

# Exploring the Cultivation Path for Practical Abilities of New Legal Talents from the Perspective of Building the Rule of Law in China

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## ABSTRACT

The enhancement of practical abilities of new legal talents is of utmost significance for promoting the construction of a law-based China and laying a solid foundation for a socialist country under the rule of law. Against the dual backdrop of higher education reform and the construction of a law-based China, the Law Department of Southwest Jiaotong University, relying on the construction and application of the simulated court laboratory, addresses the new problems and challenges faced by the cultivation of new legal talents in the field of higher education. By reforming the first classroom, activating the second classroom, and expanding the third classroom, the three classrooms are interconnected and complementary. Additionally, the department actively constructs a competition system for legal disciplines, exploring a new path for the cultivation of practical abilities of legal talents in the new era, which deeply integrates theory with practice. This path strictly follows the requirements of "combining moral and legal education, and collaborative cultivation" outlined in the "Opinions on Strengthening Legal Education and Legal Theory Research in the New Era", and has cultivated a group of legal talents with high political identification, good professional ethics, and excellent practical abilities. It provides a useful reference for the cultivation of new legal talents in Chinese universities.

**Keywords:** Higher education, New legal talents, Practical ability, Cultivation path, Building the rule of law in China.

## 1. INTRODUCTION

With the joint launch of the "Six Excellences and One Top-notch" Plan 2.0 by 13 departments including the Ministry of Education, the Central Commission of Political and Legal Affairs, and the Ministry of Science and Technology, the construction of new liberal arts has received widespread attention from all sectors of society. The development of "new liberal arts" in the field of law is equivalent to the construction of "new science of law".[1] The "Opinions on Strengthening Legal Education and Legal Theory Research in the New Era" (hereinafter referred to as the "Opinions"), issued by the General Office of the CPC Central Committee and the General Office of the State Council, clearly states that legal education needs to "strengthen practical teaching, deepen collaborative education, and promote deep integration between law schools and legal work

departments in the formulation of talent training programs, curriculum development, student internships, and practical training." This requirement provides a policy basis for the cultivation of practical abilities of new legal talents at the higher education level.[2]

The Fourth Plenary Session of the 20th CPC Central Committee elevated the comprehensive advancement of the rule of law to the strategic level of China's modernization drive.[3] As the core source of talent and the theoretical foundation for the development of the rule of law, legal education must anchor itself in the mission of the new era, take Xi Jinping Thought on the Rule of Law as its fundamental guide, and deepen reforms to meet the demands of the new era. Xi Jinping Thought on the Rule of Law charts the course for legal education reform and provides a concrete path for implementation. In talent cultivation, legal

education must uphold the dialectical unity of theory and practice: on the one hand, it must solidify the theoretical foundation of the rule of law and focus on fostering students' rule-of-law mindset and value alignment; on the other hand, it must enhance the effectiveness of practical instruction, with a focus on improving students' practical ability to apply the law to solve real-world problems.[4] Ultimately, this will lead to the establishment of a legal education system that embodies Chinese characteristics and meets the needs of rule-of-law development, providing core guidance for cultivating the practical capabilities of new legal professionals.

Currently, the construction of the rule of law in China has entered a deep-water zone, and the vigorous development of emerging fields such as digital law, foreign-related law, and grassroots law has raised more diverse and advanced requirements for the practical abilities of legal talents.[5] These talents are not only required to have a solid foundation in legal expertise, but also need to possess interdisciplinary integration and emerging technology application skills, making them composite legal talents. However, the inherent disadvantage of traditional higher legal education, which "emphasizes theory and belittles practice", has led to a disconnect between the talent cultivation model of some universities and this demand, highlighting the problem of insufficient practical ability among new legal talents. Against this backdrop, taking higher education as a starting point to systematically explore the path for cultivating practical abilities of new legal talents is not only an inevitable measure to implement policy requirements, but also a practical need to strengthen the short supply of legal talents and serve the overall construction of the rule of law in China.

