

The Effect of the Integration of the Philippine Bar On the Effective Functioning of its Members

An Undergraduate Thesis Presented To
The Faculty of the Department of Social Sciences
College of Arts and Sciences
University of the Philippines, Manila

In Partial Fulfillment of the Requirements
For the Degree of Bachelor of Arts
Major in Political Science

By

Marie Dawn E. Asis

March 2003

UNIVERSITY OF THE PHILIPPINES
COLLEGE OF ARTS AND SCIENCES
DEPARTMENT OF SOCIAL SCIENCES
Padre Faura Street, Ermita, Manila

APPROVAL SHEET

In partial fulfillment of the coarse requirements for the Degree of Bachelor of Arts in political Science, this thesis entitled, **The Effects of the Integration of the Philippine Bar on the Effective Functioning of its Members**, has been prepared and submitted by **Marie Dawn E. Asis**.


Atty. Jayson S. Lamchek
Adviser

Accepted in partial fulfillment of the course requirements for the degree of Bachelor of Arts in Political Science.


Prof. Benjamin Mangubat
Chairman
Department of Social Sciences

ABSTRACT

The integration of the Philippine Bar was initiated basically to serve the purpose of uniting the lawyers and elevate the standards of the legal profession.

This study aims to look into the origin, purpose and function of the Integrated Bar of the Philippines. It also seeks to answer questions regarding the inevitable effect of the integration on the performance of its members.

The IBP is offering services not only for ordinary people but also for its members. But its significance as an organization of lawyers is still in question.

Result would show that the uncooperativeness of some of the members of the organization is a result of poor leadership. The officers of the IBP neglects its duties to its members and wasn't able to project its significance.

ACKNOWLEDGEMENT

My thesis topic is a new one. I know for a fact that I will not be able to accomplish what I have accomplished without the help of the people who selflessly shared their time, effort and financial resources to help me get through. I will be eternally grateful for all the support you have extended to me. I could have not done this without your help.

To my Daddy and Mommy...

...thank you for believing in me and for simply being there. I guess the most important words are the hardest things to say, they are the things you cannot even say because words diminish them. I may have not said it often but I am very thankful that you are my parents. I could have not been raised any better. I know all of the hardships and sacrifices you went through just to give us a better life. And you certainly deserve all the love a daughter can give. But I am not perfect; I have my shortcomings too. Despite everything I have done, you were always there for me. You have never left me. I thank God for you... my wonderful and loving parents. I love you very much.

To my siblings...

What else could an older sister ask but siblings whom she can lean on. I could never thank you enough.

To Maskoy and Lipoy, I cannot imagine my life without you. Though at times I am a hardheaded 'ate', you are always there to support and understand me. I am so lucky to have you both. I will never trade you from anything in this world (narinig nyo na ba yun?)

To Marc and Boneng, you may not still be able to understand the things written here and why I am thanking you, but you never know how much inspiration you have given me to complete this study.

To Tita Ging and Tita Diday...

Thank you for all the celcards and encouragements that you are always giving me. It really helped me a lot. (sorry I wasn't able to attach your pictures.)

To my Senate family...

To Ma'am Lan and Ate Trisha, who are always there to understand me and allowing me to occupy their computer for the whole day. For giving me support and sound advice on what I should do (kahit 'di na related sa thesis ko). Thank you for the friendship... a friendship that never failed to inspire me (kahit sa kalokohan).

To Ate Letty, Kuya Art and Kuya Lyndon, who unselfishly spent their spare time on giving me advice about my thesis and helping me to easily get some information that I needed. Thank you for the things that you've offered me that helped in the completion of my thesis. I may not be able to give you anything, but allow me to thank you for all the good things you have extended to me.

To Mr. Tecson Lim, who in spite of the fact that he is so busy with his studies, he didn't hesitate to lend me a hand in finding some of my resource persons who can help me in my paper.

And to Sir Toboy, ever since I was once an OJT you never failed to support me. Thank you for allowing me to go to the office every now and then and for your continuous help for the completion of this thesis. Though you are already successful in your career and as a person, it is good to know that there is someone I could turn to for questions and comments.

Sa aking mga KASAMA...

To Alpha and Emma, thank you for always there to understand me even though I wasn't able to fulfill some of my tasks.

To Sheena, Lilian and Jonie, who never failed to understand me and encourage me on those times when I wasn't able to spend quality time with them.

To Dennis, Carlo, Phillippe, Rheena and Mhod, thanks for always being there to listen to all my sentiments when I was so problematic and pressured.

To all the members of the SCM, LFS, Anakbayan and Karatula who never hesitated to extend their help for the completion of my thesis.

