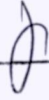


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**SENATE**

**Senate Bill No. 1071**

RECEIVED BY: 

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**Introduced by Senator Juan Miguel F. Zubiri**

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**AN ACT  
PROFESSIONALIZING PARALEGAL PRACTICE IN THE PHILIPPINES,  
CREATING FOR THIS PURPOSE A PROFESSIONAL REGULATORY BOARD OF  
PARALEGALS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER  
PURPOSES**

**EXPLANATORY NOTE**

The service rendered by paralegals plays a crucial role in the legal industry, addressing a plethora of tasks that provide support for the lawyers they affiliate themselves with. Often, under the directions issued by a lawyer, paralegals oversee minor legal issues and provide aid in the administration of legal matters.

The educational attainment of paralegals, coupled with the training and experience they amass, are imperative to the legal profession, allowing them to perform substantive legal work that requires the recognition, evaluation, organization, analysis, and communication of relevant facts and legal concepts.

On the international stage, many countries have formulated a regulatory board to regulate the paralegal profession more formally. In the United Kingdom, paralegals self-regulate through their existing professional paralegal association. In the United States, paralegals are regulated by their Standing Committee on Paralegals, overseen by the American Bar Association. In Japan and South Korea, paralegals are statutorily regulated and need to qualify based on an examination administered by their respective Ministry of Justice. The regulations that have been instituted in these respective countries ensure that the legal and paralegal professions are secured from the risk of unauthorized practice of law.

In the Philippines, paralegals have been given a limited scope of representation in rendering legal services and we have yet to professionalize and regulate the paralegal profession, similar to what other countries have established. This bill seeks to establish and set the baseline for the paralegal profession through the creation of a Regulatory Board for Paralegals, as well as set in place a Licensure Examination that would be overseen by the Board to ensure the security of this profession.

In view of the preceding, the approval of this bill is earnestly sought.

  
**JUAN MIGUEL F. ZUBIRI**

'19 SEP 23 P5 53

SENATE

Senate Bill No. 1071

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**AN ACT**  
**PROFESSIONALIZING PARALEGAL PRACTICE IN THE PHILIPPINES,**  
**CREATING FOR THIS PURPOSE A PROFESSIONAL REGULATORY BOARD**  
**OF PARALEGALS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER**  
**PURPOSES**

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

**ARTICLE I**  
**Title, Declaration of Policy, and Objectives**

**SECTION 1. Title.** — This Act shall be known as the "Philippine Paralegal Act of 2019."

**SEC. 2. Declaration of Policy.** — The State recognizes the importance of professional paralegals in nation building and development. Hence, it shall develop and nurture competent, virtuous, productive, and well-rounded professional paralegals whose standards of practice and service shall be excellent and globally competitive through honest, effective, relevant, and credible licensure examinations and through regulatory programs, measures, and activities that foster their professional growth, social responsibility, and development.

**SEC. 3. Objectives.** — This Act shall govern the following:

- a. National licensure examination, registration of paralegals, and issuance of certificates of registration and professional identification cards;
- b. Supervision, control, and regulation of paralegal practice;
- c. Integration of paralegals under one national organizations; and
- d. Development of professional competence of paralegals.

**ARTICLE II**  
**Definition of Terms, and**  
**Scope of Practice**

**SEC. 4. Definition of Terms.** — As used in this Act, the following terms shall mean:

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- a. **Paralegal** – a person, who by education, training, or experience, perform substantive legal work requiring the recognition, evaluation, organization, analysis, and communication of relevant facts and legal concepts usually on behalf of lawyers and attorneys; and
- b. **Paralegal consultant** – a paralegal with specific specialization such as in alternative dispute resolution, real estate, corporate law, litigation, intellectual property, immigration, insurance, and other key areas.

**SEC. 5. Scope of the Practice of Paralegal Service.** — Paralegal service shall deal with the performance of the functions of paralegals, which shall include, but not be limited to the following:

- a. Preparation and review of legal documents such as affidavits, motions, and contracts;
- b. Representation on behalf of a party in small claims cases;
- c. Representation on behalf of a party in barangay conciliation proceedings;
- d. Investigation and fact-finding;
- e. Legal research;
- f. Development and review of organizational policies, procedures, programs, and other legal matters;
- g. Coordination with government agencies and courts; and
- h. Legal support for lawyers and attorneys.

