

ALB CHINA TOP FEMALE LAWYERS

2015

中国最佳女律师

FEMALE LAWYERS ARE GRADUALLY BECOMING THE MAINSTAY OF THE LEGAL PROFESSION, PROVIDING CLIENTS WITH COMPREHENSIVE AND THOUGHTFUL SERVICES BY LEVERAGING THEIR UNIQUE ADVANTAGES, SUCH AS CAREFULNESS AND METICULOUSNESS. THROUGH NOMINATIONS, ALB CHINA CAME UP WITH A LIST OF THE MOST SOUGHT-AFTER FEMALE LAWYERS ACROSS VARIOUS PRACTICE AREAS IN MAINLAND CHINA.

AFTER MONTHS OF SURVEY, ALB PICKED THE TOP 15 BASED ON THEIR YEARS OF PRACTICE, MAJOR ACHIEVEMENTS, SIGNIFICANT TRANSACTIONS AND CASES AS WELL AS OTHER RELEVANT INFORMATION.

THE LIST BELOW IS IN ALPHABETICAL ORDER.

如今,女律师日渐成为法律服务行业里的中流砥柱,她们用细心、严谨等女性优势为客户提供着全面、周到的法律服务。ALB“2015年中国最佳女律师”评选出了中国大陆范围内各个法律执业领域中最受客户欢迎的女性律师。

这次评选我们通过女律师自己申报以及数月的调查,根据参报人的执业时间,主要成就,代理的重大交易和案件以及其他相关信息,评选出了业内15名优秀的女性律师。

以下获奖名单按姓氏字母顺序。



01



RONG (ESTELLA) CHEN

Firm: Han Kun Law Offices

Practice areas: IP, Dispute Resolution, M&A, FDI

What clients say: Rong is praised for her "solid legal background, rich experience in legal practices, and extremely high competency and professionalism"

Rong has worked for more than 15 years in law firms and high-tech companies, specialising in corporate matters including IP rights (IPR), dispute resolution, M&A and foreign investment. She has handled IPR matters for a number of multinational companies (MNCs) in China.

This year, Rong has acted for several well-known companies in legal disputes over trademark infringement, unfair competition, IPR transactions, etc.

Believing in **"being generous, diligent, pragmatic and cooperative"** at work, Rong is committed to providing MNCs and leading Chinese high-growth enterprises with comprehensive assistance in dealing with their legal concerns.

FIRM 律所	WINNER 获奖律师
Han Kun Law Offices 汉坤律师事务所	Estella Chen 陈容
Jiangsu Fides Law Firm 江苏亿诚律师事务所	Chen Yang 陈扬
JT&N 金诚同达律师事务所	Liu Hongyu 刘红宇
Tian Yuan Law Firm 天元律师事务所	Liu Yan 刘艳
Zhong Lun Law Firm 中伦(上海)律师事务所	Lu Jing 陆菁
Llinks 通力律师事务所	Lv Hong 吕红
King & Wood Mallesons 金杜律师事务所	Susan Ning 宁宣凤
Allbright Law Offices 锦天城律师事务所	Theresa S. Qiu 裘索
Covington & Burling LLP 科文顿·柏灵律师事务所	Ran Ruixue 冉瑞雪
Global Law Office 环球律师事务所	Sun Haishan 孙海珊
Hogan Lovells 霍金路伟国际律师事务所	Wei Jun 魏军
Grandall Law Firm 国浩律师(上海)事务所	Wu XiaoLiang 吴小亮
East & Concord 天达共和律师事务所	Dorothy Xing 邢冬梅
Jingtian & Gongcheng 竞天公诚律师事务所	Xiang Shuqin 向淑芹
King & Capital 京都律师事务所	Zou Jiaming 邹佳铭

陈容

律师事务所: 汉坤律师事务所

执业领域: 知识产权、争议解决、兼并收购、外商直接投资

客户评价: 一位客户对陈律师的评价为“法律背景丰厚，法律实践经验丰富，具有极高的专业素质和执业精神”。

陈律师先后在律师事务所和高科技公司从事法律工作超过十五年，专长知识产权、争议解决、兼并收购、外商投资等公司事务。曾代表多家跨国公司处理在华知识产权事务。

2015年，陈律师代表多家知名公司应诉商标侵权、不正当竞争、知识产权交易等法律纠纷案件。

陈律师的工作理念是**"分享、勤奋、务实、合作"**，她将致力于为跨国公司以及中国本土的领先高成长性企业全面处理在华知识产权事务。

02



CHEN YANG

Firm: Jiangsu Fides Law Firm

Practice areas: Corporate Law, Labour Law, Construction and Real Estate

What clients say: One university law professor says Chen is “full of positive energy and love,” and is a “lawyer with extensive legal experience and work approaches”

Since she began her legal practice, Chen has acted on approximately 1,000 cases, totalling more than RMB 10 billion in value.

This year, Chen has handled disputes over land contracts, corporate borrowing, construction payment and other legal conflicts for a number of companies. She has also organised and planned several industry seminars.

“Pursuing social justice and achieving the rule of law” is the creed that Chen lives by. “I hope to become China’s best commercial lawyer through my own efforts,” she says.



陈扬

律师事务所：江苏亿诚律师事务所

执业领域：公司法、劳动法、建设工程与房地产

客户评价：某高校法律教授评价陈律师“充满正能量和爱心”，是一位有着“丰富的法律经验和方法的律师”。

执业至今，陈律师代理各类案件共计约1000件，标的总额超过100亿。

2015年，她致力于为多家公司处理土地合同纠纷、公司借贷纠纷、建设工程款纠纷等法律纠纷。另外，她还多次组织筹办行业会议。

“追求社会公平，实现法制理想”是陈律师的工作信念，她说：“我希望通过自己的努力成为中国最好的商事律师。”

03



LIU HONGYU

Firm: Jincheng Tongda & Neal

Practice areas: Finance, Securities, Capital Markets, Real Estate, etc.

What clients say: Liu provides “professional and forward-looking” legal advice as well as “earnest and excellent” services, according to one senior bank executive

Liu has served as legal counsel for many large state-owned and commercial banks in China for a long time. She also provides legal services for the Big Four asset management companies.

The representative cases she has handled in 2015 involve legal disputes over matters such as equity transfer and cooperation agreements. In addition, she has taken on overseas investment projects launched by Chinese enterprises.

