



# Empowering Vulnerable Claimants The Dutch Perspective

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Balancing Legal Strategy and  
Human Connection

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# Legal and Practical Challenges



Legal position of claimants – Complex procedures, often unequal battle with insurers



Vulnerability of claimants – Trauma, language and cultural barriers, financial and emotional stress



Risk – Without empowerment, claimants become discouraged or isolated

# Empowerment in Practice



Legal: Fighting for recognition of medical causality, access to expertise



Human: Taking victims seriously, working culture-sensitively, restoring trust



Vision: Claimants are not 'cases', but people.  
Empowerment = legal protection and restoring autonomy and dignity

# Protective Measures in the Netherlands



BEM-clause: Mandatory in cases involving minors with long-term injuries, ensuring protection of settlement amounts



Partial dispute procedure ('deelgeschil'):  
A faster, simplified court procedure to resolve key issues efficiently



Protective administration ('bewind'):  
Court-appointed financial administrator to safeguard assets of vulnerable individuals

# Other Protective Measures in the Netherlands

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**Curatorship**  
(*'curatele'*): Full legal incapacity measure for adults who cannot manage their own affairs



**Mentorship**  
(*'mentorschap'*): Court-appointed mentor for personal care and welfare decisions