

Study on the Problems and Countermeasures of Specially Invited Mediation's System in China Under the Diversified Dispute Resolution Mechanisms

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doi:10.56397/SLJ.2024.09.08

Abstract

The Provisions of the Supreme People's Court on Specially Invited Mediation in the People's courts, issued in 2016, formally established the specially invited mediation's system, but the lack of uniform standards for the rules applicable to the specially invited mediation's system, the unsoundness of safeguard mechanism, and the inefficiency of its operation have not been effectively resolved. Therefore, the scope of application of the specially invited mediation's system should be clarified through legislation, the entry threshold of specially invited mediators should be raised, a perfect financial guarantee system for specially invited mediation should be established, and a reward and punishment mechanism should be set up to strengthen the punishment for false mediation, preventing false mediation, and increasing the supervision of the specially invited mediation procedure, so as to promote the orderly conduct of specially invited mediation and efficiently resolve disputes.

Keywords: specially invited mediation, false litigation, roster system, litigation and mediation docking

1. Introduction

Today's grassroots social governance system in China is the result of "long-term development, gradual improvement, and endogenous evolution based on historical inheritance, cultural tradition, and economic and social development". The phenomenon of "spate of conflicts and disputes" and "litigation explosion" has become more and more serious, and in the face of the increasing litigation load, the traditional trial system is no longer able to cope with the situation, and the state and the society must create diverse pathways to realize

the governance of disputes. In 2004, the Supreme People's Court announced the Second Five-Year Reform Program of the People's Courts (2004-2008) (hereinafter referred to as the Second Five-Year Reform Program), which formally listed the "Reform of Diversified Dispute Resolution Mechanisms" as one of the important reform projects. Meanwhile, the Supreme People's Court issued the Provisions of the Supreme People's Court on Specially Invited Mediation in the People's Courts on June 28, 2016, which provided a judicial basis for the work of specially invited mediation in the

people's courts across the country, and effectively guided and promoted the reform of the diversified dispute resolution mechanism of the courts across the country. The specially invited mediation's system in China has indeed played a particularly significant role, but also it has own problems that need to be urgently resolved, learning from the advanced experience of other countries and regions, and increasing the depth of research on the specially invited mediation's system.

2. Connotation of Specially Invited Mediation's System

Specially Invited mediation, a kind of mediation activities, refers to the people's court to absorb qualified people's mediation, administrative mediation, commercial mediation, industry mediation or individuals to become specially invited mediation organizations or specially invited mediators, accepting the people's court's pre-filing assignment or commissioning of mediation in accordance with the law, so as to prompt the parties concerned to voluntarily reach an agreement on the basis of equality and settlement of disputes. Specially Invited mediation is different from both people's mediation and court mediation, it has the model of "half-official and half-civilian", which can be traced back to the "official-approved and civil mediation" system of the Qing Dynasty, whose process was "official approval — civil mediation — submission", while the process of specially invited mediation was roughly "assignment/commissioning — mediation — review"¹.

2.1 The Scope of Cases Applicable to Specially Invited Mediation

The specially invited mediation's system in China does not specify the types of cases that are applicable to the specially invited mediation. However, it is usually categorized into "disputes suitable for prior mediation", "disputes unsuitable for prior mediation" and "disputes that can be mediated in advance", among which the disputes suitable for special mediation should be the types of civil cases suitable for prior mediation².

2.1.1 Family Disputes

Family is a microcosm of society, and its attributes are distinctly different from ordinary civil and commercial cases, if family disputes are mediated in the same way as ordinary civil cases, then the conflict will intensify, so the pre-litigation mediation of family disputes should have a judicial function and social function, and mediation should seemed as the starting point to eliminate confrontation, the emotional ties between relatives as a link, and the psychological guidance as an important way, but due to the complexity and uncertainty of the case, the means of mediation can not be fully detailed put on paper, and it is especially necessary to establish the special characteristics of pre-litigation mediation of family disputes by establishing the principles of pre-litigation mediation of family disputes. In July 2018, the "Opinions of the Supreme People's Court on Further Deepening the Reform of Family Trial Methods and Working Mechanisms (for Trial Implementation)" ("Opinions for Trial Implementation"), specifically provides for "relying on the special mediation to do a good job of mediation in family cases", which can be done through the establishment of a Family Mediation Committee, as well as an application for membership or an invitation by the People's Court to join the Family Mediation Committee's roster of specially invited mediators.

