

# CURRICULUM VITAE

## Prof. Dr. Kuan-Ling Shen

### Personal Data

Date of birth: Dec. 24.1968

Address: No. 1, Sec. 4, Roosevelt Road, Taipei 10617, Taiwan

Telephone: +8862 3366 8952(office)

Mobile phone: +886 989 068436

Email: [kshen@ntu.edu.tw](mailto:kshen@ntu.edu.tw)

### Education

- |      |   |
|------|---|
| 1999 | Dr. iur., University of Heidelberg (magna cum laude), Germany |
| 1994 | Master of Laws, College of Law, National Taiwan University    |
| 1991 | Bachelor of Laws, College of Law, National Taiwan University  |

### Positions Held

- |                              |  |
|------------------------------|--|
| August 2012 to present       | Professor, College of Law, National Taiwan University                    |
| August 2012 to July 2016     | Director of Civil Law Center, College of Law, National Taiwan University |
| August 2007 to July 2012     | Associate Professor, College of Law, National Taiwan University          |
| August 2004 to July 2007     | Assistant Professor, College of Law, National Taiwan University          |
| February 2004 to August 2004 | Associate Professor, College of Law, National Cheng-Chi University       |
| August 2000 to February 2004 | Assistant Professor, College of Law, National Cheng-Chi University       |
| July 2008 to present         | Arbitrator   |
| July 1994                    | Attorney, Bar Admission  |

### **Courses and Other Services at NTU**

- Lecture: Civil Procedure Law, Non-Contentious Proceedings Law, Civil and Commercial Laws in a Substantive and Procedural Perspective, Family Proceedings Act
- Seminar: Seminar on Asian Court, Graduate Seminar on Comparative Procedure Law
- Student Mentor
- Graduate Adviser
- Member of the Executive Council at the College of Law

### **Professional Membership**

- August 2011 to present      Member, International Association of Procedural Law
- January 2001 to present      Co-Director, Foundation for Civil Procedure Law Research (Taiwan)
- August 2000 to present      Member, International Federation of Women Lawyers, Republic Of China (Taiwan)

### **Professional Honors and Awards**

- 2015-2016      **Award of Excellent Scholar in Teaching and Research**
- 2013-2014      **Fulbright Senior Scholar Grant, Visiting Scholar at School of Law, UC Berkeley**
- 2010      **Excellent Books Award**, National Taiwan University :  
*New Change in Civil Procedure Law*
- 2009      **Dr. Wu Da-You Research Award**, National Science Council  
(This award is *the highest academic honor in Taiwan for junior researchers under the age of 42*, an award for which I was the only prizewinner in the law field that year.)
- 2009      **Outstanding Book Award**, National Taiwan University :  
*Civil Evidence Law and Fairness of Procedure*
- 2008      **Outstanding Book Award**, National Taiwan University :  
*The Protection of Litigation and Alternative Dispute Resolution*
- 2007      **Excellent Junior Research Investigator Grant**, National Science Council
- October 1995 to December 1999      **Scholarship of the German Academic Exchange Service (DAAD)**

