

PRIMER

UNIFIED LEGAL AID SERVICE (ULAS)

Supreme Court *En Banc*
A.M. No. 22-11-01-SC

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THE RULES ON UNIFIED LEGAL AID SERVICES (ULAS)

On 20 August 2024, the Supreme Court approved the Rules on Unified Legal Aid Service (ULAS Rules) and the same took effect on 03 February 2025, following its publication in the Official Gazette or in two (2) newspapers of general circulation. The ULAS Rules requires all non-excluded members of the Philippine Bar to render a minimum of **sixty (60) hours** of pro bono legal aid every compliance period. The first compliance period began on 01 January 2025 and will end on 31 December 2027.

Since the ULAS Rules were approved, the Supreme Court has released the following to provide more guidance on the ULAS Rules:

1. The Manual on the Rules of ULAS (ULAS Manual); and
2. ULAS Advisory No. 1

Below is a summary of the ULAS Rules, as expanded and clarified by the ULAS Manual and ULAS Advisory No. 1.

A. What is Pro Bono Legal Aid Service?

Pro Bono Legal Aid Service is the performance of acts or services that involve the application of law, legal procedure, or legal knowledge, training, and experience, and are provided free of charge and rendered to Qualified Beneficiaries. This may come in many forms, such as representation in court, legal counselling, drafting legal documents, developmental legal assistance, and participation in accredited legal outreach programs.

All Pro Bono Legal Aid Services shall be exempted from docket and other fees. In the event that the case prevails in court and the Qualified Beneficiary is awarded Attorney's Fees, this shall accrue to the ULAS Fund.

Solicitation from Qualified Beneficiaries is strictly prohibited. Expenses which are reasonably necessary in the performance of Pro Bono Legal Aid Services shall be charged against the ULAS Fund.

B. Who are required to comply?

All lawyers whose IBP membership is not terminated, or who are not retired according to IBP By-Laws, and are not among those excluded from compliance, including those who were suspended from the practice of law. Lawyers who already render Pro Bono Legal Aid Service by the nature of their profession may include their legal aid services as creditable hours for the relevant Compliance Period.

C. Who are excluded from compliance?

1. Lawyers in government service and incumbent elective officials who are prohibited from practicing law outside their public employment;
2. Lawyers employed in the Public Attorney's Office;
3. Lawyers who are members of the Philippine Bar and serving as Shari'ah counselors-at-law under the Shari'ah Public Assistance Office;
4. Lawyers whose request to render Pro Bono Legal Aid Services from their government agency is denied by the duly authorized officer of the agency;
5. Lawyers who have been in the practice of law for at least 35 years or who are at least 60 years old, reckoned from the last year of the relevant Compliance Period;
6. Lawyers who suffer from physical disabilities or attributes, mental, or other circumstances that render compliance unreasonably difficult or impossible; or
7. New lawyers who are admitted to the Bar after the effectivity of the ULAS Rules for the Compliance Period at the time of their admission

Those who are excluded are required to apply for a Certificate of Exclusion before the end of each Compliance Period.

D. How can an excluded lawyer apply for a Certificate of Exclusion?

The application for a Certificate of Exclusion shall be done by submitting an Application for Exclusion to the ULAS Office (ULASO) stating the applicable ground for exclusion with supporting documents (i.e., birth certificate, senior citizen's ID, PWD ID, Admission to the bar, etc.).

This shall be filed through the ULAS Portal.

E. What is the period of validity of a Certificate of Exclusion?

In general, the Certificate of Exclusion is valid only for the compliance period the same is applied for.

However, if the ground for exclusion is (a) practicing law for at least 35 years; or (b) at least 60 years old from the last year of the relevant Compliance Period, the Certificate of Exclusion shall be valid for life.

F. Are lawyers who were admitted in January 2025 excluded from the first Compliance Period?

Yes. Lawyers admitted to the bar in January 2025 onwards are excluded from compliance for the first Compliance Period from 01 January 2025 to 31 December 2027. They are required to apply for a Certificate of Exclusion.

G. Who is a Qualified Beneficiary?

1. A person for whom a counsel de officio is appointed by any court, tribunal or other government agency is presumed to be a Qualified Beneficiary (for which the court, tribunal, or government agency must issue the Covered Lawyer a Counsel de Officio Order)
2. Indigent Qualified Beneficiaries, who are:
 - a. One who has no money or property sufficient and available for food, shelter and basic necessities;
 - b. One whose gross monthly income and that of his or her immediate family does not exceed an amount double the monthly minimum wage of an employee in the place where he or she resides;
 - c. One who does not own real property with a fair market value as stated in the current tax declaration of more than PHP300,000.00; or
 - d. Any person including OFWs who has no sufficient means to afford the adequate legal services sought.

In all cases, a Qualified Beneficiary must be a natural person.

H. Are there documents required before a person claiming to be a Qualified Beneficiary may be considered as such?

Yes, there are at least two (2) required documents:

- First, the person claiming to be a Qualified Beneficiary must execute a duly executed Qualified Beneficiary Declaration. The declaration must be notarized.
- Second, the Covered Lawyer handling the Qualified Beneficiary's case must execute a Certification that he or she examined the person claiming to be a Qualified Beneficiary and is satisfied that there is reasonable cause to believe that the said person is a Qualified Beneficiary.

