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Digital Transformation of the Legal Professional Community in Contemporary China: Current Status and Prospects

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Abstract

Research on the legal professional community in China truly commenced after 2002, spanning merely over two decades to date. The advent of the new era and digitalization has furnished a novel political and technological environment for the construction of the legal professional community. In recent years, overseas research has proffered numerous profound commentaries on the development of the legal professional community in the digital age, with the global “Big Four” accounting firms re-entering mature legal markets (the United States, Australia, and the United Kingdom) through large-scale technological investments. This paper first analyzes the current status of legal professional community construction in China. Simultaneously, considering the complexity of China’s legal system, it employs the SLEPT model to systematically review relevant research both domestically and internationally, introduces functionalism and Weberian interpretivism, and conjectures the potential structure of China’s future legal professional community. Based on this structural framework, this paper examines the competitive landscape of the emerging AI legal market. Finally, building upon the aforementioned research, this paper explores novel approaches for the digital construction of the contemporary Chinese legal professional community.

Full Text

A Brief Analysis of China’s Legal Professional Community in the Digital Wave: Exploring Structure and Path from Tradition to Future

Wu Caiyuan, Xu Linrui

Abstract

Research and construction of the legal professional community in China only truly began after 2002, spanning merely two decades. The advent of the new era and digitalization has provided entirely new political and technological environments for building this community. Recent foreign scholarship offers profound commentary on the development of legal professional communities in the digital age, as evidenced by the Big Four accounting firms re-entering mature legal markets (the United States, Australia, and the United Kingdom) through massive technology investments. This paper first analyzes the current state of China's legal professional community construction. Considering the complexity of China's legal system, it employs the SLEPT model to synthesize relevant domestic and international research, incorporating functionalism and Weberian interpretivism to speculate on the possible future structure of China's legal professional community. Based on this projected structure, the paper examines the competitive landscape of the emerging AI legal market. Finally, building upon the aforementioned research, it explores new approaches for the digital construction of China's contemporary legal professional community.

Keywords: legal professional community, new era, digitalization, SLEPT, AI legal market

1. Development of Contemporary China's Legal Professional Community

To analyze the construction status of contemporary China's legal professional community within a broader temporal and spatial perspective, this study first conducts a historical examination of the concept, extending to summarize common characteristics of legal professional communities both domestically and internationally. Based on this foundation, it then reviews and evaluates the development process and current state of China's legal professional community.

1.1 Historical Examination of the Concept

The embryonic form of the legal professional community in human history can be traced back to 336 BC. The Roman Republic established the “praetor” and “praetor peregrinus” to handle civil disputes and foreign-related disputes respectively¹, representing the earliest recorded judicial groups. In the later period of the Roman Empire, opinions of renowned jurists were documented and adopted, forming the earliest community of legal scholars². While these groups may be considered precursors to the legal professional community, they remained rudimentary and fragmented in terms of occupational specialization and functional coordination, failing to constitute a modern legal professional community.

Amidst the social environment following the bourgeois revolution, Western legal professional communities began to formally take shape—a significant outcome of civil society development. In the economic sphere, the rapid expansion of com-

modity economy led to market rules gradually replacing traditional dispute resolution mechanisms, rendering these rules increasingly complex. As specialization became clearly defined, lawyers transformed into professional groups providing legal services to market participants. In the political domain, the Enlightenment advocated for balance among legislative, judicial, and executive powers as an effective means to prevent power abuse. Compared to legislative and executive powers, judicial power appeared relatively weak, making judicial independence crucial for its effective functioning. Consequently, judges gradually achieved professionalization and reduced external interference through internal autonomy. In legal culture, universities provided gathering places for legal talent, accentuating the professional orientation of law. Systematic and elite legal education equipped legal professionals with specialized linguistic symbols (legal concepts), rendering jurisprudence increasingly unique and professional. This shared legal culture and skillset facilitated mobility among legal professions.