**ARTICLE III**

**Creation of the Professional Regulatory Board for Paralegals**

**SEC. 6. Creation and Composition of the Professional Regulatory Board for Paralegals.** — There is hereby created a Professional Regulatory Board for Paralegals, hereinafter called the Board, under the administrative supervision and control of the Professional Regulation Commission (PRC). The Board shall comprise of a Chairperson and four (4) Members of the Board who shall be appointed by the President of the Philippines from among a list of three (3) recommendees for each position submitted by the Commission from among a list of five (5) nominees for each position submitted by the accredited and integrated national professional organization of paralegals who qualify under Section 7 of this Act. The new Board shall be constituted within three (3) months from the effectivity of this Act.

**SEC. 7. Qualifications of the Chairperson and Members of the Board.** — The Chairperson and Members of the Board, at the time of their appointment, shall possess the following qualifications:

- a. Must be a natural born citizen and resident of the Philippines;

- 1           b. Must be of good reputation and moral character;
- 2
- 3           c. Must be a paralegal as defined in Section 4 of this Act;
- 4
- 5           d. Must not be a member of the faculty of a university, college, school or
- 6                 institution conferring the academic degree on law, legal management,
- 7                 and paralegal studies or offering review classes for paralegal licensure
- 8                 examination; nor a person who has a direct or indirect pecuniary interest
- 9                 in any such institution; and
- 10
- 11           e. Must not be an incumbent officer of the accredited and integrated
- 12                 national professional organization of paralegals.
- 13

14           **SEC. 8. Tenure of Office for the Chairperson.** — The Chairperson and  
15 the Members of the Board shall hold office for a term of three (3) years from the  
16 date of their appointment or until their successors shall have been qualified and  
17 appointed: Provided, That the members of the first appointed Board shall hold  
18 office for the following terms: one (1) member as Chairperson, to serve for three  
19 (3) years; two (2) members, to serve for two (2) years; and two (2) members, to  
20 serve for one (1) year. The Chairperson and the Members of the Board may be  
21 reappointed for a second term but in no case shall they serve continuously for  
22 more than six (6) years. Any vacancy in the Board shall be filled for the unexpired  
23 portion of the term of the member who vacated the position. On the constitution  
24 of the first Board, the Chairperson and the Members of the Board shall  
25 automatically be registered and issued Certificates of Registration and Professional  
26 Identification Cards. Each Member of the Board shall take the proper oath of office  
27 prior to the assumption of duty.

28

29           **SEC. 9. Meetings of the Board.** - The Board shall have a regular meeting  
30 once a month. Special meetings may also be held upon the call of the Chairperson  
31 or by request of three (3) of its members. Reasonable notice of all meetings shall  
32 be given in the manner prescribed by the rules of the Board.

33

34           **SEC. 10. Compensation and Allowances of the Chairperson and**  
35 **Members of the Board.** — The Chairperson and the Members of the Board shall  
36 receive compensation and allowances comparable to the compensation and  
37 allowances received by the chairman and the members of existing professional  
38 regulatory boards under the Commission, as provided for in the General  
39 Appropriations Act.

40

41           **SEC. 11. Powers, Functions, and Duties of the Board.** — The Board  
42 shall exercise executive, administrative, rule-making, and quasi-judicial powers in  
43 carrying out the provisions of this Act. It shall be vested with the following specific  
44 powers, functions, duties, and responsibilities:

- 45
- 46           a. Promulgate, administer, and enforce rules and regulations necessary to
- 47                 carry out the provisions of this Act;
- 48
- 49           b. Prepare, adopt, issue or amend the syllabi or terms of specification of
- 50                 subjects for the paralegal licensure examination consistent with the
- 51                 policies and standards set by CHED; and
- 52
- 53           c. Evaluate and approve applications for licensure examination;
- 54

