

KEITH J. HAND
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PROFESSIONAL EXPERIENCE

UNIVERSITY OF CALIFORNIA, HASTINGS COLLEGE OF THE LAW

Associate Professor of Law: January 2009 – January 2014

Professor of Law: January 2014 – Present

Director, East Asian Legal Studies Program: January 2015 – Present

Research Focus

Legal reform in the Greater China, with particular attention to constitutional law; criminal justice; citizen efforts to use the law to promote legal, social, and political change; and the role and development of China's procuratorate.

Courses Taught

Chinese Law and Legal Institutions (formerly Introduction to Chinese Law), China and the International Legal Order, Legal Reform in East Asia, Contracts, Criminal Procedure

Distinctions

2015 UC Hastings Board of Directors Visionary Service Award

2015 Founder of UC Hastings East Asian Legal Studies Program (with Professor Setsuo Miyazawa)

2014 UC Hastings Foundation Faculty Award for Scholarship

2011–2013 Public Intellectuals Program Fellow at the National Committee on U.S.-China Relations

YALE LAW SCHOOL, THE CHINA LAW CENTER, New Haven, CT and Beijing, China

Senior Fellow and Lecturer-in-Law (New Haven): October 2005 – July 2006

Senior Fellow (Beijing): July 2006 – July 2007

Senior Fellow and Beijing Director: July 2007 – July 2008

Managed the Center's Beijing operations; designed, negotiated, and executed cooperative legal reform projects with leading Chinese law schools, courts, and legislative institutions, including the Supreme People's Court, the State Council Legislative Affairs Office, and the National People's Congress Legislative Affairs Commission; and conducted research on constitutional and judicial reform issues. During the 2005-2006 year, jointly taught Yale Law School's Workshop on Chinese Legal Reform.

Professional Experience (cont.)

CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA, Washington, DC

Senior Counsel: June 2002 – October 2005

Monitored legal reform and human rights in China and advised members of Congress on related U.S. policy. Areas of focus included criminal justice, constitutionalism, and property rights. Represented the Commission in meetings with Chinese officials in the United States and in China; coordinated with government officials, NGOs, and academics on issues related to Chinese legal reform; researched and drafted Commission reports and issue papers; and distributed a monthly newsletter on legal reform developments to key figures in the China field.

PAUL, WEISS, RIFKIND, WHARTON & GARRISON, New York, NY

Summer Associate: June 1999 – August 1999

Corporate Associate: September 2000 – June 2002

Worked as a corporate attorney with a focus on mergers and acquisitions and private equity funds. Managed domestic and cross-border transactions, drafted contracts, and conducted due diligence investigations.

COUNCIL ON FOREIGN RELATIONS, New York, NY

Research Intern: June 1998 – September 2008

Conducted research on Chinese criminal procedure, prosecutorial misconduct, and state compensation legislation under Senior Fellow Jerome A. Cohen. Presented research at a public roundtable.

ENVIRONMENT INTERNATIONAL, Seattle, WA

Analyst: September 1995 – June 1997

Researched case law and composed memos for lead consultants on environmental law issues. Designed the firm's Website and published an issue paper on ISO 14000 implementation in China. Established contact with officials of China's national environmental protection agency and represented the firm in meetings with agency officials in Seattle and Beijing.

YUNNAN UNIVERSITY, Kunming, China

English Teacher: August 1993 – July 1994

Planned and taught English classes for students and faculty of Yunnan University. Delivered public lectures on American history.

EDUCATION

UNIVERSITY OF WASHINGTON, Seattle, WA

Juris Doctor

Master of Arts, International Studies: China

Distinctions: *Pacific Rim Law and Policy Journal*, Editor-in-Chief
Order of the Coif
Moot Court Honor Board

WHITMAN COLLEGE, Walla Walla, WA

Bachelor of Arts, History, cum laude

Distinctions: Phi Beta Kappa National Honor Society
Myron Eels History Prize

PUBLICATIONS

Keith J. Hand, *An Assessment of Socialist Constitutional Supervision Models and Prospects for a Constitutional Supervision Committee in China: the Constitution as Commander?*, in CHINA'S SOCIALIST RULE OF LAW REFORMS UNDER XI JINPING (John Garrick and Yan Chang Bennett eds., 2016).