From an international perspective, the cultivation of global legal talents generally emphasizes the core role of practical teaching. The "Clinical Legal Education" system in the United States initiates an immersive training mode that allows students to learn from practice and grow through service by deeply participating in the handling of real legal cases under the professional supervision of teachers. This system helps students transform abstract legal theories into concrete practical skills, and further strengthens their professional ethics and social responsibility in the process of facing the demands of clients and balancing fairness, justice, and practical needs. This educational model, due to its remarkable effectiveness in educating individuals, has

transcended national boundaries and influenced legal education reforms in numerous countries worldwide. It has become a crucial path for countries to enhance the practical abilities of legal professionals, bridge campus education with legal practice, and confirm the core value of practical teaching in the cultivation of legal talents.[6] After participating in community legal services, law students from countries such as Australia and Peru have significantly improved their understanding of legal ethical obligations and client communication skills, and are more inclined to engage in public legal services in their professional careers.[7] These international experiences provide valuable references for the cultivation of practical abilities of new legal talents in China's higher education, and also confirm that "practice-oriented" is a common trend in global legal education.

Based on the orientation of higher education, the Law Department of Southwest Jiaotong University closely aligns with the construction needs of a law-based China and the international trend of legal education. Relying on the core practical platform of the simulated court laboratory, it has explored and formed a training model featuring "three major classroom interactions, supported by a competition system, and guaranteed by a practical platform". Based on the practice of Southwest Jiaotong University and from the perspective of higher education, this article analyzes the core connotation and practical dilemmas of cultivating practical abilities in new legal talents, focusing on policy requirements and international experience. It explores scientifically feasible cultivation paths, providing theoretical and practical support for advancing the reform of higher legal education.

## **2. THE CORE CONNOTATION OF PRACTICAL ABILITY OF NEW LEGAL TALENTS IN HIGHER EDUCATION FROM THE PERSPECTIVE OF BUILDING THE RULE OF LAW IN CHINA**

In alignment with the requirements outlined in the "Opinions" and the international standards for fostering legal professionals, the core essence of practical capabilities for emerging legal talents can be summarized into three key characteristics: "political leadership, practical adaptability, and international compatibility". These characteristics encompass the following four dimensions:

## ***2.1 The Ability to Integrate Rule-of-Law Thinking with Political Identity***

The "Opinions" explicitly require that "Xi Jinping Thought on the Rule of Law be fully integrated into textbooks, classrooms, and minds", identifying political identity as a core competency for legal professionals. Consequently, the ability of new legal talents to apply rule-of-law thinking encompasses not only the capacity to analyze issues using legal norms but also the integration of political identity. They must be able to understand legal practice from the perspective of "the Party's leadership in advancing the rule of law" and uphold the socialist rule of law in contexts such as digital governance and cross-border legal affairs. This capability distinguishes itself from the purely "technical" mindset of traditional legal professionals and represents a specific requirement for higher education talent development in the context of building a China governed by the rule of law.

## ***2.2 Legal Practice Skills and Adaptability to Emerging Fields***

Legal practice skills serve as the core foundation. In addition to traditional skills such as drafting legal documents and courtroom advocacy, there is a need to adapt to the demands of emerging fields. The "Opinions" propose cultivating multidisciplinary professionals capable of addressing digital rule of law and cross-border legal issues, requiring new legal professionals to master digital skills such as legal big data analysis and online dispute resolution, and to be familiar with international law and the laws of specific countries. Internationally, the U.S. clinical legal education model cultivates students' domain-specific adaptability through "specialized clinics" (such as digital rule of law clinics and immigration law clinics). By handling real-world cases involving cyber infringement and cross-border family disputes, students gradually master practical skills in emerging fields. This model can serve as a reference for Chinese universities.

## ***2.3 Professional Ethics and Ability to Undertake Social Services***

The "Opinions" emphasize the need to improve the education mechanism for legal professional ethics and professional conduct, and cultivate students' professional character of advocating the rule of law, defending justice, and adhering to

conscience. The cultivation of legal professional ethics differs from daily moral preaching, and it can only be internalized through real legal practice scenarios.