I. Who are Registered Organizations?

A corporation, partnership, association, or any group of persons registered with the appropriate government agency and has a legal personality of its own. This includes private law firms and government organizations. Note that Registered Organizations have the authority to: (a) determine whether a person is a Qualified Beneficiary; and (b) credit aggregate Minimum Hours of its lawyers.

J. What are the responsibilities of those who intend to comply with the Minimum Hours of Pro Bono Legal Aid Service?

1. Individual Lawyers

Covered individual lawyers shall file a Compliance Report not later than thirty (30) calendar days after the end of the compliance period.

2. Registered Organizations

The Registered Organizations which opt to aggregate the creditable hours of Pro Bono Legal Aid Services rendered by its lawyers shall file a Consolidated Compliance Report not later than thirty (30) calendar days after the end of the compliance period.

K. How can a Registered Organization aggregate its Covered Lawyers' service hours?

1. The Registered Organization shall create an account in the ULAS Portal. The following details are required:
 - a. Name of Registered Organization
 - b. Name of the government agency where it is registered
 - c. Name and position of the Authorized Representative who shall have access to the ULAS account
 - d. Contact number
 - e. E-mail address
 - f. Supporting documents such as proof of registration with government agency
 - g. Proof of Authorized Representative's authority
2. The Registered Organization shall submit its Manifestation of Intent to Aggregate within sixty (60) days (a) from the creation of its ULAS Account; or (b) before the commencement of the Compliance Period, with the following details:
 - a. Declaration of the Registered Organization's Intent to Aggregate the creditable hours of some or all of the Covered Lawyers
 - b. List of the names and roll numbers of the Covered Lawyers that it intends to include
 - c. Declaration that each Covered Lawyer has knowingly approved his or her inclusion in the aggregation
 - d. Approval of each Covered Lawyer that he or she is authorizing the Registered Organization to prepare the Consolidated Compliance Report for him or her

A Manifestation to Aggregate the creditable hours of Covered Lawyers is irrevocable for the relevant Compliance Period. Each Covered Lawyer will be notified of the aggregation of creditable hours in their respective ULAS Account. They shall also be required to confirm the inclusion or exclusion in the Registered Organization's list.

L. What happens when there is a change in the composition of the Registered Organization before the end of the Compliance Period?

The Registered Organization shall report the change in composition through the ULAS Portal within ten (10) calendar days from the change in composition (i.e., resignation or hiring of a new Covered Lawyer).

M. What are the effects of the change in composition of the Registered Organization?

When a Covered Lawyer is removed from the list of aggregation: The Covered Lawyer shall retain 50% of the Service Hours personally rendered by him or her, not exceeding sixty (60) hours. The remaining 50% shall be retained by the Registered Organization.

When a Covered Lawyer is added to the list of aggregation: The Covered Lawyer who has partially complied may report his/her Retained Hours as part of the Registered Organization's Consolidated Compliance.

N. How will the recording and computation of service hours be done?

The service hours shall be the actual time spent by the Covered Lawyer or Registered Organization in rendering Pro Bono Legal Aid Services. This shall be recorded in six-minute increments, where six minutes (and a fraction thereof) shall be expressed as "0.1 hour". The recording and monitoring of the service hours shall be done through the ULAS Portal.

O. What constitutes "service hours"?

1. All works done rendering Pro Bono Legal Aid Services, such as:

- Representation in the courts in civil and criminal cases and quasi-judicial bodies in administrative cases, including proceedings for mediation, voluntary or compulsory arbitration, and alternative dispute resolution. The representation extends to the drafting and filing of all pleadings and written submissions in said cases;
- Legal counseling, rendering assistance in contract negotiations and drafting of legal documents, including memoranda of law, affidavits, and contracts. Drafting may include policy work involving legal research and advocacy;
- Developmental legal assistance consisting of rights awareness, capacity-building, and training in basic human rights, documentation, and affidavit-making;
- Participation in Accredited Legal Outreach Program and Legal Missions, including the supervision of students under the "Revised Law Student Practice Rule";
- Notarization of documents; and
- Other legal services defined by the Supreme Court.

2. Incidental works that are reasonably necessary to the rendition of Pro Bono Legal Aid Services such as travel, photocopying, printing, finalizing, etc.

3. All works done in connection with a lawyer's appointment as counsel de officio.

P. Can a lawyer begin complying with the ULAS Rules prior to the launch of the ULAS Portal?

Yes, insofar as:

- A Covered Lawyer may render services to a person may certified as a Qualified Beneficiary (i.e., with a Qualified Beneficiary's Declaration and Covered Lawyer's Certification executed); and
- A Covered Lawyer may render counsel de officio work pursuant to a Counsel de Officio Order.

At present, however, it is unclear how actual Pro Bono Legal Aid Services rendered prior to the launch of the ULAS Portal will be recorded.

