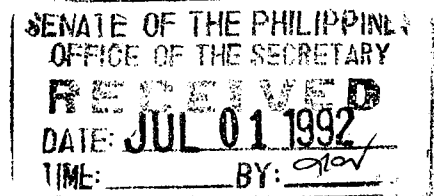


S E N A T E

S. No. 100



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Introduced by Senator Angara

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EXPLANATORY NOTE

The law profession is one of the most prestigious in Philippine society. Lawyers are respected and often placed, whether deserved or not, in a pedestal.

It is thus necessary for us to improve the legal profession. This bill aims to uplift the standards of the legal education, and to prepare the law student for advocacy, counselling, problem-solving and decision-making. Perhaps more important, it aims to infuse in the would-be lawyers the positive values and the ethics of the profession.

The bill creates a Legal Education Council which will be attached for administrative purposes, to the Department of Education, Culture and Sports (DECS). The Council has the DECS Secretary as Chairman and the members include representatives from the Supreme Court, Integrated Bar of the Philippines, Philippine Association of Law Schools (PALS), and the Philippine Association of Law Professors (PALP).

Among its functions, the Council shall administer the legal education system in the country, supervise and regulate the legal education systems, prescribe a minimum standard for law admission tests, prescribe requirements for pre-legal education; and review, revise and modify the present law curricula.

This proposed Act would greatly improve and uplift the standards of the legal education in the country. For these reasons, the immediate approval of this bill is earnestly urged.

*Edgardo J. Angara*  
EDGARDO J. ANGARA  
Senator



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countries of the world.

Legal education shall aim to accomplish the following specific objectives.

- a. to impart to the law students a broad knowledge of law and its various fields, and of legal institutions;
- b. to develop their ability to search for the law and to analyze, articulate and apply it effectively as well as to enable them to gain a total approach to legal problems and issues;
- c. to prepare law students for advocacy, counselling, and decision-making and their ability to deal with recognized legal problems of the present as well as the anticipated problems of the future;
- d. to develop competence in the law students in a chosen field of law for gainful employment or 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-improvements;
- e. to inculcate in them the ethics and responsibilities of the legal profession; and
- f. to produce lawyers who pursue the lofty goals of their profession conscientiously and adhere to its ethical norms faithfully.

Section 4. Legal Education Council; Creation and Composition. - To carry out the purpose of this Act, there is hereby created the Legal Education Council, herein referred to as the Council, attached, for administrative supervision, to the Department of Education, Culture and Sports.

The Council shall be composed of the Secretary of Education, Culture and Sports as Chairman and the following as members:

1. One representative of the Supreme Court of the Philippines to be designated by the Chief Justice of the Supreme Court as Vice Chairman;
  2. One representative of the Integrated Bar of the
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Philippines (IBP) to be designated by its President;

3. One representative of the Philippine Association of Law Schools (FALS) to be designated by the Chairman of the Council from among nominees submitted by the association;

4. One representative of the Philippine Association of Law Professors (PALP) to be designated by the Chairman of the Council from among nominees submitted by the association.

Section 5. Term of Office; Compensation. - The term of office of the Chairman shall be coterminous with his term as Secretary of Education, Culture and Sports while the other members of the Council shall hold office for a term of five (5) years with reappointment unless earlier removed for cause. Of those first appointed, the representative of the Supreme Court shall hold office for five (5) years, the representative of the IBP, four (4) years, the representative from FALS, three (3) years, and the representative from PALP, two (2) years. Appointment to any vacancy shall be only for the unexpired portion of the term of the predecessor.

Except for the Chairman of the Council who shall not receive additional compensation, the other members of the Council shall receive such compensation and allowances in accordance with the applicable wage classification and standardization laws.

Sec. 6. Office and Staff Support. - the Department of Education, Culture and Sports shall provide the necessary office and staff support to the Council, with a principal office to be located in Metropolitan Manila.

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

Section 7. Powers and Functions. - For the purpose of

achieving the objectives of this Act, the Council shall have the following powers and functions:

1. To administer the legal education system in the country, consisten with the provisions of this Act;

2. To supervise and regulate the country's legal educational institutions pursuant to the provisions of the Constitution;

3. To prescribe a minimum standard for law admission tests;

4. To prescribe requirements for pre-legal education;

5. To review, revise, and modify the present law curricula, which shall be contained in a four-year law proper curriculum with core courses and electives for the purpose of elevating the standards of legal education;

6. To establish a law practise internship which a law student shall undergo with any duly accredited private or public law office or firm for a period of two academic summer and the intervening period of two academic summer and the intervening period between the bar examination month and the month when the result of the bar examination is released. For this purpose, the council shall prescribe the necessary guidelines for such accreditation and the specification of such internship which shall include the actual works of a new member of the Bar;

7. To provide a mechanism of accrediting law schools on such minimum standards as may be adopted by the Council. For this purpose, the Council is hereby empowered to close law schools that do not meet the minimum standards. Courses offered by law schools without accreditation shall not receive any credit for purposes of the Bar examination course requirements;

8. To adopt a system of continuing legal education. For this purpose, the Council may provide for mandatory attendance of practising lawyers in such courses and for such duration as the Council may deem necessary; and

9. To perform such other functions and prescribe such rules and regulations necessary for the attainment of the policies and objectives of this Act.

Section 8. Legal Education Board. - (1) There is hereby created a Legal Education Fund, hereinafter referred to as the Fund, that shall be established and maintained from the following collections to be called Legal Education Fund: five percent (5%) of the total tuition and matriculation fees of every law student in every semester to be collected in addition to the regular tuition and matriculation fees: and fifty (50%) of the privilege tax paid by every lawyer.

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

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

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

(4) The Council, in consultation with the SSS shall issue the necessary rules and regulations for the efficient collection of the Legal Education Fund.

Section 9. Appropriation. - The amount of one million pesos (P1,000,000) is hereby authorized to be appropriated out of the savings of the Department of Education, Culture and Sports. Thereafter, the necessary appropriations shall be included in the Annual General Appropriations Act under the budget of the Department of Education, Culture and Sports.

Section 10. Separability Clause. - If any provision of this Act is declared unconstitutional or the application thereof to any person, circumstances 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 11. 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 12. Effectivity. - This Act shall take effect after fifteen (15) days following the completion of its publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved.