



HOUSE OF REPRESENTATIVES

H. No. 4698

INTRODUCED BY HONORABLE TINGA, ESCUDERO III,
DRAGON, PANES, GULLAS, AND ROMERO

AN ACT PROVIDING FOR REFORMS IN LEGAL
EDUCATION, CREATING FOR THE PURPOSE A
LEGAL EDUCATION BOARD, AND FOR OTHER
PURPOSES

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

1 SECTION 1. *Title.* - This Act shall be known as the Legal
2 Education Reform Act of 1993.

3 SEC. 2. *Declaration of Policies.* - It is hereby declared the
4 policy of the State to uplift the standards of legal education in order
5 to prepare law students for advocacy, counseling, problem-solving,
6 and decision-making; to infuse in them the ethics and moral
7 standards of the legal profession; and to form socially-committed
8 lawyers with integrity and competence.

9 Towards this end, the State shall undertake appropriate
10 reforms in the legal education system, require proper selection of

1 law students, maintain good quality among law schools, and require
2 legal apprenticeship and continuing legal education.

3 **SEC. 3. *General and Specific Objectives of Legal Education.***

4 - Legal education should be geared to attain the following general
5 objectives:

6 (a) To prepare students for the practice of law;

7 (b) To provide especially-committed members of the legal
8 profession of competence and integrity with an awareness of the
9 needs of the deprived and oppressed sectors of society;

10 (c) To train persons for national leadership; and

11 (d) To contribute towards the promotion and advancement
12 of justice and the improvement of its administration, the legal
13 system and legal institutions in the light of the historical and
14 contemporary development of law in the Philippines and other
15 countries.

16 Legal education shall also aim to accomplish the following
17 specific objectives:

18 (1) To impart to law students a broad knowledge of law and
19 its various fields, and of legal institutions;

20 (2) To develop their ability to search for the law and to
21 analyze, expound on and apply the law effectively, as well as to
22 enable them to adopt a total approach to legal problems and issues;

1 (3) To prepare them for advocacy, counseling and decision-
2 making, and to hone their ability to deal with recognized current
3 legal problems, as well as anticipated future problems;

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

9 (5) To inculcate in them the ethics and responsibilities of the
10 legal profession; and

11 (6) To produce lawyers who pursue the lofty goals of their
12 profession conscientiously and adhere to its ethical norms faithfully.

13 **SEC. 4. *Legal Education Board; Creation and Composition.*** -

14 To carry out the purposes of this Act, there is hereby created an
15 independent Legal Education Board, hereinafter referred to as the
16 Board, attached solely for administrative purposes to the
17 Department of Education, Culture and Sports, hereinafter referred
18 to as the Department, and composed of a Chairman and the
19 following as members: a representative of the Integrated Bar of the
20 Philippines, a representative of the Philippine Association of Law
21 Schools (PALS), a representative of the Philippine Association of
22 Law Professors (PALP), a representative of the private sector, and

1 the Secretary of the Department of Education, Culture and Sports,
2 or his representative, as *ex officio* member.

3 The Chairman and the members of the Board must be
4 natural-born citizens of the Philippines, of known probity and
5 integrity, and members of the Philippine Bar, who have been
6 engaged in the practice of law for at least ten (10) years and in the
7 teaching of law in a duly authorized or recognized law school for at
8 least five (5) years. The Chairman shall preferably be a former
9 Justice of the Supreme Court or Court of Appeals.

10 SEC. 5. *Term of Office; Compensation.* – The Chairman and
11 the members of the Board shall be appointed by the President for a
12 term of five (5) years without reappointment from a list of at least
13 three (3) nominees for every position or vacancy prepared by the
14 Judicial and Bar Council with prior authorization from the Supreme
15 Court. Of those first appointed, the Chairman of the Board and the
16 representative of the Integrated Bar shall hold office for five (5)
17 years, the representative of the Philippine Association of Law
18 Schools (PALS) and the Philippine Association of Law Professors
19 (PALP) for three (3) years, and the representative of the private
20 sector for one (1) year, all without reappointment. Appointments
21 to any vacancy shall be only for the predecessor's unexpired term.

1 The Chairman and the members of the Board shall have the
 2 same salary and rank as the chairman and members, respectively, of
 3 the Constitutional Commissions: *Provided*, That their salaries shall
 4 not be diminished during their term of office.