Thus, the modern legal professional community emerged, exhibiting characteristics of professionalism, autonomy, publicity, mobility, and checks-and-balances⁴⁵. Specifically, different legal professions share similar legal skills, professional ethics, and legal beliefs. Autonomy serves as the external manifestation and superior objective of the legal professional community, realized through professionalism and publicity, and embodied in the relative independence of legislative and judicial powers. Professionalism is grounded in legal education, while publicity stems from the inherent obligations of legal professions and the justice of law. Mobility and checks-and-balances derive from shared legal skills, professional ethics, and legal beliefs—characteristics emanating from autonomy, professionalism, and publicity.

1.2 Formation and Development in China

In the early stages of China's reform and opening-up, the cultivation of legal talent received considerable attention, though the concept of a professional community was seldom mentioned. After the 1990s, both legal academia and political circles recognized the necessity of professionalization⁶. In 2002, the "Symposium on the Road to Rule of Law and the Legal Professional Community" examined issues concerning community construction, after which numerous monographs and papers on the "legal professional community" emerged, such as Zhang Wenxian's *Report on Judicial Reform: Research on the Legal Professional Community*. In the same year, the first national unified judicial examination incorporated judges and prosecutors into its scope, signifying the initial formation of a legal professional community comprising primarily judges, prosecutors, and lawyers. Subsequently, domestic research entered a new phase. The number of papers on the legal professional community indexed by CNKI experienced two notable surges around 2002 and 2014 [Figure 1: see original paper], corresponding respectively to the aforementioned academic symposium and the advent of the new era.

Since the new era, against the backdrop of comprehensively advancing rule of

law, the Communist Party of China has frequently addressed the construction of the rule-of-law workforce, making the legal professional community a focal point in academic circles. This attention is also reflected in legislation and policy documents. The *Measures for Open Selection of Legislative Workers, Judges, and Prosecutors from Lawyers and Legal Experts*, the *Judges Law*, and the *Prosecutors Law* have broken the one-way flow from judges and prosecutors to lawyers and scholars, facilitating the entry of lawyers and scholars into the judiciary. The *Lawyers Law* stipulates that lawyers should safeguard the correct implementation of law and uphold social fairness and justice⁷, providing a basis for community construction. The arrival of the digital age, along with policies on data economy and smart governance, has offered new opportunities for constructing the legal professional community⁸.

Although the concept of the legal professional community is not indigenous to China, and the formation of civil law professional communities differs fundamentally from common law systems⁹, policies of comprehensively advancing rule of law, legal education, and qualification examination systems have laid foundations for community construction, receiving support from the ruling party, government, and academia.

2. SLEPT Analysis Based on Domestic and International Research

Following a brief review of the development history and current state of China's legal professional community, this study introduces the SLEPT model to conduct a comprehensive strategic analysis of the external environment surrounding China's legal professional community. This approach integrates cutting-edge academic perspectives from both domestic and international sources to more deeply examine current development conditions and challenges, speculate on future structures, and analyze development prospects.

2.1 Brief Introduction to the SLEPT Model

SLEPT analysis is a strategic tool for evaluating a company's external environment and business trends, encompassing Sociocultural, Legal, Economic, Political, and Technological factors. With the widespread application of management methodologies, SLEPT has also been utilized extensively in policy analysis and non-commercial research¹⁰. In this study, employing the SLEPT model to analyze existing research and current conditions, and to sketch possible future structures of China's legal professional community, is indeed feasible. Although law firms are not corporations, many domestic firms in China have adopted corporate management models, such as King & Wood Mallesons and Zhong Lun Law Firm¹¹.

In the SLEPT analytical framework, sociocultural factors involve social and cultural influences such as demographic data, consumer attitudes, and lifestyle trends. Legal factors encompass the legal and regulatory environment, includ-

ing safety regulations and business laws. Economic factors address macro and microeconomic conditions like economic growth, inflation, and exchange rates. Political factors involve government policies and political stability that may affect operations and strategy. Technological factors concern the development and application of new technologies that may impact products, services, and operations.

