

## Fresh Principles of System of Concentrated Trial

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### Abstract

The most significant revolution in the amendatory civil procedure form 1999 to 2003 was the adoption of system of concentrated trial. For getting rid of the disadvantage of principles of consolidation trial and pleading in free time, we adopt principles of concentrated trial and pleading in the due time, which mean that the court must divide the trial into procedures of issue-joinder and evidence-investigation for systematic trial, and parties must make pleadings in the due time, comply with progresses of trial, and fulfill their obligation to assist in a fluent trial. Moreover, for broadening the function of actions to resolution of disputes, we adopt the principle of concentration of disputes and loose the restriction on the change of actions, addition of actions, and counterclaim in court of first instance and appeal. Furthermore, to realize principles above, we also accept principle of cooperation, which expands the scope of duty of judiciary clarification and asks judges to cooperate with parties' actions (the change of actions, addition of actions, and counterclaim) and make pleadings. These principles are concreted in amendatory articles with their own theories in order to reach the goal of concentrated trial. System of concentrated trial consisting of principles above becomes the emphasis of contemporary revolution in civil judiciary, and it had changed the foundation of civil procedure, furthermore, it had shifted the traditional model of trial.

**Keywords: revolution in civil judiciary, system of concentrated trial, principle of concentration of issues, principle of concentration of disputes, principle of pleading in the due time, principle of cooperation, principle of direct hearing, Joinder of issues, sanction of forfeiture, duty of clarification**

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