开展排查梳理、纠纷化解等工作，减少涉诉矛盾隐患，预防民事纠纷转为刑事案件。在出台重大司法政策、办理重大敏感案件时，坚持把风险评估作为前置环节，有效预防纠纷，第一时间解决问题、控制事态。

16. Improving the mechanism of connection between substantive litigation and non-litigation. Depending on the mediation platforms of the people's courts, the connectivity of platforms, mechanisms, personnel and guarantees with regard to non-litigation and litigation shall be reinforced, and legal guidance and business guidance provided to non-litigation dispute resolution forces shall be strengthened. The connection between pre-litigation mediation and pre-litigation identification and evaluation shall be reinforced, the mediation platforms and authorized identification and evaluation platforms of the people's courts shall be effectively connected, and the work process of identification and evaluation in the course of pre-litigation mediation shall be specified. The mechanism for linking mediation with litigation materials shall be further improved. The confirmation of service address, undisputed facts and other materials formed by specially invited mediation organizations or specially invited mediators during the mediation process as well as the evaluation of the will of parties to be mediated may be used at the litigation stage. The establishment and use of mediation case numbers shall be standardized, and the whole-process online management of separation between litigation and non-litigation disputes and delegated cases shall be achieved. The separate management mode of derivative cases arising from pre-litigation mediation shall be innovated. With respect to cases that require judicial confirmation or the issuance of a mediation paper for successful pre-litigation mediation, legal documents shall be issued under the title of "pre-litigation mediation confirmation paper" or "pre-litigation mediation paper".

(十六) 完善诉讼与非诉讼实质性对接机制。以人民法院调解平台为依托，强化非诉讼与诉讼的平台对接、机制对接、人员对接和保障对接，加强对非诉讼解纷力量的法律指引和业务指导。强化诉前调解与诉前鉴定评估工作对接，打通人民法院调解平台与委托鉴定平台，明确在诉前调解过程中开展鉴定评估的工作流程。进一步完善调解与诉讼材料衔接机制，对特邀调解组织或者特邀调解员在调解过程中形成的送达地址确认、无争议事实等材料，以及关于当事人调解意愿的评价，可以在诉讼阶段使用。规范调解案号编立、使用工作，实现对诉非分流、委派案件全程在线管理。创新诉前调解衍生案件单独管理模式，对诉前调解成功，需要进行司法确认或者出具调解书的案件，以“诉前调确”“诉前调书”号出具法律文书。

17. Optimizing the joint mediation mechanism. The people's courts shall establish work coordination and information

sharing mechanisms jointly with appropriate entities, make full use of the mediation resource libraries of the “head office-to-head office” online litigation-mediation coordination of the Supreme People's Court, intensify the application of the “online integrated data processing platform for disputes over damages for road traffic accidents,” and after obtaining the consent of the parties, push mediation organizations or mediators of various entities online for mediation with regard to road traffic disputes, labor disputes, medical disputes, disputes related to banking, insurance, securities and futures, enterprise-related disputes, intellectual property, education management-related disputes, disputes related to protection of consumer rights, price disputes, international commercial disputes, Chinese expatriates-related and foreign-related disputes, and other disputes. Local specially invited mediation resource libraries shall be further expanded, and more qualified people's mediators, specialized mediation organizations for specific industries, and lawyers shall be placed on the rosters of specially invited mediators. In civil and commercial cases involving foreign nationals or Hong Kong, Macao or Taiwan residents, eligible for foreign nationals or compatriots from the Hong Kong or Macao Special Administrative Region or Taiwan Region shall be invited to participate in mediation. A pre-litigation mediation and resolution mechanism for administrative disputes shall be established and improved, and mediation in advance shall be encouraged. Pre-litigation reconciliation and third-party resolution of minor criminal cases shall be promoted and its connection with the fast-tracking procedure for criminal cases shall be strengthened. Market-based mediation shall be explored in commercial affairs and other fields, and the establishment of a parallel mode of public-welfare mediation and market-based mediation shall be promoted.

