Rechtvaardig Transparant Tijdig Maatschappelijk Toegankelijk





The Court Debt Officer: Back on track to a debt free future!

Dr. Femke Damsteegt, Dr. Herman van Harten & Jan van Breda

The Problems of Problematic debt: A Modern Societal Wide Issue

What is problematic debt?

Not all debts are problematic. Problematic debts are those debts that people fail to repay or for which people default. Examples are being consistently behind on debt repayments to your creditors, including credit card loans, and priority bills like rent, electricity, or insurance (Normative debts are managed debts which are paid without difficulty.)

In many countries, problematic household debts have increased in recent years, especially after the COVID pandemic. For many years, the Netherlands experience a substantial amount of households who have problematic debts.

We learn from several social studies: problematic debts lead to severe disruptions (risks of depression, anxiety, shame, health issues). It affects families and living together.



Oktober 2025 / 2

See for instance:



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Anne-Fleur Roos, Maaike Diepstraten & Rudy Douven*

August 2021

Abstract

It is often suggested that problematic debts antecede health problems. In this paper, we investigate whether individuals obtaining problematic debts are more likely to use mental healthcare or social guidance and/or financial help, and whether they have higher mental healthcare costs. We use nationwide individual-level panel data from the Netherlands for the years 2011-2015. We employ a difference-in-differences approach with individual fixed effects and find that obtaining problematic debt is strongly associated with ill (mental) health. We find that average mental healthcare expenditures increased with approximately 200 euro in 2014 and 2015 for individuals who experienced problematic debts in 2013. The effect corresponds to an increase of 30% of individual mental healthcare expenditures because of problematic debts. Furthermore, the use of mental healthcare increased with 7% and the use of social guidance and/or financial assistance increased with 40% after getting into problematic debt. We therefore conclude that policies that prevent people from getting into debt may generate positive external effects by saving on expenditures on healthcare or social guidance and/or financial assistance.

JEL Codes: I01, I14, D14

Keywords: Problematic debts; mental healthcare; health expenditures; social guidance and financial assistance.

When financials get tough, life gets rough? Problematic debts and ill health

Oktober 2025



Figures -Labour and income ▼ Society ▼ Regional About us Economy ▼

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Almost 1 in 3 people living in poverty have debt problems

28/07/2025 15:00



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Featured

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Monitor of Well-being and the SDGs

New CBS research on globalisation and geopolitics

Overview of additional research

CBS video

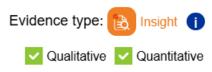
State of the economy and labour market in the second quarter of 2025







The damage of debt: The impact of money worries on children's mental health and well-being



- Context
- The study
- Key findings
- · Points to consider
- Full report

Key info

Client group

- Children (3 11)
- Over-indebted people
- Other
- Parents / families
- Working Age (18 65)

Topics

• Credit Use and Debt

Year of publication

Also quite an issue in the Netherlands...

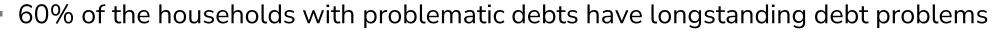
minder dan 5%
5 - 7%
7 - 9%
9 - 11%
meer dan 11%

Amount of households with problematic debts:

2019: 540,000

• 2020: 614,000 (7,6%)

2024: 730.000 (8,9%)

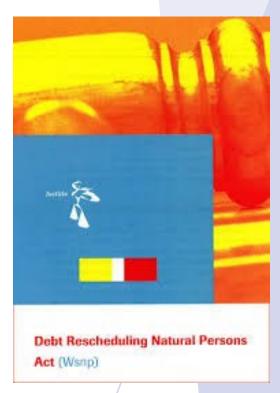


 Sooner or later most people with problematic debts will be involved in (multiple) court cases...



But how to find the road to the debt release procedure..?

- Good working debt release procedure (Natural Persons Debt Restructuring Act; Wet schuldsanering natuurlijke personen)
- Evidence based
- Success rate 93%
- However...
- People with problematic debts tend to not to ask for help until it is too late or they entirely fail to do so. Of the more than 700,000 families with problematic debts in the Netherlands, as little as only 2% find their way to (municipal) debt counseling, and/or apply for the debt release procedure.
- Question: How to reach out better to the people with problematic debts in courts in an earlier stage and before insolvency proceedings?

