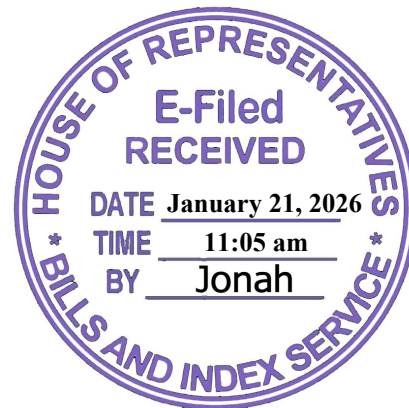




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 7231



Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A. Acidre

AN ACT
STRENGTHENING THE LEGAL EDUCATION BOARD, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 7662, OTHERWISE KNOWN AS THE
“LEGAL EDUCATION REFORM ACT OF 1993”, AND APPROPRIATING
FUNDS THEREFOR

EXPLANATORY NOTE

This bill seeks to reiterate the authority of the Legal Education Board (LEB) to establish the parameters of the exercise of its power and to enable itself to operate at its highest potential, while respecting and pursuing every cornerstone of academic freedom.

Republic Act No. 7662 (“Legal Education Reform Act”) created the Legal Education Board (LEB) with powers to supervise law schools, set admission standards, prescribe curricula, accredit faculties, establish internship requirements, and adopt continuing legal education. However, in the recent decision of the Supreme Court in *Pimentel et al. vs. LEB*¹, some provisions of the Legal Education Reform Act were declared unconstitutional for intruding into areas which otherwise fell within the exclusive jurisdiction of the Supreme Court. This prompted the LEB

¹ G.R. No. 230642, November 09, 2021

to review and overhaul its policies with respect to the regulation of legal education institutions through the proposed amendments.

Thus, the proposed amendments are aimed at drawing more officials into LEB's fold, capable of preserving and taking up from what the present Board has begun with its significantly small monetary capital. This will allow the LEB to fully exercise its duties and functions as provided by statutory law and highlighted by jurisprudence.

Improving the governing body of legal education in the Philippines is crucial for strengthening the rule of law, ensuring access to justice, and fostering national development by producing competent, ethical, and socially-committed lawyers who can solve complex problems, serve the marginalized, and adapt to modern challenges, moving beyond mere technical skills to address the needs of a growing democracy. It's vital for enhancing the administration of justice and upholding public trust in the legal system.

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



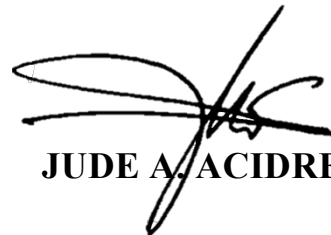
FERDINAND MARTIN G. ROMUALDEZ



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

SECTION 1. This Act shall be known as the *"Revised Legal Education Reform Act."*

SECTION 2. Section 2 of Republic Act No. 7662 is hereby amended to read as follows:

“SEC. 2. *Declaration of Policies.* - It is hereby declared the policy of the State to uplift the standards of legal education [in order] to prepare law students for advocacy, counselling, problem-solving and decision-making, SO AS to infuse in them the ethics of the legal profession[; to] AND impress upon them the importance, nobility and dignity of the legal profession as an equal and indispensable partner of the Bench in the administration of justice[;] and[,] to develop socially-committed lawyers with integrity and competence.

[Towards] TO this end, the State shall undertake appropriate reforms in the legal education system[,] THAT SHALL require THE proper selection of law students, maintain quality among law schools, and require legal apprenticeship and continuing legal education.”

SECTION 3. Section 3 of Republic Act No. 7662 is hereby amended to read as follows:

“SEC. 3. *General and Specific Objectives of Legal Education.* - a) Legal Education in the Philippines is geared to attain the following general objectives:

- 1) to prepare students for the practice of law;
- 2) to increase awareness among [members of the legal profession] STUDENTS of the needs of the poor, deprived and oppressed sectors of society;

- 3) to train [persons] STUDENTS OF LAW for leadership;
- 4) to contribute towards the promotion and advancement of justice and the improvement of [its] THE administration[,] OF the legal system and [legal institutions] LAW SCHOOLS in the light of the historical and contemporary development of law [in the Philippines and in other countries.] WORLDWIDE; AND
- 5) TO GENERATE LEGAL RESEARCH AND SCHOLARSHIP THAT CONTRIBUTE TO THE EXPANSION OF LEGAL KNOWLEDGE.

