

COMPLAINTS HANDLING RULES OF DE KEMPENAER LAWYERS

(belonging to Article 6.28 of the Legal Profession Regulations [Artikel 6.28 Kantoorklachtenregeling](#))

Article 1 Definitions

In these Internal Complaints Handling Rules the following definitions apply:

- Complaint: any written expression of dissatisfaction on the part or on behalf of the client against the lawyer or any other person working under his responsibility with regard to the conclusion and/or execution of an assignment agreement, the quality of the services provided and/or the amount of the invoice, not being a complaint as referred to in paragraph 4 of the Lawyers Act;
- Complainant: the client or his representative who submits a complaint;
- Complaints Officer: the lawyer who is charged with handling the complaint.

Article 2 Scope of Application

1. These Internal Complaints Handling Rules apply to every assignment agreement concluded between De Kempenaer Advocaten and the client.
2. De Kempenaer Advocaten will deal with any complaints in accordance with these Internal Complaints Handling Rules.

Article 3 Objectives

The objectives of these Internal Complaints Handling Rules are:

- a. the establishment of a procedure for constructively dealing with complaints from clients within a reasonable period of time;
- b. establishing a procedure to determine the causes of complaints from clients;
- c. maintaining and improving existing relationships through adequate complaints handling;
- d. training employees in responding to complaints in a client-oriented manner;
- e. improving the quality of services through complaint handling and complaint analysis.

Article 4 Information at the Start of the Service

1. These Internal Complaints Handling Rules have been made public. Before entering into the assignment agreement, the lawyer will inform the client that the office uses Internal Complaints Handling Rules and that they apply to the services that will be provided.
2. Complaints as referred to in Article 1 of these Internal Complaints Handling Rules that have not been resolved after handling, can be submitted to the court.

Article 5 Internal Complaints Handling Procedure

1. A complaint must be submitted within three months after the client became aware or could reasonably have become aware of the acts or omissions that gave rise to the complaint.
2. The complaint will first be submitted to the lawyer handling the case. The person complained about will try to find a solution in consultation with the client, whether or not with the intervention of De Kempenaer Advocaten.
3. Both the lawyer handling the case and the client may submit the complaint to the Management Team (MT).
4. The MT can then handle the complaint or refer it to a designated Complaints Officer.
5. The MT/Complaints Officer will then inform the person complained about of the fact that a claim has been submitted against him, and will give the Complainant and the person complained about the opportunity to explain the complaint.
6. The MT/Complaints Officer will deal with the complaint within four weeks after the complaint has been received, or will inform the Complainant of any deviation from this period while stating the reasons, and will state the period within which a decision on the complaint will be given.
7. The MT/Complaints Officer will inform the Complainant and the person complained about in writing of the opinion of DKA regarding the merits of the complaint, whether or not accompanied by recommendations.
8. If the complaint has been dealt with satisfactorily, the opinion regarding the merits or the decision on the complaint will be laid down in writing.

Article 6 Confidentiality and Free of Charge Complaint Handling

1. De Kempenaer Advocaten and the person complained about will observe confidentiality when handling the complaint.
2. The Complainant will not be due any fee or compensation for the costs of handling the complaint.

Article 7 Responsibilities

1. The lawyer and/or the Complaints Officer and/or the MT is/are responsible for handling the complaint, and for deciding on the complaint in a timely manner.
2. The person complained about and/or the Complaints Officer will keep the MT fully informed about the (progress of the) complaint handling, the decision and a possible solution.
3. The lawyer and/or the Complaints Officer and/or the MT will keep the Complainant informed about the handling of the complaint and will keep the complaint file up to date. A written confirmation of the handling of the complaint will be sent to the Complainant, and an indication will be given of when a response can be expected.

Article 8 Complaint Registration

1. The MT/Complaints Officer will register the complaint and the subject of the complaint.
2. A complaint can be categorised into various subject categories:
 - I. complaints about the working method of / treatment by the lawyer;
 - II. complaints about substantive legal aspects of the service;
 - III. complaints about financial aspects of the service;
 - IV. complaints about the practice in general.
3. The MT/Complaints Officer will report periodically on the handling of complaints, and will make recommendations to prevent new complaints and to improve procedures.
4. At least once a year, those reports and recommendations will be discussed by the firm and will be submitted for decision-making.