

# On Construction of Fee Waiver System in Judicial Identification

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**Abstract** In some projects on judicial identification, the phenomenon still exists that the parties can not fully pay the high forensic costs because of economic problems. It affects judicial appraisal process due to economic difficulties, resulting in a threat to the legitimate rights and interests of citizens. So to build fee waiver system in judicial identification to safeguard the legitimate rights and interests of citizens and ensure a fair and equitable judicial system is an effective way to solve this problem. This research focus on building the judicial appraisal fee waiver system, proposes targeted measures, and gives the contribution of legal support to safeguard the legitimate rights and interests of citizens.

**Keywords:** Judicial authentication, Fee remission, Legal aid, Forensic science.

At this stage, because of the economic difficulties of forensic litigant, it has made a certain impact on the judicial appraisal process, for Construction of Forensic waiver system is already very widespread existence of the phenomenon. Forensic Expertise is our justice system constitutes a very important element to collect a large degree of contact with the legal rights of parties on judicial appraisal related costs, but also to protect the judicial system is fair and rational and effective way. However, at this stage in the identification of justice charges related relief regime may remain low maneuverability; rigorous content does not involve other defects. Therefore, the article author for inadequate stage of Forensic waiver system exists to

build judicial appraisal fee exemption system was thinking.

## 1 the identification of the judicial fee waiver system overview

### 1.1 the meaning of forensic waiver system

Forensic Examination fee waiver system that is performing judicial appraisal process to relevant policies, laws and regulations provide citizens with appropriate institutional safeguards to protect citizens when they Forensic Sciences to protect their legitimate rights and interests according to law, in the difficult economic situation can be obtained waiver institutional interests<sup>[1]</sup>.

### 1.2 Appraisal fee waiver justice

### system characteristics

#### 1.2.1 And specificity of the link between rights and obligations of citizens

In this stage of our legal equality as the main feature, but also guarantees the equality of citizens for development of civilization inevitable requirement. Therefore, the Chinese government in order to ensure the legitimate rights and interests of citizens, the need to establish the appropriate organization, provide citizens with effective system of financial support to build judicial appraisal fee waiver system to ensure the legal rights of citizens to enjoy the relevant legal provisions.

#### 1.2.2 The administration of justice relief

During the proceedings, the

economic situation worse if the parties require a judicial appraisal, it will have been affected during the time people of the proceedings, the party faced economic problems because it will inevitably give up legal rights to maintenance. Therefore, the construction of Forensic waiver system on the basis of a means to effectively safeguard the legitimate rights and interests of the citizen suit. Judicial appraisal fee waiver regime with the relief, the parties maintain effective interest in the face of Forensic charges when on the basis of the system to protect.

## 2 Appraisal fee waiver justice system deficiencies exist

Present Expert Testimony in China due to the charge related to defects in the system, leading to the lack of appropriate judicial appraisal system support during the actual work by analyzing deficiency can understand present therein can be divided into the following:

### 2.1 Fee waiver system objects lack of specific requirements

When the parties were identified charges judicial waiver applications, for to approve the waiver object requires the absence of specific requirements, however, the relevant departments not only by virtue of one statement will approve the fee waiver requirements, so that will inevitably result in the judicial appraisal fee system relief expand the scope of, and thus a waste of available resources.

### 2.2 Costs associated with fee waiver party bear unreasonable

Usually the funds needed in the judicial appraisal fee waiver be borne mainly by the Department of

Forensic alone, but this arrangement is unreasonable. Because the hard work of Forensic officers on the basis of relevant labor becomes free, there will inevitably be identified personnel slack phenomenon.

## 3 Construction of forensic waiver system related vision

### 3.1 Appraisal fee waiver judicial system authorities

Construction in the judicial system during the appraisal fee waiver, the competent authorities for the identification of the main body of the executive authorities in the scope of the work included in Forensic Sciences and the relevant legal assistance to solve <sup>[2]</sup>.

### 3.2 Appraisal fee waiver judicial system objects defined

According to relevant regulations, the definition of judicial appraisal fee waiver system objects can be divided into the following types.

3.2.1 The applicant must determine the presence of economic difficulties after an investigation on the basis of not fully pay the cost of Forensic applicants.

3.2.2 Determined to safeguard their legitimate interests apply for a judicial appraisal fee waiver applicant is the only way.