2.1.2 Neighbourhood Disputes over Residential Land

Adjacency relationships represent an objective social bond imbued with rights and obligations. In addressing disputes within such relations, the overriding guiding principle involves a multi-tiered approach encompassing industrial regulation, community mediation through neighbourhood committees and judicial institutions, public educational campaigns, and finally, resort to judicial verdicts—all of which serve as deterrents and guides. Specially Invited mediation is instrumental in ameliorating neighbourly disputes, distinct from litigation and other mechanisms, enhancing the mitigation of contradictions among neighbouring people, maintaining neighbourhood relations, and creating a harmonious and stable societal environment.

2.1.3 Traffic Accident Disputes

Compared with other disputes, the process of handling traffic accident disputes is often more complicated, going through procedures such as

¹ Xia Bao. (2020). Conceptualization and System Improvement of Invited Mediation. *Zhenjiang Higher Education Journal*, (4), 33.

² Li Hao. (2013). Research on Prior Mediation System. *Jianghai Journal*, (3).

the determination of accident liability, the investigation of damage assessment, etc. At the same time, due to the diversity of dispute subjects, which may involve a variety of legal relationships such as inheritance, employment, dependence, lease, etc., leading to difficulties in determining the subject of the responsibility and the division of the responsibility. People's mediation can persuade the parties through the combination of the reason and law, and can more quickly and effectively solve the contradictions, which plays an important role in alleviating the pressure of traffic police departments, enhancing the effectiveness of traffic accident handling, and maintaining social stability¹. For minor traffic accident disputes, specially invited mediation greatly improves the efficiency of dispute resolution, saving judicial resources. People's court can realize effective docking with insurance companies when conducting mediation, and effectively resolve traffic accident disputes.

2.1.4 Small Debt Disputes

In practice, small claims cases are characterized by a large number of disputes, small amounts of disputed subject matter, easy to negotiate and resolve, and the vast majority of parties have the ability to perform and so on. The subject amount of small debt disputes is relatively small, involving the lighter economic interests of the parties. If it is resolved by litigation and other ways, which not only delay the time to resolve conflicts, greatly sacrificing the cost of time, but also waste judicial resources. Therefore, it is more appropriate to take the specially invited mediation to resolve small debt disputes, so as to solve the problem very well.

2.1.5 Partnership Agreement Disputes

The parties to a partnership agreement are usually close to each other, and the parties to the partnership agreement are likely to be friends, relatives, colleagues, etc, and if the dispute between the parties to the partnership agreement is resolved through litigation, which is more likely to intensify the conflicts between the two parties and break down the relationship. Specially invited mediators usually have the expertise and experience to quickly identify the focus of the dispute and propose targeted solutions, thereby accelerating the resolution of the dispute. At the same time, mediation is

usually conducted in a non-public environment, which helps to protect the commercial secrets and privacy of the parties. Unlike litigation, the mediation process and results are generally not open to the public. By means of specially invited mediation, the commercial reputation of the parties can be maintained, and it is also conducive to the maintenance of the relationship between the parties, which greatly increases the possibility of the parties getting back together. This is particularly important for cooperative relationships where there is a need to resolve disputes quickly, resume cooperation or avoid further losses.

3. The Existing Problems of Specially Invited Mediation's System

3.1 Lack of Uniform Standards for the Application of Specially Invited Mediation's System

3.1.1 The Scope of Cases to Which Specially Invited Mediation Applies Is Not Clear

Article 3 of the Provisions of the Supreme People's Court on Specially invited Mediation by the People's Courts states that, "*for disputes suitable for mediation, the parties shall be guided to choose a mediation organization or mediator in the roster for mediation first*", which only states that the provisions of the disputes suitable for mediation can be mediated first, but does not specify what types of disputes are suitable for mediation². If there is a lack of uniform standards for the scope of cases applicable to the specially invited mediation's system, in practice, it is likely that the scope of application of mediation will be expanded indefinitely, resulting in the abuse of the specially invited mediation's system, and the specially invited mediation's system can not give full play to its own characteristics, so it is necessary to further clarify the scope of cases of application of the specially invited mediation's system of the people's court as soon as possible or through other means, so as to better resolve the conflicts and disputes of the parties and safeguard their legitimate rights and interests.