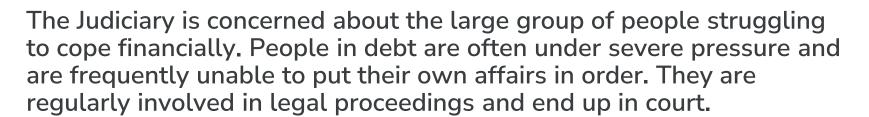


Applications debt release procedure (nationwide)

- 2005:	14.795
- 2010:	11.385
- 2015:	11.703
- 2018:	5.897
- 2019:	4.637
- 2020:	2.997
- 2021:	2.299
- 2022:	1.902
- 2023:	1.884
- 2024:	2.361

Vision Memo 2019: Debt problems and the role of the judiciary

Innovation is a means of improving and (continually) adapting the Judiciary to the changing needs of society or of the organisation itself for the benefit of society.



Several potential measures were identified to tackle and support people with problematic debts more often than 'only' delivering black letter judgments: look behind the case in search for solutions

One of the ideas: start to work with Court Debt Officers, bridging the gap, connecting the dots, between the court case and debt counselling and the road to a debt free future.



Visiedocument schuldenproblematiek en rechtspraak

Werkgroep schulden en rechtspraak

Oktober 2025

Pilot projects in The Hague District Court and Rotterdam District

Court 2020-2022



DEBT MANAGEMENT

The Judiciary is concerned about the large group of people struggling to cope financially. People in debt are often under severe pressure and are frequently unable to put their own affairs in order. They are regularly involved in legal proceedings and end up in court. Sentencing indebted people repeatedly to pay claims does not contribute to resolving the issues.

The Hague District Court and Rotterdam District Court

Debt officers are appointed at the District Courts of Rotterdam and The Hague; court employees who act as a link between the Judiciary and municipal debt relief. Debt officers and judges observe that with an open and active attitude of judges, debt problems come to the surface and are discussed during the hearing, and that it quickly becomes clear whether a referral to a debt officer can be valuable.

The debt officer

In 2022, the Judiciary decided that all courts will employ debt officers. How does that work? If, during preparation or at a hearing, it appears that one of the parties is struggling with problematic debts. The debt officer, who is trained and appointed in the court, directly engages in a conversation with the person concerned. If possible and desired, the person concerned is referred to the municipal debt assistance service.

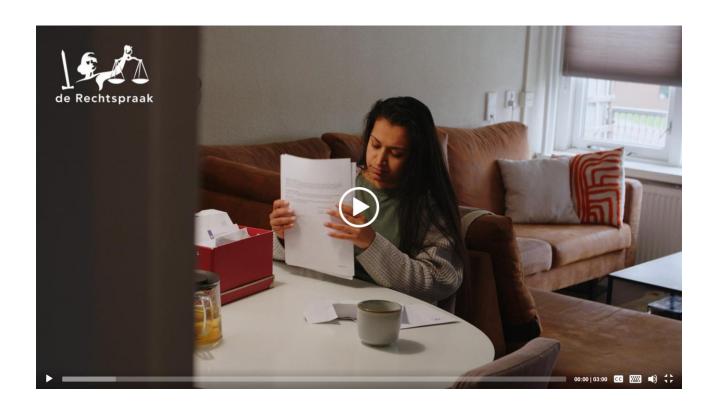


The person concerned is given an appointment there as soon as possible to receive help with the debt issues. The deployment of a debt officer has no effect on the course of the court case.

Since this decision, the Overijssel District Court has also started deploying debt officers. Work is now underway to extend the procedure to the other courts.

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A short video impression: introducing the practice of the debt officer





https://youtu.be/vmGOeSSB7NQ

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Offer a shortcut to municipal debt counselling: simple & effective

- The judge calls in the court debt officer. The debt officer speaks the party involved. He or she contacts the local authority (were the involved people live): introduces them to debt counselling.
- The debt officer does not replace debt counselling.
- The municipality seek to find an amicable solution
- If not: at some point a court procedure, such as a debt release procedure is necessary



Why is this important?

- It takes people with problematic debts about five years to make the first move!
- Average debt by that time is € 43,000
- Eviction
- During these five years people are often involved in judicial cases
- Is the judicial system contributing to a solution or making it worse...?
- The judge can not refuse to give a proper ruling according to the law

The role of the Debt Officer: simple and effective

- Party in a case with suspected (substantial/ problematic) debts?
- Judge can call in the debt officer
- Debt officer makes sure that this party ends up at the suitable counter at the local authorities for an overall solution of the debts

Meanwhile:

- The judge gives a ruling in the case that is on his desk
- It gives leeway to the judge to have also an eye for, and to act on, the overarching problems

Zondag 15 november 2020, 08:00

Schuldenrechter: 'We trekken mensen met schulden uit een juridisch moeras'



The Pilot projects became a success!

Rechtspraak

Research Memoran Nummer 1 / 2022

Raad voor de rechtspraak

External qualitative and quantitative evaluation (2022)

Some key take aways:

Average to good success rate; societal effective

Offers genuine added value to the instruments of judges

Future possibilities are to be explored.

