

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 8029



Introduced by: HON. RUTH MARIANO-HERNANDEZ

**AN ACT ESTABLISHING A LEGAL SCHOLARSHIP AND RETURN SERVICE PROGRAM
FOR QUALIFIED AND DESERVING STUDENTS, ESTABLISHING FOR THE PURPOSE
THE "ABOGADO PARA SA BAYAN", AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Access to justice is a fundamental right of every Filipino, and this bill aims to address the lack of access to legal services brought about by lack of lawyers. To achieve this goal, the bill proposes a scholarship program that encourages deserving students to pursue a career in law with the requirement that they render public service upon signing the roll of attorneys.

Under the proposed program, scholarship grantees are required to render five years of continuous service either as a public attorney at the Public Attorney's Office (PAO) in a city or municipality within the region where the scholarship grant was obtained, or as a public interest lawyer at a legal aid organization duly accredited or recognized by the Integrated Bar of the Philippines, in the region where the scholarship grant was obtained. Priority will be given to areas with the highest number of case load vis-à-vis the lowest number of public attorneys as determined by the PAO Regional Office.

This program aligns with the constitutional mandate to prioritize education, promote the right to quality education, and guarantee access to justice. By providing scholarships to deserving students and requiring them to render public service, the program aims to increase the number of lawyers who are dedicated to providing legal services to those who cannot afford them.

The enactment of this bill into law is imperative to address the lack of access to legal services for many Filipinos. We urge our fellow legislators to support the passage of this bill and to work together to ensure that all Filipinos are able to exercise their right to access to justice.

Approved,



REP. RUTH MARIANO-HERNANDEZ
2nd District, Laguna

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BAYAN", AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* - This Act shall be known as the "Abogado Para sa Bayan Act."

SECTION 2. *Declaration of Policy.* - It is the policy of the State to protect and promote the right of all citizens to access to justice and to quality legal services, especially those who are indigent or underprivileged. Towards this end, the State shall hereby establish a program to encourage more lawyers to serve the people and to guarantee that there shall be, at all times, a sufficient number of lawyers to provide free and adequate legal services to indigent and underprivileged Filipinos in need of legal assistance.

SECTION 3. *Establishment of the Abogado Para sa Bayan Scholarship Program.* - The Abogado Para sa Bayan Scholarship Program shall be established in state universities and colleges (SUCs) offering Juris Doctor degree and partner private higher educational institutions (PHEIs) duly identified by the Legal Education Board (LEB) in consultation with the Public Attorney's Office (PAO) and the Integrated Bar of the Philippines (IBP). The LEB shall identify at least one (1) partner PHEI in Luzon, Visayas, and Mindanao, respectively, for the scholarship program.

SECTION 4. *Priority in Selection of Scholarship Recipients.* - Priority in the selection of qualified and deserving recipients for the LSRSP shall be given to:

- a) Members of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs);
- b) Those who belong to the marginalized sector; and

- c) Applicants who come from cities/municipalities with a limited number of practicing public interest lawyers.

SECTION 4. *Benefits and Entitlements from the Program.*- The Abogado Para sa Bayan Program established under this Act shall be awarded to qualified and deserving Filipino students who want to pursue a degree in Juris Doctor (JD). The grantee shall be entitled to the following:

- a) Financial assistance which shall include tuition and other school fees;
- b) Outright grant for prescribed textbooks and essential school supplies;
- c) Transportation expenses;
- d) Monthly living allowance; and
- e) Bar Review fees for first time takers.

Provided, that the financial assistance provided herein, or in the succeeding implementing rules and regulations, shall be reviewed and adjusted to its value using the Consumer Price Index (CPI) as published by the Philippine Statistics Authority (PSA) five (5) years from the implementation of this Act, and every five (5) years thereafter.

SECTION 5. *Qualification Requirements.* - An applicant for the Abogado Para sa Bayan Scholarship Program shall possess the following qualifications:

- a) Must be a Filipino citizen residing in the Philippines;
- b) Must have a bachelor's degree from a tertiary education institution;
- c) Must have passed the entrance examination of a law school where the applicant intends to avail the scholarship, or is currently enrolled in one;
- d) Must be of good moral character; and
- e) Must come from a low-income to middle-income household.

SECTION 6. *Conditions of Scholarship.* - Accepted grantees shall be subject to the following terms and conditions:

- a) Must sign the Scholarship Agreement Form containing the terms and conditions of the scholarship;
- b) Must carry a full load every semester;
- c) Must finish the degree within the prescribed time frame of the SUC or PHEI. *Provided, That* Leave of Absence (LOA) may be allowed for valid and justified reasons, but must still be subject to the retention policy of the SUC or PHEI;
- d) Must take the Bar Examination within a year after graduation; and
- e) Must render the return of service as provided under Section 8 of this Act.

SECTION 7. *Disqualification.* - The Scholarship grant shall be terminated and the grantee shall repay the full cost of the scholarship, in case of the following circumstances:

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

SECTION 8. *Mandatory Return Service.* - Within a period of eight (8) years from admission to the Bar, beneficiaries of the Abogado Para sa Bayan program shall be required to render a year of mandatory return service as a Public Attorney's Office (PAO) lawyer in the region where the scholarship was obtained, for every year of scholarship received. Alternatively, beneficiaries may opt to serve as a full-time public interest lawyer for two (2) years at a legal aid organization duly accredited or recognized by the Integrated Bar of the Philippines (IBP).

In cases where a beneficiary did not take or pass the bar exam, they shall be mandated to serve in a legal-related position within the government for at least four (4) years, which may be done discontinuously within a period of eight (8) years from graduation. The number of years the beneficiary has served in a legal position within the government shall be deducted from the required years of mandatory return service if they become a lawyer.

SECTION 9. *Sanctions.* - A lawyer or graduate who has availed of the Scholarship Program but fails or refuses to comply with the preceding section shall be required to pay the full cost of the scholarship.

SECTION 10. *Selection of SUC and PHEI Law Schools.* - Within sixty (60) days from the effectivity of this Act, the Legal Education Board (LEB), in coordination with Integrated Bar of the Philippines (IBP) and PAO, shall identify the law schools which shall be covered under this Act.

SECTION 11. *Implementing Rules and Regulations.* - Within ninety (90) days from the effectivity of this Act, the Legal Education Board (LEB), in consultation with the Public Attorney's Office (PAO), Integrated Bar of the Philippines (IBP), and law schools, shall formulate the implementing rules and regulations necessary to implement this Act.

SECTION 12. *Separability Clause.* - In the event that any provision of this Act or any part thereof is declared invalid or unconstitutional, the provisions not hereby affected shall remain in full force and effect.

SECTION 13. *Repealing Clause.* - All other laws, acts, decrees, executive orders, issuances, and rules and regulations, or parts thereof which are contrary or inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SECTION 14. *Effectivity Clause.* --- This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved,