



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

TWENTIETH CONGRESS
FIRST REGULAR SESSION

House Bill No. 354



INTRODUCED BY **Rep. ZIAUR-RAHMAN ALONTO ADIONG**

EXPLANATORY NOTE

This bill aims to address the critical need for legal assistance among underprivileged individuals by establishing a legal scholarship and return service program. The policy underlying this proposed legislation is grounded in the fundamental principle that access to justice should not be impeded by financial constraints.

Under the Constitution, the State recognizes the constitutional mandate to ensure free access to the courts and quasi-judicial bodies for all individuals, regardless of their economic status. Additionally, it acknowledges the imperative to provide legal aid services to those who are unable to afford them, particularly when their human rights are at stake.

The proposed legal scholarship program seeks to fulfill these objectives by offering financial assistance to deserving students pursuing legal education. By alleviating the financial burden of law school tuition and related expenses, the program aims to enable talented individuals from disadvantaged backgrounds to enter the legal profession.

Importantly, this scholarship program comes with a mandatory service component. Recipients of the scholarship will be required to render legal services in government offices upon completing their education. This return service requirement not only ensures that the investment made in their education benefits society as a whole but also helps address the shortage of legal professionals in the public sector.

By establishing this legal scholarship and return service program, the State endeavors to promote equal access to justice, protect the rights of the underprivileged, and strengthen the provision of legal services in government institutions. This bill represents a proactive approach to fulfilling constitutional directives and addressing societal needs, ultimately contributing to the realization of a more just and equitable society.

As such, the approval of this Bill is earnestly sought.

REP. ZIAUR-RAHMAN ALONTO ADIONG
1st District, Lanao del Sur



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House Bill No. **354**

INTRODUCED BY
REP. ZIAUR-RAHMAN "ZIA" ALONTO ADIONG

**AN ACT
ESTABLISHING A LEGAL SCHOLARSHIP AND RETURN SERVICE
PROGRAM FOR DESERVING STUDENTS, AND APPROPRIATING FUNDS
THEREFOR**

Be it enacted by the Senate and 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*".

Sec. 2. Declaration of Policy. – It is hereby declared the policy of the State to uphold the right to free access to the courts and quasi-judicial bodies and ensure that adequate legal assistance shall not be denied to any person by reason of poverty. Towards this end, and in cognizance of the constitutional directive to provide for preventive measures and legal aid services to the underprivileged whose human rights have been violated or need protection, the State shall establish a legal scholarship and return service program to assist deserving students pursue legal education who shall eventually render legal services in government offices.

Sec. 3. Legal Scholarship and Return Service Program. – There shall be established a Legal Scholarship and Return Service (LSRS) Program for deserving students who intend to pursue a Juris Doctor or Bachelor of Laws degree in state universities and colleges (SUCs) or in partner private higher education institutions (HEIs) in regions where there are no SUC offering Juris Doctor or Bachelor of Laws degree. The LSRS Program shall provide the following benefits to qualified legal education students:

- (a) Free tuition and other school fees, including but not limited to: student registration fees, library fees, and publication fees;
- (b) Allowance for prescribed books and supplies;
- (c) Allowance for review fees for the government-mandated bar exam; and
- (d) Allowance for licensure fees.

Sec. 4. *Qualifications and Requirements.* – In order to be qualify for the grant of scholarship under the LSRS Program, a prospective or current legal education student must satisfy the following requirements:

- (a) Must be a Filipino Citizen residing in the Philippines;
- (b) Must not have completed a Bachelor of Laws or Juris Doctor degree from any HEI offering legal education;
- (c) Must be a graduating student or a graduate of an undergraduate degree program; and
- (d) Must have passed the entrance examination and complied with other requirements for admission into the Juris Doctor or Bachelor of Laws degree program offered by the SUC or private HEI where the student intends to enroll.

Sec. 5. *Conditions for the Grant of Legal Scholarship.* – Qualified students accepted into the LSRS Program shall be subject to the following conditions:

- (a) Must sign an agreement stating the terms and conditions of the scholarship which shall be prescribed by the Legal Education Board (LEB);
- (b) Must carry full load of subjects prescribed per semester by the SUC or private HEI concerned, and shall not, under any circumstance, drop a course which would result in underloading;
- (c) Must finish the Juris Doctor or Bachelor of Laws degree program within the prescribed time frame of the SUC or private HEI where the scholar is enrolled in, subject to the retention policies of the SUC or private HEI concerned: *Provided, That* a scholar who is already enrolled, may be allowed, for valid and justifiable reasons, to file a leave of absence;
- (d) Must take the bar examination within a maximum period of one (1) year after completion of the Juris Doctor or Bachelor of Laws degree;
- (e) Must render return service as provided under Section 7 of this Act.

