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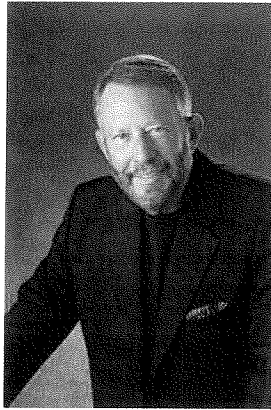
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Tiburon lawyer sees progress in China

Beth Ashley
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Alan Ellis

A Tiburon lawyer believes the legal system in China - widely excoriated for its civil rights abuses - is slowly improving.

Attorney Alan Ellis, 64, who has taught law in China for much of the past two years, counsels patience.

"The China we know is only 30 years old," he said, referring to the reform era begun by statesman Deng Xioping. "Its legal system is only 25 years old."

Ellis believes that China, condemned for imprisoning dissidents at home and its crackdown in Tibet, is inching slowly toward a system that provides legal counsel to the accused, an impartial judge to hear trials, and protection against illegal search and seizure.

He bases his belief on what he saw as a guest lecturer in several law schools and as a Fulbright scholar in Shanghai. There he spoke openly about legal freedoms, and to his surprise "was absolutely free to say whatever I wanted."

He started cautiously, expanded gradually. "I told them what I thought was wrong with their legal system, and what I thought was wrong with our legal system. I thought I might be carted off by their Ministry of Public Security - or our own CIA."

He has since been invited to join one of China's leading law firms as a consultant, a job that will take him to China four times a year.

Ellis, former president of the National Association of Criminal Defense Lawyers, made the China connection by chance.

On vacation in Beijing in 2006, he hosted a reception for resident members of the defense lawyers

association. A professor at a Shanghai law school invited Ellis to give a lecture.

His lecture, "The Rule of Law and the Fair Administration of Justice," was so well-received that he was invited back.

He applied to become a Fulbright scholar and was given a two-month teaching assignment at Jiaotong University Shanghai, beginning last November. Before that, he lectured throughout the country on U.S. constitutional protections for criminal defendants.

A lawyer for 40 years, Ellis's specialty is federal criminal law - often large-scale drug cases, white collar crime and, increasingly, child pornography.

Meanwhile, he had met a Chinese woman, Hai Lin, who opened other doors. He and Hai Lin were married in Mendocino in April; she and her 12-year-old son, Mark Zhang, live with Ellis in Tiburon.

Hai Lin wishes China had a two-party system but she believes progress must come from within.

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"The Chinese do not like to be told what to do," Ellis says

He takes issue with Speaker of the House Nancy Pelosi's relentless call for human rights progress. "She wants change

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right now," Ellis says. "It's not going to come if we constantly lob bombs at these people."

Ellis attributes his warm reception in China to widespread yearning for a better legal system. "I think there is a growing debate behind closed doors, a quiet but reasonable debate" that will lead "slowly, slowly" to change.

He says that despite American perception of China as a political monolith, "there is more diversity within the Chinese Communist Party than in our own House of Representatives."

Ellis is committed to improving the legal system there.

He hopes to teach at American institutions where 67,000 Chinese students are enrolled. "We need to sit them in front of the TV and let them watch the debates and see our political system and take what they've learned back to China."

While in China, "I will continue to reach out to the progressives, and do whatever I can to empower progress over there."

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