2.2 Technological Environment: Digital Construction

The disruptive technological environment brought by the digital wave will profoundly impact the professionalism, mobility, and publicity of the legal professional community¹². Legal professions will further subdivide, as seen in specialized practitioners in intellectual property courts and internet courts. New legal professions such as data compliance personnel in law firms and legal practitioners in court informatization offices will emerge with professional barriers that traditional legal practitioners cannot easily overcome. New-generation legal professionals proficient in both technology and law will utilize new technologies to further manifest the publicity of the legal professional community, helping it better serve the public interest of the state and society through law.

First, domestic digital society construction has already significantly impacted the legal professional community. Examples include smart court information systems, the International Arbitration Cloud Chain online dispute resolution platform, the China Judicial Big Data Service Network, and AI legal service and consultation platforms such as Wusong and Huayu Yuan Dian. Digital technology is further subdividing legal professions. Numerous data compliance positions recruit technically-skilled personnel with legal backgrounds. Legal transactions are being decomposed into individual tasks. Information system applications are standardizing internal operational processes within the legal professional community, integrating legal professionals through technology.

The author contends that with the irreversible development and adoption of AIGC, blockchain, and virtual reality technologies in China, the legal professional community will likely undergo leapfrog development in form. Comprehensive technological innovation, bringing concepts like the metaverse and smart contracts, will challenge traditional legal ethics. The opacity of technology will pose legislative challenges for traditional jurists in the future, potentially requiring technically-backgrounded experts for legislative drafting [Figure 2: see original paper], while creating judicial difficulties for future judges and prosecutors.

To substantiate this trend, we analyze the internet courts established by the Supreme People's Court's Judicial Committee in 2018¹³. As illustrated in [Figure 3: see original paper], the jurisdictional scope of internet court disputes can be broadly categorized into five types: electronic contract disputes, copyright disputes, website domain name disputes, internet infringement of civil rights disputes, internet public interest litigation, and internet administrative

disputes. Combined with the *Provisions of the Supreme People's Court on Several Issues Concerning the Trial of Cases by Internet Courts*, the concentration of these five case types appears designed to alleviate grassroots courts' adjudication pressure regarding technically complex internet-related cases. This objectively substantiates the aforementioned trends of occupational subdivision and legislative/judicial challenges. Consequently, the legal professional community in the digital wave will witness new developments in professionalism, autonomy, and publicity.

The opportunities and challenges that the digital age presents for legal professional community construction can be analyzed through functionalism and Weberian interpretivism¹⁴. Profession serves as a crucial medium for social stability. Community consciousness represents a functionalist value system embodying altruistic rule-of-law spirit. Political liberalism contains a "legal complex" that plays a central role in state governance¹⁵. Legal profession development accompanies the rationalization of law and the rise of experts in modern society¹⁶. Thus, considering the autonomy and publicity pursued by the legal professional community itself, the legal profession is obligated to enhance professional service levels through technological and management innovation to meet society's diverse and high-quality demands for legal services.

Abbott's jurisdictional conflict theory employs Weberian methods to analyze the evolution of the legal industry's digitalization. Alternative legal services such as AI law and legal process outsourcing are encroaching upon traditional legal professional domains. It is understandable that advanced large law firms have begun adopting outsourcing strategies and interdisciplinary practices to enhance competitiveness. In essence, Weberian interpretivism reveals that legal professions seek self-legitimization and enhanced autonomy through technological innovation to respond to technological society and political dynamics.

2.3 Policy Environment: New Era Requirements

The legal professional community in the new era exhibits characteristics of refined rules, standardized norms, informatized operations, systematic supervision, and popularized services, distinguishing it from traditional communities¹⁷.