Based on international experience, in the teaching model of legal clinics in the United States, students, under the supervision of teachers, directly engage with clients facing economic difficulties and infringements of their rights and interests. They deeply participate in the entire process of legal aid and truly experience the "responsibility of legal professionals towards the fate of their clients" in the process of handling specific cases. This immersive practice transcends the utilitarian goal of merely coping with course assessments and instead cultivates students' inherent belief in being loyal to the law and adhering to professional conscience. This fully demonstrates that the cultivation of legal professional ethics and social service abilities cannot be achieved solely through "classroom lecturing" or the indoctrination of abstract rules.[8] Only by immersing students in real legal practice scenarios and repeatedly tempering them in value conflicts and moral choices can they truly develop professional character that conforms to the requirements of the rule of law.

## ***2.4 Interdisciplinary Integration and International Communication Skills***

The "Opinions" clearly state the need to promote the interdisciplinary integration of law with economics, sociology, network engineering, and other disciplines, and to focus on cultivating high-quality, composite legal talents. This requires that new legal talents must possess solid interdisciplinary thinking and international communication skills. New legal talents should not only build a composite knowledge base, break free from the limitations of traditional legal provisions, actively absorb the underlying logic of economics and sociology, and master the basic methods of technical disciplines such as network engineering and statistics, but also hone their ability to solve cross-disciplinary problems, break down the barriers of thinking within a single discipline, integrate the logic of rights protection in law with the framework of international trade rules in complex matters such as cross-border intellectual property disputes, and seek the optimal solution in the balance between legal application and business practice. The cultivation of such interdisciplinary integration and international communication skills is crucial for new legal talents to meet the demands

of the new era of rule of law construction. It is also an inevitable direction for higher legal education to break through traditional training modes and achieve innovative development.

### **3. THE PRACTICAL DIFFICULTIES IN CULTIVATING PRACTICAL ABILITIES OF NEW LEGAL TALENTS**

Compared with the requirements outlined in the "Opinions" and international advanced practices, there are three prominent challenges in the current cultivation of practical abilities for new legal talents in China's higher education:

#### ***3.1 Practical Teaching Being Disconnected from Policy Requirements and International Trends***

The "Opinions" explicitly requires the enhancement of practical law teaching and the deepening of collaborative education. However, some universities still face the issue of "marginalization of practical teaching", which is out of alignment with policy directives and international advanced educational trends. From the perspective of curriculum design, although the proportion of practical courses in some universities appears to meet the standard, their actual effectiveness is insufficient. As a mainstream form of practical training, simulated courtroom exercises often suffer from issues such as simplified cases and a lack of in-depth argumentation training, making it difficult to achieve an immersive practical training effect. In terms of emerging fields, the coverage rate of new practical courses such as digital law and foreign-related law is less than 40%. This not only fails to meet the policy requirement of "accelerating the development of emerging disciplines", but also struggles to adapt to the practical needs of rule of law in the new era, such as digital rule of law and cross-border dispute resolution. It also goes against the international trend of legal education reform.

#### ***3.2 The Collaborative Education Mechanism Being Not Sound, and the Supply of Practical Resources Being Insufficient***

The "Opinions" advocates that legal departments should actively provide high-quality

practical teaching resources for law schools. However, at present, the cooperation between universities and practical departments such as courts and procuratorates in some regions remains at the formal level of "listing bases". Student internships are mostly limited to auxiliary tasks such as filing, making it difficult for them to deeply participate in real legal practice processes such as case adjudication, document writing, and courtroom debate. This greatly reduces the practicality and effectiveness of internships. This stands in stark contrast to Germany's mature legal internship system, which is underpinned by federal and state laws. Germany has established a multi-party collaborative education mechanism involving universities, governments, courts, and law firms. Its legal internship system requires students to complete a prescribed period of internship in various positions such as courts, procuratorates, administrative agencies, and law firms, with professional mentors providing guidance throughout the process. This helps interns deeply participate in the entire case process and achieve the integration of theory and practice.[9] However, there are institutional barriers and prominent shortcomings in the supply of practical resources in China's school-local collaborative education: universities and practical departments lack institutionalized linkage, internship positions are allocated in a disorderly manner, and resources are unevenly distributed, making it difficult to ensure the universality of internships and the diversity of positions. This results in insufficient opportunities for students to encounter real legal scenarios and leads to the cultivation of professional ethics becoming a mere formality.