b) Legal education shall aim to accomplish the following specific objectives AMONG LAW STUDENTS:

- 1) to impart [among law students] a broad knowledge of THE law and its various fields, and of legal PHILOSOPHIES, SYSTEMS AND institutions;
- 2) to enhance [their] legal research abilities [to enable them] AND CAPACITIES to analyze, articulate, and apply the law effectively, as well as to allow [them to have] a holistic approach to ADDRESSING legal problems and issues;

3) to prepare [law students] for advocacy, counselling, problem-solving and decision-making, and develop [their] THE ability to deal with recognized legal problems of the present and the future;

4) to develop competence in any field of law as is necessary for gainful employment or sufficient as a foundation for future training beyond the basic professional degree, and to develop [in them] the desire and capacity for continuing study and self-improvement;

5) to [inculcate] INSTILL [in them] the ethics and responsibilities of the legal profession; and

6) to [produce] CREATE AN ENVIRONMENT CONDUCIVE TO THE TRAINING OF PROSPECTIVE lawyers who conscientiously pursue the lofty goals of [their] THE profession and faithfully adhere THROUGH STRICT ADHERENCE to its ethical norms.”

SECTION 4. A new Section 4 is hereby inserted after Section 3 of Republic Act No. 7662, to read as follows:

“SEC. 4. *DEFINITION OF TERMS.* AS USED IN THIS ACT:

A. BASIC LAW PROGRAM – AN ACADEMIC PROGRAM LEADING TO A JURIS DOCTOR DEGREE AND IS PRIMARILY DESIGNED FOR THE TRAINING AND FORMATION OF

PROSPECTIVE LAWYERS TO QUALIFY THEM TO TAKE THE BAR EXAMINATIONS IN ACCORDANCE WITH THE RULES OF THE SUPREME COURT;

B. GRADUATE LAW PROGRAMS – ADVANCED ACADEMIC STUDIES AFTER COMPLETION OF THE BASIC LAW PROGRAM TO FURTHER LEGAL SCHOLARSHIP AND PROFESSIONAL SKILLS, SUCH AS MASTER AND DOCTOR OF LAWS, AND OTHER EQUIVALENTS;

C. LEGAL EDUCATION – THE TOTALITY OF VARIOUS ACADEMIC PROGRAMS IN HIGHER EDUCATION DESIGNED FOR THE TRAINING OF PROSPECTIVE LAWYERS AND LEGAL SCHOLARS. IT SHALL ENCOMPASS THE BASIC AND GRADUATE LAW PROGRAMS AND OTHER LEGAL STUDIES PROGRAMS; AND

D. LAW SCHOOLS – ALL HIGHER EDUCATION INSTITUTIONS RECOGNIZED BY THE COMMISSION ON LEGAL EDUCATION (CLED), EXCEPT FOR THE UNIVERSITY OF THE PHILIPPINES, AND AUTHORIZED OR ACCREDITED UNDER THIS ACT TO OFFER BASIC OR GRADUATE LAW PROGRAMS OR OTHER LEGAL STUDIES PROGRAMS.”

SECTION 5. A new Section 5 is hereby inserted after Section 4 of this Act, to read as follows:

“SEC. 5. *COVERAGE.* – THIS ACT SHALL APPLY TO ALL EXISTING LAW SCHOOLS IN THE PHILIPPINES RECOGNIZED AND ACCREDITED BY THE CLED, INCLUDING LAW SCHOOLS IN THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO.

ALL LAW SCHOOLS INCLUDING THOSE ESTABLISHED FOLLOWING THE APPROVAL OF THIS ACT AND WHICH SHALL BE RECOGNIZED AND ACCREDITED BY THE CLED, SHALL BE COVERED, INCLUDING LAW SCHOOLS WHICH SHALL BE ESTABLISHED IN AUTONOMOUS REGIONS.”