(十七) 优化联动调解机制。与相关单位建立工作协调和信息共享机制，用足用好最高人民法院“总对总”在线诉调对接调解资源库，加大“道交一体化”平台应用力度，针对道路交通、劳动争议、医疗纠纷、银行保险、证券期货、涉企纠纷、知识产权、教育管理、消费者权益保护、价格争议、国际商事、涉侨涉外等领域纠纷，征得当事人同意后，在线推送各单位调解组织或者调解员进行调解。进一步扩大各地区特邀调解资源库，将更多符合条件的人民调解员、行业专业性调解组织、律师纳入特邀调解名册。在涉外及涉港澳台民商事案件中，邀请符合条件的外国人或者香港、澳门特别行政区和台湾地区同胞参与调解。建立健全行政争议诉前调解化解机制，鼓励开展先行调解。推动轻微刑事案件诉前和解和第三方化解工作，加强与刑事速裁程序衔接。在商事等领域探索开展市场化调解，推动建立公益性调解与市场化调解并行模式。

18. Improving the pre-litigation guidance and separation mechanism. With respect to the parties who submit their written complaints or applications at the litigation service halls or through the online case docketing system, the people's courts will first conduct the work such as guidance to separation of potential cases, neutral assessment, interpretation and guidance through manual services or smart device-based assessment. Where any dispute can be resolved through administrative adjudication, a people's court shall provide guidance to the resolution of such dispute through administrative adjudication before a case is docketed. With respect to a case suitable for mediation or reconciliation, the people's court shall inform the advantages of pre-litigation mediation or criminal reconciliation, and encourage the parties to be mediated or reconciled; if the parties agree to accept appointed mediation before the litigation has commenced, the people's court shall appoint mediation organizations or mediators through its mediation platform to provide "menu-style" mediation services. Where a case is not suitable for mediation, and the parties have already been mediated but fail to reach a mediation agreement, the case shall be docketed according to the law and the parties shall be notified.

(十八) 完善诉前辅导分流机制。对到诉讼服务大厅现场或者通过网上立案系统提交诉状或者申请书的当事人，先行通过人工服务或者智能设备评估等方式，开展辅导分流、中立评估、解释疏导等工作。能够通过行政裁决解决的，在登记立案前指引通过行政裁决化解纠纷。适宜调解、和解的，告知诉前调解、刑事和解优势特点，鼓励当事人调解、和解；当事人同意诉前委派调解的，通过人民法院调解平台指派调解组织或者调解员，提供“菜单式”调解服务。案件不宜调解、当事人已经调解但无法达成调解协议的，依法登记立案，并告知当事人。

19. Establishing and improving the prevention mechanism for derivative litigation cases. The guarantee mechanism for the fulfillment of mediation agreements shall be improved. The assessment of the parties' performance abilities shall be strengthened during pre-litigation mediation, and more attention shall be paid to the enforceability of mediation content. The mediators who facilitate the automatic performance of agreements shall be given preference, with regard to performance appraisal, determination of subsidies on a case-by-case basis, and other aspects. The people's courts shall establish and improve a positive incentive mechanism for automatic performance, issue automatic performance notices to the parties during pre-litigation mediation, docketing of cases and other stages, and explore the establishment of an incentive mechanism for honest performance with relevant departments. The people's courts shall strengthen the interpretation, guidance, mediation and resolution in all aspects during the docketing, trial, and enforcement of cases, improve the quality and efficiency of trials and enforcement, reinforce the governance of public complaints and proposals involving litigation at their source through a full range of measures, and reduce appeals, cases retired upon appeal, and petition cases involving public complaints and proposals.

(十九) 建立健全衍生诉讼案件预防机制。完善调解协议履行保障机制，在诉前调解时加强对当事人履行能力评估，更加注重调解内容可履行性。对促成协议自动履行的调解员，在绩效考评、以案定补等方面给予倾斜。建立健全自动履行正向激励机制，在诉前调解、立案等环节向当事人发放自动履行告知书，探索与有关部门建立诚信履行激励机制。加强立审执各环节释明疏导和调解化解工作，提高审判执行质效，强化涉诉信访源头治理、综合治理，减少上诉、再审和申诉信访案件。

