
Quality assurance for Legal expenses insurers in The Netherlands

B.M. van Harten MSc
Deputy director DAS Netherlands



Legal aid in the Netherlands, a brief overview



- Legal expenses insurers 50 years present
- Turnover appr € 530 million, DAS market share appr. 30-35%.
- DAS Netherlands largest legal expenses insurer, 96% of cases dealt with internally by >450 in-house lawyers and mediators.
- 106.000 claims handled in 2010, 500.000+ phone calls annually



Comparison between Legal expenses insurers and Lawyers



- Almost level playing field between lawyers and legal expenses insurers.
- 500.000 disputes handled annually equally divided between lawyers and legal expenses insurers
- 16.000 lawyers (80% in companies < 5 FTE)
- 8 legal expenses insurers, 2 mono branch insurers



Comparison between Legal expenses insurers and Lawyers



	Legal expenses insurer	Lawyer/solicitor
Litigation	up to € 25,000 interest, unlimited with labour law, administrative law and rent	Authorised in all cases
Dispute settlement scheme	Covered by policy regarding “direction”/content during handling of case	Does not exist
Complaints- not content related	First internal procedure For policy: if necessary, escalation to Kifid (financial services complaints board)	Not compulsory/not applicable
Rules of conduct	No Standard. Set down internally, not transparent, not reviewed	Reviewed on basis of Bar Association Regulations and Rules of Conduct
Reviewing compliance with rules of conduct	Does not exist as yet	Supervisory Board/Disciplinary Board



Comparison between Legal expenses insurers and Lawyers



	Legal expenses insurer	Lawyer/solicitor
Error in handling case	Civil court	Civil court
Dispute regarding legal content of service or fee note	Does not exist as yet	Disputes Committee for the Legal Profession (max € 10,000) if lawyer is registered
Training	No Standard. Set down internally, not transparent	Bar Association Regulations and Rules of Conduct



Comparison between Legal expenses insurers and Lawyers



- Supervision of lawyers and Legal Expenses Insurers is organised differently
- Legal expenses insurers have a dispute settlement scheme in place by allowing second opinion under policy, lawyers don't.
- Legal expenses insurers only have internal rules of conduct which are not externally reviewed, lawyers do.
- None have legal content review



Quality assurance within DAS Netherlands

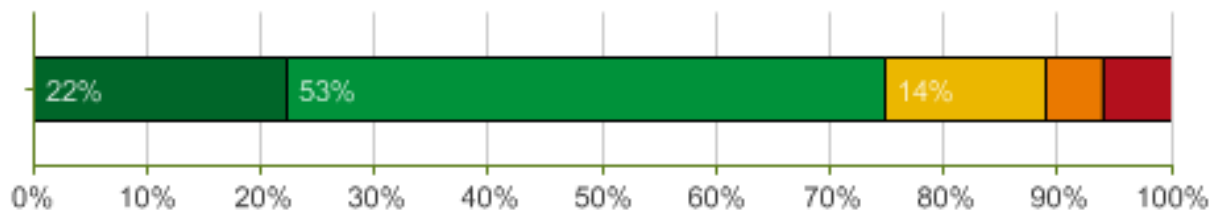
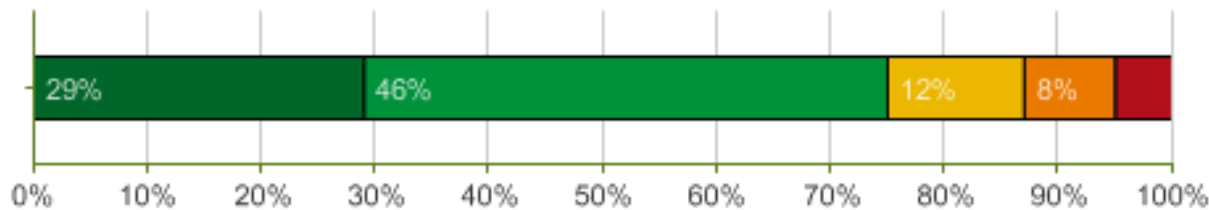
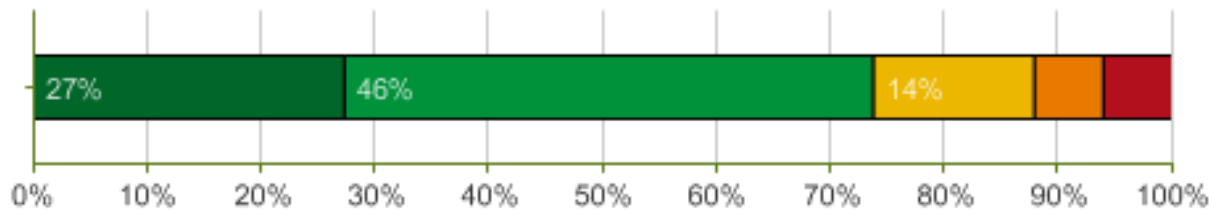


Quality assurance within DAS based on four pillars:

- Compliance with customer values
- Process effectiveness and efficiency
- Safeguarding knowledge and training
- Code of conduct



Customer values: How would you rate your in house lawyer with respect to empathy shown in your case?



DAS total	
top 2 score:	74
DAS standard:	78
top 3 score:	88
DAS standard:	78
basis: n=	3741

Group A	
top 2 score:	75
DAS standard:	78
top 3 score:	87
DAS standard:	78
basis: n=	385

Group C	
top 2 score:	74
DAS standard:	78
top 3 score:	89
DAS standard:	78
basis: n=	341



Quality assurance within DAS Netherlands



- Compliance with customer values
- Process effectiveness and efficiency
- Safeguarding knowledge and training
- Code of conduct

-Specialisation due to size
-Efficiency through quick response time to client requests and online client inspection



Quality assurance within DAS Netherlands



- Compliance with customer values
- Process effectiveness and efficiency
- Safeguarding knowledge and training
- Code of conduct

-3 year Academy
- Intranet
Knowledge bank



Quality assurance within DAS Netherlands



- Compliance with customer values
- Process effectiveness and efficiency
- Safeguarding knowledge and training
- Code of conduct

- Behaviour rules between
customers and in house
lawyers

-Client compass for
managing customer
expectations



Future developments

- Client oriented Insurance Warranty in place
- Legal content testing within DAS
- Quality code for legal expenses insurers reviewed externally

Systems and measurements as Sacred Cow?



Best practices DAS Netherlands



- It is definitely possible to put in place stringent administrative procedures for professionals.
- All procedures must be based on customer experience. A client compass works excellently.
- After setting quality goals, it is best to work with bottom-up initiatives.



Best practices DAS Netherlands



- It is pointless to send out letters of postponement. These letters create a lot of extra work.
- Rapid file start up improves customer satisfaction afterwards.
- Quality is a way of thinking, not a department!



Thank You!