Liu understands the realities of the legal profession in China. **“The road ahead is long. As a professional lawyer, I must continue to learn and progress, and work even harder to promote the rule of law in China.”**



刘红宇

律师事务所：金诚同达律师事务所

执业领域：金融、证券、资本市场及房地产等领域

客户评价：一位银行高管评价刘律师提出的法律意见“专业且具有前瞻性”，工作“认真、出色”。

长期以来，刘律师为中国许多大型国有银行和商业银行担任常年法律顾问提供专家型服务，并为四大资产管理公司提供法律服务。

2015年，她办理的代表性案件涉及多家企业的股权转让、合作协议等法律纠纷，并承办中国企业在海外的投资项目。

“未来，路正长，作为一名专业律师，需要不断学习、不断进步，为推动中国法治文明而努力！”刘律师如是说。

金诚同达律师事务所 JINCHENG TONGDA & NEAL



刘红宇，高级合伙人
Liu Hongyu, Senior Partner

ALB对话北京金诚同达律师事务所创始合伙人刘红宇律师

刘红宇律师是业内具有卓越领导才能和良好社会声望的律师，她从事法律工作逾30年。1992年，刘律师创办了同达律师事务所，从而成为北京第一位合伙制律师事务所的女主任；2004年，作为主要创始合伙人，参与了金诚同达律师事务所的创建工作。

刘律师带领团队一直坚持专业路线，在金融法律服务领域成果丰硕，极具影响力。经过二十多年的发展，金诚同达已发展成为中国境内规模最大、最富活力的律师事务所之一，在诸多业务领域成为行业翘楚。目前，金诚同达拥有350余位优秀的专业律师，绝大部分律师拥有境内外知名法学院的教育背景。金诚同达覆盖全国各地的分所与北京总所紧密合作，为客户提供广泛的法律服务。

身为金诚同达的一员，多年的辛勤耕耘，不仅收获了事业上的成功，也获得了社会的认可。在律师行业和界别中，刘律师收获了诸多第一：第一个当选北京市人大代表，第一个女性全国政协委员，第一个全国妇联执委，第一个“北京榜样（十佳青年企业家）”……这些，无疑都是对她成为15强女律师最好的注释。作为全国政协委员、北京市人大代表，刘律师以律师的犀利、务实，践行着自己的法治梦。

日前，ALB专访了刘律师，她回顾了当初的创业艰辛与今日的成功经验，并且分享了近年来积极参与参政议政以及公益事业的感受。

ALB：身为金诚同达的创始合伙人，既是一名管理者，同时也是一名执业律师，人的精力是有限的，您是如何处理搞管理与做业务之间的冲突的？

刘红宇：作为中国第一代创办合伙制律师事务所的女律师，可以在强手如林中高歌凯旋，我认为自己是专业高手。从最开始在银行工作的八年时间里，我就负责筹备行内第一个法律顾问室，全面负责本行的法律事务。也正得益于这一次次银行法律业务探索和成功办案的经验，加之对法律专业的强烈的热爱，促使我义无反顾地“下海”创办律师事务所，成为了一名专职律师。

白手起家的创业初期，甘苦自知。作为所主任要负责全所的管理，作为执业律师要从事一线工作，一手托管理一手托业务，特别感觉时间不够用，在时间和精力分配上也存在困扰。创业之初，我花了很多时间和精力在思考律所发展和市场拓展方面，也正是由于创业的艰辛和开拓市场的艰难，我更知专业优质的法律服务是维护稳固的客户关系的关键，时常要求我的同事们珍惜每一份来之不易的客户关系，要用最专业的服务赢得客户的信任。

ALB：作为一名成功的律所管理者，您有哪些带领团队的秘诀和心得？

我一直认为，带团队就是在做好最聪明的一群人的工作。我的秘诀就是我永远鼓励和支持他们比我更强，只有每一个人都在自己擅长领域充分发挥出潜能和优势，才能使集体的优势发挥到最大。

我一直强调做事先做人，倡导团队君子精神，正所谓君子之交淡如水，让律师的执业环境更单纯，大家群策群力一起努力把法律服务做到最好就是成功。

ALB：从创业到守业，请您谈谈做法律事业的困难和快乐。

刘红宇：1992年邓小平南方视察讲话，是中国律师制度发展历史转折点，人们破除了姓社姓资的思想禁锢，合伙制成为继合作制之后中国律师事务所组织形式的又一个重大突破。这一年，北京市率先批准成立了14家合伙制律师事务所，其中便有我创办的北京同达律师事务所，而我更是这批试点所中唯一的女主任。一开始我们是摸着石头过河，确实遇到了许多的困难。创业之初每个案件的成功、每次克服困难都是我们的欢乐和前进动力。到现在为止二十多年了，我的老同事和我还经常一起回忆那段怀抱激情和理想、努力践行律师梦想的峥嵘岁月。可以说，起步之初遇到的困难，是我人生的一种历练。

ALB：您十分热衷公益，能分享下您和公益事业结缘的原因和坚持做公益的动力么？

刘红宇：对于公益，我想这是一个人的境界，也是一个人事业走到一定的高度的一种追求。

2003年，我作为当年北京近9000余名专职律师的唯一代表，当选为北京市第十二届人大代表，这在当时是对律师界的一个震动。律师是与政治相关联的一个职业，但一直没有在参政议政的平台上发出声音，我拥有了这样一个机会并为之努力，从未成年人保护到农村教育投入，从网络安全防范到环境污染检测，从养老模式创新到公车改革，从静态交通模式改进到垃圾分类……我用心撰写每一份发言和提案，其中关于司法公信力、合议庭制度及完善审委会制度等的发言及建议，受到业内外关注。

律师是我的本职，人大代表、政协委员同样是本职，而恰恰是这个本职影响了我的人生观和价值观，让我站得更高，视野更加开阔成熟。当选后，我对自己的要求更加严格，我需要自己有更高的政治素养、更崇高的理想。与此同时，我的事业各个方面也越走越顺，事务所也做得越来越好，这时，我想付出更大的努力践行“法治梦”，让我们每个老百姓都能够得到公平均衡的机会，尤其是得到法律服务的机会。

与此同时，我也开始做公益事业。2001年我在上EMBA的时成为北大光华校友会副主席，并且连任四届。在这个过程中，我们成立了“行走中国户外公益俱乐部”，用公益去回报社会，从热爱生活、热爱大自然的行走一直扩展到关爱大自然关爱民生、关爱边远地区的弱势群体和青少年留守儿童的行为。

“时代在变化，律师的作用越来越重要了，律师的权威性也在不断增强。尤其是党的十八届四中全会的召开，让我们看到了依法治国的新曙光，相信以后律师将更有作为。作为一名法律工作者，我见证了过去中国法治进程的不断推进、深化和发展。从古至今，长治久安不在财，在乎人心；人心向背不在利，在乎法治。只有法治社会的成员才感到充分的安全和信任，只有法治社会才能宽慰人、温暖人。



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04



LIU YAN

Firm: Tian Yuan Law Firm

Practice areas: Securities

What clients say: One legal counsel from a well-known enterprise admires Liu's "professional legal expertise and rich practical experience"

Liu holds dual qualifications to practice in mainland China and the U.S., specifically in the state of New York.

She has acted on domestic and overseas listings as well as financing projects for multiple clients, including Dalian Wanda Commercial Properties, Shengjing Bank and BYD Company Limited. She also represents investors in acquiring shares of domestically listed companies and provides legal services to listed companies for asset reorganisation.

