

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



24 MAR 11 A10 :02

SENATE

RECEIVED BY: 

SENATE BILL NO. 2596

*Prepared and submitted jointly by the Committees on Higher, Technical and Vocational Education; Justice and Human Rights; and Finance with Senators Tulfo, Villanueva, Escudero, Tolentino and Angara as authors thereof*

**AN ACT  
ESTABLISHING A LEGAL SCHOLARSHIP AND RETURN SERVICE PROGRAM  
FOR DESERVING STUDENTS, AND APPROPRIATING FUNDS THEREFOR**

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

1 Section 1. *Short Title.* – This Act shall be known as the "Abogado Para sa  
2 Bayan Act".

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to  
4 uphold the right to free access to the courts and quasi-judicial bodies and ensure  
5 that adequate legal assistance shall not be denied to any person by reason of  
6 poverty. Towards this end, and in cognizance of the constitutional directive to  
7 provide for preventive measures and legal aid services to the underprivileged whose  
8 human rights have been violated or need protection, the State shall establish a legal  
9 scholarship and return service program to assist deserving students pursue legal  
10 education who shall eventually render legal services in government offices.

11 Sec. 3. *Legal Scholarship and Return Service Program.* –There shall be  
12 established a Legal Scholarship and Return Service (LSRS) Program for deserving  
13 students who intend to pursue a Juris Doctor or Bachelor of Laws degree in state  
14 universities and colleges (SUCs) or in partner private higher education institutions  
15 (HEIs) in regions where there are no SUC offering Juris Doctor or Bachelor of Laws

1 degree. The LSRS Program shall provide the following benefits to qualified legal  
2 education students:

- 3 (a) Free tuition and other school fees, including but not limited to: student  
4 registration fees, library fees, and publication fees;
- 5 (b) Allowance for prescribed books and supplies;
- 6 (c) Allowance for review fees for government-mandated bar exams; and
- 7 (d) Allowance for licensure fees.

8 *Sec. 4. Qualifications and Requirements.* – In order to qualify for the grant of  
9 scholarship under the LSRS Program, a prospective or current legal education  
10 student must satisfy the following requirements:

- 11 (a) Must be a Filipino Citizen residing in the Philippines;
- 12 (b) Must not have completed a Bachelor of Laws or Juris Doctor degree from  
13 any HEI offering legal education;
- 14 (c) Must be a graduating student or a graduate of an undergraduate degree  
15 program; and
- 16 (d) Must have passed the entrance examination and complied with other  
17 requirements for admission into the Juris Doctor or Bachelor of Laws degree  
18 program offered by the SUC or private HEI where the student intends to enroll.

19 *Sec. 5. Conditions for the Grant of Legal Scholarship.* – Qualified students  
20 accepted into the LSRS Program shall be subject to the following conditions:

- 21 (a) Must sign an agreement stating the terms and conditions of the  
22 scholarship which shall be prescribed by the Legal Education Board (LEB);
- 23 (b) Must carry full load of subjects prescribed per semester by the SUC or  
24 private HEI concerned, and shall not, under any circumstance, drop a course which  
25 would result in underloading;
- 26 (c) Must finish the Juris Doctor or Bachelor of Laws degree program within  
27 the prescribed time frame of the SUC or private HEI where the scholar is enrolled in,  
28 subject to the retention policies of the SUC or private HEI concerned: *Provided*, That  
29 a scholar who is already enrolled, may be allowed, for valid and justifiable reasons,  
30 to file a leave of absence;

1 (d) Must take the bar examination within a maximum period of one (1) year  
2 after completion of the Juris Doctor or Bachelor of Laws degree;

3 (e) Must render return service as provided under Section 7 of this Act.

4 Section 6. *Disqualifications.* - The scholarship grant shall terminate, and the  
5 recipient of legal scholarship shall repay the full cost of scholarship and related  
6 benefits received, including all the expenses incurred during the participation in the  
7 LSRS program, in case of the following circumstances:

8 (a) If the scholar fails to meet the academic requirements or to complete  
9 the course within the prescribed period without valid cause as may be determined by  
10 the SUC or private HEI concerned;

11 (b) If the scholar commits gross misconduct in a manner that would bring  
12 significant damage to the SUC or private HEI concerned or to the community as a  
13 whole.

