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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **2255**

Introduced by **Representative MA. VICTORIA CO-PILAR**

EXPLANATORY NOTE

In the Philippines, the demand for more lawyers is an urgent necessity to address various legal challenges and uphold the principles of justice.

Firstly, the Philippines grapples with a backlog of legal cases, which often results in delays and inefficiencies in the justice system. More lawyers are needed to help alleviate this backlog by providing legal representation and assistance to individuals and entities involved in legal disputes. At present, there are only around 40,000 attorneys comprising the Integrated Bar of the Philippines, and not all of them are practicing lawyers. This means that one lawyer is serving roughly 2,500, far from the ideal ratio of one lawyer for every 250 individuals.

Pursuing a legal education and career is notoriously expensive compared to a regular undergraduate or post-baccalaureate degree. Applying in the top legal institutions in our country will cost around Php. 75,000 – Php. 100,000 per semester, excluding application, examination, and instructional material fees (such as books and other required course resources). We also have to take note of other miscellaneous expenses such as food, transportation, living, and utility expenses that may incur in the duration of one's law education.

In essence, the need for more lawyers in the Philippines is not just about filling a quota — but is rooted in the fundamental principles of democracy, fairness, and equality before the law. By expanding the legal workforce, we can strive towards a more just and equitable society where the rights of every individual are protected and upheld.

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

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AN ACT
ESTABLISHING A LEGAL SCHOLARSHIP AND RETURN SERVICE PROGRAM, 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 a policy of the State to uphold the right of the people to free access to the courts and quasi-judicial body and adequate legal assistance through the creation of a system that would support the legal 6 education of qualified and deserving students who shall thereafter render a mandatory return of service 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 (JD) or Bachelor of Laws (BLL) degree in state universities and 12 colleges (SUCs) or in partner private higher education institutions (HEIs) in regions where there are no SUC offering JD or BLL degree.

SEC 4. ***Assistance to Grantees*** **—** A grantee under the I-SRS Program shall be entitled to financial assistance which shall include:

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 government-mandated bar exams; and

d) Allowance for licensure fees.

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

SEC 5. ***Qualifications*** **—** An applicant to the Program must meet the following qualifications:

a) A Filipino citizen residing in the Philippines;

b) A graduating or a graduate student of an undergraduate degree from a reputable tertiary education institution;

c) Must have passed the entrance examination and complied with other requirements for admission into the JD or BLL degree program offered by the SUC or HEI where the student intends to enroll; and

d) Must be of good moral character.

Priority in the selection of qualified and deserving grantees for the Program shall be given to members of the Indigenous Cultural Communities/ Indigenous Peoples (ICCs/IPS), those who belong to the marginalized sector, and those who come from cities or municipalities with a limited number of practicing public interest lawyers.

SEC 6. ***Conditions for the Grant of Scholarship*** **—** A qualified applicant admitted to the 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), or its equivalent body as may hereinafter be created by law;

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 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 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 degree; and

e) Must render the return service required under this Act.

SEC 7. ***Cancellation of Scholarship*** **—** The Scholarship grant shall be cancelled and the grantee shall repay the full cost of scholarship and related benefits received, including all the expenses incurred during the participation in the Program, in any of the following circumstances:

a) If the grantee fails to comply any of the conditions set forth in Section 6 of this Act;

b) If the grantee 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; or

c) If the grantee is convicted of a crime or offense involving moral turpitude.

SEC 8. ***Mandatory Return Service*** **—** Within five (5) years from admission to the practice of law, a grantee shall render mandatory return service for two (2) years in government agencies 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 a grantee of the 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 a grantee of the 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 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 9. ***Number and Allocation of Students to be Admitted in the Program*** **—** Within sixty (60) days from the effectivity 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 Program.

Sec 10. ***Role of CHED*** - The CHED shall perform the following functions in the implementation of the LSRS Program:

a) Conduct regular information dissemination of, and recruitment to, the LSRS Program in SUCs and HEIS to ensure that there will be an adequate number of lawyers in all the municipalities and provinces;

b) Coordinate with the LEB, SUCs and HEIs, for the integration of the legal scholar into the public legal system;

c) Formulate, promulgate, disseminate and implement the necessary policies, standards, guidelines, and rules and regulations for the effective implementation of the LSRS Program under this Act;

d) Ensure the timely and adequate release to partner-SUCs and HEIS of the funds necessary for the implementation of the I-SRS Program, and monitor the timely and adequate release of the same by the partner-SUCs and HEIS to the scholar19 beneficiaries under the LSRS Program; and

e) Recommend, in coordination with partner-SUCs and HEIs, to the DBM the amount necessary for the effective implementation of this Act.

Sec 11. Role of the SLICs and HEIS - The SUCs and HEIS shall perform the following functions in the implementation of the LSRS Program:

a) Monitor the progress of all scholars in their respective educational institutions, identify those who have low or failing grades, and counsel them to improve their academic performance;

b) Coordinate with the CHED to ensure the timely release and accurate distribution of allowances and other fees to the scholars;

c) Make an annual report to the CHED on the performance of legal scholars and other necessary or vital information regarding the ISRS Program;

d) Assist the CHED in the conduct of regular information dissemination on, and recruitment to, the ISRS Program;

e) Review, modify and enhance the legal education curriculum to prepare the 35 scholars to work in community-based legal programs to ensure that legal education programs remain up to date with recent legal developments;

f) Recommend strategies to CHED and LEB to improve the implementation of the LSRS Program;

g) Conduct a tracer study on the whereabouts of their respective legal scholars 4 after graduation from their institution and submit the results thereof to the CHED;

h) Recommend to the CHED and the DBM the budget necessary to implement the 7 LSRS Program in their respective institutions, based on their projected capacity 8 and evaluation of the adequacy of the funding under this Program; and

i) Perform such other functions as may be deemed necessary for the success of the ISRS Program.

Sec 12. ***Role of LEB*** - The LEB shall perform the following functions in the implementation of the LSRS Program:

a) Review, modify and enhance the mandatory return service requirement under 15 this Act to maximize the contribution of a legal scholar in community-based legal programs and activities;

b) Develop programs for the continuous training of scholars while serving the mandatory return service under this Act;

c) Require SUCs and HEIS to implement and submit a tracking, monitoring, evaluation and assistance system in order to determine the whereabouts of the legal scholars after graduation from SUCs or HEIs;

d) Serve as the primary consultative body of CHED in terms of budgetary and administrative support requirements under the LSRS Program; and

e) Such other functions necessary for the effective implementation of this Act.

Sec 13. ***Appropriation*** **—** The amount necessary for the implementation of the legal scholarship provided under this Act shall be included in the scholarship program of SUCs and CHED in the annual General Appropriations Act.

Sec 14. ***Sanctions*** **—** Any lawyer who has availed of the benefits under the 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 ISRS Program: *Provided*, That the sanction 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 15. ***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 16. ***Separability Clause*** **—** If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Sec 17. ***Repealing Clause*** **—** Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

Sec 18. ***Effectivity Clause*** **—** This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,