20. Establishing and improving mechanisms for preventing and punishing sham litigation. The case docketing assistance system shall be fully applied to strengthen the accurate identification and early warning of sham litigation. Trial guidelines for preventing and punishing sham litigation under civil procedure shall be intensified, and the key points for identification, the focus of evidence examination and preventive measures shall be specified with regard to cases in the fields that are more prone to sham litigation, such as private lending, sales contracts, and enforcement cases. Deeming that there is a false accusation, a people's court shall take corresponding compulsory measures according to the seriousness of the circumstances, and with regard to the agent ad litem, identification and evaluation, notary or arbitration organizations or personnel involved in the sham litigation, notify their competent departments, industry associations or the entity where they work of the relevant information, provide a judicial proposal for imposing punishment in accordance with the law. The people's courts shall strengthen collaboration and cooperation with public security organs and procuratorial organs, jointly establish clue transfer and result feedback mechanisms, and work together to severely punish sham litigation in accordance with the law. Model cases involving punishment for sham litigation shall be released in a timely manner to guide the parties in exercising their litigation rights in accordance with the law.

(二十) 建立健全虚假诉讼防范和惩治机制。全面应用立案辅助系统，加强对虚假诉讼的精准识别和提前预警。强化民事诉讼中防范惩治虚假诉讼的审判指引，明确民间借贷、买卖合同、执行案件等虚假诉讼多发领域案件的甄别要点、证据审查重点和防范处理措施。对认定存在虚假诉讼行为的，根据情节轻重采取相应强制措施，并向参与实施虚假诉讼的诉讼代理人、鉴定、公证、仲裁等相关组织或人员的主管部门、行业协会或所在单位通报情况，提出依法惩处司法建议。加强与公安、检察机关协作配合，建立线索移送、结果反馈机制，依法合力严惩虚假诉讼。及时发布虚假诉讼惩戒典型案例，引导当事人依法行使诉权。

21. Improving the protection mechanism for honest litigation. A commitment system of honest litigation shall be established, and the parties shall be guided in filling out a commitment of honest litigation before pre-litigation mediation or docketing of cases. With respect to unfaithful acts such as abuse of litigation rights and malicious delays in mediation, deliberate failure to perform mediation agreements, and denial of uncontroversial facts that have been recorded without justification, ways shall be explored to regulate these acts through the shifting of attorneys' fees, the reasonable sharing of litigation costs, compensation for additional expenses by non-fault parties during pre-litigation mediation, and other means. Training for and guidance to mediators shall be strengthened and their ability to prevent false mediation shall be enhanced.

V. Strengthening the resolution of conflicts and disputes in key fields at their source

(二十一) 完善诚信诉讼保障机制。建立诚信诉讼承诺制度，引导当事人在诉前调解或者登记立案前填写诚信诉讼承诺。对滥用诉权以及恶意拖延调解、故意不履行调解协议、无正当理由否定已经记载的无争议事实等不诚信行为，探索通过律师费转付、诉讼费用合理分担、赔偿无过错方诉前调解额外支出等方式进行规制。加强对调解员培训指导，提高防范虚假调解能力水平。

五、加强重点领域矛盾纠纷源头化解工作

22. Strengthening the prevention and resolution of conflicts and disputes caused by major emergencies such as the COVID-19 outbreak. The people's courts shall effectively prevent conflicts and disputes related to the COVID-19 outbreak at their source and carry out checks and give early warning thereto, and before legal proceedings are taken, carry out diversified resolution of disputes in the fields that are severely affected by the COVID-19 outbreak, covering contracts, torts, labor disputes, medical damages, and foreign-related maritime affairs and commercial affairs. The people's courts shall pay close attention to lawsuits that may arise from major emergencies in such fields as employment, education, social security, medical and health, food safety, work safety, public security, and housing market regulation, and actively make pre-judgment for, provide fast response to and resolve such potential lawsuits at the early stage.