Every person with problematic debts back on track is a great result

Suits the modern role of the judiciary



Follow-up by nationwide implementation.
Perhaps even in other European countries?
Certainly a court practice to share and explore: spread the word!





INNOVATION WITHIN THE JUDICIARY

The debt officer

- The judiciary takes its social responsibility by contributing to the solution of problems faced by people with debts.
- The court serves as a "point of detection" for people with debts.
- The debt officer has a signaling role and provides an opening for assistance.
- It is important to emphasize that the efforts of the debt officers do not in any way interfere with the hearings or the judgments.





Mr. dr. F. (Femke) Damsteegt (links dr. H. (Herman) van Harten (rechts

PILOT 'DE SCHULDENRECHTER' DRAAIT BIJNA TWEE JAAR:

"Schuldenproblematiek is echt een maatschappelijk probleem, waarop we als rechtspraak een beter antwoord moeten vinden."

In maart 2020 verscheen in Tijdschrift Schuldsanering een artikel over de pilot 'De Schuldenrechter' die in novemb 2019 bij de rechtbank Rotterdam van start was gegaan. In een uitgebreid interview vertelde Femke Damsteegt, senig grond, het doel en de verwachtingen rond De Schuldenrechter. Nu, bijna twee jaar later, gaan we opnieuw in gespre om te kijken hoe de pilot tot nu toe is verlopen. Bij dit gesprek schuift Herman van Harten, senior rechter, teamvoor zitter insolventies en projectleider van De Schuldenrechter bij de rechtbank Den Haag aan, Sinds januari 2020 draa deze pilot namelijk ook in de hofstad

siedocument schuldenproblematiek en htspraak van begin 2019, dat is opgesteld en Mentorschap (CBM) en Recofa, het landelijk overlei orgaan van rechters-commissaris in faillissementen en sen van de rechtbanken. In de pilot doet de rechter ge woon uitspraak in de zaak die wordt behandeld, of het gesprek gaan met degene die voor hem verschijnt over mogelijke (probleem)schulden, die tot de betalingsachterstanden of diefstal leidden. De rechter kan in zo'n geval contact opnemen met de dienstdoende schuldenfun tionaris om een traject in werking te gaan zetten. Het doel van de pilot is om mensen met schulden eerder on

De Schuldenrechter is niet één persoon, één rechter,

niet betaald dus u moet zoveel aftikken - maar prober bii te dragen aan de oplossing van het schuldenprobleen door in gesprek te gaan met de mensen die voor hen

2019 een vliegende start: nog vóór de rechtbank op 19 d cember met kerstvakantie ging, waren er 12 doorverwij zingen geweest. Damsteegt vertelt: "Wij hebben ingezet het ook goed... tot Corona zijn intrede deed. Vanaf janu ri 2020 tot 12 maart 2020 hadden we 27 doorverwijzinge Kanton heeft tot oktober geen fysieke rolzittingen gehau en het blijkt dat je mensen met schulden echt letterlijk op meegenomen door een schuldenfunctionaris. Toen we weer fysieke zittingen hadden, moest de pilot opnieuw onder de aandacht van alle rechters worden gebracht. Na



The debt officer

- A court has appointed approximately 8 to 14 debt officers in total, amounting to 1,2 full-time equivalent.
 The costs per court amount to approximately € 84,000.
- There are currently a total of 138 debt officers. They work at all courts.
- Each year, they handle approximately 1.300 referrals.
- These are generally court clerks, registrars, judges and administrative staff.
 - They take on this task, on average about 4 hours per week per person.





The debt officer

- It is a pleasant change of work, a welcome responsibility, and positive for career development.
- A training program has been developed for debt officers.
- The debt officers together form a network.
- A lot of positive PR and response, see next dia.



echtbanken krijgen speciale chuldenfunctionaris

our: Mark van Harreveld

Financicel • 30 mei 72 (4:27 '380.000 signalen van betalingsachterstand vaste lasten'

te kan mensen met schulden die voor de rechter moeten verschijf. Gemeenten hebben vorin jaar meer dan 380,000 signalen ontvangen van contact brengen met schuldhuldsvalen.

contact brengen met schuldhulpverleners van " kt dat mensen met schulden vaak niet weten hoe ze daar een beroep op kunnen doen', zeg

Ria helpt mensen met geldproblemen die voor de rechter moeten komen

irs. Dat meldt de vereniging van sociale ignalering Schulden, waar ruim

(Last 700) (M. *)

de signalen de opvolging in een dossier gevallen (39.000) uiteindelijk contact bij bijna 8000 dossiers hulp otaal aantal dossiers in de monitor.

