



Entrance to the Netherlands Bar CCBE Conference 26 September 2007 Warsaw

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The Netherlands Bar Association

- 1 national Netherlands Bar Association
- 19 local Bar Associations
- More than 14.500 lawyers
- Membership of the bar is obligatory:
Public law body
- Act on Advocates
- Several By-laws



List of demands for entrance to the Dutch Bar:

- Secondary school (high school + junior college): 6 years (in the Netherlands)
- University: studies in law
 - LL.B: 3 years
 - LL.M: 1 year
 - ‘Civiel effect’: some subjects are obligatory (next sheet)
- Plans for the future: possibility to enter the Bar for law students from ‘professional universities’ (polytechnics = ‘Hochschule’): 4 years of professional law studies (Bachelor), plus one intermediate year (academic level), plus legal Master at a university



Obligatory subjects during the law study

- Private law, including procedural law
- Criminal law, including procedural law
- One of the following three subjects:
 - 1°. constitutional law;
 - 2°. administrative law, including procedural
 - 3°. tax law.



Procedure to become Dutch *produit fini*

- Employment as a lawyer at a registered law firm Confirmation by oath by the court
- Followed by 3 years of traineeship: working as a lawyer under supervision of an experienced lawyer
- Several exams and courses
- Finally after 3 years: approval and confirmation of the local Bar Association is necessary

List of demands for entrance to the Dutch Bar:

EU situation for *produit fini*

- 1. One time appearance: possibility to act once only for a client as a lawyer within the Netherlands (Services Directive)
- 2. *Produit fini* from any other EU country can, after successfully having passed several exams (so called: ‘ability test’ = aptitude test), enter the Netherlands Bar (next sheet)
- 3. *Produit fini* from any other EU country can start a practise in the Netherlands under hometitle and can- after 3 years- request entrance to the Dutch Bar

Aptitude test

- The aptitude test relates in whole or in part to the following legal fields:
 - Civil Law (including procedural law)
 - Criminal Law (including procedural law)
 - Administrative Law (including procedural law)
 - Divorce Law
 - Employment Law
 - Bankruptcy Law
 - Corporate Law
 - Tax Law
 - Lawyer ethics



Morgenbesser-case: non produit fini

- EU-subject
- Non-Dutch academic law study
- General rule: not possible to enter the Dutch Bar according to the Act on Advocates
- Morgenbesser-case: entrance is possible after successfully having taken several Dutch exams
- Followed by 3 years of traineeship in the Netherlands Bar and the accompanying demands (exams and courses)