14 Sec. 7. *Mandatory Return Service.* – Within five (5) years from admission to  
15 the practice of law, a scholar shall render mandatory return service for two (2) years  
16 in government agencies, including, but not limited to: the Public Attorney's Office,  
17 National Prosecution Service, Department of Education, Department of Environment  
18 and Natural Resources, Department of the Interior and Local Government,  
19 Department of Health, Department of Justice, Department of National Defense,  
20 Department of Social Welfare and Development, the Courts, or in government  
21 agencies and instrumentalities that provide legal services to: (i) poor and  
22 marginalized individuals and communities, and (ii) public school teachers, public  
23 health workers, and military and uniformed personnel involved in cases arising from  
24 or in connection with the performance of their duties and functions: *Provided,* That  
25 the mandatory return service shall be separate and distinct from the Clinical Legal  
26 Education Program as provided under Rule 138-A of the Rules of Court: *Provided,*  
27 *further,* That beneficiaries of LSRS Program appointed to *plantilla* positions shall  
28 receive the appropriate salaries, benefits and other emoluments for services  
29 rendered under the mandatory return service; *Provided, furthermore,* That  
30 beneficiaries of LSRS Program who, after three (3) years from admission to the  
31 practice of law, fails to secure appointment in government shall have the option to:

1 (i) pay the full cost of scholarship and related benefits received, including all the  
2 expenses incurred during the participation in the LSRS Program; or (ii) undertake  
3 alternative compliance program to be formulated by the LEB pursuant to the  
4 provisions of this Act and Republic Act (RA) No. 9999, otherwise known as the Free  
5 Legal Assistance Act of 2010: *Provided, finally,* That in the application of Republic  
6 Act No. 9999, the allowable deduction from the gross income shall be the amount  
7 that could have been collected from the actual free legal services rendered or up to  
8 twenty percent (20%) of the gross income derived from the actual performance of  
9 the legal profession, whichever is lower.

10 *Sec. 8. Number and Allocation of Students to be Admitted in the Program. –*  
11 Prior to the implementation of this Act and every five (5) years thereafter, the LEB  
12 shall, in consultation with Philippine Association of Law Schools and participating  
13 HEIs and upon the assessment of the shortage of legal practitioners in the public  
14 sector, determine the appropriate number and geographic allocation of scholars to  
15 be admitted in the LSRS Program.

16 *Sec. 9. Harmonization with the Clinical Legal Education Program. –* Pursuant  
17 to Article VIII, Section 5, subsection 5, of the Constitution, the Legal Education  
18 Board shall adopt the policy on the Revised Law Student Practice Rule, ensure that  
19 law students participate in the clinical legal education programs in all legal education  
20 institutions, define the scope of service to be rendered by law students in the said  
21 program, contribute to access to justice of the marginalized sectors, enhance  
22 learning opportunities of law students, instill among them social responsibility and  
23 awareness, and prepare them for the practice of law.

24 *Section 10. Sanctions. –* Any lawyer who has availed of the benefits under the  
25 LSRS Program but fails or refuses to comply with the mandatory return service as  
26 provided under this Act shall be required to pay twice the amount of scholarship,  
27 including other benefits received by reason of participation in the LSRS Program:  
28 *Provided,* That the penalty imposed herein shall not apply to lawyers who fail to  
29 comply with the required return service by reason of *force majeure* or not due to  
30 their fault or negligence.

1           Sec. 11. *Appropriations.* – The amount necessary for the implementation of  
2 this Act shall be included in the annual General Appropriations Act.

3           Sec. 12. *Implementing Rules and Regulations.* – Within sixty (60) days from  
4 the effectivity of this Act, the LEB shall, in consultation with the Philippine  
5 Association of Law Schools, Philippine Association of State Universities and Colleges  
6 and Commission on Higher Education, promulgate the rules and regulations to  
7 effectively implement the provisions of this Act.

8           Sec. 13. *Separability Clause.* – If any provision or part hereof is held invalid or  
9 unconstitutional, the remainder of this Act or any provision not affected thereby shall  
10 remain in full force and effect.

11           Sec. 14. *Repealing Clause.* – All laws, presidential decrees, executive orders,  
12 rules and regulations, or parts thereof which are inconsistent with the provisions of  
13 this Act are hereby repealed, amended, or modified accordingly.

14           Sec. 15. *Effectivity.* – This Act shall take effect immediately following its  
15 publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*