- 1 d. Administer oaths, and issue Certificates of Registration and the  
2 Professional Identification Card to persons admitted to the practice of  
3 the profession of paralegal;  
4
- 5 e. Prescribe guidelines in the Continuing Professional Development (CPD)  
6 in coordination with the accredited and integrated national professional  
7 organization of paralegals;  
8
- 9 f. Recommend measures necessary for the upgrading, enhancement,  
10 development, and growth of the profession of paralegal in the Philippines;  
11
- 12 g. Monitor the conditions affecting paralegal practice, and when necessary,  
13 adopt such measures as may be deemed proper for the enhancement  
14 and maintenance of high ethical, moral, and professional standards for  
15 paralegals;  
16
- 17 h. Adopt and prescribe a Code of Professional Ethics and a Code of  
18 Technical Standards for paralegals;  
19
- 20 i. Conduct inspection and monitoring of establishments where paralegal is  
21 practiced, and of higher educational institutions where paralegal courses  
22 are being offered, in coordination with the Commission on Higher  
23 Education (CHED), to ascertain that professional standards are complied  
24 with;  
25
- 26 j. Ensure, in coordination with the Commission on Higher Education  
27 (CHED), that all institutions offering law, legal management, and  
28 paralegal studies comply with prescribed standards for curriculum,  
29 faculty, and facilities;  
30
- 31 k. Supervise and regulate the registration, licensure, and practice of  
32 paralegals in the Philippines;  
33
- 34 l. Adopt a program for the full computerization of the licensure  
35 examination for paralegals;  
36
- 37 m. Issue, reinstate, suspend, or revoke the Certificate of Registration and  
38 Professional Identification Card or grant or cancel a temporary/special  
39 permit;  
40
- 41 n. Issue certificates of recognition for advanced studies, researches and  
42 accomplishments that contribute to the enrichment of the profession;  
43
- 44 o. Adopt policies and set the standards for all types of paralegals;  
45
- 46 p. To discharge other powers and duties as the Board may deem necessary  
47 for the paralegal practice and the continued growth and development of  
48 paralegals and paralegal education in the Philippines.  
49

50 The policies, resolutions, rules and regulations issued or promulgated by  
51 the Board shall be subject to review and approval of the PRC. However, the Board's  
52 decision, resolution, or order rendered in administrative cases shall be subject to  
53 review only if on appeal.  
54



1 All applications for examination shall be filed with the Board which shall  
2 assess and approve said applications and issue to the qualified examinees the  
3 corresponding permits to take such examination.

4  
5 **SEC. 17. Scope of Examination.** — The licensure examination shall  
6 include, but not be limited to, the following subjects:

- 7 a. Government;
- 8 b. Judicial system;
- 9 c. Civil, criminal and quasi-judicial procedures;
- 10 d. Jurisdiction of local government units;
- 11 e. Ethical standards of judges, lawyers and civil servants;
- 12 f. Obligations and commercial contracts;
- 13 g. Tax and labor law compliance; and
- 14 h. Rules, regulations and procedures of various administrative agencies

15  
16 **SEC. 18. Rating in the Examination.** — To pass the licensure  
17 examination, a candidate must obtain a passing rating of seventy five percent  
18 (75%) in each subject given during the examination: Provided, however, That an  
19 examinee who obtains a passing rating in the majority of the subjects but obtains  
20 a rating in the other subjects below seventy five percent (75%) but not lower than  
21 sixty percent (60%), shall be allowed to take one removal examination on the  
22 subjects where the passing rating was not obtained: Provided, finally, That should  
23 the examinee fail to obtain a passing rating in the removal examination, the  
24 examinee shall be considered as having failed the entire licensure examination.

25  
26 **SEC. 19. Report of Results of Examination.** — The Board shall report  
27 to the Commission the results of the examination and the ratings of the examinees  
28 within ten (10) days after the examination.

29  
30 **SEC. 20. Oath of Profession.** — All successful examinees qualified for  
31 registration and all qualified applicants for registration without examination shall  
32 be required to take an oath of profession before any Commission Officer, or  
33 Member of the Board or any government official authorized to administer oaths,  
34 prior to entering into paralegal practice in the Philippines.

35  
36 **SEC. 21. Issuance of Certificate of Registration and Professional  
37 Identification Card.** — The Commission, on recommendation of the Board, shall  
38 issue a Certificate of Registration and Professional Identification Card to each  
39 person who passed the licensure examination for paralegals and to those who are  
40 registered without examination under this Act and shall enter name of the  
41 registered professional in the Roster of Paralegals. The Certificate of Registration  
42 shall bear the signature of the Chairperson of the Commission and the Chairperson  
43 and Members of the Board, stamped with official seals of the Board and  
44 Commission indicating that the person named therein is entitled to the practice of  
45 the profession with all the privileges appurtenant thereto. The said Certificate of  
46 Registration shall remain in full force and effect until suspended or revoked in  
47 accordance with this Act. A Professional Identification Card bearing the name and  
48 signature of the registrant, registration number, date of issuance, expiry date, duly  
49 signed by the Chairperson of the Commission, shall likewise be issued to every  
50 registrant who has paid the prescribed fee.