Section 6. *Disqualifications.* - The scholarship grant shall terminate, and the recipient of legal scholarship shall repay the full cost of scholarship and related benefits received, including all the expenses incurred during the participation in the LSRS program, in case of the following circumstances:

(a) If the scholar fails to meet the academic requirements or to complete the course within the prescribed period without valid cause as may be determined by the SUC or private HEI concerned;

(b) If the scholar commits gross misconduct in a manner that would bring significant damage to the SUC or private HEI concerned or to the community as a whole.

Sec. 7. Mandatory Return Service. – Within five (5) years from admission to the practice of law, a scholar shall render mandatory return service for two (2) years in government agencies, including, but not limited to: the Public Attorney's Office, National Prosecution Service, Department of Education, Department of Environment and Natural Resources, Department of the Interior and Local Government, Department of Health, Department of Justice, Department of National Defense, Department of Social Welfare and Development, the Courts, or in government agencies and instrumentalities that provide legal services to: (i) poor and marginalized individuals and communities, and (ii) public school teachers, public health workers, and military and uniformed personnel involved in cases arising from or in connection with the performance of their duties and functions: *Provided*, That the mandatory return service shall be separate and distinct from the Clinical Legal Education Program as provided under Rule 138-A of the Rules of Court: *Provided*, *further*, That beneficiaries of LSRS Program appointed to *plantilla* positions shall receive the appropriate salaries, benefits and other emoluments for services rendered under the mandatory return service; *Provided*, *furthermore*, That beneficiaries of LSRS Program who, after three (3) years from admission to the practice of law, fails to secure appointment in government shall have the option to: (i) pay the full cost of scholarship and related benefits received, including all the expenses incurred during the participation in the LSRS Program; or (ii) undertake alternative compliance program to be formulated by the LEB pursuant to the provisions of this Act and Republic Act (RA) No. 9999, otherwise known as the Free Legal Assistance Act of 2010: *Provided*, *finally*, That in the application of Republic Act No. 9999, the allowable deduction from the gross income shall be the amount that could have been collected from the actual free legal services rendered or up to twenty percent (20%) of the gross income derived from the actual performance of the legal profession, whichever is lower.

Sec. 8. Number and Allocation of Students to be Admitted in the Program. – Prior to the implementation of this Act and every five (5) years thereafter, the LEB shall, in consultation with Philippine Association of Law Schools and participating HEIs and upon the assessment of the shortage of legal practitioners

in the public sector, determine the appropriate number and geographic allocation of scholars to be admitted in the LSRS Program.

Sec. 9. Harmonization with the Clinical Legal Education Program. – Pursuant to Article VIII, Section 5, subsection 5, of the Constitution, the Legal Education Board shall adopt the policy on the Revised Law Student Practice Rule, ensure that law students participate in the clinical legal education programs in all legal education institutions, define the scope of service to be rendered by law students in the said program, contribute to access to justice of the marginalized sectors, enhance learning opportunities of law students, instill among them social responsibility and awareness, and prepare them for the practice of law.

Section 10. Sanctions. – Any lawyer who has availed of the benefits under the LSRS Program but fails or refuses to comply with the mandatory return service as provided under this Act shall be required to pay twice the amount of scholarship, including other benefits received by reason of participation in the LSRS Program: *Provided*, That the penalty imposed herein shall not apply to lawyers who fail to comply with the required return service by reason of *force majeure* or not due to their fault or negligence.

Sec. 11. Appropriations. – The amount necessary for the implementation of this Act shall be included in the annual General Appropriations Act.

Sec. 12. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the LEB shall, in consultation with the Philippine Association of Law Schools, Philippine Association of State Universities and Colleges and Commission on Higher Education, promulgate the rules and regulations to effectively implement the provisions of this Act.

Sec. 13. Separability Clause. – If any provision or part hereof is held invalid or unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

Sec. 14. Repealing Clause. – All laws, presidential decrees, executive orders, rules and regulations, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Sec. 15. Effectivity. – This Act shall take effect immediately following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,