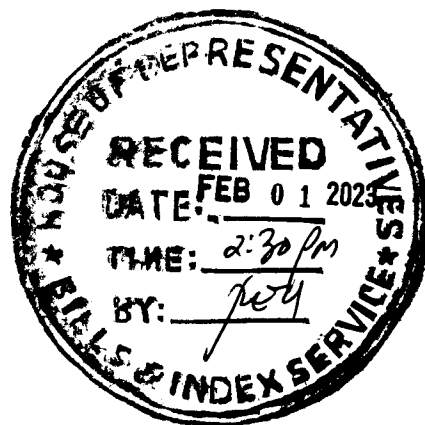




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



**Nineteenth Congress
First Regular Session**

House Bill No. 7035

Introduced by

**AKO BICOL PARTYLIST REPRESENTATIVE
RAUL ANGELO "JIL" D. BONGALON**

**AN ACT AMENDING REPUBLIC ACT NO. 7662, OTHERWISE KNOWN AS
THE LEGAL EDUCATION REFORM ACT OF 1993, CREATING FOR THE
PURPOSE A LEGAL SCHOLARSHIP AND RETURN SERVICE PROGRAM,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article III Section 11 of the 1987 Philippine Constitution unequivocally states that there should be access to courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty and yet effective and relevant access to the justice system by the poor and marginalized continues to be an aspiration, further highlighting the disparity on the attainment of justice amongst socio-economic classes.

According to the World Justice Project 2018 Survey, only 20 percent of Filipinos are able to access legal help, leaving 80 percent of Filipinos without legal assistance. Worse, of that 20 percent, 72 percent sought legal help from friends and families while 15 percent sought the help of lawyers, and the rest from institutions. In a United Nations Development Programme (UNDP) survey, the common reasons why Filipinos were not able to access legal services were the cost, the inconvenience, the time spent pursuing legal remedies, and the sheer lack of contact with lawyers.

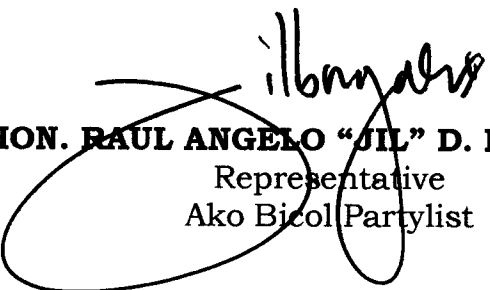
The Public Attorney's Office (PAO), an agency under the Department of Justice, maintains the duty of providing free legal representation to individuals who either have no income or are below certain income thresholds in civil, criminal, and administrative cases. Other government agencies similarly render legal assistance in specific areas of the law, e.g., agrarian reform. Philippine courts may also appoint lawyers to provide free representation to indigent defendants in criminal cases. The Integrated Bar of the Philippines also provides legal assistance to indigent Filipinos through the IBP Legal Aid Program, which includes local legal aid committees throughout the Philippines.

Despite the presence of these mechanisms, as a nation, we still fail to ensure the fulfillment of free and accessible legal assistance to our fellow Filipinos. Presently, the Philippines is still gasping for an adequate pool of lawyers and legal practitioners to usher in the delivery of justice for those who demand and deserve it. Comparatively, in the United States of America, there is one (1) lawyer for every 240 people. In the Philippines, there is roughly one (1) lawyer for every 2,500 Filipinos, as revealed by the Foundation for Economic Freedom, an international public advocacy organization.

Therefore, it is now established that we are working on a less ideal ratio of lawyers versus the population they are expected to serve. Thus, it becomes imperative for the government to foster a strong backbone for those who aim to become practicing lawyers in our country. It is compulsory for the State to champion affordable and accessible legal education, especially for those who cannot financially afford it but possess the passion and capabilities of becoming a fragment of the legal profession. Unfortunately, reality projects that in the Philippines, in top private legal educational institutions, it costs around Php 75,000.00 – Php 98,000.00 per semester to study law, while tuition fees in state universities range from Php 24,000 to Php 30,000.00, excluding all the living expenses and other necessities; making the pursuit for legal education a matter of privilege rather than a vocation. This now fortifies the need to provide legal scholarships as an option for those who are qualified.