Recently, she has given legal advice to a number of companies on complicated issues, in addition to being in charge of project team coordination to ensure efficient and high-level services for clients.

The legal profession **"is a profession full of pressure and challenges. However, outstanding lawyers should be committed to using their expertise and experience to help clients resolve problems and accomplish deals,"** says Liu.



刘艳

律师事务所：天元律师事务所

执业领域：证券

客户评价：一位知名企业的法律顾问认为刘律师有“专业的法律知识和丰富的实践经验”。

刘律师具备中国律师资格和美国律师资格（纽约州）。

她为大连万达商业地产股份有限公司、盛京银行股份有限公司、比亚迪股份有限公司等多家客户的境内外上市融资项目提供法律服务。此外，她还代表投资人收购境内上市公司的股权，并为上市公司本身的资产重组业务提供法律服务。

2015年，她为多家公司的疑难复杂问题提供法律意见，并领导项目团队协调分工，为客户提供高效和高水平的服务。

刘律师说：“**律师行业充满压力和挑战，但优秀的律师要致力于运用专业知识和经验帮助客户解决问题，成就交易。**”

05



LU JING

Firm: Zhong Lun Law Firm (Shanghai Office)

Practice areas: Banking and Finance

What clients say: Lu is noted for being "trustworthy" and "rich in experience"

Lu specialises in providing cross-border as well as M&A financing legal services for financial institutions, MNCs and funds. After more than 20 years of practice, she has accumulated extensive experiences and earned a good reputation within the legal profession.

The Shanghai Disneyland project, Focus Media privatisation financing project and Pactera privatisation financing project that Lu led were named as financing projects of the year by authoritative evaluation agencies.

Lu believes that **"one should actively chase challenging assignments and harvest the fruits gained from hard work."** This will certainly help her retain a leading position in the banking and financial sector and develop more landmark financing projects.



陆菁

律师事务所：中伦（上海）律师事务所

执业领域：银行和金融

客户评价：陆律师被客户评价“值得信赖、经验丰富”。

陆律师主要向多家金融机构、跨国公司、基金提供跨境融资和并购融资法律服务。

在22年的执业经历中，陆律师累积了大量的实务经验并在业界享有良好的口碑。她主办的上海迪斯尼项目、分众传媒私有化融资项目、文思海辉私有化融资项目等项目获得权威评级机构的年度融资项目大奖。

"积极追求充满挑战的工作，欣然收获艰辛付出后的成绩"是陆律师的工作理念，她将继续保持银行与金融领域的良好口碑及领军位置，再次打造里程碑式融资项目。



江苏亿诚律师事务所
JIANGSU FIDES LAW FIRM

Founded in September 2006, Jiangsu Fides Law Firm has grown to be a very influential law firm in Jiangsu. We uphold our philosophy of honesty and integrity. We focus on commercial legal services while also being the only law firm in Jiangsu that has been recognized by the Judicial Department of Jiangsu Province for its expertise in labor law. During the past nine years, we have had a proven track record of successfully representing clients in various commercial disputes, recovering tens of billions of CNY in total for our clients. Also we have advised clients on non-litigation matters, such as IPO and listing on the Main Board (including the SME Board) of the Shanghai and Shenzhen stock exchanges as well as on the GEM Board, refinancing scheme through issuing new shares and convertible bonds for listed companies, M&A, equity incentive plans, etc.

As a corporatized law firm, now we consist of six sectors to provide a full range of services to companies and enterprises by combining teamwork and specialized expertise of individual attorneys. Our service sectors include Corporate and Commercial Matters, Finance & Capital Market, Construction & Real Estate, Intellectual Property and Environmental Protection, Labor & Human Resources, and Internet-related Legal Matters. Our team is made up of attorneys with degrees from leading law schools in China and abroad, of whom 80% have master's degrees and 30% have doctoral degrees. In recent years, our attorneys have been invited to participate in several national and local legislations, and have published, along with numerous legal articles, dozens of monographs in commercial law, corporate law, intellectual property law, and international economic law, which have been highly appraised by our clients, peers, and the public.

Currently, we have around 50 major clients ranging from government offices, research institutions and colleges to state-owned companies, listed companies, and foreign-invested companies, such as SASAC (State-owned Assets Supervision and Administration Commission) of Jiangsu Provincial Government, SASAC of Nanjing Municipal Government, Jiangsu Provincial Department of Human Resources and Social Security, Jiangsu Provincial Department of Education, Nanjing University, Fudan University, China Coal Technology & Engineering Group Nanjing Design & Research Institute, Nanjing Academy of Urban Planning & Design, the Jiangsu branches of SINOPEC, China Telecom, China Mobile and China Eastern Airlines, Bank of Jiangsu, Cathay Investment Fund Ltd. of the U.S., the French Saint-Gobain Group, and Bdtex Company of Spain, etc.

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TIANYUAN

天元律師事務所 TIAN YUAN LAW FIRM

北京市天元律师事务所创立于1992年,是中国成立时间最早和规模最大的合伙制律师事务所之一。天元现有合伙人70余名,律师400余名。天元总部在北京,并在上海、深圳、成都设有分所。天元的绝大多数律师获有国内外著名法学院校的硕士、博士学位,其中,很多律师拥有在国际知名律师事务所或公司法律部门多年的工作或学习经历。天元律师能够以普通话、英语、法语、日语提供法律服务。

天元一直秉持专业、敬业、勤业的理念,致力于为客户提供高质量、高效率、全方位的法律服务。天元在证券、公司并购、反垄断、资产证券化、保险、知识产权、房地产、争议解决等业务领域处于国内领先地位。

近年荣誉:

- 1 1998年,天元被中华人民共和国司法部评为首批20家“部级文明律师事务所”之一,总分名列第二。
- 2 2003年入选国际权威的律师事务所评价杂志Legal 500 (The Asia Pacific) 评选的在中国领先的若干家律师事务所之一。
- 3 1998年至2004年,天元均被评为“北京市优秀律师事务所”或“人民满意的律师事务所”或“文明律师事务所”等荣誉称号。
- 4 2005年,天元被中华全国律师协会评为“全国优秀律师事务所”。同时,还有一名律师被评为“全国优秀律师”、一名律师受到全国律协的嘉奖、一名律师被评为“北京市优秀律师”;天元成为当年获奖最多的律师事务所。
- 5 2008年,天元被中华全国律师协会评为2005-2007年度“全国优秀律师事务所”。
- 6 2011年,天元入选《亚洲法律事务》(ALB)统计评选出的全国律师事务所发展二十强;同年,天元被中华全国律师协会评为“2008—2010年度全国优秀律师事务所”;这是天元连续四次获得中国律师界的最高荣誉。
- 7 2014年,天元被北京市司法局、北京市律师协会评为“2013-2014年度北京市优秀律师事务所”。
- 8 2014年12月,天元被清科评为“2014年中国VC/PE人民币基金投资最佳法律顾问机构”。
- 9 2012-2015年,天元连续被国际权威法律服务排名机构钱伯斯 (Chambers & Partners) 评选为中国资本市场、并购、争议解决和保险领域领先的律师事务所。
- 10 2015年,天元被投中集团(Chinaventure)评为“2014年中国私募投资和风险投资最佳法律顾问Top5”。

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06



LV HONG

Firm: Llinks Law Offices

Practice areas: Asset Management, Financial Institutions, Corporate and M&A

What clients say: Hong is lauded for her “in-depth understanding and insight” into fund-related legal services as well as for being very “professional and dedicated”

Hong’s practice mainly focuses on publicly-offered securities investment funds and other asset management services. The legal team she leads has been involved in raising and issuing over 50 percent of the publicly offered funds on the Chinese market.