## **Selected Publications**

### **A. Books and Book Chapters**

1. *Changes to Family Justice*. Taipei: Angel (2015), in Chinese.
2. *Procedural Guarantees and Parties in Civil Procedure*: Angel (2012), in Chinese.
3. *New Change in Civil Procedure Law*. Taipei: Sharing (2009), in Chinese.
4. *Civil Evidence Law and Fairness of Procedure*. Taipei: Angel (2007), in Chinese.
5. *The Protection of Litigation and Alternative Dispute Resolution*. Taipei: Angel (2006), in Chinese.
6. “The Role of the Courts in Civil Disputes in Taiwan”, in: Jiunn-rong Yeh (ed.), *The Functional Transformation of Courts: Taiwan and Korea in Comparison*, pp. 187-214, National Taiwan University Press (2015), in English.
7. “Mediation in Taiwan: Present Situation and Future Developments”, in: Esplugues Mota, Carlos, Marquis, Louis (eds.), *New Developments in Civil and Commercial Mediation Global Comparative Perspectives*, pp. 711-736, Spring International Publishing (Switzerland) (2015), in English.
8. “The Alternative Dispute Resolution (ADR) Systems in Taiwan”, in: Jiunn-rong Yeh (ed.), *East Asian Courts in Transition: Models, Dispute Resolution and Governance*, pp. 113-150, National Taiwan University Press (2014), in Chinese.
9. “Civil Dispute Resolution in Courts of East Asia: The Case of Taiwanese Civil Courts”, in: Jiunn-rong Yeh (ed.), *East Asian Courts in Transition: Models, Dispute Resolution and Governance*, pp. 65-112, National Taiwan University Press (2014), in Chinese.
10. “Funding and Costs of Civil Litigation: Taiwan (co-author/first-author)”, in: Stefan Vogenauer, Magdalena Tulibacka, Christopher Hodges, *Funding and Costs of Civil Litigation*, pp. 521-534, Hart. Publishing (2010), in English.

### **B. Peer-Reviewed Articles**

1. Reconstruction of Consumer Collective Redress: Focus on Distributed Damages and Collective Rights, *National Taiwan University Law Journal vol.44 Special Issue*, pp.1237-1326 (2015), in Chinese.
2. Developments in the Law in 2014: Civil Procedure Law and the Theory of “Right of Procedure Options”, *National Taiwan University Law Journal vol.44 Special Issue*, pp.1473-1505 (2015), in Chinese.
3. Developments in the Law in 2012: Civil Procedure Law and the Family Proceedings Act, *National Taiwan University Law Journal vol.42 Special Issue*, pp.999-1031 (2013), in Chinese.
4. Procedural Justice for Civil Dispute Resolution in the 21st Century: Civil Litigations and Family Proceedings, *National Taiwan University Law Journal vol.41 Special Issue*, pp.999-1187 (2012), in Chinese.
5. Evidence Law and Empirical Study in Medical Malpractice Litigation, *NCCU Law Review vol. 120*, pp. 167-259 (2012), in Chinese (first author; co-author: Ching-Hsiu Chuang).
6. Discharge in Consumer Insolvency: Credit Card Debts, *National Taiwan University Law Journal vol.40:3*, pp.1175-1254 (2012), in Chinese.
7. Avoidance Proceedings in Insolvency Law, *National Taiwan University Law Journal vol.40:3*, pp.1175-1254 (2011), in Chinese.

8. Party Capacity of an Unincorporated Association and Effects on Judgment, *NCCU Law Review* vol. 120, pp. 95-158 (2011), in Chinese.
9. Class Action in Taiwan: A New System Created Using the Theory of “Right of Procedural Options”, *NTU Law Review* vol. 5, no.1, pp.39-72 (2010), in English.
10. The Right to a Fair Hearing within a Reasonable Time and Case Management, *National Taiwan University Law Journal*, vol. 39: 2, pp. 301-349 (2010), in Chinese.
11. The Globalization of Class Actions: Taiwan (first-author; co-author: Yuen-Ping Yang), *The ANNALS Of The American Academy of Political and Social Science*, vol. 622, no. 1, pp. 301-309 (2009), in English.
12. The Spoliation of Evidence in Medical Malpractice Claims, *National Taiwan University Law Journal*, vol. 38: 1, pp. 163-216 (2009), in Chinese.
13. Government Attitudes toward Arbitration and Judicial Practice in Taiwan, *Contemporary Asia Arbitration Journal* 1, pp.149-170 (2008), in English.
14. Consumer Insolvency Proceedings: A Comparison of German and Taiwanese Law, *Taipei University Law Review* 63, pp.127-197 (2007), in Chinese.
15. Preservation of Evidence and Protection of Secrets in Civil Cases Concerning Intellectual Property Rights, *National Taiwan University Law Journal*, vol. 36: 1, pp. 185-262 (2007), in Chinese.
16. Procedural Protection in Non-contentious Family Cases: The Combined Application of the Theories of Civil Procedure and Non-Contentious Process, *National Taiwan University Law Journal*, vol. 35: 4, pp. 105-160 (2006), in Chinese.
17. “Lawyers’ Settlement” as a System of Out-of-Court Dispute Resolution, *NCCU Law Review* 88, pp. 259-296 (2005), in Chinese.
18. Permission to Review Appeals, *Taipei University Law Review* 57, pp. 329-366 (2005), in Chinese.
19. The Protection of Litigation Rights in Civil Procedure, *National Taiwan University Law Journal* vol. 34: 5, pp. 203-273 (2005), in Chinese.
20. The Test Action Agreement, *National Taiwan University Law Journal*, vol. 33: 6, pp. 77-175 (2004), in Chinese.