In addition, the requirement to render return service in the public sector is seen to fill the gap in the scarcity of legal representation in our country as well as alleviate the working condition of our incumbent public attorneys. This measure is also expected to pave the way in guaranteeing that all legal interests are being represented without prejudice to socio-economic status and uphold the protection of rights of every Filipino, living in a country where the preservation and observance of the rule of law is of utmost premium.

In view of the foregoing, the urgent passing of this bill is earnestly sought.



HON. RAUL ANGELO "JIL" D. BONGALON
Representative
Ako Bicol Partylist



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THE LEGAL EDUCATION REFORM ACT OF 1993, CREATING FOR THE
PURPOSE A LEGAL SCHOLARSHIP AND RETURN SERVICE PROGRAM,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

SECTION 1. Long Title. – The long title of the Republic Act No. 7662, otherwise known as the “Legal Education Reform Act of 1993,” shall be amended as follows:

“An Act Providing for Reforms in the Legal Education, Creating for the Purpose a Legal Education Board AND A LEGAL SCHOLARSHIP AND RETURN SERVICE PROGRAM, and for Other Purposes”

SECTION 2. Short Title. – Section 1 of Republic Act No. 7662 shall be amended to read as follows:

Section 1. Title – This Act shall be known as the “Legal Education Reform AND LEGAL SCHOLARSHIP AND RETURN SERVICE PROGRAM ACT.”

Section 3. Legal Scholarship Fund. – New Sections 11-A to 11-D shall be inserted to read as follows:

Section 11-A. Establishment of the Legal Scholarship and Return Service Program. – There shall be established a Legal Scholarship and Return Service (LSRS) Program for deserving students in state universities and colleges (SUCs) or in partner private higher education institutions (PHEIs) in regions where there are no SUCs offering a Bachelor of Laws or Juris Doctor Program: *Provided*, That the Legal Education Board may designate more than one (1) partner higher education institutions (HEIs) in the region, including regions where there are existing SUCs offering the

Bachelor of Laws or Juris Doctor Program as deemed necessary, upon consultation with the Integrated Bar of the Philippines, the Philippine Association of Law Schools, and other relevant stakeholders.

In all case, qualified applicants from municipalities without an active practicing lawyer providing pro bono services or other similar organizations offering pro bono or discounted legal services or areas shall be prioritized in the allocation of scholarship slots to ensure the assignment of one (1) lawyer for every municipality in the country.

The LSRS, including the funding thereof, shall be administered by the Legal Education Board, in coordination with the UniFAST Board created under Republic Act No. 10687 or the “Unified Student Financial Assistance System for Tertiary Education (UniFAST) Act.”

Section 11-B. Coverage.- The LSRS Program established under this Act shall be made available to deserving Filipino students who want to pursue a Bachelor of Laws or Juris Doctor degree.

The student financial assistance for the LSRS Program shall include the following:

- a. Free tuition and other school fees;
- b. Allowance for prescribed books;
- c. Clothing or uniform allowance;
- d. Allowance for dormitory or boarding house accommodation;
- e. Transportation allowance;
- f. Bar review fees, including Bar examination application fees: Provided, That the same shall only be available for the first two (2) bar examinations taken;
- g. Annual medical insurance; and
- h. Other education-related miscellaneous subsistence or living allowances.

Section 11-C. Conditions for the Grant of Scholarship. – Deserving students accepted to the LSRS Program shall be subject to the following conditionalities:

- a. Must sign an agreement stating the terms and conditions of the scholarship on a form prescribed by the LEB pursuant to the provisions of this Act,
- b. Must carry the full load of subjects prescribed per semester by the SUC or PHEI, and shall not, under any circumstances, drop a course which will result in underloading;
- c. Must meet all the academic requirements of the SUC or PHEI concerned;
- d. Must finish the entire Bachelor of Laws or Juris Doctor degree program within the prescribed time frame of the SUC or PHEI where the scholar is enrolled in, asubject to the retention policies of the SUC or phei; *Provided*, That nothing herein shall prevent the scholar from applying for a leave of absence for justifiable reason/s;
- e. Must take the Bar examination within a maximum period of one (1) year after completion of the degree program; and
- f. Must render return service as provided under Section 11-D of this Act.