Keith J. Hand, *Understanding China's System for Addressing Legislative Conflicts: Capacity Challenges and the Search for Legislative Harmony*, 26 COLUM. J. ASIAN L. 139 (Spring 2013).

Keith Hand, *Exploring Constitutional Reforms in the Wake of the Bo Xilai Affair*, 12 CHINA BRIEF, May 11, 2012.

Keith Hand, *Resolving Constitutional Disputes in Contemporary China*, 7 U. PENN. EAST ASIA LAW REV. 51 (2012).

Keith Hand, *Constitutionalizing Wukan: The Value of the Constitution Outside the Courtroom*, 12 CHINA BRIEF, Feb. 3, 2012.

Keith J. Hand, *Citizens Engage the Constitution: The Sun Zhigang Incident and Constitutional Review Proposals in the People's Republic of China*, in BUILDING CONSTITUTIONALISM IN CHINA (Stephanie Balme and Michael Dowdle eds., 2009).

Keith Hand, *The NPCSC: The Vanguard of China's Constitution?* 8 CHINA BRIEF, Feb. 4, 2008 (with Thomas Kellogg).

Keith Hand, *Can Citizens Vitalize China's Constitution?* FAR EASTERN ECONOMIC REVIEW, May 2007.

Keith Hand, *Using Law for a Righteous Purpose: The Sun Zhigang Incident and Evolving Forms of Citizen Action in the People's Republic of China*, 45 COLUM. J. TRANSNT'L L. 114 (2006).
Republished in THE CITIZEN AND THE CHINESE STATE (Perry Keller ed., 2011).

Keith Hand, *Watching the Watchdog: China's State Compensation Law as a Remedy for Procuratorial Misconduct*, 9 PAC. RIM L. POL'Y J. 95 (2000).

PUBLISHED TRANSLATIONS

Keith J. Hand (translator), Liu Songshan, *1981: Embryonic but Inchoate Constitutional Committee Designs*, 33 UCLA PAC. BASIN L. J. [] (forthcoming 2016) (translation of Liu Songshan, 1981: Taidong Er Weixing de Xianfa Weiyuan Hui Sheji, available at RENMIN DAXUE ZHONGGUO XIANZHENG WANG, <http://www.calaw.cn/article/default.asp?id=4576>)

Keith Hand (translator), Wang Liming, *An Inquiry into Several Difficult Problems in Enacting China's Uniform Contract Law*, 8 PAC. RIM L. POL'Y J. 351 (1999) (translation of Wang Liming, Tongyi Hetongfa Zhidingzhong de Ruogan Yinan Wenti de Tanta, ZHENGFA LUNTAN, No. 4, 1996, at 52-60).

OTHER REPORTS AND PAPERS

Principal drafter of Congressional-Executive Commission on China Annual Report sections:
2005 Report: Rights of Criminal Suspects and Defendants; Legal Restraints on State Power
2004 Report: Rights of Criminal Suspects and Defendants; Constitutional Reform; Forced Evictions
2003 Report: The Judicial System; Legal Restraints on Government Power

Congressional-Executive Commission on China, *Defense Lawyers Turned Defendants: Zhang Jianzhong and the Criminal Prosecution of Defense Lawyers in China*, May 2003 (principal drafter).

PROFESSIONAL ASSOCIATIONS

Admitted to the bar in New York

Member, National Committee on US-China Relations

FOREIGN LANGUAGES

Mandarin Chinese

INTERNATIONAL EXPERIENCE

Lived in Kunming, Harbin, Dalian, and Beijing for extended periods of time.

Traveled to China for shorter periods on numerous other occasions in both personal and professional capacities.

Extensive travel in Greater China, Southeast Asia, Eastern/Central Europe.

MEDIA CITATIONS

Issac Stone Fish, *Inside Fight over the American Bar Association's Tepid Condemnation of Beijing's Crackdown on Lawyers and Activists*, FOREIGN POLICY, Nov. 23, 2015.