### **C. Others**

1. On Types of Claims Joinder—In View of Party’s Procedural Rights, *Taiwan Law Journal* 254, pp. 20-37 (2016), in Chinese.
2. The Reform of Summary Proceedings for a Payment Order in Taiwan, *Cross-Strait Law Review* 49, pp. 61-77 (2015), in Chinese.
3. The Amendment of Summary Proceedings for a Payment Order, *Court Case Times* 37, pp. 52-73 (2015), in Chinese.
4. The Determination of Family Cases and Its Combination with Civil Cases: A Comment on Supreme Court Judgment 2013 No. 802, *Taiwan Law Journal* 277, pp. 79-97 (2015), in Chinese.
5. A Study on the Delegation of Works between Courts and Parties from the View of ALI/UNIDROIT Principles of Transnational Civil Procedure, *Taiwan Law Journal* 228, pp. 26-52 (2014), in Chinese.

6. The Subjective Range of Issue-preclusion Effects and the Intervention of the Third Party: A Comment on two Supreme Court Judgments, *Taiwan Law Journal* 239, pp. 75-94 (2014), in Chinese.
7. The Identification Procedure and the Protection of Procedural Rights in Medical Malpractice Claims: A Comment on Supreme Court Judgment 2012 No. 1765, *Taiwan Law Journal* 223, pp. 79-89 (2015), in Chinese.
8. Setting Aside Arbitral Awards in Construction Disputes, *Cross-Strait Law Review* 33, pp. 5-20 (2011), in Chinese.
9. Creditor Subrogation Litigation, Insurance Subrogation Litigation and Legal Standing: A Comment on Supreme Court Judgment 2010 No. 360, *Taiwan Law Journal* 165, pp. 51-66 (2010), in Chinese.
10. Problems in International Insolvency Procedure, *Taiwan Law Journal* 144, pp. 93-117 (2010), in Chinese.
11. The Technical Officer in Intellectual Property Civil Procedure and Protection of the Right to be Heard: A Comment on Supreme Court Judgment 2009 No.2373, *Court Case Times* 3, pp. 54-61 (2010), in Chinese.
12. Res Judicata, Capacity and Standing of Party about the Management Committee of Apartment Building: A Comment on Supreme Court Judgment 2009 No.790, *Taiwan Law Journal* 151, pp. 203-210 (2010), in Chinese.
13. Participants and Substantive Parties in Civil Procedure: A Comment on Supreme Court Judgments from 2001 No.88 to 2009 No.1372, *Court Case Times* 1, pp. 77-82 (2010), in Chinese.
14. Issue Preclusion: A Comment on Supreme Court Judgments from 2004 No.1057 and 2009 No.266, *Taiwan Law Journal* 129, pp. 39-69 (2009), in Chinese.
15. The Integration of Intellectual Property Civil Procedure and Administrative Action, *Journal of New Perspectives on Law* 8, pp. 1-22 (2009), in Chinese.
16. The Recognition and Enforcement of American Multiple Damages Judgment: A Comment on Supreme Court Judgment 2008 No.835, *Taiwan Law Journal* 117, pp. 41-55 (2008), in Chinese.
17. The Process of Dispute for Disqualification of Arbitrators and Revocation of Arbitration Awards, *The Arbitration Quarterly* 86, pp. 56-74 (2008), in Chinese.
18. Arbitration, the Option of Procedure and the Protection of Right to Litigation, *Taiwan Law Review* 158, pp. 217-235 (2008), in Chinese
19. The Standing to Sue in Indispensable Joinder Litigation and Application of Article 56-1 of Civil Procedural Law, *Taiwan Law Journal* 106, pp. 103-115 (2008), in Chinese.
20. The Recognition and Enforcement of Foreign Judgments on Parental Rights and Return of Child Claims: The Principle of Protecting the Best Interests of Minors, *Taiwan Law Journal* 84, pp. 94-105 (2006), in Chinese.
21. The Application of the Equally-Armed-Principle in Medical Litigation, *Taiwan Law Review* 127, pp. 28-49 (2005), in Chinese.
22. The Past and Future of Taiwanese Provisional Injunction: Focusing on Interest Balance between Parties, *Taiwan Law Review* 109, pp. 52-72 (2004), in Chinese.
23. Research on Class Action, *Journal of Judges Association* vol. 6: 1, pp. 67-82 (2004), in Chinese.

