

# Resume

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## 1. CURRENT POSITION (现任职务)

Lecturer, KoGuan Law School, Shanghai Jiao Tong University, since 2009

Law and Social Science Center, KoGuan Law, Shanghai Jiao Tong University, since 2010

## 2. EDUCATION BACKGROUND (教育背景)

LL. B., School of Law, Sichuan University, 2003

LL. M., School of Law, Sichuan University, 2006

Ph.D. in Law, School of Law, Sichuan University, 2009

## 3. PROFESSIONAL EXPERIENCES (专业经历)

Research Assistant, China Judicial Reform Research Center, Sichuan University, 2003-2009

## 4. EXPERTISE (专长)

Comparative Criminal Procedure

Criminal Judicial Error in China

Judicial Reform in China

Evidence Law (especially exclusionary rule)

## 5. COURSES TAUGHT (开设课程)

Criminal Procedure Law

Evidence Law

Judicial Documents

## 6. PUBLICATIONS (发表成果)

Books

1. Youping Xie & Xifen Lin (eds.), *A Study on the Distribution and Application of Chinese Judicial Powers*, Beijing: Chinese People's Public Security University Press, 2006.
2. Jun Feng & Xifen Lin (eds.), *Chinese Criminal Justice Reform: Theory and Method*, Beijing: China Procuracy Press, 2007.
3. Xifen Lin, *Exclusionary Rule: Disenchantment of the Discourse and Construction of the Institution*, Beijing: Chinese People's Public Security University Press, 2008.
4. Weiping Sun & Xifen Lin (eds.), *Evidence Law*, Shanghai: Shanghai Jiao Tong University Press, 2009.
5. Yi Wan & Xifen Lin, *Chinese Criminal Procedure*, Beijing: Tsinghua University Press, 2010.
6. Youping Xie & Xifen Lin (eds.), *Modern Criminal Procedure*, Hangzhou: Zhejiang University Press, 2010.
7. Xifen Lin, *Criminal Judicial Errors in Transitional China: a Comparative and Empirical Study*, Shanghai: Shanghai People's Publishing House, (Forthcoming 2011).
8. Xifen Lin, *Chinese Criminal Procedure: a Road towards Rule of Law*, Shanghai: Shanghai Jiao Tong University Press, (Forthcoming 2011).
9. Xifen Lin, *the Globalization and Naturalization of Criminal Procedure in China*, Shanghai: Shanghai Jiao Tong University Press, (Forthcoming 2011).

### Journal Articles

#### About Sentencing Reform in China

1. Xifen Lin, the Operating Principle and Practical Plight of Prosecutorial Suggestion for Sentencing in China: From the Perspective of Making Public Prosecution more Precisely, *Science of Law*, Vol. 29, No. 1. (2011).
2. Xifen Lin, China's Transitional Road towards Independent Sentencing Procedure: with the Foreign Countries' Experience in Sentencing Procedure, *Legal Forum*, No. 2. (2011).

#### About Criminal Judicial Error in China

3. Xifen Lin, A Statistical Study on the Running Status of Chinese Criminal Justice System in Recent Years (1995-2005), *Criminal Science*, No. 2. (2011).
4. Xifen Lin, How to Control Judicial Error in China: An Analysis Based on the Context of China's Particular Transitional Context, *Tribune of Political Science and Law*, No. 2. (2011)
5. Xifen Lin, the Occurrence and Harm of Criminal Judicial Error: A Theoretical Analysis from the Perspective of Judicial Practice, *Nanjing University Law Review*, No. 1. (2011).

6. Xifen Lin, How to Prevent the Coerced Confession: the Legalization of Investigation and Questioning Procedure in China, *Chinese Legal Science*, No. 1. (2009).

7. Xifen Lin, the Theoretical Trends on Criminal Judicial Error in China, *Western Law Review*, No. 6. (2009).

8. Xifen Lin, the Operational State of Chinese Criminal Appeal Process and Its Recent Reform: A View Based on Preventing Judicial Error, *Eastern Law Review*, No. 5. (2009).

9. Xifen Lin, the Criminal Judicial Error and Criminal Judicial Compensation Procedure in China, *Anhui University Law Review*, No. 1. (2009).

10. Xifen Lin, Chinese People's Concept and Consciousness of Criminal Judicial Error, *Journal of Kunming University of Science and Technology*, Vol. 9, No. 7. (2009).

About Protection of Human Rights and the Reform of China's Criminal Procedure

11. Xifen Lin, the Theory of Legal Positivism and the Prospective Re-amendment of China's Criminal Procedure Law, *Journal of Fujian Public Safety College*, No. 4. (2007).

12. Xifen Lin & Kai Cheng, Plea Bargaining's Operational Mode in Western Countries and Its Impacts on the Criminal Procedure Reform in China, *Ximen University Law Review*, Vol. 15, No. 1. (2008).

13. Xifen Lin, the Defendant's Right to Know in China's Criminal Procedure of Investigation, *Criminal Science*, No. 1. (2008).

14. Xifen Lin, A Study on China's Criminal Seizure Procedure in Perspective of Rule of Law, *The Rule of Law Forum*, Vol. 23, No. 3. (2008).

15. Yi Wan & Xifen Lin, A Critical Thinking about Criminal Procedure Law of Contemporary China, *Tribune of Political Science and Law*, Vol. 24, No. 5. (2006).

16. Xifen Lin, Can a Prosecutor Perform Objectively: A Study on the Relationship between Prosecutor and Defendant in Chinese Criminal Procedure, *Journal of Fujian Public Safety College*, No. 4. (2006).