Refined rules: The new era has produced more detailed regulations on the operations of personnel and institutions within the legal professional community, such as the *Measures for the Administration of Lawyers' Practice*, *Measures for the Administration of Notaries' Practice*, and *Measures for the Registration and Administration of Judicial Appraisers*¹⁸. Refined rules facilitate better management and supervision of the legal professional community.

Standardized norms: The lack of unified professional standards within the legal professional community prevents maximization of fairness. The formulation of such standards is currently unfolding across various rule-of-law domains. For instance, the application of blockchain technology in transaction verification within digital governance has established a standardized paradigm for

recognizing creditworthiness of small and medium-sized enterprises in supply chain finance, representing an indirectly established transactional standardization model through technological development.

Informatized management: Integrating rule-of-law information management systems into the daily operations of the legal professional community enables genuine human-machine integration and collaboration, substantially improving judicial efficiency, legal service quality, and management effectiveness. Examples include the construction of smart courts, smart procuratorates, and smart lawyers. However, a unified information management system has yet to emerge. In other words, while different legal professions formally constitute a legal professional community, they still operate on non-interconnected systems for rule-of-law information management, which does not facilitate strengthening of shared rule-of-law spirit and legal beliefs, nor does it convenience daily legal affairs processing.

Systematic supervision: This refers to systematic oversight of the legal professional community. Current supervision suffers from serious formalism, and the inherent professionalism and monopoly of legal professions create difficulties for external supervision, while industry self-governance also has limitations. A better supervision method involves using technology to strengthen information disclosure, thereby forming a judicial fairness system with universal oversight.

Popularized services: This emphasizes the public welfare attributes of legal work. Previously, Chinese judges and prosecutors were deeply influenced by official-centric thinking, which hindered service popularization. In recent years, documents such as the *Opinions on Promoting Lawyers' Participation in Public Interest Legal Services* have strengthened connections between the legal professional community and the general public.

2.4 Legal Environment: Comparative Legal System Study

When analyzing the development status of legal professional communities, differences between civil law and common law systems must be considered.

Although China's legal system primarily belongs to the civil law family, it has also borrowed and introduced concepts and methods from other systems (such as common law) in practice, including emphasis on case precedents, forming a legal system with Chinese characteristics. Therefore, comparative discussion of the two systems is necessary.

The civil law system (Civil Law), originating from Roman law, centers on codes and emphasizes systematicity and completeness of law. Legal professionals require deep understanding and mastery of codes and relevant legal provisions to accurately interpret and apply them in practice. Consequently, in China, legal professionals primarily serve as interpreters and applicers of legal rules, with their status and authority deriving mainly from precise comprehension of codes.

The common law system (Common Law), originating from Britain, centers on

case law and emphasizes judges' law-making power and legal adaptability. Legal professionals require deep understanding and mastery of historical precedents to cite cases, reason, and debate in practice. Regarding case precedents, President Xi Jinping once stated, "One case is worth more than a dozen documents," fundamentally because the people must feel fairness and justice in every judicial case¹⁹. Therefore, the guiding significance of cases for legal workers, particularly lawyers, cannot be ignored. Meanwhile, the newly launched People's Court Case Library requires every judge to reference its cases when making judgments—a point elaborated below regarding differences in legal practice. The new era's informatization requirements for the legal professional community, namely the construction of China Judgments Online and the People's Court Case Library²⁰, can satisfy judges', prosecutors', and lawyers' needs for guiding cases, representing a new form of characteristic application of case law features within China's socialist legal system. As China's socialist legal system increasingly emphasizes case precedents with clear division of labor and continuous improvement in judgment document retrieval systems, the construction path of China's legal professional community will be technologically paved.

Differences in Legal Education

Civil law legal education typically begins at the undergraduate level, emphasizing theoretical education and code study. Common law legal education typically begins at the graduate level, emphasizing case analysis and practical legal skills training.