3.1.2 Different Rules for Selection of the Main Body of Specially Invited Mediation

Article 6 of the Provisions of the Supreme People's Court on Specially Invited Mediation in the People's Courts provides two ways to

¹ Li Na. (2021). Emotions and Law in Traffic Accident Dispute Mediation. *People's Mediation*, (2).

² Ma Snapdragon. (2020). Optimizing the institutional positioning, promoting principles and working mechanism of judicial confirmation procedure. *People's Court News*, (008), 3.

formally establish a roster system for specially invited mediation: one is for a lawfully established mediation organization or an individual who loves mediation to apply to the court for membership; and second, mediation organizations and individuals meeting the conditions are invited by the courts to join. This seems to set certain standards, but there is a lot of room for customization, and the conditions for joining the roster are general and vague. The courts across the country have formulated different kinds of minor rules under the scope of the major rules, and the courts across the country and even the courts in different districts of the same city have different standards for the selection of specially invited mediation organizations and specially invited mediators, and they will fall into the confusion of the criteria for joining the roster of specially invited mediation organizations and the roster of specially invited mediators, which is not conducive to the construction of high-quality specially invited mediation team¹. At the same time, there is no guidance and assistance for the parties' decision to appoint a specially invited mediator to preside over mediation, which is not conducive to the efficient and rapid resolution of disputes and mediation contradictions, and there may also be uneven levels and gaps between specially invited mediation organizations and specially invited mediators, which is not conducive to dispute resolution and the effective play of the specially invited mediation's system. Therefore, the strict and unified standards should be established, and higher requirements should be put forward for the professional competence and professionalism of specially invited mediation organizations and specially invited mediators, which are more conducive to mediation work efficiently and smoothly, rather than being limited to general selection criteria.

3.2 Unsound Safeguard Mechanisms of Specially Invited Mediation System

3.2.1 Lack of Reliable Funding Sources

Different scholars have different views on the issue of mediation funding. Some scholars believe that the original free-of-charge model should still be used in order to ensure the economic independence of the court-attached

mediation organization and give full play to the "free-of-charge advantage"². Some scholars also said that, by analysing the consumption psychology of the ordinary people, if the specially invited mediation completely free may make them produce a sense of mistrust, and charging part of the fee can also reflect the level of mediation professionals³. For example, *Wuchang District Ruihe Tianxia Mediation Center* is the first non-profit institution under the guidance of the *Wuhan Municipal Bureau of Justice* guidance to undertake the government's purchase of people's mediation services. The Provisions of the Supreme People's Court on Invited Mediation in the People's Courts indicate that the courts may apply to the relevant authorities for special funding. However, the specific operation of the application is not clearly specified. Establishing a sound funding mechanism is a key means of maximizing the professional advantages of specially invited mediators, enhancing the effectiveness of the work of specially invited mediators, and effectively resolving the disputes and conflicts between the parties. Therefore, to ensure the source of funds for specially invited mediation must be charged at a certain standard mediation fees, and if there is a lack of reliable funding sources, it will limit the development of specially invited mediation, binding and discouraging the enthusiasm of specially invited mediation organizations and specially invited mediators for mediation, which is not conducive to the resolution of disputes between the parties, and impedes the effective implementation of specially invited mediation's system.

3.2.2 Lack of Subsidy and Reward Mechanism

At present, China has not yet set up full-time specially invited mediators, and most of whom have their own jobs and are part-time mediators. Specially invited mediators should concentrate on their own work, while also to take into account the specially invited mediation work, so the work intensity will greatly reduce their enthusiasm for specially invited mediation. Article 29 of the Provisions of the Supreme People's Court on Specially Invited Mediation in the People's Courts states that "the court shall

¹ Shu Leshan. (2022). Study on the Practice and Improvement of the People's Court Invited Mediation System. *Journal of Guizhou Open University*, (03), 30.

² Tang Dongchu, He Wenyan. (2010). On Court-Commissioned Mediation. *Journal of Chongqing University (Social Science Edition)*, (05), 16.

³ Xia Bao. (2022). The conceptualization and institutional improvement of invited mediation. *Zhenjiang Higher Education Journal*, (4), 33.

issue subsidies to mediators for lost work, transportation, etc., and reward outstanding performance of specially invited mediation organizations and specially invited mediators, and the subsidy funds shall be included in the court's special budget.¹" This provision is too general and broad, and the criteria for subsidies and what constitutes outstanding performance in the work of invited mediators are not clearly defined. Therefore, it is not realistic to establish and improve the subsidy reward system, increase the remuneration of the specially invited mediators, and stimulate the specially invited mediators to focus more on mediation through the stimulation and promotion of the incentive mechanism, so as to stimulate the specially invited mediators to focus more on mediation, contribute to the resolution of the parties' disputes, safeguard the interests of the parties, and maintain the safety and stability of the society.