She also provides legal services for leading domestic private securities investment fund management institutions.

At present, she is involved in legal matters concerning the issuance of funds by a number of companies, and has provided legal support for the mutual recognition and sales of Hong Kong-domiciled funds by several Hong Kong asset management institutions in mainland China.

“China’s development creates a broad space for the professional development of lawyers,” says Hong. As such, she thinks lawyers “should cherish such opportunities and make unremitting efforts” to improve the legal industry.

吕红

律师事务所：通力律师事务所

执业领域：资产管理、金融机构、公司及收购兼并

客户评价：客户认为吕律师对基金领域的法律服务有“深入的理解和洞察”，非常“专业和敬业”。

吕律师的主要业务领域是公募证券投资基金等各类资产管理业务，她的律师团队为中国市场50%以上的公募基金募集和发行提供了法律服务。

吕律师还为国内领先的私募证券投资基金管理机构提供法律服务。

2015年，吕律师参与多家公司的基金发行法律事务，并为多家香港资产管理机构的香港基金在中国内地的互认和销售提供法律支持。

她说：“中国的发展为律师的职业发展提供了广阔的空间，我们应当珍惜、善待这个机会并为此不懈努力！”

07



SUSAN NING

Firm: King & Wood Mallesons

Practice areas: Competition, Antitrust

What clients say: Ning’s team is “earnest, responsible and professional” and helps clients “achieve commercial objectives”

Ning focuses on helping clients with four main concerns: passing the M&A review conducted by the Ministry of Commerce; providing guidance during antitrust investigations; providing representation in antitrust lawsuits; and, giving advice on antitrust compliance.

Representing different types of clients, she has submitted more than 200 M&A antitrust review applications that were later successfully approved by authorities. Her work this year also involved filing applications for concentration of business operators for clients.

Ning’s professional credo can be summed up in this statement: **“The most valuable arguments are always the simplest. Practicing is always difficult than knowing.”** She is also committed to continue enhancing her team’s understanding of different sectors and provide clients with high-quality legal services.

宁宣凤

律师事务所：金杜律师事务所

执业领域：竞争、反垄断

客户评价：宁律师的工作团队“认真、负责、专业”，能帮客户“实现商业目的”。

宁律师的业务重心主要集中在协助客户通过商务部并购审查、协助客户接受反垄断调查、代表客户应对反垄断诉讼、为客户提供反垄断合法合规咨询四个方面。

至今，她已先后代表不同类型的客户提交超过200起并购反垄断审查申请并获得主管部门批准。

2015年，她主要为多家客户提交经营者集中申报、协助客户接受反垄断调查，并代表客户提起反垄断诉讼和应诉等。

宁律师的职业信念是**“大道至简、知易行难”**，她将不断提升团队对不同行业的理解，继续为客户提供高品质的反垄断法律服务。

08

THERESA S. QIU (QIU SUO)

Firm: AllBright Law Offices

Practice areas: FDI, Corporate Merger and Financing, IPR Protection of Foreign-Invested Enterprises, Dispute Resolution

What clients say: According to one legal professional, Qiu is the pride of all female lawyers because of her "professionalism and outstanding capabilities"

Qiu is the first Chinese female lawyer in Japan's history to represent Japanese enterprises and individuals in Japan in cases or transactions relating to Chinese laws.

Qiu, who previously studied in Japan, also provides advice on foreign investment, liquidation and market exit and other matters for foreign investors engaging in a wide range of industries including banking, telecommunications, manufacturing, etc. She is also the legal advisor to dozens of world-famous enterprises.

This year, she has represented many Japanese companies in legal disputes over debt collection, trademark infringement, online infringement and other issues in China. In addition, she provided legal services for listed companies to carry out M&As in Japan as well as for Chinese financial and insurance enterprises to invest in Japan.

"I will continue to provide clients with high-quality legal services with professionalism, efficiency and due diligence," says Qiu.

裘索

律师事务所: 锦天城律师事务所

执业领域: 外商直接投资、企业兼并及融资、外资企业知识产权保护、纠纷解决

客户评价: "专业度高, 业务能力出众", 一位法律人士认为裘律师是女律师的骄傲。

裘律师早年赴日留学, 是日本历史上第一位以律师身份在日本为日本企业和个人提供中国法服务的中国女律师。

她为银行、电讯、制造等众多行业领域的外资客户提供外商投资、清算撤退等法律服务, 并是数十家世界著名企业的法律顾问。

2015年, 她代表多家日本公司处理在华的债权回收、商标侵权、网络侵权等法律纠纷, 并为上市企业赴日收购兼并、为中国金融保险企业的日本投资提供法律服务。

"我将继续以'专业、高效、尽责'的标准为客户提供优质法律服务。"裘律师如是说。



AllBright Law Offices 锦天城律师事务所

Established in 1999

• Managing Partner: Wu Mingde



Firm Overview: We are one of the leading full-service Chinese law firms in the People's Republic of China ("PRC"). As the only national law firm headquartered in Shanghai, we provide a comprehensive range of legal solutions and services to both domestic and international clients from our offices in Shanghai, and our additional offices in Beijing, Chengdu, Chongqing, Hangzhou, Jinan, Hong Kong, Nanjing, Qingdao, Shenzhen, Suzhou, Taiyuan, Tianjin and Xiamen.

While size is only one of many indicators of the success and resourcefulness of a law firm, since the creation of our firm via a merger of three firms with a common vision we have been leading in this respect among our peers in China, and we are now one of the largest in Asia. Through cooperation, teamwork, and a dedication to excellence, we are committed to providing practical solutions for our clients with respect to both litigation and transactional matters. We have currently more than 1145 registered lawyers (including 314 partners and senior international consultants), many of whom hold advanced doctoral degrees. Many of our lawyers are admitted in international jurisdictions such as various states in the United States, in England and Wales, Australia, in France and in Japan, and are fluent in English, Japanese, French, German, Korean and other major languages. Partners and counsels in our partner Hong Kong law firm are similarly highly qualified.

