

## REGULATIONS ON SUCCESSION

### Article 1

A lawyer who succeeds another lawyer in the same case must immediately acquaint himself with that case. The succeeding lawyer must without delay ensure the representation and assistance of the client.

The lawyer who is succeeded must hand over the case file to his successor as soon as possible, together with all information that is necessary for the continuation of the case, and provide the client with his statement of fees and disbursements at the earliest possible opportunity.

The lawyer who is succeeded must brief his successor on the case. The succeeding lawyer must request the client to make payment of the statement of fees and disbursements insofar as this is not disputed.

The succeeding lawyer may carry out all necessary acts in the interests of his client, even in the event of the statement of fees and disbursements being disputed. He may accept retainers, fees and reimbursement for expenses from this client.

When reasons to do so exist, the chairman of the Bar Council may prohibit the succeeding lawyer from carrying out any further acts for the client or order any other measure.

### Article 2

The succeeding lawyer may act in a dispute regarding the fees and disbursements of the lawyer who is succeeded, regardless of whether he is a member of the same bar as that lawyer. He does not require any permission from the chairman of his Bar Council for this purpose. The succeeding lawyer must attempt to reach an amicable settlement. In exceptional cases, and especially when dictated by reasons of loyalty and discretion, the chairman of the Bar Council may prohibit the succeeding lawyer from acting in such a dispute.

The succeeding lawyer may not act in court in a dispute concerning the professional liability of the lawyer who is succeeded. The chairman of the Bar Council may grant permission for this purpose when such is required in the interests of the client. The succeeding lawyer may place his predecessor in default with regard to his professional liability.

### Article 3

These regulations enter into force on 1 March 2005. The regulations of the general board of the National Bar Council of 17 June 1983 and 12 October 1989 will be revoked as of the same date.

Approved at the general meeting of the Flemish Bar Council of 03.11.2004.

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