3.3 *Ineffective Operation of Specially Invited Mediation*

3.3.1 Sham Mediation

Sham mediation refers to the act of colluding with each other to fabricate civil legal relations or legal facts for the purpose of harming the interests of outsiders or public interests in civil cases and promoting the court to make an erroneous mediation document through legal mediation procedures, which is one of the methods of false litigation. Firstly, sham mediation shakes the authority of the law and damages the image of people's mediation. It has seriously damaged the legitimate rights and interests of the state, the collective and others, which made the victims question the authority and fairness of the law, and also greatly affected the image of people's mediation in the public mind. Secondly, sham mediation seriously disrupts the normal order of mediation, and wastes mediation resources. Thirdly, sham mediation seriously damages the legitimate rights and interests of the third parties, and disrupts the normal social order². Sham mediation distorts the value orientation of the court mediation's system, which makes the civil mediation's system a tool for the parties to seek

improper interests, and seriously undermine the authority and credibility of the judiciary, which has become the current prominent problems plaguing civil trials. Therefore, it is necessary to further improve the false litigation supervision mechanism³, and strengthen the punishment of false mediation, ensure that the specially invited mediation work to effectively play its own advantages and unique functions, and to protect the rights and interests of the parties.

3.3.2 Ineffective Supervision of Specially Invited Mediation Procedures

Article 18 of the provisions of the Supreme People's Court on the specially invited mediation in the People's Court, stipulates the regulatory methods for sham mediation in the specially invited mediation's system, which does not supervise the illegal acts of mediation procedures and mediators during the mediation process, and nor does it provides the illegal behaviour of the punishment measures for the illegal behaviour of the specially invited mediators or specially invited mediation organizations. At the same time, the means of supervision are also not clear, and there is room for improvement, leading to the poor operation of invited mediation. Sham mediation behaviour not only harms the state and social public interests, but also harms the legitimate rights and interests of third parties, which is a challenge to judicial resources and judicial authority. Due to the hidden nature of sham litigation and the fact that all parties to reach mediation agreement are recognized by the content of the mediation, it is difficult for the third party whose rights and interests have been infringed to provide sufficient evidence to prove that the mediation is a false mediation, and it is naturally unable to realize the rights of self-help. For the national and social public interests, this will lead to the procuratorial organs difficult to give full play to the supervision of the work of the invited mediation, timely detection of third-party rights and interests are infringed upon, and thus can not adequately safeguard the rights and interests of the parties other than the interests of other citizens, and this situation

¹ Wang Weiyuan. (2023). Current Situation and Future Path of Professional Mediation's Participation in Multiple Dispute Resolution: An Empirical Study Based on the Practice in City C. *Modern Business Industry*, (16), 44.

² Gui Huaqiao. (2012). Prevention and regulation of "false mediation" cases. *Heihe Journal*, (2), 2.

³ SUN Lizhi, HE Yan. (2022). Procuratorial Supervision of Civil Fraudulent Litigation. *Journal of Guangxi Police College*, (05), 35.

is likely to cause the failure of the system¹.

4. The Path to Improve Specially Invited Mediation's System

4.1 Uniform Standards for Determining the Rules of Specially Invited Mediation's System

4.1.1 Clarifying the Scope of Application of the Specially Invited Mediation's System Through Legislation

Some scholars have mentioned that drawing on the scope of eight types of cases suitable for pre-litigation mediation stipulated by the Zhuhai Doumen District People's Court and the experience of Taiwan on the specially invited mediation's system, which are combined with each other, will be divided into mandatory application of the scope of the cases of invited mediation, arbitrary application, prohibited from applying three types, and under each type of main types of cases are listed separately, which will provide references for the judicial practice of the courts around the world. However, it does not put forward the application of mediation system of specific types of disputes, only put forward the type of cases can not really solve the problem of unclear scope of application of the invited mediation system, therefore, the difference between the specially invited mediation and the court mediation should be clearly defined to maintain its own independence. Legislation is passed to clearly specify the scope of application of the specially invited mediation cases, so as to better resolve the conflicts and disputes between the parties and safeguard the legitimate rights and interests of citizens.

