

LAW FIRM COMPLAINTS POLICY LEGAL PROFESSION

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1. Introduction

This complaints policy for the legal profession sets out the procedure used by Nysingh advocaten-notarissen N.V. if a Complainant objects to the actions of a Lawyer and/or one or more persons employed under their responsibility.

Nysingh uses its own, similar, complaints procedure for its Civil-Law Notaries. By using separate complaints policies, Nysingh shows not just how the two practices differ from each other, but it also demonstrates the strict division between its legal and notarial practices.

2. Definitions

For the purposes of this complaints policy, the terms listed below have the following meanings:

- a) Lawyer: a lawyer employed at Nysingh.
- b) Complainant: a client (or former client) or their representative who submits a Complaint.
- c) Complaint: any written expression of dissatisfaction from or on behalf of a client (or former client) about a Lawyer or any person employed under their responsibility with regard to the drafting and performance of a contract for services, the quality of the service provided or the amount of the fee statement, the performance or offer of out-of-court collection activities, not being a complaint within the meaning of section 4 of the Act on Advocates (*Advocatenwet*).
- d) Complaints Officer: a Lawyer who, appointed by Nysingh's Board of Directors (the "Board") (*Raad van Bestuur*), is charged with settling the Complaint in accordance with this office complaints policy.

3. Scope

- 3.1. This office complaints policy applies to any contract for services between Nysingh and a client (or former client).
- 3.2. Complaints by a debtor of Nysingh as the party performing or offering out-out-of-court collection activities also fall under the scope of this complaints policy, within the meaning of Sections 4(2)(b) and 14(3) of the Payment Collection Services (Quality) Act (*Wet kwaliteit incassodienstverlening*).
- 3.3. Every Lawyer at Nysingh settles Complaints in accordance with this office complaints policy.

4. Objects

The objects of this complaints policy are:

- a) to set out a process for handling Complaints from clients (or former clients) in a constructive manner and within a reasonable time;
- b) to set out a process for determining the causes of Complaints from clients (or former clients);
- c) to train employees to provide a client-oriented response to Complaints;
- d) to improve the quality of our service through the handling and analysis of complaints.

5. To provide information at the point when service commences.

- 5.1. This complaints policy is publicly available. A Lawyer must inform the client before entering into a contract for services, or must inform the debtor in respect of lawyers when performing or offering out-of-court collection activities, that Nysingh uses an office complaints policy and that this policy applies to its service provision.
- 5.2. Nysingh's general terms and conditions list the independent parties or bodies to which a Complaint that remains resolved after internal handling can be submitted for a binding decision.

6. The complaints policy

- 6.1. If a client (or former client) contacts Nysingh with a Complaint, the Complaint will be forwarded to Ms Suzanne Hendrickx, who will act as Complaints Officer.
- 6.2. The Complaints Officer informs the person complained about of the Complaint and will allow the Complainant and the person concerned to provide an explanation of the Complaint.
- 6.3. The Complaints Officer reports the Complaint to Nysingh's liability insurer if the Complaint includes a claim for liability or if the available information indicates facts that suggest a real risk of a claim for damages (the notification of circumstances).
- 6.4. The person complained about attempts, together with the Complainant, to reach a solution, with or without the involvement of the Complaints Officer.
- 6.5. The Complaints Officer handles the Complaint within four weeks after receiving it, or notifies the Complainant - stating the reasons - of any deviation from this period and indicates the timeframe within which a decision on the Complaint will be provided.
- 6.6. The Complaints Officer informs the Complainant and the person complained about in writing about the decision regarding the Complaint's validity, with or without the inclusion of recommendations.
- 6.7. If the Complaint is handled to the parties' satisfaction, the Complainant, the Complaints Officer and the person complained about must sign the decision on the validity of the Complaint.
- 6.8. If the Complaint has not been handled to the Complainant's satisfaction, the Complaints Officer sets out the Complaint, the response from the person complained about, the course and outcome

of the complaints procedure in writing and attaches an opinion from the Board regarding the validity of the Complaint. After the Board has issued its decision on the Complaint, the Complaints Officer notifies the Complainant and the person complained about of it in writing.

- 6.9. If the Board deems the Complaint unfounded, the Complainant (if the Complainant claims compensation from Nysingh) can initiate civil-law proceedings against Nysingh before a civil court in order to obtain a binding decision from an independent adjudicator.
- 6.10. The Complainant may also submit a Complaint to the local Dean of the Bar Association, potentially followed by disciplinary proceedings before the Disciplinary Board.
- 6.11. The foregoing does not preclude Nysingh's right to bring a dispute with a Complainant (including any claim by Nysingh to pay one or more outstanding invoices) before a competent civil court at any time.
- 6.12. As a rule, a lawyer appointed by Nysingh's liability insurer will litigate before the civil court on behalf of Nysingh in liability proceedings. Such lawyer will of course act in close consultation with (and with the consent of) Nysingh's Civil-Law Notary. In principle, communications with the lawyer appointed by the liability insurer are conducted through the Complaints Officer.
- 6.13. Disciplinary proceedings are generally handled by the Complaints Officer. If it serves the nature of the Complaint and/or the interest of the case, the person complained about and potentially Nysingh's liability insurer or the Board - in proper consultation with the Complaints Officer - may turn the case over to an external Nysingh lawyer or a lawyer appointed by Nysingh's liability insurer.

7. Confidentiality and cost-free Complaint handling

- 7.1. The Complaints Officer and the person complained about observe confidentiality with regard to the handling of a Complaint.
- 7.2. The Complainant does not owe any payment for the handling of a Complaint.

8. Responsibilities

- 8.1. The Lawyer concerned, and thereafter the Complaints Officer, are responsible for the timely handling of Complaints.
- 8.2. The person complained about must keep the Complaints Officer informed of any communications as well as any potential solution.
- 8.3. The Complaints Officer keeps the Complainant informed about the handling of their Complaint.
- 8.4. The Complaints Officer keeps a Complaint file.

9. Complaint registration

- 9.1. The Complaints Officer registers each Complaint, including its subject-matter. A Complaint may fall under multiple subject categories.
- 9.2. The Complaints Officer periodically reports on the handling of Complaints and makes recommendations to prevent new Complaints and improve procedures.