-DAAGSE BASISOPLEIDING ARBEIDSRECHT VOOR HR-PROFESS Start 14 juni 2024 | Breukelen | 15 NOvA | MEE

nd biedt hulp bij schuldenaanpak



en helpt namens de rechtbank mensen die diep in de schulden zitten.

wen huilen, tot daaraantoe. Maar als mannen gaan huilen, t menens." Het zijn de woorden van Anja Sjouken. In de mse rechtbank helpt ze mensen die diep in de schulden soms geen enkele uitweg meer zien. Ze komt geregeld jke situaties tegen, maar als schuldenfunctionaris regelt aak toch een ontsnappingsmogelijkheid.

Meteen hulp voor wanbetalers bij de rechter dankzij schuldenfunctionaris

NOS Nieuws . Zaterdag 18 juni 2022, 19:11

Een conflict met de huurbaas over achterstallige huur? Of een telefoonprovide die een onbetaalde rekening plus naheffing vordert? De Limburgse kantonrechter roept een schuldenfunctionaris erbij om over de achterliggende problematiek te praten.

Trouw

Diep in de schulden?

loorverwijzen naar

schuldhulpverlening

Anja redt in de Rotterdamse rechtbank mensen uit probleemschulden: 'Als je blijft huilen, los je niks op'

14 november 2022, 07:58 • 6 minuten leestijd



Rechtbankmedewerkers moeten ervoor zorgen dat mensen met schulden eerder hulp krijgen

Bilthoven - Ruim een half miljoen mensen in Nederland hebben problematische schulden. Als gevolg van de schulden kunnen gezinnen var het gas worden afgesloten of worden mensen zelfs het huis uitgezet. De schuldenfunctionarissen. Deze medewerkers moeten ervoor zorgenechtbank beslist hierover, maar het zorgt ervoor dat de problemen alleen

De rechtbank Midden-Nederland werkt vanaf vandaag met schuldenfunctionarissen. Schuldenfunctionarissen zijn medewerkers van de rechtbank die mensen met schulden verder kunnen

echter kan je



chtspraak.

Hulp me rechtbar

ook rech

Luur von Burg

weg helpt. En met succes.

Eixe donderdagochtend hauden de rechtbanken in Den Bosch en Eindhoven. speciale zittingen voor mensen die een betalingsachterstand hebben. Honderden mensen worden jaarlijks opgergepen door een deurwaarder of schuldeiser en krijgen de kans aan de rechter uit te laggen waarom ze niet (kunnen) betalen. Het is uitzonderlijk druk in de Bossche rechtbank; er komen deze ochtend achttien mensen opdagen.

Hourschterstanden, onbetaside facturen of andere schulden: dit soort

problemen wordt wekelijks besgroken in de rechtszeal. Mensen die hun

rekeningen niet kunnen betalen, vertellen over hoe ze in deze situatie

terecht zijn gekomen. Sinds 1 mei vorig jaar zit bij dit soort zittingen een extra medewerker van de rechtbank die mensen met geldproblemen op

Rechters zien regelmatig op zitting mensen met schulden. De inzet van schuldenfunctionarissen moet ervoor zorgen dat deze groep eerder wordt geholpen. Schuldenfunctionarissen kunnen ervoor zorgen dat

Debt Officer -

THIS IS HOW IT WORKS:



STEP 1
You come to court
because you have been
summoned to a hearing.



STEP 2
You can tell about your
debts at the hearing. Even
if the judge does not ask
you to.



STEP 3
The judge refers you to the debt officer after the hearing.



You fill in an application form together with the debt officer.



STEP 5
The municipality contacts you for an appointment.



STEP 6

Be sure to go to this appointment. The municipality can help you resolve your debts.



Challenges

- We continue to promote this initiative. Although many judges see the added value, there is still a lot to be gained in terms of people's awareness and the further implementation of this initiative.
- We continue to actively communicate the importance and the impact of the debt officers within the judiciary.
- Furthermore, we intend to appoint debt officers in the courts of appeal as well.





Some people with problematic debts don't show up in court...

De rechter wil niets liever dan dat burgers naar zitting komen

Blog Recht en Bestuur Schulden niet verergeren met een vonnis - de rechter wil niets liever. En doet er ook z'n best voor. Twee rechters geven repliek, uit de praktijk.

Herman van Harten en Femke Damsteegt 23 februari 2022 * Leestijd 3 minuten □ Deel 📽 □ Leeslijst □



Thank you very much for the nomination. We are very honoured and happy!

Whatever the outcome will be, the current established practice of the debt officer has further potential that deserves to be explored...

in the Netherlands

...but in other European countries as well:

Let's get more people with problematic debts

back on track to a debt free future!



Please feel free to ask questions!