5 SEC. 6. *Office and Staff Support.* - The Department shall
 6 provide the necessary office and staff support to the Board which
 7 shall have a principal office to be located in the Metropolitan
 8 Manila.

9 The Board may appoint such other officers and employees it
 10 may deem necessary for the exercise of its powers and the
 11 performance of its functions.

12 SEC. 7. *Powers and Functions.* - For purposes of achieving
 13 the objectives of this Act, the Board shall have the following powers
 14 and functions:

15 (1) To administer the legal education system in the country in
 16 a manner consistent with the provisions of this Act;

17 (2) To supervise and regulate the law schools in the country;

18 (3) To prescribe minimum standards for law admission tests;

19 (4) To prescribe requirements for pre-legal education;

20 (5) To review, revise, and modify the present law curriculum,
 21 which shall be contained in a four-year law proper curriculum with

1 core courses and electives, for the purpose of elevating the
2 standards of legal education;

3 (6) To establish a system of law practice internship, which a
4 law student shall undergo, with any duly accredited private or public
5 law office or firm for a period of two (2) academic summers and the
6 intervening period between the month in which the bar
7 examinations are given and the month in which the results of the
8 bar examinations are released. For this purpose, the Board shall
9 prescribe the necessary guidelines for the accreditation of law
10 offices or firms and the specifications of the internship system which
11 shall include the actual work of a new member of the Bar;

12 (7) To provide a mechanism for the accreditation of law
13 schools on the basis of such minimum standards as may be adopted
14 by the Board. For this purpose, the Board is hereby empowered to
15 close law schools that do not meet the minimum standards.
16 Courses offered by law schools without accreditation shall not
17 receive any credit for purposes of the Bar examination course
18 requirement;

19 (8) To adopt a system of continuing legal education. For this
20 purpose, the Board may provide for mandatory attendance of
21 practicing lawyers in such courses and for such duration as the
22 Board may deem necessary; and

1 (9) To perform such other functions and prescribe such rules
 2 and regulations as may be necessary for the attainment of the
 3 policies and objectives of this Act.

4 **SEC. 8. *Legal Education Fund.*** - (1) There is hereby created
 5 a Legal Education Fund, hereinafter referred to as the Fund, which
 6 shall be funded from the five percent (5%) of the total tuition and
 7 matriculation fees of every law student in every semester to be
 8 collected in addition to the regular tuition and matriculation fees.

9 (2) The Fund shall be under the control of the Board but
 10 shall be administered as a separate fund by the Social Security
 11 System (SSS) which shall invest the same with due and prudent
 12 regard for the solvency, safety, and liquidity of the Fund.

13 (3) The Fund shall be used to support faculty development
 14 grants, professional chairs, library improvements, and like programs
 15 for the advancement of law teaching and education in accredited
 16 law schools.

17 The Fund shall also be used for the operation of the Board.
 18 For this purpose, an amount not exceeding ten percent (10%) of the
 19 Fund shall be so utilized.

20 (4) The Board, in consultation with the SSS, shall issue the
 21 necessary rules and regulations for the efficient collection of the
 22 Fund.

23 **SEC. 9. *Appropriations.*** - In addition to the ten percent

1 (10%) of the Legal Education Fund, the amount of One million
 2 pesos (P1,000,000) is hereby authorized to be charged against the
 3 current year's appropriation of the Contingent Fund for the initial
 4 operating expenses of the Board. Thereafter, such sums as may be
 5 necessary for its operation and maintenance shall be included in the
 6 annual General Appropriations Act.

7 SEC. 10. *Coverage.* - The provisions of this Act shall apply to
 8 all schools and colleges of law which are presently under the
 9 supervision of the Department and which may hereinafter be
 10 established.

11 SEC. 11. *Separability Clause.* - If any provision of this Act is
 12 declared unconstitutional or the application thereof to any person,
 13 circumstances or transaction is held invalid, the validity of the
 14 remaining provisions of this Act and the applicability of such
 15 provisions to other persons, circumstances and transactions shall
 16 not be affected thereby.

17 SEC. 12. *Repealing Clause.* - All laws, decrees, executive
 18 orders, rules and regulations, issuances or parts thereof inconsistent
 19 with this Act are hereby repealed or amended accordingly.

20 SEC. 13. *Effectivity Clause.* - This Act shall take effect after
 21 fifteen (15) days following its complete publication in the *Official*
 22 *Gazette* or in any two (2) national newspapers of general circulation.

Approved,