

Republic of the Philippines  
**LEGAL EDUCATION BOARD**  
Suite 1102, Ermita Center Building  
Ermita, Manila

**RESOLUTION NO. 8**

**WHEREAS**, R.A. No. 7662 otherwise known as the Legal Education Reform Act of 1993 specifically mandates the LEB to introduce reforms in the legal education system in the Philippines in order to upgrade the standards and enhance the quality of legal education in this country (Sections 2 and 3);

**WHEREAS**, in furtherance of that statutory objective, Section 7 of said law as well as Section 69 of B.P. Blg. 232, otherwise known as the Educational Act of 1983, empowers the LEB to impose reasonable administrative sanctions against law schools for just causes including poor or dismal performance of law schools in the bar examinations;

**WHEREAS**, LEB believes that the very poor performance of a number of law schools in the bar examinations is one of the indicia of the sub-standard quality of instructions that they have been providing their hapless students; so that imposing upon them sanctions is justified and called for so as to motivate them to improve their faculty and instructional methodologies;

**NOW THEREFORE**, *Resolved as it is hereby Resolved* that this Board adopts the following Rules:

**RULES ON ADMINISTRATIVE SANCTIONS ON LAW SCHOOLS  
FOR OBTAINING ZERO PASSING SCORES IN THE BAR  
EXAMINATIONS**

**I. ADMINISTRATIVE RULES ON SANCTIONS**

**A. Introductory Matters**

There are various standards by which the over-all performance of law schools can be determined. One of the most important of these standards is the performance of law schools in the bar examinations.

Based upon the records of the Bar Confidant's Office of the Supreme Court, the following are the pertinent data on the results of the Bar Examinations in a ten-year (10) period from 2000 to 2009.

<b>Bar Exam. Year</b>	<b>No. of Participating Law Schools</b>	<b>Average Passing Percentage</b>	<b>No. of Law Schools Which Got Zero</b>
2000	77	20.84 %	1
2001	78	32.80%	None
2002	81	19.68%	7
2003	90	20.71%	4
2004	93	31.61%	None
2004	95	27.22%	4
2005	103	30.60%	2
2006	106	22.91%	7
2007	107	32.00%	12
2009	114	24.58%	20

The average passing percentage in the said ten-year (10) period is 26. This means that for every 100 law students who took the Bar Examinations during the covered period, only 26 passed and 74 flunked.

In the 2009 Bar Examinations 20 out of 115 law schools got zero passing score. This shows that 17 percent of the participating law schools obtained zero passing score.

All of the data indubitably demonstrate the poor quality of legal education in this country.

There are certainly a number of reasons for the dismal performance of a good number of the existing law schools but among the most important ones are: (a) defective or lax admission standards of law schools; b) weak law faculty; c) lack of initiative or passion of the dean; d) ineffective teaching competencies of law professors; and e) lack of adequate financial and other support from the governing bodies of the colleges or universities to which the law schools are parts.

To improve the entire legal education system is the task of the LEB. The LEB starts this awesome endeavor by adopting measures to motivate and inspire law schools to improve the quality of legal education that they provide their students. But alas, motivation and inspiration oftentimes do not work. It is believed that the risk of sanctions for dismal performance of law schools in the bar examinations, may urge law schools to exert maximum efforts to improve their academic performance.

The imposition of these administrative sanctions is not intended to punish the law schools but to urge them to improve their methodologies and teaching strategies, to upgrade their faculties and instill in them the passion to teach.

## 2. Coverage of the Rules

In determining the legality and propriety of imposing reasonable administrative sanctions on law schools on the sole basis of their performance in the bar examinations, only the bar examination results beginning 2000 shall be considered.

## II. ADMINISTRATIVE SANCTIONS

### 1. Administrative Sanctions

In the exercise of its reasonable supervisory and regulatory authority over law schools, the LEB may, for cause and with due observance of due process of law, impose upon law schools the following administrative sanctions:

- a. Downgrading Government Recognition to Permit Status;
- b. Putting the Law Degree Program of a Law School on a Phase-Out Status; and
- c. Termination or Cancellation of the Law Degree Program;

Nothing in these rules shall disallow the LEB in the exercise of its sound discretion, to mitigate or modify the administrative sanctions herein treated when this is demanded by public interest or in order to conform to universal best practices on the subject.

### 2. Nature and Effects of the Administrative Sanctions

#### 2.1. Downgrading Government Recognition to Permit Status

Unlike the Permit to Operate that may be granted to a law school before it receives a Government Recognition, a Permit Status as a sanction under this rule allows the school to operate in much the same way as one with a Government Recognition except that its yearly performance, especially in the bar examinations, will be closely monitored during the covered period.

If the law school fails to improve its operation and its bar examination performance in any given year thereafter, then this

shall be a ground to place the law degree program of a school on a Phase-Out Status.

## 2.2. Phase-Out Status

When a law school is put on a Phase-Out Status, it shall be allowed to continue operation of its law degree program only up to the graduation of all its existing law students. The law school shall neither accept first year law students nor new students in the higher year levels.

Should any of its students express a desire to continue his or her legal education in another law school, it is the obligation of the law school under sanction to assist in effecting such transfer.