Clarissa Sebag-Montifiore, *China's Napoleon Complex: How the Middle Kingdom Shortchanges its Short People*, FOREIGN AFFAIRS, Nov. 16, 2015 (discussing height discrimination in China).

Lasse Karner, *Kinas Advocater Bag Tremmer [China Lawyers Behind Bars]*, BERLINKSE [Denmark], July 29, 2015 (discussing detentions of rights lawyers).

Stuart Leavenworth, *China's Crackdown on Lawyers Sparks Debate on Party's Strength*, MCCLATCHY NEWS SERVICE, July 26, 2015 (story published in THE SACRAMENTO BEE, THE MIAMI HERALD, and more than 18 other McClatchy Group papers).

China's Rule of Law Takes an Ugly Turn: A ChinaFile Conversation, CHINAFILE, July 24, 2015 (short commentary on rights lawyer detentions), also published as *China's Rule of Law Takes an Ugly Turn: A Recent Spate of Arrests and Detentions Is Another Sign of the Communist Party's Intolerance for Dissent*, FOREIGN POLICY, July 24, 2015.

Gabriel Dominguez, *The Impact of China's New Crackdown on Civil Rights*, DEUTSCHE WELLE, July 24, 2015 (discussing detentions of rights lawyers).

Tom Phillips, *At Least Six Missing after Clampdown on Human Rights Lawyers in China*, THE GUARDIAN, July 21, 2015 (discussing detentions of rights lawyers).

Christine Kim, *Chinese Authorities Detain More than 200 Rights Lawyers*, CHRISTIANITY DAILY, July 21, 2015 (discussing detentions of rights lawyers).

Rule of Law: Why Now? A ChinaFile Conversation, CHINAFILE, Oct. 17, 2014 (short commentary on the significance of the Fourth Plenum of the 18th CCP Central Committee).

Andrew Jacobs and Chris Buckley, *China Moves to Enact Rule of Law, with Caveats*, N.Y. TIMES, Oct. 23, 2014.

Cheng Kai, "American Legal Scholar Han Kai Si (Keith Hand) Recommends that China Establish a Constitutional Court to Review Unconstitutional Acts" RADIO FREE ASIA, Feb. 6, 2014.

Peter Ford, *A Tussle in China over the Communist Party Bowing to the Constitution*, THE CHRISTIAN SCIENCE MONITOR, May 24, 2013.

Stanley Lubman, *Citizen Rights, the Constitution, and the Courts*, THE WALL STREET JOURNAL, CHINA REAL TIME REPORT, September 26, 2011.

Stanley Lubman, *A Step Forward: New Law Expands Government Liability*, THE WALL STREET JOURNAL, CHINA REAL TIME REPORT, January 13, 2011.

Jim Yardley, *With New Law, China Reports Drop in Executions*, N. Y. TIMES, June 9, 2007 (discussing problems in China's death penalty review procedure that led to reform).

Media Citations (cont.)

Peter Ford, *Death Penalty Gets Tighter Scrutiny in China*, THE CHRISTIAN SCIENCE MONITOR November 7, 2006 (discussing the significance of recent death penalty reforms in China).

Susan Jakes, *China's Message on Executions*, TIME (ONLINE), November 3, 2006 (discussing the significance of a recent legal amendment related to death sentence review procedures).

Jes Randrup Nielsen, *Stram kurs mod pressen*, JUTLAND POST (Denmark's largest daily), August 25, 2006 (discussing the conviction of Chinese reporter Zhao Yan).

Chris Buckley, *Chinese Rights Activists Put the Law on Trial*, REUTERS, August 24, 2006 (discussing citizen rights defense actions in China).

SELECTED PUBLIC PRESENTATIONS AND CONFERENCES

“Understanding China’s System for Addressing Legislative Conflicts: Capacity Challenges and the Search for Legislative Harmony,” presented at the 9th Annual Conference of the European Chinese Law Studies Association, Hong Kong and at the Chinese University of Hong Kong, the November 2014.