4.1.2 Raising the Entry Threshold for Specially Invited Mediators

Mediation is never just a matter of knowledge and technology, and the key and even the most important point for the success of mediation is whether the mediator himself possesses certain qualities. Su Li summarized these traits as age, gender, patience, temperament, social

experience, moral authority, social perception of the community and the parties' language, good at discovering hidden interests, and good at proposing various arrangements². Therefore, for the selection of specially invited mediators, it is necessary to first set up mandatory regulations such as professional qualifications, professional skills, personal character and social experience³, so as to enhance the overall stability and professionalism of the specially invited mediation organizations, avoiding the low level of specially invited mediators and the waste of mediation resources. Secondly, the management mechanism of specially invited mediators should be established, targeted and systematic mediation skills training should be carried out for specially invited mediators, the working concept of specially invited mediators should be changed, the behaviour that deviates from the concept of mediation should be corrected, and the comprehensive thinking of specially invited mediators should be cultivated to pursue diversified interests. Finally, the assessment mechanism of specially invited mediators should be perfected to improve the assessment and evaluation system based on the work qualifications, work performance, party satisfaction, etc., so as to stimulate the initiative and enthusiasm of specially invited mediators in mediation.

4.2 Improving the Safeguard Mechanism of the Specially Invited Mediation's System

4.2.1 Establishing a Sound System of Financial Guarantee for Specially Invited Mediation

Strengthening financial support and providing sufficient funds can improve the motivation of mediators, promote the orderly development of mediation activities, and ultimately improve the quality of mediation⁴. Therefore, first of all, the state financial department should make a unified appropriation, earmark the fund and give certain financial compensation to the specially invited mediation organizations and specially invited mediators. Secondly, the specially invited mediation organization can charge a certain amount of mediation fees according to the degree of complexity and difficulty of the mediation services provided, in

¹ Li Chen, Qi Hong, Wang Peng, et al. (2019). Study on the Procuratorial Supervision System of Civil Mediation—Annotation on Article 208 of the Civil Procedure Law// National Procuratorate, Sixth Procuratorial Office of the Supreme People's Procuratorate, School of Law of Renmin University of China. Theory and Practice of Civil Prosecution in the New Era — Proceedings of the 15th National Senior Prosecutors' Forum. *Beijing Municipal People's Procuratorate Branch No. 2; Beijing Municipal People's Procuratorate Branch No. 2, Sixth Procuratorial Department*, 13.

² Suli. (2010). On Dynamic Justice and Great Mediation. *China Law Journal*, (1).

³ ZHAO Yiyu. (2019). Court full-time mediator system: basis, practice and improvement. *Law Application*, (05).

⁴ Deng Yu. (2020). Five Issues to be Grasped in Improving the Invited Mediation System. *People's Court News*, 05.

order to expand the funding sources of the mediation organization, properly carry out the work of the specially invited mediation in all aspects, and improve the efficiency of the work of the mediation invited, so as to better safeguard the legitimate rights and interests of the citizens.

4.2.2 Establishment of an Assessment, Reward and Punishment Mechanism for Specially Invited Mediation

In order to give full play to the role of the people's mediation team, mobilize the enthusiasm of the mediation organizations, improve the quality of work, and effectively enhance the ability to prevent and control, Taiping Town, Zoucheng City, Shandong Province, has specially formulated the evaluation reward and punishment methods, and has set up an assessment office, a town comprehensive office, a judicial branch, a police station, and a petition office as the assessment member units¹. The establishment of this kind of appraisal, reward and punishment system of specially invited mediation should be improved and popularized, so that specially invited mediation organizations all over the country can practice for it, stimulate the enthusiasm of specially invited mediators, and improve the mediation rate of specially invited mediation. Therefore, it is possible to establish a reward and punishment mechanism for the specially invited mediation organizations, combining the usual work with the year-end assessment, and combining the mediation rate with satisfaction rate, so that invited mediators with outstanding performance can be rewarded, and the invited mediators who are not satisfied with the parties and have a low rate of mediation, or who even violate the provisions of the specially invited mediators can be subjected to punitive measures.

