

## **Complaints and Dispute procedure (Lawyers)**

### **Dirkzwager N.V.**

#### **Dissatisfied with our services?**

Our firm will do everything possible to provide you with the best possible service. Nevertheless, it may happen that you are dissatisfied with a certain aspect of our service.

#### **Our internal complaints procedure**

If you are dissatisfied with the quality of our services or with an invoice, we request that you first submit your complaints to the Dirkzwager lawyer involved. However, you can also turn to one of our firm's complaints officer for this purpose.

In consultation with you, the complaints officer will try to find a solution to the problem that has arisen as quickly as possible on the basis of the present procedure.

In the unlikely event that this consultation does not lead to a satisfactory result in your opinion, you may submit a complaint to the Disputes Committee. This is only possible after you have first submitted your complaints to our firm. This route is also open to you if our firm has not responded to your complaint in writing within four weeks of submitting your objections.

#### **Disputes Committee for the Legal Profession**

Our firm is a member of the Disputes Committee for the Legal Profession.

This Disputes Committee has existed since 1 June 1999 and falls under the Foundation for Disputes Committees for Consumer Cases (SGC) and that for Profession and Business (SGB) in The Hague.

You can submit the complaint to the Disputes Committee up to 12 months after the date of its written settlement by our firm.

The Disputes Committee for rules in the form of an arbitral award for business clients or in the form of a binding opinion in case the dispute is brought by a private client.

The Disputes Committee is authorised to rule on complaints regarding the quality of the lawyer's services and the amount of the invoice. You may also find that you are entitled to compensation. The Disputes Committee is also authorised to adjudicate damages claims up to a maximum amount of 10,000 euros.

You can only submit higher damage claims to the Disputes Committee if you explicitly limit the amount of the claim to a maximum of 10.000 euros, waiving the excess in writing.

Our firm itself can submit unpaid claims for collection to the Disputes Committee for the Legal Profession.

The Disputes Committee<sup>1</sup> handles the case according to the Rules of the Disputes Committee for the Legal Profession in force at the time the complaint is submitted to the Disputes Committee. No appeal is possible against the decision of the Disputes Committee for the Legal Profession.

Secretary of the Disputes Committee for the Legal Profession

Bordewijklaan 46 (2nd floor)

2591 XR The Hague tel. 070 - 310 53 10

P.O. Box 90600 2509 LP

The Hague, The Netherlands

### **How can you reach our office's complaints officer?**

Your own lawyer will inform you on first request who is currently our complaints officer and how to reach him/her. In the absence of the complaints officer, you will be assisted by the deputy complaints officer.

Further information about the (deputy) complaints officer can also be found on the Dirkwager website, <https://www.dirkwager.nl> under Complaints procedure.

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<sup>1</sup> Legally regulated supervision and disciplinary law ensures correct professional conduct of lawyers. The nature of the procedure before the Disputes Committee for the Legal Profession in The Netherlands is different: it is intended to settle disputes about the quality of services and/or financial aspects thereof, and therefore does not affect these legal guarantees.

## **COMPLAINTS POLICY DIRKZWAGER N.V.**

### Article 1. **Definitions**

In these office complaint policy, the following definitions apply:

- a. Complaint: any written expression of dissatisfaction by or on behalf of a client with the lawyer or the persons working under his responsibility regarding the conclusion and performance of an agreement for services, the quality of the services provided or the amount of the fee, not being a complaint as referred to in paragraph 4 of the Advocatenwet (Dutch Lawyers Act);
- b. Complainant: the client, their representative or a third party with a direct interest who makes a complaint known;
- c. Complaints officer: the lawyer charged with handling the complaint;
- d. Dirkzwager: the public limited company Dirkzwager N.V. whose object is the practice of law, including the legal, notarial and tax consultancy practice.

### Article 2. **Scope of Application**

- a. This complaint policy shall apply to every contract for services entered into between Dirkzwager and the client that relates to the services provided by one or more Dirkzwager lawyers.
- b. Complaints from a debtor about Dirkzwager as a provider or provider of extrajudicial debt collection services also fall within the scope of this Complaints Procedure, as referred to in Article 4(2)(b) and Article 14(3) of de Wet Kwaliteit incassodienstverlening (the Collection Services Quality Act).
- c. All Dirkzwager attorneys will ensure the complaint is handled in accordance with this complaints procedure.

### Article 3. **Objectives**

The purpose of this complaint policy is:

- a. To establish a procedure to deal constructively with client complaints within a reasonable period of time.
- b. To establish a procedure to determine the causes of client complaints;
- c. Maintaining and improving existing relationships through proper complaint handling;
- d. Train staff in client-centred response to complaints;
- e. Improving the quality of service provision through complaint handling and complaint analysis.

### Article 4. **Information when providing services**

- a. This office complaint procedure has been made public. The lawyer informs the client before entering into the contract for services or the debtor towards lawyers when performing or offering extrajudicial debt collection activities that the office has an office complaints procedure and that it applies to the services provided.

- b. Dirkzwager has included in the engagement agreement the independent party or body to which a complaint that is not resolved after treatment can be submitted to obtain a binding decision and has made this known in the engagement confirmation.
- c. Complaints as referred to in Article 1 of these complaints policy that are not resolved after procedures may be submitted by the complainant or by Dirkzwager, if so desired, to the Disputes Committee, to which Dirkzwager is affiliated..

Article 5. **Internal complaint procedure**

- a. If a client approaches the firm with a complaint, the complaint will be forwarded to one of the complaint officers listed below:
  - Mr. H.A. Kragt (PO 111, 6800 AC Arnhem);
  - Mr. B. de Haan (PO 111, 6800 AC Arnhem);
  - Mr. J.W.M. Hagelaars (PO 111, 6800 AC Arnhem).

Please use the e-mail address [klachtenfunctionarisadvocatuur@dirkzwager.nl](mailto:klachtenfunctionarisadvocatuur@dirkzwager.nl) for this purpose.

- b. The complaints officer will notify the person who has been complained about of the filing of the complaint and will give the complainant and the lawyer concerned the opportunity to explain the complaint.
- c. The lawyer concerned will try to reach a solution together with the client, with or without the intervention of the complaints officer.
- d. The complaints officer will try to find a solution that is acceptable to both the complainant and the lawyer concerned.
- e. The complaints officer does not act as an arbitrator and can only mediate or make recommendations.
- f. The complaints officer will deal with the complaint within four weeks of receiving the complaint or will notify the complainant of any deviation from this deadline, giving reasons and stating the period within which an opinion on the complaint will be given.
- g. The complaints officer will inform the complainant and the lawyer complained against in writing of the opinion on the merits of the complaint, whether or not accompanied by recommendations.

Article 6. **Confidentiality and free complaint handling**

- a. The complaints officer and the lawyer complained about will observe confidentiality during the internal complaint handling process.
- b. The complainant will not be charged for the costs of handling the complaint.

Article 7. **Responsibilities**

- a. The complaints officer is responsible for the timely handling of the complaint.
- b. The lawyer complained about will keep the complaints officer informed about direct contacts with the complainant about a possible solution.
- c. The complaints officer will keep the complainant informed about the resolution of the complaint.
- d. The complaints officer maintains the complaint file.

Article 8. **Complaint registration and recommendations of the complaints officer**

- a. The complaints officer registers the complaint, including the complaint subject.
- b. A complaint may be divided into several subjects.
- c. The complaints officer will report periodically to the Dirkzwager Board on the handling of complaints and will make recommendations for the prevention of new complaints as well as for the improvement of procedures.
- d. At least once a year, the complaints officer's reports and recommendations will be discussed within Dirkzwager.