Panelist, “Elite Perspectives on the Rule of Law,” at conference titled “Contending Perspectives on the Rule of Law in China”(sponsored by the National Bureau of Asian Research, the Henry M. Jackson Foundation, the University of Washington School of Law, and the National Committee on U.S.-China Relations), Seattle, Washington, November 2013.

“Constitutional Review in China” presented at the National Committee on U.S.-China Relations Public Intellectual Program Conference, Washington, D.C., November 2013.

Panelist, “Dancing Handcuffed in a Minefield: China's Hidden Heroes in the Criminal Defense Bar,” American Bar Association Annual Meeting, San Francisco, August 2013.

“Comparative Perspectives on the Resolution of Legislative Conflicts” presented at Northeastern University Law School in Shenyang, China, June 2012 (in Chinese and English).

“Resolving Constitutional Disputes in Contemporary China” presented at the annual meeting of the Law & Society Association, June 2012 and at the University of Washington School of Law, April 2012.

“Foreign Perspectives on the Filing and Review System for Legislation,” presented at the Peking University Graduate Seminar in Public Law, March 2012 (in Chinese).

“Resolving Constitutional Disputes in Contemporary China,” presented at the Constitutionalism Workshop at Chinese University of Politics and Law, Beijing, China, March 2012 (in Chinese).

“Legal Dimensions of the U.S.-China Relationship,” presented at the 2011 China Town Hall, University of California, Hastings, November 2011.

Selected Public Presentations and Conferences (cont.)

“Constitutional Dispute Resolution in China,” presented to the Hastings International and Comparative Law Society, November 2011.

“Constitutional Disputes in China,” presented at a panel on “Rule of Law in China: Progress or Retreat?” at the Institute of East Asian Studies, University of California, Berkeley, October 2011.

“Legal Dimensions of the U.S.-China Relationship,” presented to the Hastings International and Comparative Law Society, April 2011.

“China’s Legal System at a Turning Point,” presented at K&L Gates, San Francisco, June 2009.

“Western Efforts to Influence Chinese Legal Reform,” presented at the University of California, Berkeley Law School, Seminar on China and the International Community, April 2009.

“Advancing Rule of Law in China,” presented at the University of Minnesota Law School/China University of Political Science and Law J.D. Summer Program, Beijing, June 2007.

Participant, “Building Cultural Bridges Between the United States and Asia,” Salzburg Seminar 2006 Freeman Symposium, Salzburg, Austria, June 2006 (presented on perceptions of China and its rise in the U.S. Congress).

“Evolving Forms of Citizen Action in the People’s Republic of China,” presented at the Yale University China Social Sciences Workshop, April 2006.

“The Sun Zhigang Incident: Implications for Legal Reform and Citizen Action in China,” presented at Cornell University Law School, March 2006 and at the University of California, Berkeley, April 2006.

“Restrictions on Freedom of Expression in China,” presented at the Yale College Chinese Partnership Program, December 2005.

“China’s Criminal Procedure Law Amendments: What Can We Expect?” presented at the Conference on Rule of Law Developments in China (sponsored by the U.S. State Department), November 2005.

“Recent Wrongful Conviction Cases in China and Their Impact on Criminal Justice Reform,” presented at Yale Law School, October 2005.

Panelist, “Human Rights and China Policy,” Foreign Service Institute, U.S. State Department, January 2005 (panel discussion for foreign service officers in training).

“Conflict Over Forced Evictions in China,” presented at Yale Law School, October 2004.

“The Impact of WTO Accession on the Rule of Law in China,” presented at the Annual Meeting of the ABA Section on International Law, April 2004.

“Legal Reform Trends in China,” presented at The George Washington University School of Law, February 2004.

Selected Public Presentations and Conferences (cont.)

“The Sun Zhigang Incident and its Implications for Legal Reform in China,” presented at Yale Law School, October 2003.

Participant, “Access to Justice,” Second EU – China Network Seminar, Beijing, China, March 2003.

Fellow, “Law as a Catalyst of Change in Asia,” Salzburg Seminar Session 405, Salzburg, Austria, December 2002.

“China’s State Compensation Law,” presented at the Council on Foreign Relations and at the New York University School of Law, August 1999.