(二十二) 加强疫情等重大突发事件引发矛盾纠纷预防化解

工作。做好涉疫情矛盾纠纷源头预防和排查预警工作，针对合同、侵权、劳动争议、医疗损害赔偿、涉外海事海商、涉外商事等受疫情影响较大领域纠纷，在诉前开展多元化解。高度关注就业、教育、社会保障、医疗卫生、食品安全、安全生产、社会治安、住房市场调控等领域因重大突发事件可能引发的诉讼，积极开展预判应对和前端化解工作。

23. Strengthening the resolution of conflicts and disputes at their source in the financial field. The people's courts shall pay close attention to financial disputes in such financial fields as financial loan contracts, credit cards, financial leasing, insurance, and entrusted wealth management, strengthen information sharing and data connectivity in conjunction with the financial management departments and financial institutions, among others, use judicial big data to provide support for identification of qualified investors, establishment and improvement of a whole-process management and control mechanism for financial products or services. A model mediation mechanism shall be established to encourage the parties to negotiate equally and reach a settlement on their own. Judicial guarantees shall be increased for the centralized mediation and mediation in advance of financial disputes carried out by the competent departments of the industry, industry associations and chambers of commerce, to promote the resolution of disputes in bulk before the litigation has commenced.

(二十三) 加强金融领域矛盾纠纷源头化解工作。高度关注金融借款合同、信用卡、融资租赁、保险、委托理财等金融领域纠纷，会同金融管理部门、金融机构等加强信息共享和数据联通，运用司法大数据为识别合格投资者、建立健全金融产品或服务全流程管控机制等提供支持。建立示范调解机制，鼓励当事人平等协商，自行和解。加大对行业主管部门、行业协会商会等开展金融纠纷集中调解、先行调解的司法保障力度，促进纠纷在诉前批量化解。

24. Strengthening the resolution of labor disputes at their source. With regard to the characteristics of labor disputes with arbitration in advance, the connection between mediation, arbitration and litigation shall be enhanced, and based on the mediation platforms of people's courts that are connected with the relevant mediation and arbitration information systems of human resources and social security departments, efforts shall be made to establish an online dispute resolution mechanism that integrates mediation, arbitration and litigation, realize the sharing of data resources about the pre-arbitration mediation and pre-litigation mediation of labor disputes, unify case handling standards, and promote more mediation forces to carry out mediation before arbitration. National and regional expert mediation resource libraries shall be established to enable experts to participate in the resolution of major, difficult and complicated labor disputes. The people's courts shall work together with the trade unions and human resources and social security departments to strengthen law publicity campaigns for employers and employees, and develop and promote the model texts of employment contracts.

（二十四） 加强劳动争议源头化解工作。针对劳动争议先行仲裁的特点，加强调解、仲裁与诉讼衔接，依托人民法院调解平台，对接人力资源社会保障相关调解仲裁信息系统，建立调裁诉一体化在线解纷机制，实现劳动争议仲裁前调解与诉前调解的数据资源共享，统一案件处理标准，推动更多调解力量在仲裁前开展调解工作。建立全国性、区域性专家调解资源库，参与化解重大疑难复杂劳动争议。会同工会、人力资源社会保障部门加强对用工企业、劳动者普法宣传，制定推广劳动合同示范文本。

25. Strengthening the resolution of marriage and family conflicts and disputes at their source. The people's courts shall strengthen cooperation with the Communist Youth League, women's federations, public security organs, civil affairs departments and other departments in improving the information sharing and notification mechanism for marriage and family conflicts and disputes as well as jointly conducting screening of conflicts, law publicity campaigns, and work on the interpretation of law with cases. The people's courts shall establish a tiered early warning and resolution mode for marriage and family disputes, promote advance mediation procedures, and strengthen psychological counseling and crisis intervention to prevent conflicts from escalating. A post-litigation follow-up mechanism shall be established to prevent civil cases from being converted to criminal cases. The extension of anti-domestic violence services shall be intensified, and the implementation mechanism of personal protection order for victims of domestic violence shall be improved.