Awards

We are consistently recognized by various institutions and in major rankings as one of the top PRC law firms:

- Chambers and Partners has designated us as a leading Chinese law firm for three consecutive years, and has also rated both the firm as a whole and several partners of the firm as "Band 1"/ "leaders in the field" in many core practice areas including corporate and mergers and acquisitions ("M&A"), private equity and venture capital, capital markets, international trade, banking and finance, dispute resolutions, intellectual property and tax.
- Legal 500: The Guide to Asia's Commercial Law Firms ranked us as one of the top firms in Shanghai for Foreign Direct Investment, Corporate and Commercial Law, and highlighting us as the "corporate and commercial firm other firms aspire to be."
- IFLR 1000/AsiaLaw Profile has for many years rated AllBright as "1st Tier" in core practice areas such as corporate and M&A, private equity, capital markets, and banking and finance.
- Asia Legal Business (ALB) has granted us many awards in its annual China Law Award events, where we are frequent finalists in all major award categories.
- Government and Association Awards. AllBright has won awards from the All China Lawyers Association on several occasions, such as "National Leading Law Firm" awards, "Leading Law Firm in Shanghai" awards, and the "Leading Partnership Award" from the Shanghai Bureau of Justice.

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09

RAN RUIXUE

Firm: Covington & Burling LLP

Practice areas: IP Litigation

What clients say: Ran loves “to share knowledge with colleagues and clients”, and is “familiar with both Chinese and U.S. legal business”

Ran received legal training in both China and the U.S., and has provided MNCs in both countries with legal advice in connection with disputes about IPR and unfair competition. In particular, she is an expert in representing Chinese enterprises in Section 337 investigations launched by the U.S. International Trade Commission (ITC).

She is qualified to practice in the state of New York and holds the distinction of being one of the first lawyers with Chinese citizenship allowed to appear before the ITC and sign ITC protection orders.

Recently, she successfully resolved legal issues involving patents, copyright and trademarks for a number of companies.

“Chinese enterprises are generally not familiar with the U.S. legal system. My expertise makes me an ideal candidate to help Chinese enterprises resolve overseas disputes, and I also assist international clients in dealing with IPR issues in China,” says Ran.



10

SUN HAISHAN

Firm: Global Law Office

Practice areas: Overseas Listing, Cross-border Reorganisation, Corporate M&A, PE

What clients say: “Exceptional leadership and management skills” are prominent competitive edges Sun holds as a female lawyer

Sun has a strong theoretical foundation, rich practical experience and extensive exposure in non-litigation legal matters such as corporate reorganisation, M&A, private equity financing and follow-on overseas listing, covering a wide range of industries including technology, healthcare, consumer services, natural resources, and real estate.

This year, she has concentrated on completing existing M&A deals and overseas listing projects as well as developing new ones. She has also provided legal support for several high-tech and Internet enterprises in Shenzhen.

Sun strives for a good work-life balance. **“The sense of joy brought by work will enhance my efficiency in taking care of my children and helping with household chores. The support of my family is also my motivation at work,”** she says.



冉瑞雪

律师事务所: 科文顿·柏灵律师事务所

执业领域: 知识产权诉讼

客户评价: 客户评价冉律师“乐于与同事、客户分享知识”、“熟悉中、美法律业务”。

冉律师曾在中国和美国接受过法律训练，在两国均为众多跨国公司的知识产权和不正当竞争纠纷事宜提供咨询。她尤其擅长代表中国企业处理美国国际贸易委员会（“ITC”）提起的美国337调查案件。

冉律师拥有纽约州律师执业资格，是最早被许可在美国 ITC 出庭和签署该机构保护令的中国籍律师之一。

近期，她成功地地为多家公司处理了专利、版权、贸易等法律问题。

她说：“中国企业普遍对美国法律体系不太熟悉，我的能力非常适合帮助中国企业解决海外纠纷，我也会协助国际客户处理在中国的知识产权问题。”

孙海珊

律师事务所: 环球律师事务所

执业领域: 境外上市、跨境重组、公司并购、私募

客户评价: “有突出的领导力和管理能力”，这是孙律师作为一名女律师突出的优势。

孙律师具有较强的理论基础和丰富的实务经验，在公司重组、并购、私募融资以及后续境外上市等非诉法律事务方面具有丰富经验，涉及互联网、医疗、消费、自然资源、房地产等诸多行业领域。

2015年，她投入主要精力完成现有的以及开发新的并购项目和境外上市项目，为深圳多家高科技和互联网企业提供法律支持。

把握好工作和生活的平衡是孙律师的追求，她说：“工作中带来的愉悦感会提高我照顾孩子处理家庭琐事的效率，家人的支持也是我工作的动力。”

11

WEI JUN

Firm: Hogan Lovells International LLP

Practice areas: M&A, PE/VC, Project Financing and International Financing, Government Regulation, etc.

What clients say: Wei has "extensive work experience and high efficiency", and quickly responds to and resolves complex legal issues that clients face

Wei advises a number of major MNCs and financial institutions with their investment and operations in China, and helps them efficiently and successfully manage their relationship with government authorities. She also provides legal services for several large Chinese companies.

This year, Wei has been working with several domestic and foreign companies on M&A, financing and other transactions.

"This job makes me full of passion. I am proud to be a lawyer," she says.

魏军

律师事务所: 霍金路伟国际律师事务所

执业领域: 兼并与收购、私募/风险投资、项目融资和国际融资、政府监管等

客户评价: 魏律师“工作经验丰富、工作效率高”，能快速回复并解决客户复杂的法律问题。

魏律师为多家大型跨国公司和金融机构就其在中国的投资和经营提供服务，并高效而成功地处理与政府主管部门的关系。她也为一些中国大型公司提供法律服务。

2015年，魏律师为多家国内外公司的并购、融资、兼并等提供专业的法律服务。

"这份工作让我充满激情，我为自己是一名律师而感到骄傲。" 魏律师如是说。



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12



WU XIAOLIANG

Firm: Grandall Law Firm

Practice areas: Capital Markets

What clients say: Wu is “well versed in the operation of capital market legal services”, and is able to “always make far-sighted judgments, ensure accurate and sound execution, and produce impeccable paperwork,” says one senior corporate executive

Wu specialises in capital market practices, overseeing the entire process from the angel/VC/PE stage and domestic/overseas listing to post-listing reorganisation and M&A. She works with companies across industries including technology, pharmaceuticals, and finance.

Recently, she has been assisting several companies in completing their listing/financing on the Hong Kong Stock Exchange, VC/PE financing, and A-share major asset reorganisation/refinancing.

“I like being a lawyer because I like to take on new challenges every day,” says Wu.

