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 UNIVERSITEIT VAN AMSTERDAM



**Amsterdam Centre on  
the Legal Professions  
and Access to Justice**



**Newsletter** | January- February 2022 | [aclpa.uva.nl/en](https://aclpa.uva.nl/en)

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## From the Editors

Dear ACLPA colleagues and external readers,

This is already the second newsletter of this year. These are harsh, surreal times. The war in Ukraine puts the themes we are working on at ACLPA into perspective, but sometimes also unexpectedly sharpens them, such as in the debate about the professional ethics of the commercial legal profession. Diana de Wolff, for example, has written an ACLPA blog on the Houthoff issue.

This month we are looking forward to the Symposium on Legal Aid 2.0 that we are organizing in collaboration with the Amsterdam Law Hub, with no one less than Dame Hazel Genn as the keynote speaker.

Finally, an important staff announcement: at the end of March, Lindsay Morehouse, our Communications Assistant, will go on maternity leave. We wish her all the best and will introduce you to her replacement soon.

Happy reading!

The ACLPA Core Team,

Ruth de Bock, Iris van Domselaar, Rolf Ortlep en Rachel Rietveld

## Centre Highlights

### **Broodje Toga**

On 28 January the online Broodje Toga meeting took place. During this meeting, [Kasper Krzeminski](#) & [Nadja Jungmann](#), as new ACLPA members, spoke about their visions regarding the role of the baliff.

### **External online ACLPA seminar: Disciplinary Law for Civil Servants?**

On 15 March, in response to the [argument](#) for disciplinary law for officials by [Ybo Buruma](#) en [Frans Sijbers](#) (Wladimiroff Advocaten), an online ACLPA seminar was held, with referee [Peter van Lochem](#) and moderator [Gerrit Jan Pulles](#).

### **Mootcourt Lawyer's Disciplinary Law**

In Block 1 of the second semester the [Mootcourt on Lawyer's Disciplinary Law](#) took place. In this course, which is taught by [Diana de Wolff](#), conduct and disciplinary law for lawyers is central. The course concluded with oral

arguments. With this, we conclude the Togaminor for this academic year, following the previous courses [Lawyers in the Constitutional State](#) and [Professional Ethics and Integrity for Lawyers](#). We would like to thank Monique Brink, Noa de Leon-van den Berg, and Monetta Ulrici for their inspiring guest appearances.

### **Legal Tech Lab**

The course [Legal Tech Lab](#), taught by [Rachel Rietveld](#) en [Donny Buisman](#), is in full swing. Legal Tech is a fast growing development which stands for innovative, technological changes in the application and approach to law. Both the practical and ethical side of digitization of law are central to the profession. In the meantime, the plenary education is over and the students have started to work in groups on the digitization assignment for their clients (photo below).



ACLPA in the Media



## **ACLPA Blog**

As you know, this year we began a regular ACLPA Blog series. In the past months, we have formed an editorial board under the leadership of [Rolf Ortlep](#), which is made up of [Rolf Ortlep](#), [Fleur Brockhus](#), [Mika Hermans](#) en [Lindsay Morehouse](#).

- **ACLPA blog January**

[Ruth de Bock](#) writes about the legal decisions in the Child Benefits Affaire (Toeslagenaffaire).

[Read more](#)

- **ACLPA blog February**

[Fleur Brockhus](#) writes about her thoughts during the lockdowns and her vision of legal ethics.

[Read more](#)

- **ACLPA blog March**

[Diana de Wolff](#) writes about independent lawyers in the time of the Putin-dicatorship and war. This blog has also been picked up by Folkert Jensma in his [column](#) 'Rechtsstaat'.

[Read more](#)

[Find the ACLPA blog here!](#)

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## **ACLPA Colleagues in the media on Legal Ethics at the Zuidas following the war in Ukraine**

- Het Parool [article](#) 'With the War in Ukraine the Zuidas is suddenly about ethics' – with an editorial by [Iris van Domselaar](#). “Where are the Boundaries?”
- Het AD [article](#) 'Dutch Lawyers break with the Kremlin: "No one will want to burn hands on Moscow"' – with editorial by [Diana de Wolff](#).
- See also Diana's [ACLPA blog](#).