(二十五) 加强婚恋家庭矛盾纠纷源头化解工作。与共青团、妇联、公安、民政等部门加强协作，完善婚恋家庭矛盾纠纷信息共享和通报机制，联合开展矛盾排查、普法宣传和以案释法工作。建立婚恋家庭纠纷分级预警化解模式，推动调解前置，加强心理疏导和危机干预，避免矛盾激化升级。建立诉后跟踪机制，预防“民转刑”案件。加大反家暴延伸服务力度，健全家庭暴力受害人人身保护令实施机制。

26. Strengthening the resolution of intellectual property disputes at their source. The people's courts shall work together with the intellectual property departments to systematically analyze the causes and characteristics of frequently and easily occurring disputes in the intellectual property field in their respective regions, promote the improvement of preventive laws and regulations, and strengthen demonstrative adjudication guidelines. A coordinated mechanism for litigation and non-litigation of intellectual property disputes shall be established and improved, specialized mediation teams for specific industries shall be further expanded, and the quality and efficiency of online diversified dispute resolution shall be enhanced. The people's courts shall innovate on their ways and working methods, promote the establishment of a trading platform for genuine image libraries and other good practices, and prevent and resolve disputes over Internet-based copyrights and other Internet-related intellectual property disputes at their source.

(二十六) 加强知识产权矛盾纠纷源头化解工作。会同知识产权部门，系统分析本地区知识产权领域多发易发纠纷成因特点，推动完善预防性法律法规，加强示范性裁判指引。建立健全知识产权纠纷诉非联动机制，进一步扩大专业性行业性调解队伍，提高在线多元化解质效。创新工作方式方法，推广建立正版图库交易平台等做法，从源头上预防化解互联网著作权等涉网知识产权纠纷。

27. Strengthening the governance of sources of Internet disputes. In response to disputes caused by online financial activities and online shopping, the people's courts shall work together with the relevant competent departments to build a source governance model that meets the characteristics of the Internet, guide Internet platforms in establishing a pragmatic and effective dispute resolution mechanism, and effectively reduce the probability of entering into legal proceedings. Blockchain technology shall be utilized to embed adjudication rules, transaction specifications, among others, into Internet platforms and realize risk warning and automatic reminders to supervise the honest performance of contracts. Steps shall be accelerated to connect litigation and non-litigation online with Internet platforms, and the governance of sources of litigation shall be advanced into platforms and the Internet, to form a tiered and progressive resolution mechanism for Internet disputes.

V. Strengthening supporting guarantees

六、强化配套保障

(二十七) 加强互联网纠纷源头治理工作。针对网络金融活动、网络购物等引发的纠纷，会同相关主管部门，构建符合互联网特点的源头治理模式，指导互联网平台建立务实有效的纠纷解决机制，切实降低成诉率。运用区块链技术，将裁判规则、交易规范等嵌入互联网平台，实现风险预警和自动提示，督促诚信履约。加快与互联网平台在线诉非对接，推进源头治理进平台、进网络，形成互联网纠纷分层递进解决机制。

28. Strengthening organization and leadership. The people's courts shall be deeply involved in the governance of sources of litigation, and take the resolution of conflicts and disputes at their source as the programs of court presidents for overall planning and arrangements. A people's court shall set up a leading group led by its leaders and participated in by all related departments to ensure the work such as implementation, coordination of major issues, effect assessment, and supervision over and guidance to courts at lower levels. The high people's courts shall redouble efforts to command and guide to the governance of sources of conflicts and disputes at the courts within their respective jurisdictions, and provide data support for the indicator evaluation of the ratio of civil and administrative actions filed per 10,000 persons in the assessment of local security initiatives. A people's court shall report the progress of its participation in the governance of sources of litigation to the local Party committee and political and legal affairs commission in a timely manner.

(二十八) 加强组织领导。将人民法院参与诉源治理，推动矛盾纠纷源头化解作为“一把手”工程统筹谋划部署。成立院领导牵头、各有关部门参与的领导小组，抓好贯彻落实、重大事项协调、成效评估、对下监督指导等工作。高级人民法院要加强对本辖区法院矛盾纠纷源头治理工作指挥指导，并为地方平安建设工作考核中万人起诉率指标评估提供数据支持。参与诉源治理工作进展情况应当及时向本地区党委政法委进行报告。

29. Strengthening work guarantee. Primary-level litigation service stations shall be equipped with computers and video equipment, among others, and efforts shall be redoubled to strengthen guidance to special groups such as the elderly, so that the public can easily handle litigation matters nearby and accept cross-regional remote video mediation on the spot. More manpower shall be put into the prevention and diversified resolution of disputes at their source. The people's courts shall actively seek sustainable funding guarantees from local finance departments for specially invited mediation organizations and mediators to carry out their work. The publicity of one-stop diversified dispute resolution shall be increased, and more people shall be guided in choosing diversified dispute resolution.