Q. Are there financial considerations that Registered Organizations or Covered Lawyers should note regarding the ULAS?

Yes. It is prohibited for Registered Organizations or Covered Lawyers to charge anything to Qualified Beneficiaries. This includes printing and photocopying of documents, transportation, filing fees, etc. Requests for reimbursement of costs incurred in the course of rendering Pro Bono Legal Aid Services shall be directed to the ULAS Fund through the ULAS Portal, and not the Qualified Beneficiary.

R. What constitutes non-compliance?

- Failure to meet the Minimum Service Hours of Pro Bono Legal Aid Services
- Failure to Submit a Compliance Report, or a Supplemental Compliance Report corresponding to deficient hours
- Failure to attach to the Compliance Report satisfactory evidence of compliance, or to obtain a Certificate of Exclusion within the prescribed period
- Failure to pay the non-compliance fine within the prescribed period (thirty [30] days from receipt of Final Notice of Non-compliance)
- Any other acts or omissions intended to evade compliance

S. Is there a grace period to comply?

Yes. Lawyers who fail to comply with the minimum number of service hours shall have a period of sixty (60) days from the receipt of a Notice to Comply to complete the required number of hours; or to make a financial contribution (more below); or explain in detail why he or she is unable to fully comply.

T. What are the effects of non-compliance?

1. Liability to pay a Non-Compliance Fine which shall be determined by the ULAS Board (not less than PhP1,000.00 but not more than PhP1,500.00 for each deficient hour);
2. Declaration as a Delinquent Member of the IBP upon the recommendation of the ULAS Board; and/or
3. Marking as ineligible to obtain a Certificate of Good Standing from the Office of the Bar Confidant.

These penalties shall be lifted upon full payment of the Non-Compliance Fine and Certification from the ULAS Board. Repeated non-compliance may be met with graver penalties.

U. Are there alternatives to full compliance?

Yes, but these are limited in scope and application.

1. Lawyers who already render Pro Bono Legal Aid Services by the nature of their profession (i.e., IBP legal aid office) may credit their hours for the relevant Compliance Period.
 - Relevantly, lawyers who were admitted to the Bar in 2017 may have already partially or fully complied with the 60-hour Pro Bono legal work requirement through the Community Legal Aid Service (CLAS). Such lawyers may file an application with the ULAS Board for the crediting of their service hours.
2. Registered Organizations (including private law firms) may opt to aggregate the creditable hours of its Lawyers by filing a Written Declaration of such intent with the ULAS Board before the start of the relevant Compliance Period.
 - The minimum hours required of the Registered Organization shall be the Minimum Hours required of each Lawyer multiplied by the total number of the Lawyers it intends to aggregate at the end of the relevant Compliance Period
 - Should the aggregated creditable hours meet the aggregate Minimum Hours, all Lawyers indicated by the Registered Organization shall be deemed to have complied with the required Minimum Hours, provided that all Lawyers must individually and personally render Pro Bono Legal Aid Service covering at least 25% of his or her Minimum Hours or 15 hours.
 - Only the hours rendered of Lawyers who are still connected with the Registered Organization as of the date of reporting shall be considered for the aggregation.
3. A Lawyer may opt to give a financial contribution to the ULAS Fund which may cover only up to a maximum of 50% of the Minimum Hours or **30 hours**. Such Lawyer will still have to render the rest of the Minimum Hours.
4. A Lawyer may opt to give a financial contribution of up to 60% of the Minimum Hours if he or she completes 40% **or 24 hours** of the required Minimum Hours before the end of the first year of the Compliance Period.
5. A Philippine Lawyer Based Abroad may make a financial contribution of up to 100% of the Minimum Hours.
6. Lawyers who have excess time for Pro Bono Legal Aid Services in one compliance period may credit such excess time to the next Compliance Period.

V. Is there already an amount prescribed for those who would opt to make financial contribution?

Covered Lawyers or Registered Organizations may remit Five Hundred Pesos (PhP500.00) per hour of mandatory Pro Bono Legal Aid Service intended to be offset, subject to adjustments approved by the Supreme Court.

W. Who is a Philippine Lawyer Based Abroad?

Those who establish, to the satisfaction of the ULAS Board based on reportorial requirements, the fact that he or she, at any time during the relevant compliance period:

1. Maintains physical presence abroad with a definite intention to reside therein;
2. Leaves the Philippines either as an immigrant or for employment on a permanent basis;
3. Works and derives income from abroad and whose employment there requires such lawyer to be physically present abroad for an aggregate period of more than 180 days in a calendar year; or
4. Has been previously considered a Philippine Law Based Abroad by the ULAS Board and who arrives in the Philippines to permanently reside and practice law therein and who has arrived in the Philippines after the first year of the relevant Compliance Period

X. Are there incentives?

Yes. Lawyers who are able to meet the Minimum Hours shall be credited with **15 units** for their mandatory continuing legal education (MCLE) compliance. The ULAS Board may further subsidize in full or partially the expenses incurred by the Lawyer or Registered Organization in rendering Pro Bono Legal Aid Services.