吴小亮

律师事务所: 国浩律师(上海)事务所

执业领域: 资本市场

客户评价: 一位企业高管评价吴律师“深谙资本市场法律服务的运作之道”,并认为她“给出的判断总能高屋建瓴,在操作上能保证精准稳健,文本更是无可挑剔”。

吴律师的执业领域专注于资本市场,提供涵盖从天使/VC/PE阶段到上市以及上市后重组并购的全过程综合法律服务。服务内容包括风险投资、私募股权融资、境内/外上市、并购重组等,行业主要包括互联网、医药、金融等。

2015年,她协助多家公司完成港交所上市/融资、VC/PE融资、A股重大资产重组/再融资等。

她说:**“我喜欢做律师,因为我喜欢每天都有新挑战。”**

GRANDALL LAW FIRM 国浩律师事务所



■ Wu Xiaoliang
吴小亮

“FEMALE LAWYERS CAN ALSO MAKE A DIFFERENCE.”

ALB: Specializing in capital market practice, you have tremendous experience, and always give clients comprehensive and far-sighted advice. In your 10-year career as a practicing lawyer, how have you beefed up your ability to excel at every detailed aspect of your work?

Wu Xiaoliang: At most times, lawyers need to be extremely meticulous to provide clients with plans that are comprehensive, detailed and free from any omission. However, sometimes, lawyers also need to carry out work with a light touch.

The accumulation of ability requires hard work, patience as well as time. Lawyer is a profession requiring long-time accumulation. It would be even better if you are savvy and lucky. Specifically, to become an excellent lawyer, in addition to high legal competence and wide range of knowledge, you also need to be extra-sensitive and diligent, pay attention to and grasp the latest policies and regulations, and keep abreast of industry developments and ways of operation. Luckily, I have kept doing so and still enjoy doing this.

ALB: Capital market legal services require the cooperation of a large number of persons. Your team is always excited to take on challenges and provide best quality legal services. How do you combine personal ability with team ability? Do you have any tips to share on team-leading?

Wu Xiaoliang: Law firms are most like start-ups. You can become a partner if you do well. My team and I are united. We share together and grow together. Being a lawyer is not easy. You need to have maximum mental and physical “output” at all times. However, the challenges this profession brings and the sense of accomplishment of a better self cannot be felt by those working at ordinary positions. While working closely and efficiently together, our team is also enjoying this beautiful mentality. Therefore, we are always excited to take on challenges. We are building our own future while helping our clients realize their dreams.

ALB: You told us you like being a lawyer because you have new challenges every day. What are those challenges specifically?

Wu Xiaoliang: We have been involved in many capital market innovations in China, and are privileged to have witnessed the success of many excellent enterprises. I feel extremely accomplished every time I look back at the beautiful moments of helping clients “climb high mountains and see different views”: a company has established its new presence; lawyers’ wisdom and hard work have been recognized; and, we have become increasingly favored by top-notch clients. I very much enjoy this sense of happiness after meeting challenges.

ALB: Some clients think you are both tough and gentle. Your flexible work style serves as a model for female lawyers. Compared with male lawyers, female lawyers have both advantages and disadvantages. What are your opinions on the difference between the two?

Wu Xiaoliang: When I started out as a lawyer, a female boss of mine said clients would neither give you more points in bidding nor lower requirements just because you are a female. The word “female” is self-imposed. The difference between male and female lawyers is totally up to a lawyer’s own perspective. I believe female lawyers can also make a difference.

“女律师也可以有不一样的成就”

ALB: 您的执业领域专注于资本市场，拥有丰富的经验，给客户的判断总能高屋建瓴。在您10年的律师生涯里，您是怎么积攒能力，把工作里的各个细节都做到很好的？

吴小亮：律师职业在很多时候需要举轻若重，给客户的方案要全面而细致，不能有任何疏漏；同时，在有些时候又需要举重若轻。

能力的积累靠勤奋、耐心，也靠时间的积累，律师是需要长期积累的职业，加上悟性和运气会更好。具体而言，要想成为优秀的律师，除了有良好的法律素养、广泛的相关学识之外，还要有额外的敏感和勤奋，要持续关注并掌握最新的政策法规，了解行业动态、洞悉运作之道。很庆幸，我一直保持了这种状态，还乐在其中。

ALB: 资本市场的法律业务需要多人配合，您的团队总是愉快地迎接挑战，给出业内最高质量的法律服务。您是如何将个人能力与团队能力相结合的，在带领团队上，您有什么心得？

吴小亮：事务所其实最像创业公司，做得好就可以做合伙人。我和团队是一体的，我们彼此分享，一起成长。可以说，律师工作是艰辛的，随时需要脑力及体力的“全功率”输出，但职业带来的挑战和自己不断提升的成就感又是普通岗位难以企及的。我们的团队在密切配合高效工作的同时，也不时享受着这种美好心境。因此，我们总是愉快地迎接挑战，实现客户的梦想，也建设每个人自己的未来。

ALB: 您说您喜欢做律师，因为每天都有新挑战，这些挑战具体指什么？

吴小亮：我们参与了很多中国资本市场的创新，有幸见证了很多优秀企业的成功。每次回顾那些协助客户“攀上高峰，看见不一样的风景”的壮丽时刻，我都非常有成就感。公司开拓了新格局，律师的智慧、付出都获得了认可，我们也越来越受到最顶级客户的青睐，我很享受这种挑战后的喜悦感。

ALB: 有客户认为您刚柔相济，处事灵活，是女律师的典范。女律师相较男律师有优势也有不足，您怎么看待两者的差别？

吴小亮：我刚工作时，我的一位女老板说，客户不会因为你是女律师而在竞标中给你加分，也不会因为你是女律师而降低要求。那个女字是你自己加给自己的。男、女律师之间的差别完全看律师给自己的定位，女律师也可以有不一样的成就。



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13

DOROTHY XING

Firm: East & Concord Partners

Practice areas: Banking and Finance, Securities and Capital Markets Investment, and Financing

What clients say: Xing is trustworthy because of her “professionalism and dedication”, and her ability to provide clients with “the most cutting-edge legal expertise and solutions,” according to one in-house legal counsel who has been working with her for over a decade.

Xing has long focused on legal services in finance and capital markets, providing various financial, securities, M&A and other special services for large Chinese enterprise groups and financial institutions.

This year, Xing has been serving as a long-term and special adviser to a dozen banks and financial institutions, advising them on legal matters related to business development. As vice president of the Beijing Chaoyang Lawyers Association, she also handles the work of the group’s international business and female lawyers.

“Successful lawyers can help others succeed”, says Xing, and she will “always be passionate” about her job.



14

XIANG SHUQIN

Firm: Jingtian & Gongcheng

Practice areas: Domestic and Overseas Securities Issuance, Corporate Investment and Financing, Equity M&A, Real Estate, etc.

What clients say: Xiang “is both graceful and strong-willed”, and “performs her work rigorously and effectively,” says the legal department head of one company

Xiang belongs to the first batch of lawyers who participated in the legal development of China’s capital market and undertook securities-related legal business. She is the leader among all female lawyers in these practice areas.