SECTION 6. Section 4 of Republic Act No. 7662 is hereby amended and renumbered as Section 6, to read as follows:

“SEC. [4] 6. *[Legal Education Board] COMMISSION ON LEGAL EDUCATION; Creation and Composition.* - To carry out the purposes of this Act, there is hereby created the [Legal Education Board] COMMISSION ON LEGAL EDUCATION, hereinafter referred to as the [Board] CLED[, attached solely for budgetary purposes and administrative support to the Department of Education, Culture and Sports].

The [Board] CLED shall be composed of a [Chairman] CHAIRPERSON [, who shall preferably be a former justice of the Supreme Court or Court of Appeals,] and the following as regular members: a representative of the

Integrated Bar of the Philippines (IBP); a representative of the Philippine Association of Law Schools (PALS); a representative of the Philippine Association of Law Professors (PALP); a representative from the ranks of active law practitioners; and[,] a representative from the law students' sector. [The Secretary of the Department of Education, Culture and Sports or his representative, shall be an *ex officio* member of the Board].

With the exception of the representative of the law students' sector, the Chair[man]PERSON and regular members of the [Board] CLED must be natural-born citizens of the Philippines and members of the Philippine Bar, who have been engaged for at least ten (10) years in the practice of law, as well as [in the teaching of law in a duly authorized or recognized law school] ACTIVELY ENGAGED IN LEGAL EDUCATION IN A RECOGNIZED AND ACCREDITED LAW SCHOOL ALSO FOR AT LEAST TEN (10) YEARS. RETIRED OR RESIGNED JUSTICES OF THE SUPREME COURT AND COURT OF APPEALS OR ELECTED OR APPOINTED GOVERNMENT OFFICIALS WHOSE DUTIES AND FUNCTIONS PROHIBIT THEM FROM ENGAGING IN THE PRACTICE OF LAW OR ACTIVELY ENGAGING IN LEGAL EDUCATION DURING THEIR TERM OF OFFICE MUST HAVE BEEN ENGAGED IN THE PRACTICE OF LAW OR LEGAL EDUCATION FOR AT LEAST FIVE (5) YEARS PRIOR TO OR AFTER THEIR ELECTION OR APPOINTMENT AS SUCH.

THE CHAIRPERSON AND REGULAR MEMBERS MUST PREFERABLY BE HOLDERS OF AN EARNED MASTER OF LAWS

DEGREE OR A MASTER'S DEGREE IN AN EDUCATION-RELATED FIELD, AND MUST NOT HAVE BEEN CANDIDATES FOR ELECTIVE POSITIONS IN THE ELECTIONS IMMEDIATELY PRECEDING THEIR APPOINTMENT. THEY SHALL BE ACADEMICIANS KNOWN FOR THEIR HIGH DEGREE OF PROFESSIONALISM AND INTEGRITY, WHO HAVE DISTINGUISHED THEMSELVES AS AUTHORITIES IN THE FIELD OF LEGAL EDUCATION.”

SECTION 7. Section 5 of Republic Act No. 7662 is hereby amended and renumbered as Section 7, to read as follows:

“SEC. [5] 7. *Term of Office; Compensation.* - The Chair[man]PERSON and regular members of the [Board] CLED shall be appointed by the President OF THE PHILIPPINES for a term of five (5) years, without PREJUDICE TO ONE reappointment, from a list of at least three (3) nominees prepared, with prior authorization from the Supreme Court, by the Judicial and Bar Council (JBC), for every position or vacancy, and no such appointment shall need confirmation by the Commission on Appointments. [Of those first appointed, the Chairman and the representative of the IBP shall hold office for five (5) years, the representatives of the PALS and the PALP, for three (3) years; and the representative from the ranks of active law practitioners and the representative of the law students' sector, for one (1) year, without reappointment. Appointments to any vacancy shall be only for the unexpired portion of the term of the predecessor.] IF THE

APPOINTMENT IS MADE TO FILL UP A VACANCY CAUSED BY DEATH, DISQUALIFICATION, INCAPACITY OR RESIGNATION, THE TERM OF OFFICE SHALL BE FOR THE UNEXPIRED PORTION OF THE TERM OF THE PREDECESSOR. THE CHAIRPERSON OR ANY REGULAR MEMBER OF THE CLED, WHOSE TERM HAS ENDED, SHALL SERVE IN A HOLDOVER CAPACITY UNTIL THE SUCCESSORS ARE APPOINTED.