## 2.3. Cancellation of Government Recognition

When LEB cancels the Government Recognition of a law school or orders its closure altogether, the school shall continue its operation until the end of the academic year, after which it must entirely cease operation of its law degree program.

The closure of the law degree program of a school has the following effects:

- a) the school has the obligation to furnish the necessary transfer credentials and records to students affected by the closure;
- b) disqualification of the law school to confer any title or degree or award any certificate or diploma to students; and
- c) disqualification of the law school to apply for another authority or permit to operate again a law degree program.

### **III. RULES ON THE APPLICATION OF THE ADMINISTRATIVE SANCTIONS COVERING THE PERIOD 2000-2009**

#### A. Preliminary Matters

1. Unless otherwise expressly provided for, a zero score and failure to field a bar examinee in any bar examinations shall have the same prejudicial effects to the law school;

2. The term "Government Recognition" shall be understood to refer to the law degree program of a school.
3. Due process of law shall always be observed in imposing administrative sanctions.
4. Pertinent provisions of DECS Order No. 27, Series of 1989 (Policies and Standards for Legal Education) and CHED's 2008 Manual of Regulations for Private Higher Education which are not inconsistent with these Rules or other official issuances of LEB, may be applied suppletorily in the implementation of these Rules.
5. A Warning is not an administrative sanction.

B. The Rules in Imposing the Administrative Sanctions

1. WARNING

To be given a Warning to improve their bar examinations performance otherwise administrative sanctions would be imposed on them are the following law schools:

1.1. Those which obtained a zero passing score in the 2009 Bar Examinations; and

1.2. Those which obtained zero passing scores in two (2) Bar Examinations starting 2006 up to 2008.

2. PERMIT STATUS

To be given Permit Status are the following law schools:

2.1. Those which are given a Warning in accordance with the preceding paragraph (A) which shall fail to pass any of their examinees in the 2010 Bar Examinations; and

2.2. Those which obtained three (3) zero passing scores in the Bar Examinations in the years from 2000 to 2008.

3. PHASE-OUT STATUS

To be given a Phase-Out Status are the following law schools:

3.1. Those given a Permit Status in accordance with the preceding paragraph (No. 2) which shall obtain zero passing scores in the two (2) Bar Examinations immediately following the imposition of the Phase-Out status; and

3.2. Those which obtained four (4) zero passing scores in the Bar Examinations from 2000 to 2008.

To regain their Permit Status, the law schools thus sanctioned shall not obtain a zero passing score in the two (2) Bar Examinations immediately following the imposition of the Phase-Out Status.

Those law schools which shall regain their Permit Status would be able to regain their full Recognition Status if in the two (2) Bar Examinations immediately after regaining the Permit Status, they shall pass in each such bar examinations at least 10 percent of their examinees whether first timers or repeaters but in no case shall be less than three (3) examinees.

#### 4. CANCELLATION OF GOVERNMENT RECOGNITION (CLOSURE OF LAW SCHOOLS)

To be ordered closed shall be the following law schools:

4.1. Those given a Phase-Out Status effective at the close of the Academic Year unless, in the meantime, they would succeed in regaining their permit status; and

4.2. Those conferred Government Recognition in any year from 2000 to 2009, which obtained more than five (5) zero passing scores during said period.

#### IV. RULES ON THE IMPOSITION OF ADMINISTRATIVE SANCTIONS AFTER 2009 BAR EXAMINATIONS

These Rules shall apply to law schools which are not under administrative sanctions as of 2010.

##### 1. WARNING

Any law school which shall obtain a zero passing score in the 2010 Bar Examinations and henceforth shall be given a Warning to improve its bar performance.

## 2. PERMIT STATUS

The law schools whose government recognition shall be downgraded to permit status shall be the following:

2.1. Those which are given a Warning which shall again obtain a zero passing score in the Bar Examinations immediately following the giving of a warning; and

2.2. Those which shall obtain three (3) zero passing scores in the Bar Examinations. Law schools which are under Permit Status, which shall obtain a passing score of 25 percent of their examinees and in no case less than 8 examinees shall regain their Recognition Status.

## 3. PHASE-OUT STATUS

To be put on a Phase-Out Status shall be:

3.1. Those which are on a Permit Status which shall fail to regain their Recognition Status in accordance with the preceding paragraph; and

3.2. Those which shall obtain a total of five (5) zero passing scores in the bar examinations.

## 4. CANCELLATION OF GOVERNMENT RECOGNITION OF LAW DEGREE PROGRAM (CLOSURE OF A LAW SCHOOL)


The law schools whose Government Recognition shall be cancelled and their operation be ordered CLOSED shall be the following:

4.1. Those under Phase-Out Status effective upon the graduation or quitting or transferring of all their existing students as of the imposition of the Phase-Out Status; and

4.2. Those which shall obtain a total of more than five (5) zero passing scores in the Bar Examinations.

**APPROVED:**

**Manila, August 17, 2010.**

  
**HILARION L. AQUINO**  
*Chairman*

  
**EULOGIA M. CUEVA**  
*Member*

**ELOY R. BELLO, JR.**  
*Member*

  
**VENICIO S. FLORES**  
*Member*

**FELIZARDO Y. FRANCISCO**  
*in representation of CHED Chairperson as  
Ex-Officio Member*