(二十九) 加强工作保障。在基层诉讼服务站点配备电脑、视频设备等，加强对老年人等特殊群体的指导辅导，方便群众就近办理诉讼事务，就地开展跨区域远程视频调解。在源头预防和多元化解工作中投入更多人员力量。主动争取当地财政部门为特邀调解组织和调解员开展工作提供可持续的经费保障。加大对一站式多元解纷工作宣传，引导更多群众选择多元化方式解决纠纷。

30. Strengthening work management. The people's courts shall strictly implement the leadership responsibility system for prevention and resolution of disputes, specify the personnel, systems and necessary conditions in relation to the resolution of disputes, and improve their working mechanisms and supervision and evaluation systems. Under the guidance of "giving priority to the non-litigation dispute resolution mechanism," a scientific assessment and evaluation mechanism shall be established, and the prevention and resolution of disputes at their source and the number of successful pre-litigation mediation cases, among others, shall be regarded as the content of performance assessment and evaluation. Personnel management and training shall be strengthened, and the capability of preventing and resolving conflicts and disputes shall be enhanced. The departments of case docketing and public complaints and proposals of the people's courts at all levels shall pay close attention to the assessment of the quality and effectiveness with regard to the governance of sources of litigation and diversified dispute resolution on the information platform of the Litigation Service Guidance Center of the Supreme People's Court, and promptly supervise and improve the relevant work.

(三十) 加强工作管理。严格落实纠纷预防化解工作领导责任制,明确纠纷化解工作的人员、制度和必要条件,完善工作机制和监督评价体系。以“把非诉讼纠纷解决机制挺在前面”为导向,建立科学考核评价机制,将源头预防化解纠纷、诉前调解成功案件量等作为业绩考核评价内容。加强人员管理和培训,提升预防化解矛盾纠纷能力水平。各级人民法院立案信访部门要密切关注最高人民法院诉讼服务指导中心信息平台诉源治理多元解纷质效评估情况,及时督促改进工作。

31. Strengthening information-based guarantee. The people's courts shall strengthen the construction of their mediation platforms, accelerate the connection and data sharing between their platforms and other relevant platform and systems, and innovate on a whole-process online source governance mode for "one-stop" prevention and resolution of disputes in a tiered and progressive manner. Big data, artificial intelligence and other information-based means shall be actively utilized to realize the digitization and visualization of the participation of the people's courts in the governance of sources of litigation and provide support for promoting the modernization of the trial system and trial capability and assisting the leaders of the Party committees and governments in making scientific decision.

32. Strengthening theoretical research and refinement of rules. The research on conflicts and disputes in the new era and the systematization of their resolution mechanisms shall be deepened. The people's courts at all levels shall conduct multi-level and multi-dimensional research on theoretical and practical issues in the governance of sources of frequently and easily occurring disputes in their respective regions, further summarize China's practical achievements in the prevention and diversified resolution of conflicts and disputes at their source, refine rules, promote the legislative process of relevant laws on diversified dispute resolution at the state level, and establish a framework of dispute resolution theories and systems that reflects the socialist nature of China, and has distinctive Chinese characteristics, practical characteristics, and characteristics of the times.

(三十一) 加强信息化保障。加强人民法院调解平台建设，加快与其他相关平台系统对接和数据共享，创新全流程在线源头治理模式，分层递进、“一站式”预防化解纠纷。积极运用大数据、人工智能等信息化手段，实现人民法院参与诉源治理工作数据化、可视化，为促进审判体系和审判能力现代化，辅助党委政府领导科学决策提供支持。

(三十二) 加强理论研究和规则提炼。深入开展新时代矛盾纠纷和解决机制体系化研究。各级人民法院应当围绕本地区多发易发纠纷诉源治理中的理论和实践问题，开展多层次、多维度研究，进一步总结我国矛盾纠纷源头预防和多元化化解实践成果，进行规则提炼，推动国家层面多元化化解相关法律的立法进程，构建体现我国社会主义性质，具有鲜明中国特色、实践特色、时代特色的纠纷解决理论体系和制度体系。

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