

# **CRIMINAL COURT REFORM IN TAIWAN: A CASE OF FRAGMENTED REFORM IN A NOT-FRAGMENTED COURT SYSTEM**

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*Abstract:* This Article examines the character of Taiwan's criminal court system and proposed court reforms. Taiwan's criminal court is a not-fragmented system, distinct from the fragmented American criminal court. In fact, with hierarchical control in prosecutorial rulings and central administration of judicial decision-making, Taiwan's criminal court system can be deemed a relatively centralized and bureaucratic organization. Given this context, when Taiwan's criminal justice system disappoints the people, judges take the blame for the failures of the system. To resolve the serious problem of public distrust in judges and the court system, Taiwan's government and the judicial authority make "responding to expectations of the people" the ultimate goal of current court reform. Nonetheless, although this goal appears to be simple and intuitive, this Article argues that, due to its fragmented nature, this goal is not equal to its task. This Article further argues that pursuing the fragmented goal of court reform in a not-fragmented system like Taiwan's criminal court may very possibly lead to conflicts of important values and generate a counterproductive result.

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