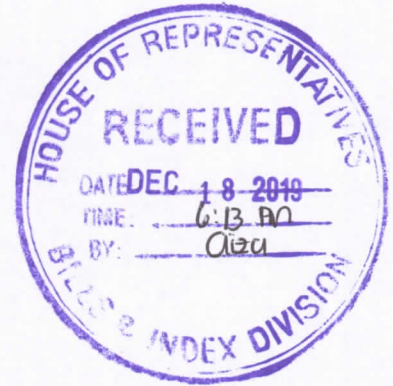


Republic of the Philippines
Congress of the Philippines
Metro Manila

Eighteenth Congress
First Regular Session

5886

House Bill No. _____



**AN ACT ESTABLISHING THE PARALEGAL PROFESSION AND CODIFYING
THE PARALEGAL PROFESSIONAL CONDUCT GUIDELINES.**

Introduced by:

Juan Fidel Felipe F. Nograles

Second District

Province of Rizal

Explanatory Note

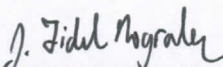
Paralegals are legal assistants who provide support to legal practitioners and lawyers. They have been around as trusted researchers and assistants to facilitate the practice of law. They interview clients and witnesses, conduct important research, and prepare court documents. Even though they don't actually give legal advice or represent clients during trials, paralegals play a significant role in legal proceedings. Despite their importance in the legal profession, paralegals do not get the compensation and recognition they deserve.

Paralegals can also be agents of the State in popularizing the law, especially to those marginalized. These are equipped individuals who can discuss the laws to the marginalized in the less technical and legal terms and in a manner easily understandable by the common people. Thus, as agents of justice by the State, paralegals need to be equipped with the right knowledge and capacity to be able to effectively dispense their role in our society.

Moreover, in many countries, there has been a rising demand for paralegal services, increasing at a growth rate of 33% per year – a very significant growth in comparison to those of other professions. Some of these paralegals are directly engaged in the legal profession while the rest are in various economic sectors.

Thus, to respond to the rising demand for paralegals and the changing needs of the legal profession, paralegals must be reliable, competent, and capable of maintaining high standards in practice and the proper demeanor, which includes their competence, skills, thoughts, and behaviors. Paralegals need to be defined and their roles need to be clearly outlined. Paralegals can only claim the title of a professional or make claims of professionalism if this is guaranteed to them through our laws. Thus, it is high time to professionalize paralegals and guarantee them career and professional development and the respect and dignity they deserve.

This bill proposes a comprehensive measure to professionalize the paralegal profession. This is to make paralegals as agents of the State in making justice accessible through competent assistance to the legal profession and through legal education and information campaigns provided by paralegals. Paralegals shall also be allowed to take affidavits and copy certifications, bringing down notarial costs to benefit the marginalized and indigents. Thus, the urgent passage of this bill is fervently requested.


REP. FIDEL F. NOGRALES
2nd District of Rizal

Republic of the Philippines
Congress of the Philippines
Metro Manila

Eighteenth Congress
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House Bill No. _____

December ____ 2019

Juan Fidel Felipe F. Nograles, 2nd District, Rizal

**AN ACT ESTABLISHING THE PARALEGAL PROFESSION AND CODIFYING
THE PARALEGAL PROFESSIONAL CONDUCT GUIDELINES.**

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

SECTION 1. *Short Title* – This Act shall be known and cited as the “Paralegal Professionalization Act of 2019”.

SECTION 2. *Declaration of Policy* – It is the policy of the State to ensure that justice, in its most tangible and immediate sense, is made easily accessible to all its citizens. In line with the foregoing, the State recognizes that there is a need to establish the paralegal profession. In creating and then subsequently supporting the paralegal profession, the State believes that knowledge and access to law and legal service will be far more accessible, as professional paralegals will be able to provide force-multiplying support to the country’s lawyers, and provide a means to bridge the gaps in frontline legal service that are caused by a shortage of existing lawyers.

SECTION 3. *Definition of Terms* –

- (a) “Legal work” refers to those work which are outside the practice of law and thus, may be performed by non-members of the Integrated Bar of the

Philippines. This work may include providing assistance to lawyers or administering oath as provided under this Act.

- (b) "Paralegal" refers to a natural person, qualified, through education, training or work experience, as further defined under this Act, to perform substantive legal work that requires knowledge of legal concepts, which legal work is customarily, but not exclusively, performed by a lawyer;
- (c) "Paralegal Training and Education Program" refers to the education and training program to be undergone by an individual aspiring to become a paralegal;
- (d) "Paralegal Training and Education Board" refers to the body or authority that has supervision and control over the administration of the Paralegal Training and Education Program;
- (e) "Paralegal Professional Exam" refers to the accreditation exam taken by individuals who are qualified to take the same after finishing the Paralegal Training and Education Program, or otherwise qualified as provided in this Act;

SECTION 4. *Paralegal Training and Education Program -*

- (a) An individual who aspires to be a paralegal must first undergo the Paralegal Training and Education Program (the "PTEP"). The PTEP shall be jointly developed and created by the Department of Justice (the "DOJ"), the Supreme Court (the "SC"), and Commission on Higher Education (the "CHED").
- (b) The PTEP shall consist of at least eighty-four (84) units of substantive and procedural law subject classes, broken down into twenty-one (21) units per semester, and two (2) semesters a year for two (2) years. Each unit translates to one (1) hour of class time per week, with at least sixteen (16) weeks per semester. The subjects shall be chosen by the Paralegal Training and Education Board, bearing in mind that the paralegals need
- (c) In addition, the PTEP shall include at least two hundred (200) hours of on the job training in government offices tasked with legal practice or functions, or in accredited private law offices.
- (d) To apply as a paralegal trainee under the PTEP, a person must be a Filipino citizen of legal age, and shall at least be a high school graduate.