17. Yi Wan & Xifen Lin, a Comparative Study on Due Process of Law Principle in China and in Western Countries, *Contemporary Law Review*, Vol. 20, No. 1. (2006).

18. Xifen Lin, the Reform of Criminal Procedure of Investigation in China: View and Method, *Journal of Fujian Public Safety College*, No. 5. (2005).

19. Xifen Lin, Imbalance between Crime Control and Human Rights: A Study on China's Scientific Evidence Obtaining Measure, *Journal of Shandong Police College*, No. 4. (2005).

#### About Exclusionary Rule

20. Xifen Lin, Rethinking the Procedural Sanction Theory and the Reform of Exclusionary Rule in China, *Journal of Nanjing Normal University (Social Science Edition)*, No. 2. (2010).

21. Xifen Lin, How to Exclude the Unlawful Physical Evidence: Cost-benefit Analysis Method and Its Objective Norms, *Criminal Research*, No. 1. (2009).

22. Xifen Lin, the Rationale of Exclusionary Rule in Typical Western Countries: A Historical and Comparative Perspective, *Criminal Procedure Frontiers*, No. 2. (2008).

23. Xifen Lin, an Introduction to the History of American Exclusionary Rule's Rationale: From Easterners' Perspective, *China's Procedural Law*, No. 6. (2008).

24. Xifen Lin, An Introduction to Debates on the Practical Effect and Development Trends of American Exclusionary Rule, *Criminal Law Review*, 2 No. 2. (2008).

25. Xifen Lin, a Study on the Constitutionalization of Exclusionary Rule in China, *Anhui University Law Review*, No. 1. (2008).

26. Xifen Lin, an Analysis of the Debate on Exclusionary Rule in China, *Northern Legal Science*, Vol. 2, No. 2. (2008).

27. Xifen Lin, Exclusionary Rule in England: Derivative History and Contemporary Procedure, *Journal of Yibin University*, No. 8, (2007).

28. Xifen Lin, the Good Faith Exception of American Exclusionary Rule: History and Trend, *Journal of Sichuan Police College*, Vol. 19, No. 5. (2007).

#### About Standard of Proof and the Reform of China's Evidence Law

29. Xifen Lin, the Transformation and Rationalization of China's Standard of Proof: A View Based on Preventing Judicial Error, *Law and Social Development*, Vol. 19, No. 1. (2011).

30. Song Guo & Xifen Lin, Text, Practice, Context: A Survey on Standard of Proof in Prosecution Stage, *Law and Social Development*, No. 5, (2007).

31. Xifen Lin, Several Issues on Material Evidence in China's Evidence Law, *Journal of Sichuan Police College*, Vol. 22, No. 3. (2010).

32. Yi Wan & Xifen Lin & Yongjun He, the Transformation of Chinese Criminal Evidence Law, *Modern Law Science*, Vol. 30, No. 4. (2008).

33. Yi Wan & Xifen Lin, The Contemporary Jurisprudence of Chinese Evidence Law, *Journal of Sichuan Normal University (Social Sciences Edition)*, Vol. 32, No. 6. (2005).

#### About Judicial Reform in China

34. Xifen Lin, A Proposal on the Method of Chinese Justice System Reform: From Legislative Amendment to Judicial Experiment,

*Inner-Mongolia Social Science*, Vol. 29, No. 4. (2008).

35. Yi Wan & Xifen Lin, From the Judgments without Reasons to Justifiable Decisions: An Analysis on How to Reform China's Adjudication System, *Legal Forum*, Vol. 19, No. 5. (2004).

36. Jianming Jiang & Xifen Lin, Obedience to Adjudication and Rule of Law: A New View on Judicial Reform in China, *Journal of Sichuan Normal University (Social Sciences Edition)*, Vol. 33, No. 2. (2006).

37. Yi Wan, Xifen Lin, How to Balance the Elite's Ideals and the Public's Requirements: the Guideline of Judicial Reform in Contemporary China, *Political Science and Law*, No. 2. (2004).

38. Yi Wan & Xifen Lin, Can and Should the Obiter Dictum and Concurring Opinion in Judgment be Open in China, *Science of Law*, No. 1. (2008).

*About Constitutionalism and Constitutional Criminal Procedure*

39. Kai Cheng & Xifen Lin, Constitutionalism in Western Countries and China: Origins and Values, *Tian Fu New Idea*, No. 5. (2007).

40. Xifen Lin, American Constitutional Criminal Procedure: Essence, Conformation and Its Revelation, *Journal of Gansu Institute of Political Science and Law*, No. 5. (2007).

41. Xifen Lin, the Rule-structure of American Constitutional Criminal Procedure and Its Reference on Chinese Criminal Procedure Reform, *Journal of Comparative Law*, No. 2. (2008).

42. Yi Wan & Xifen Lin, From Trusting Power to Controlling Power: the Contemporary Trend of Chinese Criminal Procedure, *Political Science and Law*, No. 1. (2006).

## 7. AWARDS AND HONORS (奖励和荣誉)

"The Excellent book" in Shanghai, 2010

"Chen Guang (Morning Light) Scholar" of Shanghai, 2010

"Chen Xing (Morning Star) Scholar" of Shanghai Jiao Tong University, 2010

"Yue Cheng Awards", KoGuan Law School, Shanghai Jiao Tong University, 2010

"The Most Popular Teacher Award", KoGuan Law School, Shanghai Jiao Tong University, 2010

"The First Prize in teaching competition", KoGuan Law School, Shanghai Jiao Tong University, 2010

## 8. MEMBERSHIP (会员资格)