## **Interview with Ljubiša Metikoš on the UvA-website**

[Interview](#) in which [Ljubiša Metikoš](#) looks back at his time as student minister and the current and discusses current developments in the field of digitisation and data privacy.

## **"Double Hatting" Conference**

(Updated) [article](#) on our website, in which we bundle various opinion pieces and look back on a great conference on interesting topics. See also the [January issue](#) of *Ars Aequi*. A sensitive and important subject that deserves an in-depth discussion.

Publications

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### **Mies Westerveld in the NJB**

In the January issue of the [NJB](#), [Mies Westerveld](#) discusses how she views the initiative memorandum of SP MP van Nispen, arriving at the establishment of the Houses of the Law.

### **Editorial Kasper Krzemiński – Internet Consultation Strengthening the Approach to Subversive Crime II**

At the end of January, the internet consultation for the draft bill Strengthening the approach to subversive crime II finished. [Kasper Krzemiński](#) submitted his [response](#).

### **Paper by Ruth de Bock and Iris van Domselaar recommended on Lawrence Solum's Legal Theory Blog**

[Ruth de Bock](#) and [Iris van Domselaar](#) published a [paper](#) on SSRN with the ‘The Case of David vs. Goliath. On Legal Ethics and Corporate Lawyering in Large Scale Civil Liability Cases’. The paper has been recommended by [Lawrence B. Solum](#) in his [Legal Theory Blog](#).

### **Jacobine van den Brink on the new proportionality test of the administrative judge**

[Jacobine van den Brink](#) names in her reaction to the NU.nl-[article](#) ‘The Judge is Becoming More Critical of Government: What does this mean for citizens?’,

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discussing the importance of the new proportionality test, arguing that other groundbreaking decisions are not far away.

### **Rolf Ortlep writes opening contribution for bundle Assessment Intensity (Toetsingsintensiteit)**

At the end of March, the [collection](#) -- *the Assessment Intensity (Toetsingsintensiteit)*. A comparative study into varying the intensity of assessment by the court-- will be published by Wolters Kluwer. [Rolf Ortlep](#) has written a legal-theoretical [opening contribution](#) for this collection.

### **Recent publications by Diana de Wolff**

[Diana de Wolff](#) has written an [article](#) in the *Tijdschrift Erfrecht (Magazine Inheritance)* entitled 'Behavioural Points for the Attention of the Probate Lawyer'. This contribution focuses on the law of conduct for the probate lawyer.

In addition, she wrote a [column](#) in *Rechtstreeks*, 'Take Lawyers at their Word?' Lawyers are taken at their word, you sometimes hear. But even a list of unavailable dates can sometimes have short legs.

Finally, she wrote a [contribution](#) in the *Tijdschrift Arbeidsrecht in Context (Magazine Labour Law in Context)*. How can employment lawyers be sufficiently independent from their employer to be able to invoke the right of non-disclosure?

### **Moral remainders in the law and clear language in case law**

[Iris van Domselaar](#) has written an [article](#) for the international journal *Jurisprudence* entitled 'Law's regret: on moral remainders, (in)commensurability and a virtue-ethical approach to legal decision-making.' In this article, she examines the concept of "moral remainder",

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which refers to a decision that is defensible in itself, but which can nevertheless lead to moral costs that deserve further attention.

She also published an [article](#) in *The Theory and Practice of Legislation*, “Plain’ legal language by courts: mere clarity, an expression of civic friendship or a masquerade of violence?’ In this article, Iris discusses the use of ‘clear language’ in Dutch case law.

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## Upcoming Events



**Symposium Legal Aid 2.0 –  
Toward a digitization of social legal  
services?**

Friday 25 March (13.30 – 17.00)

[More information](#)



**The Right of Nondisclosure in the  
Corporate Legal Profession**

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End of April/beginning of May  
Conference over (the boundaries of)  
the right of nondisclosure of the  
corporate lawyer.

Further information will follow.



[See all upcoming events](#)



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