Theoretically, civil law legal education's emphasis on codes and legal provisions helps cultivate legal professionals' respect for and compliance with legal rules, stressing legal certainty and authority. This may lead to higher resonance in rule-of-law spirit among civil law legal professionals, who are more likely to believe in and practice legal regularity and certainty, suggesting higher occupational mobility.

Common law legal education's emphasis on historical precedent analysis and practical skills training helps cultivate legal professionals' innovative thinking and practical abilities, stressing legal adaptability and flexibility. This may lead to greater diversity in rule-of-law spirit among common law legal professionals, who are more likely to accept and practice legal variability and adaptability.

However, the reality is that China's legal professional community suffers from poor mobility. The author believes legal education bears limited responsibility; if any, it may be that insufficient attention is paid to legal professional ethics education. More significant reasons likely include lack of attractiveness in some legal positions, excessive pressure, and unsatisfactory compensation. These issues may relate to China's legal traditions, legal system itself, and differences in legal practice. Yet with deepening judicial reform and improved standards for legal professional access, the author believes this problem will be effectively resolved in the near future.

Differences in Legal Practice

Civil law legal practice emphasizes application and interpretation of legal provisions, with clearly separated roles for lawyers and judges, where judges primarily adjudicate based on codes. Common law legal practice emphasizes case analysis and debate, with more frequent interaction between lawyers and judges in court, and greater space for judges' law-making in adjudication.

In the author' s interview with a civil court judge from a local court in Hunan Province, the interviewee stated they would not change their adjudication approach based on so-called "similar cases" provided by lawyers because "China is not a case law country." This reveals divergence among legal workers on whether cases possess authoritative binding force on adjudication, which may cause divergence within the legal professional community on "standardized norms," hindering community construction and requiring clarification from more authoritative judicial organs. The 2023 Supreme People' s Court Work Report indicated that the newly established "People' s Court Case Library" has included over 3,000 cases reviewed and approved by the Supreme People' s Court, which judges must reference when handling cases²¹. Consequently, differences among judges, lawyers, and prosecutors in judicial practice are narrowing, facilitating occupational mobility and co-construction of rule-of-law spirit.

The above analysis is based on two theoretical frameworks: legal positivism and legal pragmatism. Positivism emphasizes legal regularity and certainty, embodied in the civil law system. Pragmatism emphasizes legal effectiveness and adaptability, embodied in the common law system.

Economic and Socio-Cultural Impacts

Economic development: As China' s economy rapidly develops, demand for legal services also increases. Enterprises, governments, and individuals all require legal professionals to handle various complex legal issues. Economic development has also brought specialization and subdivision in legal fields, requiring legal professionals to continuously enhance professional capabilities and service quality to adapt to increasingly complex legal environments. This elevates the social status and identity of legal professions and provides broader space for legal professional community construction.

Social culture: China' s social culture also influences identification with legal professions and community construction. In traditional Chinese culture, legal professionals are often regarded as defenders of social justice and fairness, helping to enhance social identification with the legal profession. Meanwhile, Chinese social culture also emphasizes collectivism and harmony, facilitating the construction of a harmonious and united legal professional community.

Social transformation: As Chinese society rapidly transforms, the legal environment continuously changes. New legal issues and challenges constantly emerge, requiring legal professionals to continuously learn and adapt, posing new demands on professional identity and community construction. For example, with internet and technological development, legal professionals need to master more technical knowledge and skills to address cyber law and technology law issues.

Overall, China's economy and social culture profoundly influence legal professional identity and legal professional community construction. In the future, as Chinese society further develops, these influences may become more pronounced.

2.5 Summary of SLEPT Analysis

The environment for China's legal professional community construction integrates multiple dimensions including technology, policy, law, and economic-socio-cultural factors.

In the technological environment, although digital construction and artificial intelligence significantly impact legal professions, the lack of unified data management platforms and judicial data openness limits their driving effect on community construction.