1           **SEC. 22. Registration Without Examination.** — Upon application and  
2 payment of the required fees, the following shall be registered, and shall be issued  
3 by the Board and the Commission a Certificate of Registration and a Professional  
4 Identification Card without taking the prescribed examination:

- 5
- 6           a. Those who, on the date of the effectivity of this Act, have been issued  
7 a certificate of completion of the Paralegal Training Program offered by  
8 the University of the Philippines Law Center;
- 9
- 10          b. Those who, on the date of the effectivity of this Act, hold permanent  
11 appointments and have at least ten (10) years of actual experience in  
12 providing paralegal services; and
- 13
- 14          c. Those who, on the date of the effectivity of this Act, hold permanent  
15 appointments and have at least five (5) years of actual experience in  
16 providing paralegal consultancy services.

17

18           Those so exempt under the aforementioned categories shall file their  
19 application within two (2) years from the effectivity of this Act: Provided, That the  
20 renewal of the professional identification card is subject to the provisions of Section  
21 21 hereof.

22

23           **SEC. 23. Refusal to Issue Certificate of Registration and**  
24 **Professional Identification Card.** — The Board shall not register any successful  
25 examinee nor any applicant for registration without examination if one has been  
26 convicted by a court of competent jurisdiction of any criminal offense involving  
27 moral turpitude or has been found guilty of immoral and dishonorable conduct  
28 after investigation of the Board, or has been declared to be of unsound mind. The  
29 reason for the refusal shall be set forth in writing.

30

31           **SEC. 24. Revocation and Suspension of Certificate of Registration**  
32 **and Professional Identification Card or Cancellation of**  
33 **Temporary/Special Permit.** — The Board has the power, after due notice and  
34 hearing, to revoke or suspend the Certificate of Registration or cancel a temporary  
35 or special permit of any paralegal on any ground stated under Section 23 of this  
36 Act, or for any of the following: unprofessional or dishonorable conduct in paralegal  
37 practice; fraud; deceit or falsification in obtaining a certificate of registration,  
38 professional identification card, or temporary or special permit; abatement of  
39 illegal practice by allowing illegal use of one's Certificate of Registration, or  
40 Professional Identification Card, or temporary or special permit; practice of  
41 profession during the period of suspension; or any violation of this Act, its  
42 Implementing Rules and Regulations, the Code of Ethics or the Code of Technical  
43 Standards for Paralegals, or Board policies. The respondent may appeal the  
44 Board's decision, order or resolution to the Commission within fifteen (15) days  
45 from receipt thereof.

46

47           **SEC. 25. Reissuance of Revoked Certificate of Registration and**  
48 **Replacement of Lost Certificate of Registration and Professional**  
49 **Identification Card.** — The Board after two (2) years from the date of revocation  
50 of the Certificate of Registration may reissue a certificate upon proper application.  
51 A new Certificate of Registration and Professional Identification Card, or temporary  
52 or special permit, which has been lost, destroyed or mutilated, may be reissued  
53 after payment of the required fee prescribed by the Commission.

54



1           **SEC. 26. Roster of Paralegals.** — The Board, in coordination with the  
2 accredited and integrated national organization of paralegals, shall maintain an  
3 up-to-date, complete and properly organized Roster containing the following data:

- 4  
5           a. alphabetical list by surname of paralegals with their addresses and  
6           license numbers;  
7  
8           b. the list of licensees, numerically arranged by license numbers; and  
9  
10          c. such other lists which the Board may deem necessary.

11  
12 Copies of the Roster, which shall be provided to the National Library, the Civil  
13 Service Commission, and the accredited national organization of paralegals, shall  
14 be kept as permanent record.

15  
16                                   **ARTICLE IV**  
17                                   **Paralegal Practice**

18  
19           **SEC. 27. Prohibitions and Limitations in the Paralegal Practice.** —  
20 No person shall practice or offer to practice paralegal in the Philippines or offer  
21 oneself as a paralegal, or use the title, word, letter, figure, or any sign tending to  
22 convey the impression that one is a paralegal or advertise or indicate in any  
23 manner whatsoever as qualified to perform the work of a paralegal unless the  
24 person satisfactorily passed the licensure examination given by the Board, except  
25 as otherwise provided in this Act, and is a holder of a valid certificate of registration  
26 and a valid professional license or a valid temporary special permit duly issued by  
27 the Board and the PRC.

