

## The Netherlands

(Information provided by the Dutch delegation to the CCBE, July 2021.)

### A. Contact Point

Information desk, general council of the Netherlands Bar

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### B. General information

1.	Legal basis	<a href="#">Article 2, paragraph 4, of the Act on Advocates and the Decree on Legal Profession Entry Requirements</a>
2.	Overview of procedural steps	<ol style="list-style-type: none"> <li>1. The applicant has to send the <a href="#">application</a> to the general council of the Netherlands Bar.</li> <li>2. The general council will study to what extent the final examination and the professional experience gained by the applicant are equal to the professional requirements stipulated in the Degree on Legal Profession Entry Requirements. The general council may demand that the applicant completes additional examinations. The additional examinations will be conducted by the Radboud University in Nijmegen (or a university faculty offering law degrees).</li> <li>3. The applicant can contact the Radboud University in Nijmegen if the applicant wishes to take the test there. If the applicant wishes to do the test at a different university, the applicant must contact the university faculty directly. A distinction is made between universities. With regard to the exams, Radboud University in Nijmegen examines upon specific request from applicants, whereas other universities have fixed examination dates.</li> <li>4. The applicant will inform the general council about the outcome of the additional examinations.</li> <li>5. After successful completion of the examinations the general council will issue a statement: the applicant may file a request to be sworn-in/register as a trainee lawyer and to commence with the 3-year traineeship and vocational training for lawyers.</li> <li>6. The vocational training for lawyers must be completed within 3 years. Otherwise, the registration as a lawyer will be annulled by the general council.</li> </ol>

### C. Processing of application

1.	Information and documents requested from the applicant	<p>The applicant has to enclose all relevant documents in Dutch/English:</p> <ol style="list-style-type: none"> <li>1. copy of academic title(s), certified by the competent authority in the country of provenance or origin concerned;</li> <li>2. list of examined academic legal courses 'diploma supplement' – which should include the number of ECTS points in total or per subject, a description of each course and the study duration;</li> <li>3. proof of successful completion of the final examination of a law degree program;</li> <li>4. a curriculum vitae and additional supporting documents, providing insight into the nature, duration and content of all relevant (professional) experience.</li> </ol>
2.	Submission of application	<p>There is a standard <a href="#">application form</a>. The application has to be submitted to the Netherlands Bar in Dutch or English by e-mail together with the requested documents.</p> <p>General council of the Netherlands Bar  P.O. Box 30851  2500 GW The Hague  The Netherlands  Tel.: +31 70 335 35 35  E-mail: <a href="mailto:jz@advocatenorde.nl">jz@advocatenorde.nl</a>  Website: click <a href="#">here</a>.</p>
3.	Application fees	<p>For the application: no costs.  For the additional examinations: please contact the Radboud University in Nijmegen. The costs will depend on the <b>weight (ECTS) and the number of additional examinations</b>.</p>
4.	Expected duration of the application processing	Legal deadline of eight weeks (exams excluded).

### D. Initial assessment of application and possible outcomes

1.	General requirements	Holder of a law degree (bachelor and master or an equivalent of this) that was obtained in the EU, EEA or Switzerland.
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2.	Equivalence of relevant knowledge and/or professional qualifications	The general council will assess previous knowledge by carrying out a comparative assessment between the subjects mentioned in the ' <a href="#">Decree on Legal Professional Entry Requirements</a> ' and the university topics already covered by the applicant and the professional experience gained by the applicant.
3.	Outcome	The number of additional examinations will depend on previous education and experience. If the applicant has already covered one or more topics, the applicant has to inform the general council.

#### E. Steps following initial assessment

1.	Additional examinations	<p>The additional examinations will be conducted by the Radboud University or a university faculty offering law degrees. Exams taken at Radboud University in Nijmegen will be conducted in writing and at the request of the applicant; all other universities mostly offer written exams on fixed dates.</p> <p>The exams can cover the following topics:</p> <ol style="list-style-type: none"> <li>1. civil law (including civil procedural law);</li> <li>2. criminal law (including criminal procedural law);</li> <li>3. constitutional law or administrative law (including administrative procedural law) or tax law.</li> </ol>
		<ul style="list-style-type: none"> <li>• The examining body is comprised of lawyers and academics</li> <li>• Appeals are possible</li> <li>• Passed examinations remain valid for five years</li> </ul>
2.	Next stage	After having passed the additional examinations the applicant will follow the swearing-in procedure and commence the 3-year traineeship and the vocational training for lawyers.

#### F. Normal route to qualify as a lawyer

1.	Academic stage	Legal studies (title of Bachelor of Laws and the title of Master of Laws) that meet the Decree on Legal Professional Entry Requirements.
2.	Swearing-in of trainee lawyers	<p>The applicant is entitled to submit a written request for admission to the council of the local bar in which he or she wants to establish his or her office.</p> <p>If the council of the local bar has not opposed the request, the swearing-in ceremony may proceed. The swearing-in means that as of that moment he or she is a trainee lawyer.</p>
3.	Professional stage	<p>3 year-traineeship including the vocational training for lawyers</p> <p><b>Vocational training for lawyers (2 years)</b></p> <p>Starts twice a year, in March and September and is organised by the Netherlands Bar. The program encompasses a central and decentral component.</p> <p>In the central part, the emphasis is on ethics and skills. In the decentralised part, the emphasis is on legal content and skills, with room for broadening and deepening. The trainee lawyers practice on the basis of case histories. In this way they prepare themselves for the integrative days. There are three test moments in the vocational training for lawyers: the ethics test and two integrative days. During the integrative days the trainee lawyer is individually assessed by two assessors appointed by the Examination Board on the question to what extent he is able to apply the acquired skills and legal substantive knowledge and to what extent his ethical awareness has been developed. In the decentral component of the program the trainee lawyer prepares for the integrative days. He does this by working on current and practical case studies. He draws up various (process) documents and receives feedback.</p> <p>When all components are passed, a training certificate for the legal profession will be issued. Pursuant to the Act on Advocates, the trainee lawyer has a maximum of 3 years to obtain this certificate. Trainee lawyers who are not in possession of the certificate at the end of their traineeship period will be disbarred.</p> <p>The trainee lawyer is fully qualified as an advocate, but has to work under supervision of a more experienced advocate (mentor). In general the trainee lawyer works in the office of the mentor, but it is possible to start an own office from the beginning (this is exceptional). The mentor provides guidance, information and advice to the trainee lawyer. The council of the local bar approves and supervises the mentorship. The mentor has to provide an annual report to the council about the progress of the traineeship. After three years the mentor has to report to the council if the trainee lawyer has gained adequate practical experience. If the council decides that the trainee lawyer has indeed adequate practical experience and has fulfilled the educational program, the mentorship comes to an end. If all requirements are met, the council will issue a statement that the traineeship has been successfully completed.</p>

		<p><b>Basic test</b></p> <p>Prior to or at the start of the vocational training for lawyers, the trainee lawyer takes a basic test. The basic test has a diagnostic character and is not a means of selection. The purpose of the test is to determine whether the trainee lawyer has a sufficient and up-to-date legal knowledge level.</p>
4.	Swearing-in of lawyers	The council of the local bar may oppose the swearing-in of the applicant. The swearing-in is conditional upon the completion of the vocational training for lawyers and the traineeship within 3 years. Otherwise, the trainee lawyer will be disbarred by the general council.
<b>G. Statistics</b>		
1.	Closed cases	2020: 18 cases, 3 assigned, 5 additional examinations imposed, 2 not taken into consideration, 4 declined
2.	Outstanding cases	2020: 4