## **Other Professional Activities**

### **A. Professional Conferences and Conference Papers (2005-2016, selected)**

1. “The Trial on Cases on the Termination of Adoption”, *The 126<sup>th</sup> Seminar of Civil Procedure Research*, hosted by the Foundation of Civil Procedure Research, Taipei (2015), in Chinese.
2. “The Right to an Effective Enforcement and State Responsibilities (including Transnational Aspects): Taiwan”, *IAPL Seoul Conference on Constitution and Proceedings*, hosted by IAPL (2014), in English.
3. “Mediation in Taiwan”, National Report, *The 19<sup>th</sup> Conferencia, International Association Comparative Law, Vienna 2014*, hosted by ICPL (2014), in English.
4. “The Role of Courts in Civil Disputes in Taiwan”, *Workshop of Courts in Taiwan and Korea: A Comparative Perspective Program*, hosted by the Institute for the Advanced Studies in Humanities and Social Science and the College of Law, National Taiwan University, Taipei (2013), in Chinese.
5. “Civil Dispute Resolution in Courts of East Asia: The Case of Taiwanese Civil Courts”, *Conference on Courts in East Asia and Legal Transplant*, hosted by the Institute for the Advanced Studies in Humanities and Social Science and the College of Law, National Taiwan University, Taipei (2012), in Chinese.
6. “Reforms of Family Proceedings and Procedural Principles”, *The 114<sup>th</sup> Seminar of Civil Procedure Research*, hosted by the Foundation of Civil Procedure Research, Taipei (2012), in Chinese.
7. “Discharge in Consumer Insolvency: Credit Card Debts”, *Conference on the Consumer Insolvency Act*, hosted by the Civil Division of the Judicial Yuan, Taipei (2011), in Chinese.
8. “ADR And Court-Connected Mediation in Taiwan”, *The Inaugural UM-NTU Joint Law Seminar-Current Issues in the Development of Malaysian and Taiwanese Laws*, hosted by the College of Law, National Taiwan University and University of Malaya, Taipei (2010), in English.
9. “Class Action in Taiwan”, National Report, *The XVIIIth International Congress of the International Academy of Comparative Law*, hosted by American University Washington College of Law, George Washington University Law School and Georgetown University Law Center, Washington D.C. (2010), in English.
10. “Funding, Costs and Proportionality in Taiwan’s Civil Justice Systems” (co-author/first-author), *International Conference on Litigation Costs and Funding*, hosted by the Development of the Current Status Centre for Socio-Legal Studies, Oxford University, Oxford (2009), in English.
11. “The Status and Development of ADR in Taiwan: Mediation at the Center”, *International Conference on Development of the Current Status of ADR System in East Asia: Korean Civil Procedure Annual 2009*, hosted by the South Korea Civil Procedure Society, Seoul (2009), in Chinese.
12. “Timely Trial and Case Management in Civil Procedure”, *Conference on a Speedy Trial*, hosted by the Judicial Yuan, Lee And Li Foundation, World Foundation and National Taipei University Department Of Law, Taipei (2009), in Chinese.
13. “Issue Preclusion and the Objective Scope of Civil Judgment: Controversial Issues of Judgment under the New Civil Procedural Law”, *The 103<sup>th</sup> Seminar of Civil Procedure Research*, hosted by the Foundation of Civil Procedure Research, Taipei (2008), in Chinese.
14. “The New Evidence Rules and Their Role in Medical Litigation: Civil Damages”, *2008 Across the Taiwan Straits Civil and Commercial Law Conference*, hosted by Renmin University of China, Peking (2008), in Chinese.
15. “New Changes in Intellectual Property Civil Procedure”, *Conference on Cross-Straight Civil Procedure Change and Development and Tax Law*, hosted by China University of Political Science And Law, Peking (2008), in Chinese.