28  
29           **SEC. 28. Other Prohibited Acts.** — No person shall:

- 30  
31           a. Represent oneself as a paralegal during the time that the professional  
32           license is not valid, or that the Certificate of Registration has been  
33           suspended or revoked, or that the temporary special permit is cancelled;  
34  
35           b. Allow another person to use one's Certificate of Registration or  
36           professional license or temporary special permit as a paralegal to enable  
37           the person to engage in the practice of paralegal;  
38  
39           c. Use the Certificate of Registration or professional license or special  
40           temporary permit of another paralegal.

41  
42           **SEC. 29. Continuing Professional Development (CPD) Program** —  
43 The CPD guidelines shall be prescribed and promulgated by the PRC upon  
44 consultation with the Board, which shall consult the integrated APO of paralegals,  
45 affiliated association of paralegals, and other concerned sectors. The Board shall  
46 create a CPD Council that shall be composed of a Chairperson coming from the  
47 Board, a member from the APO of paralegal and a member from the academe.

48  
49           **SEC. 30. Integration of Paralegals** — All paralegals shall be integrated  
50 into one (1) national organization, which shall be recognized by the Board and by  
51 the PRC as the one and only integrated APO of paralegals. A paralegal duly  
52 registered with the Board shall automatically become a member of the integrated  
53 APO of paralegal, and shall receive the benefits and privileges thereto, upon

1 payment of the required fees and dues. Membership in the integrated APO shall  
2 not be a bar to membership in other associations of paralegals.

3  
4 **SEC. 31. Foreign Reciprocity** — No foreign paralegal shall be admitted  
5 to the licensure examination, or be given a certificate of registration and a  
6 professional license, or be entitled to any of the privileges under this Act, unless  
7 the country of which is a subject or citizen specifically permits Filipino paralegal to  
8 practice within its territorial limits under the same conditions and an equal basis  
9 as its own subjects or citizens.

10  
11 **SEC. 32. Indication of License and Professional Tax Receipt** - A  
12 paralegal shall be required to indicate the registration/professional number and  
13 date of issuance, the duration of validity, including the Professional Tax Receipt  
14 number on the documents one signs, or issues in connection with the practice of  
15 the profession.

16  
17 **ARTICLE V**  
18 **Penal and Final Provisions**

19  
20 **SEC. 33. Penal Provisions.** — Any violation of this Act, including  
21 violations of Implementing Rules and Regulations, shall be meted the penalty of a  
22 fine of not less than fifty thousand pesos (Php. 50,000.00) but not more than five  
23 hundred thousand pesos (Php. 500,000.00) or imprisonment of not less than six  
24 (6) months but not more than four (4) years, or both such fine and imprisonment  
25 upon the discretion of the court. In case the violation is committed by an  
26 unlicensed paralegal, the penalty shall be double the aforesaid fine and  
27 imprisonment.

28  
29 In case the violation is committed by a partnership, corporation,  
30 association, or any other juridical person, the partner, president, director, or  
31 manager who has committed or consented to or knowingly tolerated such violation  
32 shall be held directly liable and responsible for the acts as principal or as a co-  
33 principal with the other participants, if any.

34  
35 **SEC. 34. Appropriations.** — The Chairperson of the Commission shall  
36 immediately include in the Commission's programs the implementation of this Act,  
37 the funding of which shall be included in the annual General Appropriations Act  
38 and thereafter.

39  
40 **SEC. 35. Implementing Rules and Regulations.** — Within six (6)  
41 months after the effectivity of this Act, the Board, subject to the approval of the  
42 Commission, shall promulgate, adopt, and issue rules and regulations, and the  
43 Code of Ethics and the Code of Technical Standards for Paralegals which shall take  
44 effect fifteen (15) days following publication in the official Gazette or newspaper  
45 of general circulation.

46  
47 **SEC. 36. Separability Clause.** — If any clause, sentence, paragraph, or  
48 part of this Act shall be declared invalid or unconstitutional, the other provisions  
49 not affected thereby shall remain valid and subsisting.

50  
51 **SEC. 37. Repealing Clause.** — All laws, presidential decrees or issuances,  
52 executive orders, letters of instruction, administrative orders, proclamations,  
53 charters, rules or regulations and/or parts thereof contrary to or inconsistent with  
54 the provisions of this Act are hereby repealed, modified, or amended accordingly.

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**SEC. 38. Transitory Provision.** — All incumbent paralegals in both the public and private sector not otherwise certified as paralegals by virtue of this Act shall be given six (6) years temporary certificates from the time the Board is organized within to qualify as required of this Act and be included in the Roster.

**SEC. 39. Effectivity Clause.** — This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation.

*Approved,*