She has worked with several well-known state-owned and private companies, offering a full range of legal services for issuance and listing, equity acquisition and refinancing, among others.

More recently, Xiang has represented famous enterprises on listings, overseas refinancing and other projects as well as advised internationally renowned private equity funds in pharmaceuticals, medical devices, TMT and other fields.

“Lawyers need to constantly update professional knowledge and keep pace with the advances in capital markets to be worthy of the trust placed in them by clients,” she says.



邢冬梅

律师事务所: 天达共和律师事务所

执业领域: 银行与金融、证券和资本市场投融资

客户评价: 邢律师“专业、敬业”，能为客户提供“最前沿的法律专业经验和解决方案”，与她合作10年以上的一家公司法律顾问认为她值得信赖。

邢律师多年来一直专注于金融和资本市场领域的法律服务，为境内大型企业集团和金融机构提供各类金融、证券、并购等专项服务。

2015年，邢律师作为十几家银行和金融机构的常年和专项顾问协助处理公司业务发展的法律事务。作为朝阳律协副会长的她还主管国际业务和女律师工作。

邢律师坚信“成功的律师可以助人成功”，她会对这份工作会“终保持充沛的热情”。

向淑芹

律师事务所: 竞天公诚律师事务所

执业领域: 境内外证券发行、公司投融资、股权兼并收购及房地产等

客户评价: 一位公司法务负责人认为向律师“柔中带刚，做事严谨而有力”。

向律师是最早一批参与中国资本市场法律建设、承办证券法律业务的律师之一，是这一领域女律师中的领军者。

她为多家著名国有及民营公司的发行上市、股权收购、再融资等提供全方位的法律服务。

2015年，向律师承办多家知名企业的上市、境外再融资等项目，为医药、医疗器械、TMT等多领域的国际知名私募基金提供法律服务。

她说：“律师需要不断更新业务知识，跟上资本市场前进的步伐，才对得起客户的信任。”

竞天公诚律师事务所 JINGTIAN & GONGCHENG



■ 向淑芹, 合伙人
Xiang Shuqin, Partner

ALB对话2015年最佳女律师奖得主、竞天公诚律师事务所合伙人向淑芹

向淑芹律师是竞天公诚律师事务所的合伙人，她在95年大学毕业后就进入该所工作，目前已工作20年。向律师是最早一批参与中国资本市场法律建设、承办证券法律业务的律师之一，是这一领域女律师中的领军者和佼佼者。她在房地产投融资领域里也享有丰富的经验、卓越的成果、良好的口碑，是业界公认的最优秀的律师之一。

向律师所工作的竞天公诚律师事务所于九十年代初设立，是中国第一批获准设立的合伙制律师事务所之一。发展至今，竞天公诚已成为中国最具规模和最具强劲实力的综合性律师事务所之一，在资本市场、兼并收购、海外投资、争议解决、私募股权投资等诸多专业领域处于国内领先地位。

竞天公诚的律师均拥有良好的专业知识背景，很多律师曾在有关政府部门、国内外律师事务所和企业从事法律服务，在相关专业领域积累了丰富的执业经验。细致的专业分工和一体化的管理制度，则进一步确保了竞天公诚能够长久地为客户提供富有深度的、全方位的法律服务。

向律师与竞天公诚一起成长，她亲历也见证了中国证券等相关法律业务的发展。据此，ALB对话向律师，向律师介绍了她成功背后的故事，并对年轻女律师提出了切实可行的职业建议。

ALB：您是最早一批参与中国资本市场法律建设、承办证券法律业务的律师之一。这一过程必定十分艰难，您是如何提升自我，成为这一领域女律师中的佼佼者的？

向淑芹：竞天是中国最早成立的一批合伙制律师事务所之一，也是最早一批从事境内企业到境外上市业务的律师事务所之一。我在1995年大学毕业之后就加入了竞天，在这开始了专业的职业生涯。

我刚参加工作那时，竞天正在参与几个境内企业到香港发行H股的项目，其中包括第一个到香港上市的集体所有制企业。那时中国不盛行互联网，证券法律业务在中国又非常前沿，许多现在比比皆是、能够被香港律师接受的合同文本我们都没有起草过。当时我们只能一个一个字的写，大量借鉴香港同行的语言表述、标题甚至是排版。之后，香港律师又会一轮一轮地手写并传真过来他们的修改意见，我们再不断地学习、斟酌，然后逐渐建立我们自己的合同模板。从业之初，香港同行的专业、勤奋、细致的工作作风让我受益匪浅。

1996年，我们作为公司律师参与江苏宁沪高速公路的香港上市项目。当时国内没有颁布专门针对公路经营权的规定或规章，而厘清有关的法律概念对公司的上市非常重要。于是我们多次拜访交通部、当时的国家国有资产管理局等相关部门，就有关公路经营权的定义、评估等提出我们的建议，并最终促成交通部就公路经营权的有偿转让发布了详细的规定。

这样一步步走来，转眼间，我已经工作了20年。我一直专注于境内外证券发行、公司投融资、股权兼并收购及房地产等执业领域，在这期间，我亲历

也见证了中国证券等相关法律业务的发展。这让我感受到热爱一份执业，并扎实稳打，就能不断提升自己的执业水平。

ALB：您与很多客户有长达十年的合作关系，且感情融洽。口碑是律师的生命线，您是如何提升和稳固自己在律师界的口碑的？

向淑芹：我会和客户保持顺畅的沟通，站在客户的角度解决他们的问题，并把其他项目的经验分享给他们。

作为专业律师，我给客户提出的解决方案一定要是确定的、易懂的、可行的，要向他们把利弊分析清楚，在适当的时候，推动他们做出决策。

我也会注重客户的反馈，收集他们的建议，改进自己的工作。

ALB：一名优秀的律师要具备理性的逻辑思维能力，而女性多偏向感性思维，您是如何将女性优秀特质与律师行业结合的？是否可以给年轻女律师的分享成功的经验。

向淑芹：能设身处地的为客户考虑，是女性感性特征的体现。细致、善于观察、认真，这些都是女性适合从事律师行业的优势。

从业多年，我的感觉是，女性身份既未成为利器，但也不是绊脚石。对于年轻女律师而言，要培养自己理性专业的职业素养、冷静细致的分析思路及耐心体贴的沟通技巧，为人要柔中带刚，做事要严谨而有力度，处理问题要有原则性和灵活性。

另外，利用专业知识，“泼辣”、“霸气”地维护客户的利益，必定会为你加分不少。

ALB：介绍一下您的团队，以及他们对您的帮助和对公司的贡献？

向淑芹：我成为合伙人已经有13、14年左右，最早几年培养的助手，现在在竞天以及其他大所已成为中坚力量，可以独挡一面了。我现在带领的团队里，有8、9年资历的二级合伙人，也有年轻的90后们。他们勤奋、能吃苦、有责任感，我从他们身上也能学习到很多东西。同时，我也期待自己能够为他们树立专业的前辈榜样。