The Chair[man]PERSON and regular members of the [Board] CLED shall have the same [salary and] rankS AND SALARIES as the Chair[man]PERSON and members, respectively, of the Constitutional Commissions: *Provided*, That their salaries shall not be diminished during their term of office.”

SECTION 8. Section 6 of Republic Act No. 7662 is hereby amended and renumbered as Section 8, to read as follows:

“SEC. [6] 8. [*Office and Staff Support*] *Secretariat*. – The [Department of Education, Culture and Sports shall provide the necessary office and staff support to the Board, with a principal office to be located in Metropolitan Manila] CLED SHALL HAVE A SECRETARIAT WHICH SHALL BE HEADED BY AN EXECUTIVE DIRECTOR AND APPOINTED BY THE CLED. THE SECRETARIAT SHALL CONSIST OF OFFICES NECESSARY FOR THE EFFECTIVE PERFORMANCE OF THE CLED’S POWERS AND FUNCTIONS.

THE CLED SHALL DETERMINE THE ORGANIZATIONAL STRUCTURE AND STAFFING PATTERN OF THE CLED IN ACCORDANCE WITH THE REVISED COMPENSATION AND POSITION CLASSIFICATION SYSTEM SUBJECT TO THE EVALUATION AND APPROVAL OF THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) AND IN COMPLIANCE WITH THE CIVIL SERVICE LAWS, RULES AND REGULATIONS.

[The Board may appoint such other officers and employees it may deem necessary in the performance of its powers and functions.]

THE CLED SHALL ESTABLISH ONE FIELD OFFICE EACH IN LUZON, VISAYAS, AND MINDANAO AS IT MAY DEEM NECESSARY.”

SECTION 9. Section 7 of Republic Act No. 7662 is hereby amended and renumbered as Section 9, to read as follows:

“SEC. [7] 9. *Powers and Functions.* - For the purpose of achieving the objectives of this Act, the [Board] CLED shall have the following powers and functions:

a) TO FORMULATE DEVELOPMENT PLANS, POLICIES, PRIORITIES AND PROGRAMS ON LEGAL EDUCATION AND RESEARCH, AND IMPLEMENT THE SAME UNDER THE PROVISIONS OF THIS ACT, OR IN THE ABSENCE OF SUCH PROVISIONS, TO RECOMMEND TO THE LEGISLATIVE BRANCH APPROPRIATE REMEDIAL LEGISLATION;

[a] b) WITHIN THE PARAMETERS OF ITS POWERS AND FUNCTIONS AS HEREIN ENUMERATED, to [supervise the law schools in the country, consistent with its powers and functions as herein enumerated] administer the legal education system AND SUPERVISE LAW SCHOOLS in the country [in a manner consistent with the provisions of this Act];

c) to set the standards of accreditation for law schools AND OTHER LEGAL EDUCATION PROGRAMS, taking into account, among others, the [size of enrollment, the qualifications of the members of the faculty, the library and other facilities,] NEED FOR SUCH QUALITY PROGRAMS, AS WELL AS THE NUMBER OF EXISTING LAW SCHOOLS AND OTHER LEGAL EDUCATION PROGRAMS IN THE COMMUNITY, without encroaching upon the academic freedom of institutions [of higher learning];

d) to accredit law schools that meet the standards of accreditation, AND PROVIDE INCENTIVES, INCLUDING SUBSIDIES, TO ACCREDITED LAW SCHOOLS, PUBLIC OR PRIVATE, AND TO THEIR STUDENTS AND FACULTY MEMBERS;

e) to prescribe minimum standards for law admission and minimum qualifications and compensation of faculty members;

f) to prescribe the basic curricula for the course of study aligned to the requirements for admission to the Bar, law practice and social consciousness, and such other courses of study as may be prescribed by the law schools and colleges under the different levels of accreditation status;

g) to monitor and evaluate the performance of law schools for the provision of applicable incentives and/or subsidies;

h) to [adopt a system of continuing legal education. For this purpose, the [Board] CLED may provide for the mandatory attendance of practicing lawyers in such courses and for such duration as the Board may deem necessary; and] IDENTIFY, SUPPORT AND DEVELOP POTENTIAL AREAS OF EXCELLENCE IN LEGAL EDUCATION PROGRAMS NEEDED FOR THE DEVELOPMENT OF WORLD-CLASS SCHOLARSHIPS, PROMOTION OF THE RULE OF LAW AND ATTAINMENT OF THE GOALS OF NATION BUILDING;

