

SENATE

'19 JUL 25 A11 :12

S. No. 781

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Introduced by **SENATOR LEILA M. DE LIMA**

**AN ACT
TO HARMONIZE LEGAL EDUCATION IN OUR COUNTRY**

EXPLANATORY NOTE

Under present law, there are two institutions that regulate legal education. The first is the Legal Education Board (LEB), which was created under R.A. No. 7662, otherwise known as the Legal Education Reform Act of 1993. The LEB is an independent unit under the supervision of the Department of Education. It is tasked with the following objectives:

Section 7. Powers and Functions. - For the purpose of achieving the objectives of this Act, the Board shall have the following powers and functions:

- (a) to administer the legal education system in the country in a manner consistent with the provisions of this Act;
- (b) to supervise the law schools in the country, consistent with its powers and functions as herein enumerated;
- (c) to set the standards of accreditation for law schools taking into account, among others, the size of enrollment, the qualifications of the members of the faculty, the library and other facilities, without encroaching upon the academic freedom of institutions of higher learning;
- (d) to accredit law schools that meet the standards of accreditation;

(e) to prescribe minimum standards for law admission and minimum qualifications and compensation of faculty members;

(f) to prescribe the basic curricula for the course of study aligned to the requirements for admission to the Bar, law practice and social consciousness, and such other courses of study as may be prescribed by the law schools and colleges under the different levels of accreditation status

(g) to establish a law practice internship as a requirement for taking the Bar which a law student shall undergo with any duly accredited private or public law office or firm or legal assistance group anytime during the law course for a specific period that the Board may decide, but not to exceed a total of twelve (12) months.

For this purpose, the Board shall prescribe the necessary guidelines for such accreditation and the specifications of such internship which shall include the actual work of a new member of the Bar.

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

(i) to perform such other functions and prescribe such rules and regulations necessary for the attainment of the policies and objectives of this Act.

The other institution tasked with the development and administration of legal education is the Philippine Judicial Academy (PHILJA), which was created by virtue of R.A. No. 8557. PHILJA, on the other hand, is mandated to “serve as a training school for justices, judges, court personnel, lawyers and aspirants to judicial posts.”¹

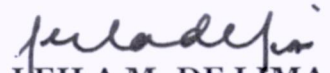
While the LEB deals with the education of aspiring lawyers, PHILJA deals with the training of those already practicing law. While these two institutions cater to different students, both of them teach the same legal system. Thus, there is need to harmonize the direction in which the legal education is being administered. As

¹ R.A. No. 8557, Sec 3

the practice of law is an ever-evolving discipline whose role is continually increasing in our society, we should have a coordinated effort towards legal education. We can do so by establishing a nexus between the LEB and PHILJA.

Since PHILJA is more connected to the judiciary and the bar owing to its mandate, their presence in the LEB can serve to provide opportunities to initiate faster reforms based on real time developments in the practice of law'.

This bill designates the PHILJA Chancellor or his representative as the vice-chair of the LEB. As such, the PHILJA will be strategically connected with LEB, and thus will be able to influence LEB policies to harmonize both institutions' efforts.


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

1 Section 1. Section 4 of Republic Act No. 7662, otherwise known as “An Act
2 Providing for Reforms in the Legal Education, Creating for the Purpose, a Legal
3 Education Board and for other Purposes”, shall be amended to read as follows:

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**“Section 4. Legal Education Board; Creation and
Composition.** – To carry out the purpose of this Act, there
is hereby created the Legal Education Board, hereinafter
referred to as the Board, attached solely for budgetary
purposes and administrative support to the Department of
Education, Culture and Sports.

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The Board shall be composed of a Chairman, who
shall preferably be a former justice of the Supreme Court
or Court of Appeals, **THE CHANCELLOR OF THE
PHILIPPINE JUDICIAL ACADEMY (PHILJA), OR HIS
REPRESENTATIVE, AS VICE-CHAIR**; and the following
as regular members: a representative of the Integrated Bar
of the Philippines (IBP); a representative of the Philippine
Association of Law Schools (PALS); a representative
from the ranks of active law practitioners; and, a

1 representative from the law students' sector. The
2 Secretary of the Department of Education, Culture and
3 Sports, or his representative, shall be an ex officio member
4 of the Board.

5 With the exception of the representative of the law
6 students' sector, the Chairman and regular members of
7 the Board must be natural-born citizens of the Philippines
8 and members of the Philippine Bar, who have been
9 engaged for at least ten (10) years in the practice of law,
10 as well as in the teaching of law in a duly authorized or
11 recognized law school."

12 Sec. 2. Republic Act No. 7662, Section 5, shall be amended to read as follows:

13 "Section 5. *Term of Office; Compensation.* - **EXCEPT**
14 **FOR CHANCELLOR OF THE PHILJA, WHO**
15 **SHALL SERVE *EX OFFICIO***, [t]he Chairman and
16 regular members of the Board shall be appointed by the
17 President for a term of five (5) years without
18 reappointment from a list of at least three (3) nominees
19 prepared, without prior authorization from the Supreme
20 Court, by the Judicial and Bar Council, for every position
21 or vacancy, and no such appointment shall need
22 confirmation by the Commission on Appointments. Of
23 those first appointed, the Chairman and the representative
24 of the IBP shall hold office for five (5) years, the
25 representatives of the PALS and the PALP, for three (3)
26 years; and the representative from the ranks of active law
27 practitioners and the representative of the law students'
28 sector, for one (1) year, without reappointment.

29 Appointments to any vacancy shall be only for the
30 unexpired portion of the term of the predecessor.

31 The Chairman and regular members of the Board
32 shall have the same salary and rank as the Chairman and

1 members, respectively, of the Constitutional Commissions:
2 Provided, That their salaries shall not be diminished during
3 their term of office.

4 *Sec. 3. Appropriations.* – Such amounts as may be necessary to implement
5 this Act shall be included in the next succeeding General Appropriations Act.

6 *Sec. 4. Repealing Clause.* – All laws, decrees, orders, rules or regulations, other
7 issuances or parts thereof inconsistent with this Act are hereby repealed or amended
8 accordingly.

9 *Sec. 5. Separability Clause.* – If any provision of this Act is declared invalid,
10 other parts or provisions hereof not affected thereby shall remain and continue to be
11 in full force and effect.

12 *Sec. 6. Effectivity.* – This Act shall take effect fifteen (15) days after the
13 completion of its publication in the Official Gazette or in at least two (2) newspapers
14 of general circulation in the Philippines.

Approved,