

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
Third Regular Session

House Bill No. 8494



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Introduced by **MAGDALO Party-List Representative**  
**HON. GARY C. ALEJANO**

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**EXPLANATORY NOTE**

“Teacher is a maker of man. He is foundation of all Education, and thus of the whole civilization of mankind, present and future. No nation reconstruction is possible without the active cooperation of the teacher.” - John Adams.

Teachers are expected to help students learn by imparting knowledge to them and by setting up a situation in which students can and will learn effectively. A nation is built by its citizens, while its citizens are educated, molded by its teachers. Thus, the role of a teacher in nation-building can't be overlooked.

Teachers fill a complex set of roles. Some of these roles are performed in the school, some in the community. During election period, teachers play a huge role in the conduct of peaceful, honest, and clean elections. While teachers are always ready to help and serve the country, they are sometimes placed in precarious situations while acting as election officers.

Election duties entail high risks for teachers, as they face intimidation from political camps in addition to working long hours to canvass votes. Many teachers are slapped with election-related cases which are intended to merely harass them.

In order to uphold the rights and safety of our teachers, this measure provides a mechanism for a free legal assistance to teachers who are charged with cases arising from the lawful discharge of their professional duties during elections.

In view of the foregoing, immediate passage of this measure is sought.

  
**GARY C. ALEJANO**  
*Representative*  
Magdalo Para sa Pilipino Party-List

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AN ACT  
TO PROVIDE FREE LEGAL ASSISTANCE AND FINANCIAL SUPPORT TO  
PUBLIC SCHOOL TEACHERS CHARGED WITH ELECTION-RELATED  
OFFENSES

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

1       **SEC. 1. Declaration of Policy.-** It is the declared policy of the State to value the  
2 dignity of every human person and guarantee the rights of every individual, particularly those  
3 who cannot afford the services of a legal counsel.  
4

5       **SEC.2. Definitions of Terms- For purposes of this Act, the term:**  
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7       a. "Legal services" to be performed by a lawyer refers to any activity which requires  
8 the application of law, legal procedure, knowledge, training and experiences  
9 which shall include, among others, legal advice and counsel, and the preparation  
10 of instruments and contracts, including appearance before the administrative and  
11 quasi-judicial offices, bodies and tribunals, handling cases in court, and other  
12 similar services as may be defined by the Supreme Court.  
13

14       b. "Election-related cases" refers to administrative, civil or criminal proceedings  
15 filed against a teacher for actions committed directly in the lawful discharge of  
16 professional duties during elections.  
17

18       c. "Financial support" refers to reasonable financial assistance determined by both  
19 Department of Education and Commission on Elections to defray emergency  
20 expenses.  
21

22       **SEC.3. Requirements of Availment.-** Public school teachers charged with cases  
23 involving due performance of electoral duties shall be given free legal assistance and  
24 financial support. For purposes of availing of the benefits and services as envisioned in this  
25 Act, a lawyer or professional partnership shall secure a certification from the Public  
26 Attorney's Office (PAO), Department of Justice, or accredited association of the Supreme  
27 Court indicating that the said legal services to be provided are within the services defined by  
28 the Supreme Court.

1 For purposes of determining the number of hours actually provided by the lawyer  
2 and/or professional firm in the provision of legal services, the association and/or organization  
3 duly accredited by the Supreme Court shall issue the necessary certification that said legal  
4 services were actually undertaken. The certification issued by, among others, the PAO, DOJ  
5 and other accredited association by the Supreme Court shall be submitted to the Department  
6 of Justice (DOJ) for purposes of monitoring.

7  
8 **SEC.4. Incentives to Lawyers.-** For purposes of this Act, a lawyer rendering actual  
9 legal services, as defined by the Supreme Court, shall be entitled to at least thirty-six units of  
10 mandatory continuing legal education (MCLE).

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12 **SEC.5. Information, Education and Communication (IEC) Campaign.** – The  
13 Department of Justice (DOJ), in cooperation with the Philippine Information Agency (PIA),  
14 is hereby mandated to conduct an annual information, education and communication (IEC)  
15 campaign in order to inform the lawyers of the procedures and guidelines and inform the  
16 general public that a free legal assistance to those who cannot afford counsel is being  
17 provided by the State.

18  
19 **SEC.6. Reportorial Requirement.-** For purposes of determining the effectiveness and  
20 social impact of the provisions of this Act, the Department of Justice (DOJ) shall submit an  
21 Annual Report to both Houses of Congress indicating therewith the number of parties who  
22 benefited from this measure. The report shall state in detail, among others, the geographic  
23 location, demographic characteristics and socio-economic profile of the beneficiaries of this  
24 measure.

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26 **SEC.7. Implementing Rules and Regulations (IRR)** – Within ninety (90) days from  
27 the date of effectivity of this Act, the Supreme Court (SC) shall formulate the necessary  
28 implementing rules and regulations with respect to the legal services covered under this Act,  
29 the process of accreditation of organizations and/or associations which will provide free legal  
30 assistance and the incentives to be given to lawyers.

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32 **SEC.8. Separability Clause.-** If, for any reason, any provision or part of this Act is  
33 declared invalid of unconstitutional, the remaining parts or provisions not affected thereby  
34 shall remain in full force and effect.

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36 **SEC.9. Repealing Clause.-** All laws, executive orders, presidential decrees,  
37 issuances, rules and regulations or part thereof inconsistent with any provision of this Act are  
38 hereby modified, amended, or repealed accordingly.

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40 **SEC.10. Effectivity.-** This Act shall take effect fifteen (15) days after its publication  
41 in the Official Gazette or in a newspaper of general circulation.

*Approved,*