I) TO COLLECT REASONABLE FEES FOR THE ISSUANCE OF GOVERNMENT PERMIT OR GOVERNMENT RECOGNITION, AND OFFICIAL CERTIFICATIONS, AND FOR THE HOLDING OF SEMINARS AND OTHER SERVICES PROVIDED BY THE CLED;

J) TO ACCEPT DONATIONS, GRANTS, AID, FUNDING AND ANY GRATUITOUS TRANSFERS, WHETHER IN CASH, REAL OR PERSONAL PROPERTY, TO BE USED FOR ACCOMPLISHING THE

OBJECTIVES OF THIS ACT OR FOR THE ADVANCEMENT OF
LEGAL EDUCATION IN THE COUNTRY; AND

[i] K) to perform such other functions and prescribe such rules and regulations necessary for the attainment of the policies and objectives of this Act.”

SECTION 10. Sections 8 and 9 of Republic Act No. 7662 are hereby amended, consolidated, and renumbered as Section 10, to read as follows:

“SEC. [8] 10. *Accreditation of Law Schools AND WITHDRAWAL OR DOWNGRADING OF ACCREDITATION.* – [Educational institutions] LAW SCHOOLS may not operate [a law school] unless accredited by the [Board] CLED. Accreditation of law schools may be granted only to [educational institutions] THOSE recognized by the [G]overnment AND WHOSE CHARTERS OR ARTICLES OF INCORPORATION EXPRESSLY OR IMPLIEDLY AUTHORIZE THEM TO OFFER LAW COURSES.

[SEC. 9. *Withdrawal or Downgrading of Accreditation.* -] The [Board] CLED may withdraw or downgrade the accreditation status of a law school if it fails to maintain the standards set for its accreditation status.”

SECTION 11. Section 10 of Republic Act No. 7662 is hereby deleted.

SECTION 12. Section 11 of Republic Act No. 7662 is hereby amended, to read as follows:

“SEC. 11. *Legal Education Fund.* - There is hereby created a special endowment fund, to be known as the Legal Education Fund OR FUND, which shall be under the control of the [Board] CLED, and TO BE USED EXCLUSIVELY FOR THE IMPROVEMENT AND STRENGTHENING OF LEGAL EDUCATION IN THE ENTIRE COUNTRY. THE FUND SHALL BE administered as a separate fund by the Social Security System (SSS), which shall invest the same with due and prudent regard to its solvency, safety and liquidity

The [Legal Education] Fund shall be established out of, and maintained from, the amounts appropriated pursuant to paragraph 2, Section 13 hereof, and from sixty percent (60%) of the privilege tax paid by every lawyer effective Fiscal Year 1994, and from such donations, legacies, grant-in-aid and other forms of contributions received by the Board for the purposes of this Act.

Being a special endowment fund, only the interests earned on the [Legal Education] Fund shall be used exclusively for the purposes of this Act, [including] WHICH SHALL INCLUDE support for faculty development grants, professorial chairs, library improvements and similar programs for the advancement of [law teaching and] LEGAL education in accredited law schools.

[The Fund shall also be used for the operation of the Board. For [this] THE purpose[,] OF DETERMINING THE AVAILABLE AMOUNT FOR EXPENDITURE, an amount not exceeding ten percent (10%) of the interest on the Fund shall be utilized.

The [Board] CLED, in consultation with the SSS, shall issue the necessary rules and regulations for the collection, administration and utilization of the Fund.”

SECTION 13. Section 12 of Republic Act No. 7662 is hereby deleted and a new Section 12 is inserted after Section 11 to read as follows:

“SECTION 12. TAX EXEMPTIONS – ANY DONATION, CONTRIBUTION, BEQUEST, AND GRANT, IN CASH OR PROPERTY, REAL OR PERSONAL, DESTINED TO BE PART OF THE LEGAL EDUCATION FUND, WHICH MAY BE MADE TO THE CLED, SHALL BE EXEMPT FROM DONOR’S TAX AND SHALL CONSTITUTE AS ALLOWABLE DEDUCTION FROM GROSS INCOME FOR PURPOSES OF COMPUTING THE TAXABLE INCOME TAX OF THE DONOR, AS PROVIDED UNDER THE NATIONAL INTERNAL REVENUE CODE OF 1987, AS AMENDED.

