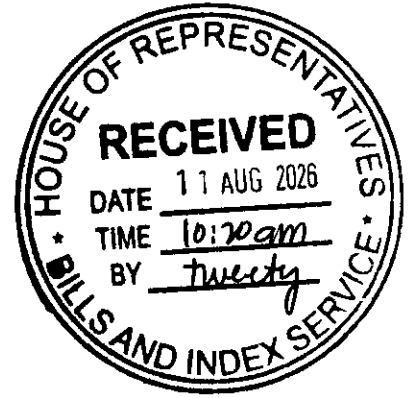




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
Second Regular Session



HOUSE BILL NO. **10701**

Introduced by **REPRESENTATIVE KATRINA REIKO CHUA - TAI**

EXPLANATORY NOTE

The Constitution calls upon the State to champion social justice, safeguard the well-being of public servants, and honor those who dedicate their lives to public service with meaningful protection. This commitment does not end with their service, it extends further, embracing the ongoing welfare of the families they leave behind.

The Public Attorney's Office stands as the government's foremost agency tasked with delivering free legal assistance, representation, and counsel to indigent and qualified individuals across criminal, civil, labor, administrative, and quasi-judicial proceedings. As the frontline defenders of legal aid, Public Attorneys play a crucial role in opening the doors of justice to millions of Filipinos who would otherwise be unable to seek the help of private counsel.

The weight of this responsibility is evident in the remarkable achievements of the Public Attorney's Office. In 2024 alone, it reached over 15 million clients and managed more than 847,000 cases nationwide. With 2,683 authorized Public Attorney positions, these dedicated professionals appear daily before courts and quasi-judicial bodies across the country. The sheer volume and complexity of their work place them in harm's way, as they confront criminal prosecutions, drug offenses, violent crimes, family disputes, labor conflicts, and other contentious issues where private and public interests collide.

The dangers confronting members of the legal profession are well documented. Over the years, lawyers have been subjected to threats, harassment, intimidation, and acts of violence arising from or connected with the discharge of their professional duties. Among the notable incidents are the killing of retired Public Attorney Atty. Bayani Dalangin, who was fatally shot inside his law office in Nueva Ecija in 2020; the assassination of Atty. Benjamin Ramos in Negros Occidental in 2018 after providing legal assistance to indigent clients in sensitive cases; and the fatal shooting of Atty. Maria Lourdes Alzate in Abra in 2023. These tragic incidents underscore the reality that lawyers who faithfully discharge their professional responsibilities may become targets of violence, leaving behind spouses, children, and other dependents who suddenly lose both a loved one and their family's principal source of support.

Yet, despite these challenges, current laws fall short in providing comprehensive survivorship benefits for the families of deceased Public Attorneys. Although Republic Act No. 9406 grants retirement and related benefits, it lacks a clear statutory framework for survivorship entitlements.

This gap leaves families in uncertainty, often delaying much-needed financial support at a time when they are most vulnerable.

This bill aims to bridge this legislative gap by creating a comprehensive survivorship benefits system for the Chief Public Attorney, Deputy Chiefs, Regional Public Attorneys, and all current and future Public Attorneys. It clearly defines the legitimate heirs who may receive these benefits, following the Civil Code's rules on intestate succession, and sets a clear order of entitlement among spouses, dependent children, parents, and siblings. By ensuring that only legitimate heirs recognized by law can claim these benefits, the measure prevents disputes, brings certainty to the process, and protects public funds. It also extends these benefits to officials who retired or passed away within a year before the law takes effect, recognizing the need for fairness among similarly situated families.

Passing this measure reaffirms the State's deep appreciation for Public Attorneys who dedicate their careers to defending the constitutional rights of the poor, marginalized, and underprivileged. It also recognizes the exceptional risks they face in their work and guarantees that their families will receive meaningful financial protection through a fair and responsive survivorship benefits system.

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



KATRINA REIKO CHUA-TAI



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

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 10701

Introduced by **REPRESENTATIVE KATRINA REIKO CHUA-TAI**

1 **AN ACT**
2 **PROVIDING FOR THE SURVIVORSHIP BENEFITS IN THE PUBLIC ATTORNEY’S**
3 **OFFICE, AND FOR OTHER PURPOSES**

4
5 *Be it enacted by the Senate and House of Representatives of the Philippines in*
6 *Congress assembled:*
7

8 **SECTION 1. *Short Title.*** - This Act shall be known as the “**Public Attorneys**
9 **Survivorship Benefits Act.**”

10 **SEC. 2. *Coverage.*** - Survivorship Benefits of the Chief Public Attorney, Deputy Chief
11 Public Attorneys, Regional Public Attorneys, and Other Public Attorneys.

12 (a) Coverage. — The survivorship benefits herein provided shall apply to the Chief Public
13 Attorney, Deputy Chief Public Attorneys, Regional Public Attorneys, and all
14 incumbent and future Public Attorneys of the Public Attorney’s Office.

15 (b) Death in Active Service or After Retirement. — In case of death of any covered official
16 or Public Attorney while in the performance of official duties or after retirement, the
17 survivorship pension and other benefits accruing under RA 9406 shall be paid

1 exclusively to the surviving legitimate heirs of the deceased, in accordance with the
2 Civil Code provisions on intestate succession.

3 (c) Order of Entitlement. — The survivorship benefits shall be received in the following
4 order of preference:

5 (1) The surviving legitimate spouse, until such spouse remarries or enters into a
6 subsequent cohabitation; and the unmarried and not gainfully employed
7 legitimate children who were dependent upon the deceased at the time of death,
8 until they reach the age of twenty-one (21) years, unless incapacitated and
9 incapable of self-support, in which case entitlement shall continue for the
10 duration of such incapacity;

11 (2) In default thereof, the legitimate parents of the deceased;

12 (3) In default thereof, the unmarried and not gainfully employed legitimate
13 brothers and sisters of the deceased who were dependent upon the deceased at
14 the time of death, until they reach the age of twenty-one (21) years, unless
15 incapacitated and incapable of self-support, in which case entitlement shall
16 continue during such incapacity.

17 (d) Unmarried Official Without Legitimate Issue. — If the deceased official or Public
18 Attorney is unmarried and without legitimate children at the time of death, the
19 survivorship benefits shall accrue to the next in line surviving legitimate heir in
20 accordance with the order of intestate succession mentioned in the preceding
21 paragraph.

22 (e) Exclusivity of Entitlement. — No person other than a legitimate heir, as determined
23 under existing laws on succession, shall be entitled to any survivorship benefits under
24 this Act.”

1 (f) Retroactivity. — The benefits allowed hereof shall be granted to those who retire or
2 die one (1) year prior to the effectivity of this Act.

3 **SEC. 3. *Appropriations.*** - The amount necessary to implement the provisions of this Act
4 shall be charged against the appropriations of the Public Attorney's Office. Thereafter, such sums
5 as may be necessary for its continued implementation shall be included in the annual General
6 Appropriations Act.

7 **SEC. 4. *Implementing Rules and Regulations.*** - The Public Attorney's Office, in
8 coordination with the GSIS, Department of Budget and Management, and Civil Service
9 Commission, shall promulgate the necessary rules and regulations within ninety (90) days from
10 the effectivity of this Act.

11 **SEC. 5. *Separability Clause.*** - If any of the sections or provisions of this Act is held
12 invalid, all other provisions not affected thereby shall remain valid.

13 **SEC. 6. *Repealing Clause.*** - All laws, decrees, issuances, rules and regulations
14 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

15 **SEC. 7. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its complete
16 publication in at least two (2) newspapers of general circulation.

17 *Approved,*
18