3.2.3 Related personnel after a detailed investigation to determine the information provided by the applicant as a legitimate real and effective.

### 3.3 Appraisal fee waiver judicial system application process

3.3.1 Parties to submit an application fee waiver

Judicial authority to set uniform identification forensic application fee waiver system, the system of the applicant's financial situation, apply

for a waiver of the reason, we need the relevant information provided by the applicant and the applicant must be true data valid proof provided detailed regulations. The identity of the relevant information provided by applicants which contain the applicant's proof, income status certificate or other relevant evidence <sup>[3]</sup>.

3.3.2 Appraisal fee waiver judicial authorities for review

After the judicial appraisal fee waiver authority for the applicant to submit materials verification, the competent authority for verification of compliance with the detailed requirements of the waiver applicant in accordance with the rules and procedures apply for the next program, if the applicant authority in the verification found not to comply with the requirements, will have to be submitted in accordance with the provisions of the materials to supplement, if after the supplementary application still does not meet the requirements, the competent authority will notify the applicant in writing, its judicial appraisal fee waiver applications filed not handle.

3.3.3 Forensic Expertise event assignment

Applicants who meet the waiver of Forensic System, administration of justice agencies can take the form of random assignment of Forensic incident, forensic identification of bodies as required to complete the event within a specified period of time after receiving the identification event.

3.3.4 Identification of justice charges apply for the waiver

After the completion of the identification of bodies of Forensic Identification event, the competent authorities in accordance with the

requirements of the judicial appraisal fee waiver event the applicant applied were handled. However, in the specific process of identification, forensic authorities to conduct strict accordance with relevant provisions of Forensic Identification of the application process, and not on the basis of relevant personnel and cost reduction, based on the identification of the application for judicial procedures are omitted.

### 3.3.5 Appraisal fee waiver applications judicial conclusion

Judicial authorities in the identification of the applicant to complete the application for judicial appraisal fee waiver applications are reviewed, after handling the process, the need for timely conclusion of the report will be submitted to the competent authority of Forensic Sciences, at the conclusion of its report to be submitted to the authorities of Forensic additional waiver for appraisal submissions event, and by the authority of Forensic Bureau of justice will be archived after the inspection. After the completion of the organ of Forensic report submitted by the end of the inspection, legal aid agencies in accordance with the requirements of the application the applicant will be referred to the relevant application fee waiver, legal aid institutions after a detailed verification aside from certain special operating expenses payments to the judicial authorities to identify, complete the application submitted by the applicant.

### 3.4 Application does not meet the appraisal fee judicial relief under treatment

When submitting the application the applicant does not comply with the judicial relief under the appraisal fee, to stop the incident forensic immediately,

if the time of Forensic Sciences has ended, then to charge a fee in accordance with the relevant provisions of Forensic Sciences.

### 3.5 Forensic sciences personnel obligations and rights

3.5.1 Forensic Expert per the provisions dealing with the cases for the 1-3 year, if exceeded in accordance with the relevant provisions of its incentives<sup>[4]</sup>.

3.5.2 Under normal circumstances can not be delayed, reject or stop of Forensic event handling, and staff to report incidents of Forensic Identification in accordance with the provisions of the relevant departments in a timely manner the situation.

3.5.3 Protection of national parties and not disclose their privacy

### 3.6 The applicant and judicial expert assumed liability

In order to ensure appraisal fee waiver judicial appraisal process is completed successfully, and to ensure that the identification process on the basis of real openness, the applicant and the following judicial identification people need to bear legal responsibility.

3.6.1 Forensic Sciences personnel costs can not refuse waiver applications submitted by the applicant for any improper reason, now found that when the cancellation of Forensic vocational qualification certificate measures.

3.6.2 The situation appears slack in the event of Forensic personnel identification process, the administration of justice institution has the right to give its deadline for closure of the punishments.

3.6.3 Applicant during the application process to ensure the authenticity of the information, if there is the phenomenon of false information found on the judicial appraisal fees to

pay double.

## 4 Conclusion

In summary, for this stage of Forensic Sciences in the presence of the parties because of the economic situation of problems, caused by the phenomenon of the legitimate interests of the parties affected, Construction of Forensic waiver system is an effective solution. Through the Construction of Forensic Considerations related fee waiver system to safeguard the legitimate rights and interests of citizens, safeguard judicial justice system to provide legal support.

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