The completion of the PTEP shall be a pre-requisite to taking the Paralegal Professional Exam. In addition, the completion of the eighty-four (84) class units of

the PTEP shall be given corresponding credit by law schools in case an individual who has undertaken the PTEP decides to pursue further legal education. The SC shall decide such corresponding credit.

SECTION 5. *Paralegal Professional Exam* – After completing the PTEP, a paralegal trainee may apply to take the Paralegal Professional Exam (the “PPE”) which shall consist of an eight (8) hour exam, taken over the course of a weekend, broken down into four (4) hours each day. The PPE shall be conducted under the control of the Paralegal Training and Education Board, and shall be given twice a year. After successfully passing the PPE, an individual shall be accredited as a professional paralegal.

Any individual who has taken at least eighty-four (84) units of law school education, may, after completing the two hundred (200) hours of on the job training required, apply to take the PPE without needing to undergo through the eighty-four (84) unit classes of the PTEP. Such an individual shall, after taking and successfully passing the PPE, be accredited as a professional paralegal.

SECTION 6. *Paralegal Training and Education Board* – A Paralegal Training and Education Board (the “PTEB”) is herein established, consisting of a chairperson to be appointed by the SC, two (2) co-chairpersons, each to be respectively appointed by the DOJ and CHED, one member from the University of the Philippines Law Center, two (2) members to be appointed by the Integrated Bar of the Philippines (the “IBP”), and two (2) members who are concurrent deans of Philippine law schools or colleges, to be selected by the chairperson and co-chairpersons.

The PTEB shall oversee, supervise, and control the implementation of the PTEP and the conduct of the PPE. Further, the PTEB shall ensure the professional conduct of accredited paralegals through the creation and strict implementation of a Paralegal Code of Conduct.

SECTION 7. *Functions of a Paralegal* – A paralegal shall perform legal work in support of the legal practice of lawyers and attorneys, such as drafting of legal pleadings and motions, among others. They shall also assist in the programs of government on information, communication and education campaigns to popularize laws. Nothing in this act shall be read to mean that paralegals are allowed to enter their appearance as counsels in judicial and quasi-judicial proceedings, to sign legal pleadings and motions, or to perform other acts exclusively allowed by law to be done only by lawyers or attorneys. The PTEB shall draft and promulgate guidelines enumerating the allowed functions of paralegals.

SECTION 8. *Paralegal as Officers Authorized to Administer Oath* – In addition to the list under Section 41 of Executive Order No. 292, or the “Administrative Code of 1987”, paralegals are also hereby given general authority to administer oath. The Paralegal Training and Education Board shall promulgate the pertinent guidelines to govern the commissioning of said paralegals as administering officers; provided, only such fees as may be reasonable as to ensure that the administration of oath is easily accessible to members of marginalized and indigent sectors of society shall be imposed.

SECTION 9. *Qualification in Public Office* – Subject to pertinent civil service laws, rules and regulations, paralegals are hereby deemed qualified to have satisfied the educational requirement of positions in the Government, including government-owned or -controlled corporations, in which among the qualification is a four-year college degree.

SECTION 10. *Dignity of Paralegals* – As professionals, paralegals shall be accorded with dignity, respect, and professionalism that the profession deserves. They shall be compensated in accordance with existing Labor Standards and shall enjoy all rights accorded to them by law, statutes, ordinances and other existing rules.

SECTION 11. *Code of Conduct* – The Paralegal Training and Education Board shall promulgate the Code of Conduct for Paralegals within one hundred eighty (180) days from the effectivity of this Act.

SECTION 12. *Rules and Regulations* – The SC, the DOJ, and the DepEd, in coordination with concerned agencies, shall prepare and issue the implementing rules and regulation within one hundred eighty (180) days from the effectivity of this Act.

SECTION 13. *Appropriations* – Such amount as may be necessary for the effective implementation of this law shall be included in the annual General Appropriations Act (GAA) under the annual budget of the city or municipality concerned.

SECTION 14. *Separability Clause* – If any provision of this Act is declared invalid, the remainder or any provision hereof not affected thereby shall remain in force and effect.

SECTION 15. *Repealing Clause* – The provisions of existing laws, decrees, issuances, rules and regulations, or portions thereof, which are inconsistent herewith are hereby repealed, modified, or amended accordingly.

SECTION 16. *Effectivity* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.