In the policy environment, the new era imposes higher requirements on the legal professional community, including refined rules, standardized norms, informatized operations, systematic supervision, and popularized services, which positively enhance community efficiency and credibility.

In the legal environment, although China's legal system primarily belongs to the civil law family, it has also borrowed and introduced common law concepts and methods. This fusion and introduction grant China's legal system greater flexibility and adaptability, helping address complex and changing legal issues.

In terms of economic and socio-cultural impacts, China's rapid economic development provides vast market space for legal professions, while China's unique social culture profoundly influences legal professional identity and community construction.

Thus, we can derive the predictive structure and current state of China's legal professional community as shown in [Figure 4: see original paper].

[Figure 4: see original paper]

Overall, the environment for China's legal professional community construction possesses unique characteristics, presenting both challenges and opportunities. In the future, as Chinese society further develops, these influences may become more pronounced, imposing higher demands on community construction.

3. Five Forces Model of the AI Legal Market

To elaborate more deeply on the technological development of the legal professional community, this section conducts a five forces model²² analysis of the risks associated with AIGC (generative artificial intelligence) entering the current legal service market, based on the aforementioned analysis of the community's current state and possible future structure. It also explains what this means for the future legal professional community.

[Figure 5: see original paper]

As shown in Figure 5, the five forces model analysis reveals that current legal consultation cloud platform construction remains relatively traditional overall, with immature development even where intelligent consultation businesses have been launched. Meanwhile, we have yet to find an existing public legal service cloud platform that effectively combines human consultation with AI services, leaving fundamental problems of low efficiency and high costs in human consultation unresolved. Industry exemplars such as Huayu Yuan Dian conduct mature and rapidly updated businesses that keep pace with the times, but their services possess private customization attributes, their products have not been widely applied among groups, and their effects are difficult to obtain feedback from users.

Thus, for the legal professional community, although AI has already entered the legal industry and may replace 44% of legal-related work in the future²³, issues such as inaccuracy, high price, and technological immaturity still leave substantial industry space for traditional legal workers. For now, human-machine collaboration has become an inevitable trend, but the era of complete machine replacement of humans has likely not yet arrived. As analyzed above regarding the future structure of the legal professional community, cooperation between legal professionals and rule-of-law information systems, including legal AI, represents an inevitable trend that also aligns with new era requirements for community development. How to make the legal professional community more united and thriving under the development of rule-of-law information systems and legal AI should be a current focus of research on China's legal professional community.

4. Construction Ideas for Contemporary China's Legal Professional Community

In new era China, legal professional community construction must adapt to the impacts and opportunities of the digital wave and the policy orientation of comprehensively advancing rule of law. Based on the SLEPT model and functionalist and Weberian interpretivist theories, this paper proposes new ideas for China's future legal professional community.

Technological development, particularly the rise of AI, provides new tools and platforms for legal services. The legal professional community should establish unified data management platforms and adopt intelligent legal tools to improve work efficiency and service quality.

According to functionalist theory, the legal professional community plays an irreplaceable role in maintaining social order and promoting social stability and progress. Weberian interpretivism emphasizes that in the process of specialization and rationalization, professional levels of legal services should be enhanced through technological and management innovation to meet society's diverse and high-quality demands for legal services.

Analysis of the AI legal market further supplements ideas for future community construction. AI technology introduction requires community members to im-

prove technological literacy and cooperate with tech companies to develop AI legal products and services suitable for the Chinese market. Meanwhile, organizational structure innovation and discussion of AI legal ethics are also aspects that cannot be ignored in constructing the future legal professional community.

In summary, the construction of China's future legal professional community is a multi-dimensional, cross-domain integration process. It requires not only active participation and promotion by legal professionals but also understanding and support from all social sectors, as well as guidance from government policies. Only thus can the legal professional community better serve social and economic development in the new era and become a strong pillar in building rule-of-law China.

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Note: Figure translations are in progress. See original paper for figures.

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