4.3 Improving the Effectiveness of the Specially Invited Mediation's System

4.3.1 Strengthening of False Mediation Disciplinary Efforts to Prevent Sham Mediation Behaviour

Sham mediation behaviour abuses civil litigation rights, causing serious harm. To identify false a sham mediation behaviour, it is

necessary to accurately grasp the purpose, attributes and external performance of the act. The Civil Substantive Law lacks legislation on abuse of civil right of action tort liability, and the Civil Procedure Law on the improper exercise of the right of action of the behaviour regulation coarse. The defects of the mediation system itself are the main root cause of false mediation, and it is essential to correctly understand the nature of mediation, improve the relevant legislation, increase the perpetrator's disciplinary efforts, the establishment of a sound system of compensation to the victim, and strengthen the false mediation of the prosecutorial supervision². Therefore, first of all, we should strengthen the punishment of false mediation actors and increase the cost of false mediation actors. Secondly, we should establish a system of compensation for infringement damages of false mediation and the accountability system of its related personnel. Furthermore, the specially invited mediators should strengthen their own professional qualities, enhance the awareness of preventing and controlling improper behaviours, and increase the sense of responsibility, so as to reduce and curb the false mediation. Finally, the supervision of the procuratorial authorities on false mediation should be strengthened.

4.3.2 Strengthen the Supervision of Specially Invited Mediation Procedures

The Civil Procedure Law of the People's Republic of China specifies the supervisory authority of the procuratorial organs over mediation, which effectively fills the gap in the supervision of civil mediation. The establishment of civil mediation supervision system is an important step in the gradual improvement of China's judicial system as well as the supervision system of the procuratorate³. In the face of the difficulties and challenges encountered in the supervision of mediation, the procuratorial organs should actively seek

¹ Cao Guangqing, Cui Yan. (2005). Taiping Town, Zoucheng City, Shandong Province, Introduces Measures for Mediators' Assessment, Reward and Punishment. *People's Mediation*, (11).

² Pan Mutian. (2014). On the Identification and Regulation of False Mediation Behavior. *Academic Exchange*, (1), 1.

³ Shao JD. (2012). Strengthening legal supervision of civil mediation from three aspects. *Procuratorate Daily*, (003), 10.

feasible supervision path and countermeasures¹. External supervision is characterized by the independence of the subject and the object, which is not subordinate to each other, and can reflect objectivity and authority in the supervision effect. Strengthening the supervision of the procuratorate as an external supervisory mechanism is more effective in regulating false mediation. Strengthening the supervision of the people's procuratorate enables it to form an effective constraint on the people's court when the court is negligent in investigating and dealing with cases of false mediation, and the procuratorate, as a specialized supervisory body, can also devote more energy to investigating and supervising the investigation and supervision of false mediation². Therefore, to increase the supervision of the degree of invited mediation, firstly, false mediation cases should be clearly included in the supervision scope of the procuratorial organs to ensure the effective operation of specially invited mediation. Secondly, the mediation norms and mediation procedures should be refined to clearly supervise the specially invited mediation. Finally, the organs should collaborate with each other to stop false mediation and establish a long-term supervisory mechanism, so as to make the specially invited mediation's system give full play to its positive role.

5. Conclusion

As an important measure under the diversified dispute resolution mechanism, the specially invited mediation's system effectively integrates social resources, such as commercial, administrative and industrial forces, and resolves conflicts and disputes in a non-litigious and fair manner, which is in line with the requirements of the development of the times. However, in practice, there are certain problems with the specially invited mediation's system, including the lack of a uniform standard for the application of the rules, the inadequacy of

protection mechanisms, and the inefficiency of the operation, etc. Therefore, it is necessary to clarify the scope of application of specially invited mediation's system through the legislation, improve the access threshold of specially invited mediators, establish a sound system of financial security of specially invited mediation, strengthen the disciplinary efforts of false mediation, and prevent false mediation behaviour, promote the work of invited mediation in an orderly manner, and efficiently resolve disputes, making the specially invited mediation system with the wisdom of mediation for the parties to provide both speed and temperature of the judicial service, enhance the people's sense of justice and sense of well-being.

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- ¹ Xu Zhipeng. (2013). On the System Construction of Procuratorial Supervision of Civil Mediation// Procuratorial Basic Theory Committee of China Procuratorial Research Society. *Revision of Procedural Law and Development and Improvement of Procuratorial System — Proceedings of the Third China Procuratorial Basic Theory Forum*. *Fujian Provincial People's Procuratorate Civil Procuratorate*, 7.
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