#### ***3.3 The Evaluation System Being Not Match with the Ability Goals***

The core objective of practical ability cultivation for new legal talents is to shape versatile legal professionals who possess a combination of legal thinking, practical operation, professional ethics, and interdisciplinary application abilities. However, the current practical ability evaluation system in higher legal education is seriously out of alignment with this goal, and a diversified evaluation system that meets practical needs has not yet been established.

Existing evaluations primarily focus on quantitative indicators, using factors such as the completion degree of internship reports and internship duration as the main criteria for

judgment. They emphasize formalized assessments rather than practical ability tests, overlooking the evaluation of students' core practical abilities in legal reasoning, dispute resolution, and professional ethics decision-making during case handling. Meanwhile, the evaluation subject is single, often led by university teachers, lacking professional evaluation from practical departments such as courts, procuratorates, and law firms, and not incorporating feedback from service recipients. This makes it difficult to objectively reflect students' practical operation skills and professional qualities.

This evaluation orientation that emphasizes formality over effectiveness leads students to focus more on "completing tasks" rather than "improving abilities" during their internships and practical experiences. It even leads to the phenomenon of merely going through the motions to pass assessments, which fails to effectively guide students in honing their practical skills. It is also difficult to accurately measure the effectiveness of cultivating practical abilities in new legal talents, which is far from the ability requirements for high-quality legal talents in the new era of rule of law construction.

#### **4. THE PATH TO CULTIVATING PRACTICAL ABILITIES FOR NEW LEGAL TALENTS: A PRACTICAL EXPLORATION BASED ON THE LAW DEPARTMENT OF SOUTHWEST JIAOTONG UNIVERSITY**

Guided by the "Opinions", the Law Department of Southwest Jiaotong University has absorbed experiences from international clinical education and collaborative education, and established a three-in-one cultivation path featuring "policy guidance, international reference, and local practice":

##### ***4.1 Reforming the Primary Classroom: Aligning with Policy Requirements and Incorporating International Experience***

In strict accordance with the requirements of the "Opinions" to establish a core required course on the Introduction to Xi Jinping Thought on the Rule of Law, the Department of Law at Southwest Jiaotong University has integrated this course with practical courses such as "Moot Court" and "Legal

Clinic", enabling students to incorporate the core principles of Xi Jinping Thought on the Rule of Law while analyzing real-world cases. At the same time, drawing on the "real-case teaching" model of clinical education in the United States, the "Legal Clinic" course incorporates real-world cases such as rights protection for migrant workers and digital rights protection for the elderly. Under faculty supervision, students complete the entire process—from legal consultation and drafting legal documents to mediation and negotiation. As of 2024, the program has served over 50 clients, with a case success rate of 65%.

In response to the policy requirement of "emerging discipline construction", courses such as "Big Data and Legal Practice" and "Settlement of Foreign-related Legal Disputes" are offered. Lawyers from cross-border law firms and legal affairs personnel from Internet companies are invited to participate in teaching. The internationally recognized "case teaching method" is used to analyze cases such as the application of the EU's General Data Protection Regulation (GDPR) and cross-border intellectual property disputes, aiming to cultivate students' adaptability to emerging fields.

##### ***4.2 Activating Extracurricular Activities: Drawing on International Models and Enhancing Public Welfare Attributes***

The Law Department of Southwest Jiaotong University has adopted the American model of "on-campus clinics + community service", relying on legal clinics to carry out activities promoting the rule of law in the community. Students provide free legal advice and legal literacy lectures to community residents. In the 2023-2024 academic year, a total of 42 activities were held, covering over 3,000 people. This practice not only fulfills the policy requirement of "social service", but also enhances students' professional ethics and sense of responsibility.

The Department of Law at Southwest Jiaotong University has introduced international moot court competition rules to enhance its on-campus moot court competitions. The moot court competition cases cover emerging fields such as digital infringement and foreign trade disputes, and reference the scoring criteria of the "Discipline & Law Cup" and the international "Jessup" moot court competitions, adding scoring dimensions such as "legal big data retrieval" and "cross-cultural communication". The Law Department of

Southwest Jiaotong University has established a three-tiered simulation court competition cultivation and selection system, encompassing university, provincial, and national levels. This system fosters a closed-loop talent cultivation approach that promotes learning, practice, and institutional development through competitions. The simulation court competition is regarded as a crucial tool for honing the core practical abilities of emerging legal talents.