VALUATION OF DONATIONS OTHER THAN MONEY SHALL BE BASED ON WHICHEVER IS LOWER BETWEEN THE ACQUISITION COST AND FAIR MARKET VALUE OF THE PROPERTY AT THE TIME THE DONATION IS MADE.”

SECTION 14. Section 13 of Republic Act No. 7662 is hereby amended, to read as follows:

“SEC. 13. *AppropriationS.* – [The amount of One million pesos(P1,000,000.00) is hereby authorized to be charged against the current year’s appropriation of the Contingent Fund for the initial expenses of the Board.

To form part of the Legal Education Fund, there shall be appropriated annually, under the budget of the Department of Education, Culture and Sports, the amount of Ten million pesos (P10,000,000.00) for a period of ten (10) years effective Fiscal Year 1994.]

THE AMOUNT NECESSARY FOR THE IMPLEMENTATION OF THIS ACT SHALL BE INCLUDED IN THE ANNUAL GENERAL APPROPRIATIONS ACT.”

SECTION 15. A new Section 14 is hereby inserted after Section 13, to read as follows:

“SEC. 14. *IMPLEMENTING RULES AND REGULATIONS.* - WITHIN ONE HUNDRED TWENTY (120) DAYS FROM THE EFFECTIVITY OF THIS ACT, THE CLED AND THE CHED SHALL, IN COORDINATION WITH THE UNIVERSITY OF THE PHILIPPINES LAW CENTER, IBP, PALS, AND OTHER RELEVANT STAKEHOLDERS, ISSUE THE RULES AND REGULATIONS FOR THE IMPLEMENTATION OF THIS ACT: *PROVIDED*, THAT THE

RULES AND REGULATIONS PREVIOUSLY ISSUED BY THE LEB IN THE FORM OF MEMORANDUM ORDERS, RESOLUTIONS AND OTHER ISSUANCES SHALL CONTINUE TO BE IN FULL FORCE AND EFFECT UNLESS THEY DIRECTLY CONTRAVENE ANY PROVISION OF THIS ACT OR ARE AMENDED OR REPEALED BY SUBSEQUENT CLED ISSUANCES.”

SECTION 16. A new Section 15 is hereby inserted after Section 14, to read as follows:

“SEC. 15. *TRANSITORY PROVISION.* – UPON THE EFFECTIVITY OF THIS ACT, THE INCUMBENT CHAIRPERSON AND COMMISSIONERS OF THE LEB, INCLUDING THOSE ON HOLDOVER CAPACITY, SHALL CONTINUE TO PERFORM THEIR RESPECTIVE DUTIES AND RESPONSIBILITIES IN THE CLED UNTIL THE COMPLETION OF THEIR RESPECTIVE TERMS.

WITHIN THREE (3) MONTHS AFTER THE EFFECTIVITY OF THIS ACT, THE CLED SHALL APPOINT THE EXECUTIVE DIRECTOR WHO WILL HEAD THE SECRETARIAT, SUBJECT TO THE RULES AND REGULATIONS OF THE CSC.”

SECTION 17. Section 14 of Republic Act No. 7662 is hereby renumbered as Section 16, to read as follows:

“SEC. [14] 16. *Separability Clause*. - If any provision of this Act is declared unconstitutional or the application thereof to any person, circumstance or transaction is held invalid, the validity of the remaining provisions of this Act and the applicability of such provisions to other persons, circumstances and transactions shall not be affected thereby.”

SECTION 18. Section 15 of Republic Act No. 7662 is hereby renumbered as Section 17, to read as follows:

“SEC. [15] 17. *Repealing Clause*. - All laws, decrees, executive orders, rules and regulations, issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.”

SECTION 19. Section 16 of Republic Act No. 7662 is hereby amended and renumbered as Section 18, to read as follows:

“SEC. [16] 18. *Effectivity*. - This Act shall take effect [after] fifteen (15) days [following the completion of] AFTER its publication in the *Official Gazette* or in [any two (2)] A newspaper[s] of general circulation.”

Approved,