ALB：律师行业充满压力和挑战，作为一名女律师，怎样做到事业与家庭的平衡？

向淑芹：女性在家庭中的作用非常关键。在工作时，我们需要认真投入，完成好手上的工作，但对于家庭，我们需要付出和回报。每次回到家庭中时，我会提醒自己的身份，做一个女儿、妻子、儿媳、大嫂应该做的事情。在力所能及的范围内，我会为家人营造关爱、包容的氛围，亲人往往会回馈我更多的爱，会在我工作遇到压力和挑战时给予我更多的支持和理解。这让我认为，家庭与工作其实是一个双向循环的关系，我用心付出，我的家人以及客户都会给我更多的回报。

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15

ZOU JIAMING

Firm: King & Capital

Practice areas: Criminal Defense

What clients say: With her “profound criminal legal expertise”, Zou is both a “wise and dignified lawyer” and “a meticulous and attentive lady”

Zou has always challenged herself to protect the human rights of defendants and promote judicial progress through each case she handles. She spares no effort in providing clients with high-quality legal services as well as safeguarding the legitimate rights and interests of citizens.

Her recent work includes acting on several cases involving corporate bribery, bid-rigging, bribe-taking, and fraud.

Zou told ALB that for her, criminal defense is both her joy and a dream come **“Criminal defense is tough in China, especially for women. However, as a woman, I draw power from my meticulousness and sense of justice,”** says Zou.



邹佳铭

律师事务所: 京都律师事务所

执业领域: 刑事辩护

客户评价: 客户认为邹律师拥有“很高的刑事法律专业知识”，在她的身上兼具着“律师的睿智、大气和女性的细致、细心”。

邹律师一直以保障被告人人权，通过个案推动司法进步为己任。她在个案的承办过程中，尽心尽力为委托人提供高质量的法律服务，努力维护公民的合法权益。

2015年，她为多起单位行贿案、串通投标罪案、受贿案、诈骗罪等案件提供法律服务。

刑事辩护于邹律师而言，既是梦想，也是享受，她说：“**刑事辩护在中国是一个艰难的职业，对于女性尤甚，作为女性，我时常在工作中感受到自己的细致和正义感所带来的力量。**”

京都律师事务所 KING & CAPITAL



■ 邹佳敏，合伙人
Jasmine ZOU, Partner
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国家转型 律师何为

近代中国是一个大变革的时代，经济、政治、文化、思想等各个领域、各个阶层发生着全方位的转型。整体而言，二十一世纪的中国正处在由传统农业宗法社会向现代市场经济、法治国家转型的关键时期。市场经济以市场作为资源配置的主导方式，其要义是自由与平等竞争，中国传统社会的宗礼等级观念在市场经济中被抛弃。为促进竞争，社会必须提供可预测的规则，法律的价值凸显。经济的发展，让人们更加渴求基本的人身和财产安全，“有恒产者有恒心”，由此人们的权利意识高涨。公民对安全、公平、自由的渴求，对社会规制和治理提出了更高要求。同时，讯息交换规模和速度的变化，更是将偌大的世界变成了一个地球村，使得中国的经济和文化建设，都不可能偏居一隅，独善其身，而必须向世界公认的价值和规则靠拢。自由、平等、法治、宪政等普世价值逐渐被中国社会熟悉和接纳，成为国家转型的方向和目标。

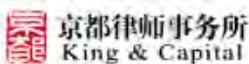
从中国共产党十一届三中全会提出把党的工作重点转移到社会主义现代化建设上来，到十八届四中全会提出全面推进依法治国，中国的转型更多的体现为政府主导，而非市场自发。但是任何国家的转型都是与个人的转型紧密联系在一起，个人不觉醒，国家何以崛起？中国是一个具有上千年宗法等级制度的国家，传统社会缺少生成自由、平等、权利意识的土壤，也没有经历西方开启民智的启蒙运动，所以中国缺少一个具有强烈自由、权利意识的市民阶层。但是国家和个人，权力和权利总是处于一种你进我退，相互博弈的状态，正是这种互动界定了活生生的法治和宪政。美国是世界上法治文明程度较高的国家，其法治的建立，都是弱小的公民一步步抗争的结果。从法律人耳熟能详的“米兰达规则”到布朗案确立的黑人学生与白人学生同校的权利到最近全球瞩目的美国最高法院裁决承认同性恋合法的权利，正是个人权利的抗争谱写了美国的法治史。同时，个人权利的不断拓展也必将不断规范政府权力的行使，并同时引导普通民众不断加深对自己权利的认识和对他人权利的尊重，而这也必将促进政府更加尊重和保障个人权利，正是在这种良性的循环中法治和宪政成为国家制度不可撼动的基石。

不可否认，中国律师的社会地位和影响力都难以与西方国家相媲美，但是在中国个人转型动力不足的情况下，更凸显律师的特殊作用。国家转

型期间所有的社会矛盾和变革最终都可能依赖司法解决和立法确认，而律师永远处在这种社会矛盾漩涡的中心，也是社会变革的最前沿，他们最能敏感地捕捉每一点变化的信息。同时作为权利代言人的身份，又使得他们能够在这些社会变革中全力以赴地维护个人权利。社会的巨变和职业的敏感，将中国律师再一次推到了历史的前台，他们不仅需要积极参与国家转型，更需要以个人权利启蒙的方式积极推动个人转型。

同时，国家转型必将引领中国律师更深地介入国家治理和社会生活的方方面面：依法治国方略的确立，使得律师在国家政治生活中发挥更大的作用，法律服务进入政府决策层；政府职能的转换，使得律师替代政府行使一部分社会经济服务和监督职能；劳动、社会保障等领域的发展，向律师提出了更专业地保障个人基本权利的要求；全球经济一体化，则将中国律师推到了国际法律服务市场。他们不仅代表委托人的利益，更是以自己的职业行为帮助每个公民和市场主体认识自己的权利，并不断扩展和加深这些权利。

在此需要特别提到的是，刑事诉讼涉及的是个人生存发展最基本的权利，也是其他一切权利存在的基础。当我们以国家之名剥夺一个人的财产、自由甚至生命，我们需要看到的不仅是犯罪得到了惩罚，更应该是国家以正当、合法的方式处罚了犯罪。而一切权力都有扩张的本性，当弱小的被告手无寸铁地面对强大的国家机器时，律师是他唯一的权利守护者。在捍卫被告人权利的同时，辩护律师更是通过每一个具体的个案，规范国家权力的边界。这样才能“建立和发展一个高度有效的、实施正义的体系，并把这一体系管理得能使公众对政府诚实及公正充满完全的信任。在很大的程度上，国家的未来就取决于我们是否能够维护正义的纯洁与清白。”¹这就是中国律师的社会责任和历史使命。



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¹ 参见美国律师协会的《律师道德准则》。