

The Netherlands

(Information provided by the Dutch delegation to the CCBE, December 2011.)

A. Contact Point

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B. General information

1.	Legal basis	Article 2 of the Act on Advocates and the Decree on Legal Profession Entry Requirements
2.	Overview of procedural steps	<ol style="list-style-type: none"> 1. The applicant has to send the application to the General Council of the Netherlands Bar Association. 2. The Netherlands Bar Association will carry out an assessment comparing the relevant foreign and national qualifications: it might require the applicant to do an aptitude test. The aptitude test will be implemented by the Radboud University in Nijmegen or a university faculty offering law degrees. 3. The Netherlands Bar Association will inform 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 because in case of the aptitude test the Radboud University in Nijmegen only examines applications upon specific request from applicants, whereas other universities have fixed examination dates. 4. The Radboud University or the applicant will inform the General Council of the Netherlands Bar Association about the outcome of the aptitude test. 5. After successful completion of the assessment (and the aptitude test), the Netherlands Bar Association will issue a statement: the applicant may file a request to be sworn-in/register as a trainee and to commence with the 3-year traineeship (possibility of reduction). 6. The Professional Educational Program must be completed within 3 years. If not, the registration as a lawyer will be annulled by the General Council of the Netherlands Bar Association.

C. Processing of application

1.	Information and documents requested from the applicant	<p>The applicant has to enclose any relevant documents in Dutch:</p> <ol style="list-style-type: none"> 1. Proof of nationality 2. Copy of academic title(s) 3. List of examined academic legal courses – each course is to be paraphrased and the study duration must be mentioned 4. Certificate of good character.
2.	Submission of application	<p>There is no standard application form. The application has to be submitted in Dutch by email together with the requested documents to the Netherlands Bar Association.</p> <p>Mrs. Joke Dieters General Council of the Netherlands Bar Association P.O. Box 30851 2500 GW The Hague The Netherlands Tel.: +31 70 335 35 41 Email: j.dieters@advocatenorde.nl Website: click here.</p>
3.	Application fees	<p>For the application: € 100</p> <p>For the aptitude test: Radboud University: € 350 per exam. Other universities: unknown.</p>
4.	Expected duration of the application processing	Approximately 2-3 months (exams excluded).

D. Initial assessment of application and possible outcomes

1.	General requirements	<ol style="list-style-type: none"> 1. Be a citizen of the EU, EEA or Switzerland 2. Be a holder of a law degree that was obtained in the EU, EEA or Switzerland.
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2.	Equivalence of relevant knowledge and/or professional qualifications	The Bar Association will assess previous knowledge by carrying out a comparative assessment between the subjects mentioned in the ' Decree on Legal Professional Entry Requirements ' and the university topics already covered by the applicant. Previous professional experience is not relevant for the aptitude test but may reduce the traineeship.
3.	Outcome	The applicant will usually have to take an aptitude test. The amount of courses will depend on previous education. If the applicant has already covered one or more topics, the applicant has to inform the Netherlands Bar Association.
E. Steps following initial assessment		
1.	Aptitude test	The aptitude test will be implemented by the Radboud University or a university faculty offering law degrees. Exams taken in Radboud University of Nijmegen will be conducted orally and at the request of the applicant; all other universities offer mostly written exams on fixed dates. The aptitude test covers the following topics: <ol style="list-style-type: none"> 1. Civil law (including civil procedural law) 2. Criminal law (including criminal procedural law) and 3. Administrative law (including administrative procedural law). <ul style="list-style-type: none"> • The test can be retaken, but must be done within 5 years starting from the application date. • The examining body is comprised of lawyers and academics, • Appeals are possible.
2.	Next stage	After having passed the aptitude test, the applicant will follow the swearing-in procedure and commence the 3-year traineeship.
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)
2.	Swearing-in of trainee lawyers	The applicant is entitled to submit a written request for admission to the Bar to the President of the District Court in which he or she wants to establish his or her office. If the Council of Supervision ¹ 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.
3.	Professional stage	3 years including Professional Educational Program (12 months) Professional Education Program Starts twice a year, in March and September and is organised by the Netherlands Bar Association. The program encompasses 9 fixed components: <ul style="list-style-type: none"> • Introduction to the legal profession, • Code of conduct, • Practice theory, • Mediation, • Civil, criminal and administrative procedural law, • Reading annual accounts, • Writing skills, • Pleading, • Cross-examining and preparing litigation documents. Most components of the Professional Education Program are concluded with a written test. When all components are passed, a certificate will be issued. Pursuant to the Act on Advocates, the trainee has a maximum of 3 years to obtain this certificate. Trainees who are not in possession of the certificate at the end of their traineeship period will be disbarred. The trainee is fully qualified as an advocate, but has to work under supervision of a more experienced advocate (mentor). In general the trainee 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. The council of supervision (local bar association) approves and supervises the mentorship. The mentor has to provide an annual report to the council of supervision about the progress of the traineeship. After three years the mentor has to report to the council if the trainee has gained adequate practical experience. If council of supervision decides that the

¹ The Council of Supervision is the local Council of one of the 19 local Bar Associations.

		<p>trainee has indeed adequate practical experience and has fulfilled the educational program, the mentorship is ended.</p> <p>Continued Education Program for Trainees</p> <p>In the 2nd and 3rd year of the traineeship, the trainee will take the (partially compulsory) Continued Education Program for Trainees (VSO). The VSO-courses deepen the knowledge that has been gained during their practice.</p>
4.	Swearing-in of lawyers	<p>The Council of Supervision may oppose to grant the applicant to be sworn-in. The swearing-in is conditional upon the completion of the Professional Educational Program within 3 years. If not, the trainee will be disbarred by the General Council.</p> <p>If all requirements mentioned under "3. Professional stage" are met the Council of Supervision will issue a certificate stating that the traineeship is completed.</p>
G. Statistics		
1.	Closed cases	2010: (3 successful). (Belgian, Dutch, German)
2.	Outstanding cases	2010: 1 (Dutch) 2011: 3 (2 Belgian, 1 Bulgarian)