#### ***4.3 Expanding the Third Classroom: Deepening Collaborative Education and Aligning with International Standards***

The Law Department of Southwest Jiaotong University closely adheres to the requirement stated in the "Opinions" that "departments of legal work should provide high-quality practical teaching resources". By breaking down the barriers between universities and practical departments, it has jointly established 23 off-campus practical teaching bases with the Sichuan Provincial Higher People's Court, Chengdu Intermediate People's Court, Chengdu Railway Transportation Intermediate Court, local judicial bureaus, and well-known law firms. This has formed a practical education network covering multiple fields such as judicial trial, procuratorial practice, public legal services, and lawyer practice, serving as a third classroom for the cultivation of new legal talents.

Meanwhile, the Department of Law at Southwest Jiaotong University has innovated its practical participation model by establishing a standardized system for "internship as a judge assistant" and "internship as a prosecutor assistant" at cooperative bases. This system clarifies the job responsibilities and practical content of student internships, allowing students to move beyond the scope of auxiliary work such as "filing documents" and deeply participate in core practical aspects such as case preparation before trial, trial record-keeping, drafting legal documents, and case discussion. Through front-line legal practice, students hone their abilities in legal application and case handling. Institutionalized cooperation ensures that students are exposed to real legal practice scenarios, achieving precise alignment between university legal education and judicial practice. Students are able to accumulate practical experience and strengthen their professional cognition through real case handling processes.

#### ***4.4 Improving the Support System: Implementing Policy Support and Absorbing International Evaluation Experience***

The Law Department of Southwest Jiaotong University strictly implements policy requirements, increases investment in practical teaching, relies on the school-college two-level internship funding management mechanism, successfully obtains special funding support, and strictly follows the principle of "dedicated funds for dedicated purposes and strict economy" in the use of funds. The funds are mainly used for key aspects such as upgrading legal clinics, maintaining off-campus practice bases, providing student internship subsidies, and purchasing practice insurance. The practice funding for the 2023-2024 academic year increased by 40% compared to the previous year, laying a solid material foundation for the high-quality development of practical teaching.

In constructing the evaluation system, the Department of Law at Southwest Jiaotong University has drawn deeply from the diversified evaluation system in Australian legal education, innovatively establishing a three-dimensional evaluation model encompassing "teacher evaluation + practical department evaluation + service object evaluation": university teachers focus on theoretical application and learning attitude assessment, practical departments concentrate on professional ability evaluations such as case handling quality and the standardization of legal documents, while service objects provide feedback on professional ethics such as communication efficiency and service attitude. The evaluation indicators are aligned with the school's "Undergraduate Comprehensive Quality Evaluation Method", and the results are directly linked to merit-based awards, employment recommendations, and the establishment of a dynamic feedback mechanism to guide students in optimizing their practical behaviors in a timely manner. This system effectively stimulates students' enthusiasm for participation and achieves a precise alignment between practical ability cultivation and evaluation orientation.

## **5. CONCLUSION**

The "Opinions on Strengthening Legal Education and Legal Theory Research in the New Era" provides a clear direction for cultivating practical abilities in new legal talents in higher

education, while international experience offers methodological paths that can be referenced. The practice of the Law Department at Southwest Jiaotong University demonstrates that only by integrating policy requirements and international experience into local practice, through "classroom reform, extracurricular expansion, collaborative education, and evaluation optimization," can we effectively overcome the difficulties in practical teaching and cultivate new legal talents who can meet the needs of building a law-based China.

In the future, it is necessary to further deepen our work in three aspects: First, the school should accelerate the construction of practical courses in digital law and foreign-related law in accordance with policy requirements, ensuring a 100% coverage of practice in emerging fields. Second, the school should expand international cooperation, learn from the practical teaching models of countries such as the United States and Germany, and introduce more high-quality international practical resources. Third, the school should improve the collaborative education mechanism, promote "mutual talent recruitment and resource sharing" with law enforcement departments, truly achieve the deep integration of legal education and legal practice, and cultivate more high-quality legal talents for the construction of a law-abiding China.

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