A violation of any of the foregoing conditions shall automatically result in the revocation of the scholarship provided under this Act. The acceptance of another scholarship while the scholar is a recipient of the benefits of the LSRS Program shall also result in the revocation of the scholarship.

Section 11-D. Return Service. – The scholar shall render at least one (1) year of return service for every scholarship year availed of: *Provided*, That any fraction of scholarship year shall be deemed as one (1) whole year for the purposes of computing the return service provided under this Section; *Provided*, further, That the scholar shall have a period of three (3) years from the time of signing the Roll of Attorneys to commence the return service; *Provided further*, That the scholar shall be integrated into the public or pro bono legal service system, through the Public Attorney's Office and other appropriate government offices in need of lawyers, and shall receive the appropriate civil service rank, salary and related benefits; *Provided, further*, That the mandatory return service herein provided shall be distinct and separate from the Clinical Legal Education Program as provided under Rule 138-A of the Rules of Court; *Provided, finally*, That the scholar shall serve in a government public legal office in the scholar's hometown or, in the absence of a need thereat, in any municipality within the scholar's home province, or in any underserved municipality closest to the scholar's hometown determined by the Board as a priority area, upon consultation with relevant stakeholders.

A scholar who fails or refuses to comply with the mandatory return service and integration provided under this Act shall be required to pay two times the full cost of scholarship, including other benefits and expenses incurred by reason of participation in the scholarship program, with full legal interest thereon; *Provided*, That the abovementioned penalties shall not apply to lawyers who fail to comply with the required return service on account, or by reason of, severe illness , or death.

SECTION 4. Qualification Requirements. – An applicant for the LSRS must be:

- a. A graduate of a bachelor's degree recognized as a prerequisite for a JD. *Provided*, That qualified and deserving higher year levels of the JD program shall be covered under this Act; and
- b. Eligible to enroll in the SUC or PHEI by passing its entrance exam and has complied with all the requirements for admission.
- c. A Filipino citizen residing in the Philippines;
- d. Of good moral character;
- e. From middle-middle to low-income household;

SECTION 5. Disqualification. – The scholarship grant shall be terminated, and the scholar shall repay the full cost of scholarship in case of the following circumstances;

- a. If the scholar accepts another scholarship from other government or private agency or organization;
- b. If the scholar fails to meet the academic requirements or to complete the course within the prescribed period set by the SUC or PHEI;
- c. If the scholar is convicted of a crime or any offense involving moral turpitude; and
- d. If the scholar commits gross misconduct to the detriment of the community and the reputation of the school.

SECTION 6. Appropriations. – An initial amount of One Hundred Million Pesos (Php100,000,000.00) shall be appropriated as seed money for the establishment of the Legal Scholarship and Return Service Program provided under this Act.

Thereafter, the amount necessary for the continuous implementation of the legal scholarship provided under this Act shall be included in the scholarship program of SUCs and LEB in the annual General Appropriations Act.

SECTION 7. *Implementing Rules and Regulations.* – The Commission on Higher Education (CHED), the Department of Justice (DOJ) and the Legal Education Board (LEB), in consultation with the Integrated Bar of the Philippines and reputable law schools, shall formulate the necessary Implementing Rules and Regulations (IRR) within sixty (60) days from the effectivity of this Act.

SECTION 8. *Separability Clause.* – In the event that any provision of this Act or any part hereof is declared invalid or unconstitutional, the provisions not hereby affected shall remain in full force and effect.

SECTION 9. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof, inconsistent with or contrary to the provisions of this Act are repealed, amended or modified, accordingly.

SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,