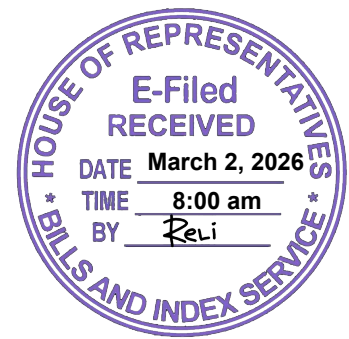


TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 8160

EXPLANATORY NOTE

The Constitution states that free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty.

In our country, the poor have unequal access to justice and this undermines equality in society. The poor are particularly likely to face problems accessing justice institutions because these institutions are remote, slow and unaffordable, or are biased and discriminatory. Other barriers to justice occur when the poor are not aware of their rights, or where justice institutions and processes are intimidating or unnecessarily complex. Most often, the poor are most vulnerable to being abused politically and unable to protect themselves against the injury and economic loss associated with such abuse. Hence, there is a need for legal empowerment.

In the *Forum on Increasing Access to Justice by the Poor: Bridging Gaps, Removing Roadblocks* held at Cagayan de Oro City, it was recommended that to make the costs of litigation affordable, guaranty system or legal insurance for the poor wherein they may access financial assistance while their cases are pending in court must be created.

In view thereof, immediate approval of this Bill is sought.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 8160

AN ACT
ESTABLISHING A FINANCIAL ASSISTANCE PROGRAM FOR POOR LITIGANTS

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

SECTION 1. Establishment of Financial Assistance Program for Poor Litigants. – It is a declared policy of the State that free access to courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty. Pursuant thereto, a Financial Assistance Program for Poor Litigants is hereby created wherein qualified beneficiaries may receive financial assistance while their cases are pending in courts or quasi-judicial bodies.

SEC. 2. Who may Avail of Benefits under the Program. – Any individual who qualifies as a poor litigant based on the qualifications used by the Public Attorney's Office (PAO) may avail of the benefits under this Program.

SEC. 3. Benefits under the Financial Assistance Program. – A poor litigant may avail of the following benefits during the pendency of a case in any court or quasi-judicial body:

- a. reasonable travelling expenses and subsistence allowance in such amount as the PAO may determine;
- b. bond for provisional liberty and/or for civil liability in such amount as the PAO may determine depending on the nature of the case and other relevant circumstances; and
- c. other incidental expenses to be incurred.

SEC. 5. Appropriations. – The Secretary of the Department of Justice (DOJ) shall include in the department's budget, the funding to be used for this Program, which shall be charged against its annual appropriations.

SEC. 6. Implementing Rules and Regulations. – Within six (6) months from the effectivity of this Act, the Secretary of the DOJ, in coordination with the Chief Public Attorney of the PAO, shall promulgate all rules and regulations to carry out the provisions of this Act.

SEC. 7. Separability Clause. – If any provision or part of this Act is held unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 8. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 9. Effectivity. – This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Approved,