16. “Analysis of Taiwanese Consumer Insolvency Law as Compared with German Legislative Trends: The Balance of Debtor and Creditor Interests”, *Conference on New Developments in Consumer Insolvency Law*, hosted by the Center of Civil and Commercial Law in National Taiwan University College of Law and Taiwan Law Journal, Taipei (2007), in Chinese.
17. “Multi-Party Proceedings in Taiwan: Representative and Group Actions”, *The Globalization of Class Actions*, hosted by Stanford Law School & The Centre for Socio-Legal Studies, Oxford University, Oxford (2007), in English.
18. “Government Attitudes Toward Arbitration and Judicial Practice in Taiwan”, *2007 International Arbitration Conference in Taipei: Asia Practice And International Context*, hosted by the Asian Center for WTO & International Health Law and Policy, College of Law, National Taiwan University & The Arbitration Association of Republic of China, Taipei (2007), in English.
19. “New Changes in Provisional Remedies”, *The 3<sup>rd</sup> Seminar of the Judicial Personnel Study Center 2007*, hosted by the Judicial Personnel Study Center of the Judicial Yuan, Taipei (2007), in Chinese.
20. “The Spoliation Of Evidence in Medical Litigation”, *Seminar on Medical Law*, hosted by the Center of Civil and Commercial Law in National Taiwan University College of Law, Taipei (2007), in Chinese.
21. “Fishing Expedition and Discovery”, *The 92<sup>nd</sup> Seminar of Civil Procedure Research*, hosted by the Foundation of Civil Procedure Research, Taipei (2005), in Chinese.

## **B. Research Projects**

August 2015 to July 2018	Consumer Collective Redress—A Comparative Research between Systems in EU, Germany, France and Japan, sponsored by Ministry of Science and Technology
August 2013 to July 2015	The Procedural Subjectivity and Effects of Judicial Judgements in Family Cases, sponsored by Ministry of Science and Technology
August 2011 to December 2016	Joint Grand Project: Courts in East Asia and Legal Transplant, Part III: Courts of East Asia and Civil Disputes Resolution: Reception and Evolution of Civil Procedure Law in East Asia, sponsored by the Ministry of Education
August 2010 to July 2013	Globalization of Civil Procedure and New Trends, sponsored by the National Science Council
August 2007 to July 2010	Evidence Problems in Medical Malpractice Actions, sponsored by the National Science Council
August 2006 to July 2007	Destruction of Evidence in Medical Malpractice, sponsored by the National Science Council
August 2005 to July 2006	The Right to be Heard in Civil Procedure and its Remedy, sponsored by the National Science Council

## **Public Services**

January 2011 to present	Commissioner of Judicial Yuan’s Insolvency Law Draft, Judicial Yuan (Taiwan)
----------------------------	--

January 2008 to present	Lecture series at the Judicial Personnel Study Institute, Judicial Yuan (Taiwan)
2005 to present	Examination Committee Member for the Attorney Examination and Judge Examination, Examination Yuan (Taiwan)
April 2000 to January 2011	Commissioner of Judicial Yuan's Family Proceedings Law Draft, Judicial Yuan (Taiwan)
April 2009 to present and April 2001 to April 2006	Consulting member of the Complaint Review Board for Government Procurement, CRBGP, Executive Yuan (Taiwan)