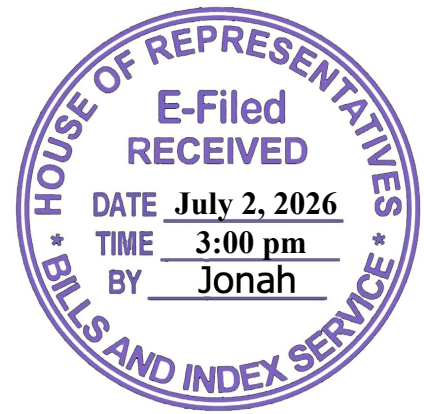


TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES
HOUSE BILL NO. 10004



Introduced by Rep. CARMELO G. LAZATIN, JR.

AN ACT
PROVIDING FREE LEGAL ASSISTANCE FOR SENIOR CITIZENS, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 7432, AS AMENDED, PARTICULARLY BY
REPUBLIC ACT NO. 9994, OTHERWISE KNOWN AS THE “EXPANDED SENIOR
CITIZENS ACT OF 2010”

EXPLANATORY NOTE

The 1987 Philippine Constitution provides that the family has the duty to care for its elderly members but the State may also do so through just programs of social security. At present, Republic Act No. 7432, as amended, particularly by R.A No. 9994 otherwise known as the Expanded Senior Citizens Act of 2010, grants senior citizens discounts and privileges on select good and services, but does not expressly include legal assistance.

Senior citizens, while no longer at the prime of their lives, continue to face legal issues involving their persons, properties, and rights. They may be parties to civil, criminal, administrative, and quasi-judicial proceedings, and may require counsel to prevent or address harassment suits, property disputes, and abuses.

This proposed measure seeks to institutionalize free legal assistance for all senior citizens, delivered through government legal assistance offices and coordinated legal aid mechanisms, consistent with the Supreme Court’s Rules on Unified Legal Aid Service (ULAS) and the Supreme Court’s exclusive rule-making power over pleading, practice and procedure, and legal assistance. It likewise recognizes existing incentives for pro bono legal aid, including MCLE crediting and other incentives under ULAS, and tax incentives under Republic Act No. 9999, where applicable and subject to existing laws and Supreme Court rules.

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

Carmelo Lazatin, Jr.
CARMELO G. LAZATIN, JR.



**Republic of the Philippines
House of Representatives**

Quezon City, Metro Manila

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

1
2 *Section. 1. Short Title.* – This Act shall be known as the “Free Legal Services for Senior
3 Citizens Act”
4

5 *Section 2. Declaration of Policy.* – It is the declared policy of the State to promote the
6 welfare of senior citizens and protect their interests, including their meaningful access to
7 justice. Toward this end, the State shall endeavor to provide free legal assistance to all senior
8 citizens, through government legal assistance offices and coordinated legal aid
9 mechanisms, consistent with the constitutional powers of the Supreme Court to regulate the
10 practice of law and promulgate rules concerning legal assistance, and consistent with the Rules on
11 Unified Legal Aid Service (ULAS).
12

13 *Section 3. Amendment of Section 4 of Republic Act No. 7432 as amended.* – Section 4 of
14 RA No. 7432 as amended by RA No. 9994, is hereby further amended to read as follows:
15

16 *Section 4. Privileges for Senior Citizens-* *The senior citizens shall be entitled of the*
17 *following:*

1
2 xxx

3 (m) *FREE LEGAL ASSISTANCE.* – Senior citizens shall be entitled to free legal
4 assistance in civil, criminal, administrative, and quasi-judicial proceedings,
5 including legal advice and counseling, preparation of pleadings and legal
6 documents, and legal representation, subject to applicable Supreme Court rules on
7 legal assistance, including the Rules on Unified Legal Aid Service (ULAS), and
8 subject to the ethical rules on conflict of interest and other grounds for non-
9 representation.

10
11 *Provided, That the following shall be excluded from coverage under this*
12 *paragraph:*

- 13
14 1. *criminal cases filed against the senior citizen for the commission of a crime*
15 *involving moral turpitude;*
16 2. *cases involving alleged violations of Republic Act No. 3019 (Anti-Graft and*
17 *Corrupt Practices Act);*
18 3. *intra-corporate disputes; and*
19 4. *cases under the Family Code of the Philippines, except petitions for*
20 *guardianship.*

21
22 *Provided, further, That nothing in this paragraph shall be construed to limit any*
23 *right to counsel or representation that may be required under the Constitution,*
24 *applicable laws, or Supreme Court rules; nor to prevent the Public Attorney's*
25 *Office or other government legal assistance offices from acting in accordance with*
26 *their mandates, when applicable.*

27
28 *Senior citizens shall likewise be entitled to a twenty percent (20%) discount in legal*
29 *and filing fees in civil cases involving real property, subject to Supreme Court rules*
30 *and guidelines on fees and procedure.*

31
32 *Section 4. Coordination with the Rules on Unified Legal Aid Services (ULAS)* – Private
33 lawyers and law firms may render pro bono aid legal services to senior citizens under this Act in
34 accordance with Supreme Court's Rules on Unified Legal Aid Services (ULAS) and its
35 implementing issuances, including rules on documentation, certification, and reporting.

36
37 The grant of MCLE credits and other incentives for compliant covered lawyers and registered
38 organizations shall be governed by ULAS and related Supreme Court rules. The grant of MCLE
39 credits shall be without prejudice to any other benefits that a lawyer may already be legally entitled
40 to, such as tax incentives under existing laws.
41

1 *Section 5. Appropriations* – The amount necessary for the initial implementation of this
2 Act shall be charged against the current appropriations of the concerned agencies. Thereafter, such
3 sums as may be necessary for the continued implementation of this Act shall be included in the
4 annual General Appropriations Act.

5
6 *Section 6. Implementing Rules and Regulations.* – Within ninety (90) days from the
7 effectivity of this Act, the Department of Justice (DOJ), the Public Attorney’s Office (PAO), and
8 other concerned agencies, in coordination with the Supreme Court, the Integrated Bar of the
9 Philippines (IBP), and the ULAS Board, shall issue the necessary guidelines on referrals,
10 coordination mechanisms, and documentation to operationalize this Act, consistent with ULAS
11 and related Supreme Court issuances.

12
13 *Section 7. Separability Clause.* – If any provision of this Act is declared unconstitutional
14 or invalid, the other provisions not affected thereby shall remain in full force and effect.

15
16 *Section 8. Repealing Clause.* – All laws, decrees, orders, rules and regulations, or parts
17 therefor, which are inconsistent with the provisions of this Act are hereby repealed or modified
18 accordingly.

19
20 *Section 9. Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
21 publication in the Official Gazette or in a newspaper of general circulation.

22
23 Approved,