To my thesis advisers...

Dr. Josefina G. Tayag, thank you very much for bringing out the best in me. You never failed to remind me of my responsibilities. You consistently encourage me to do better and aim only for the best. I know that doing a thesis is full of hardships, but doing it with you would have some fun.

Atty. Jayson S. Lamchek, thank you very much for the time and effort you have given to my thesis.

You have given so much support and encouragement to me that inspired me to do my best on working on this study. I know for a fact that you are a brilliant lawyer and I want to thank you for believing in me that I can handle this kind of topic.

To God Almighty, honor, glory, praise and thanksgiving are yours now and forever. You are a true one God. I thank you for your blessings that never falter and the strength that I have. Thank you for always being with me.

TABLE OF CONTENTS

Title Page	
Approval Sheet	
Abstract	
Acknowledgement	
Chapter I: Research Proposal	
Introduction	1
Research Question	2
Objectives	2
Thesis Statement	4
Review of Related Literature	4
Theoretical Framework	13
Conceptual Framework Diagram	15
Conceptual Framework	16
Methodology	18
Scope and Limitations	19
Significance of the Study	20
Chapter II: The Integration of the Philippine Bar	21
Chapter III: Functions and Purposes of the Integrated Bar of the Philippines	26
Chapter IV: The Perceptions of Some of the Members of the Integrated Bar of the Philippines and the Other Sectors of Society About the Integrated Bar	30
Chapter V : General Summary, Analysis and Conclusion	38
Recommendations	42
Bibliography	
Appendices	



Introduction:

Lawyers play a vital role in the administration of justice in a society. They help the judicial branch of the government to administer the country's rule of law. In the Philippines, members of Bar associations and groups of lawyers exist, advising others in matters of law and representing them in law suits.

Then came a time when the Philippine bar was integrated. Some lawyers opposed this idea for some reasons, but most agreed. This unification was reasoned out to be: without an official integration of lawyers, they would remain disassociated and fragmented. With the integration of the Philippine Bar, it is believed that such would 'elevate the standards of the legal profession, improve the administration of justice and enable the Bar to discharge its public responsibility more effectively.'

Upon the creation of the Integrated Bar of the Philippines, the administration of justice became more effective, but on the other side, there were instances wherein the organization has faced concerns that created some division on the members of the IBP, that consequently affected the efficient performance and functions of its members.

This paper would attempt to assess the effect of the integration of the Philippine Bar on the performance and functions of its members.

Research Question:

What is the effect of the integration of the Philippine Bar on the performance and functions of its members?

Objectives:

General:

With the integration of the Philippine bar or the establishment of the Integrated Bar of the Philippines (IBP), it was hoped that this act would boost the standard of the law profession and improve the administration of justice. But inevitably, conflicts among law professionals in approaching issues that are political in nature—both outside and inside the institution- happened. Sadly, these misunderstandings created a controversy upon the institution. With all these considerations, the main aim of this study is to determine the effects of the integration of the Philippine Bar on the performance and tasks of its members.

Specific:

1. To trace the roots of the integration of the Philippine Bar.
2. To present the functions and purposes of the Integrated Bar of the Philippines (IBP).
3. To present some perceptions of the members of the IBP about politics within their organization - together with the presentation of case studies which would manifest its effect to their job as lawyers and to the institution as a whole – and

the perceptions of people from the different sectors of society about the integrated bar.

4. To give recommendations/suggestions for the enhancement of the function of the IBP as an institution.

This research primarily deals with the study of the nature of the IBP. To have a better grasp as to how the organization has been formed, a historical presentation on how the integration of the Philippine Bar is undertaken is provided in this paper. In relation to this, the functions and purposes of the integrated Philippine Bar will be discussed for a better understanding of the complexities of the institution as a whole.

The establishment of the IBP brings an immediate effect on its members. This paper aims to examine these effects; particularly in the way their members approach certain political issue that comes before the organization. For a better understanding of this politics within the IBP, substantial case studies will be presented to show the effects that these bring to the administration of justice and to the IBP.

For additional knowledge about the integration of the IBP, perception of respondents from the different segments of the society will also be sought.

Lastly, the researcher would like to give some recommendations, suggestions and analysis based on all the data gathered about the effect of the IBP on its members when it comes to dealing with political issues that come their way.

Thesis Statement:

The creation of the Integrated Bar of the Philippines offers a more efficient delivery of legal services and assistance to the people. However, effectiveness as a legal institution is sometimes hampered by the way its members deal with political issues that come before the organization.

Review of Related Literature:

Books are valuable sources of information, but to date, only few studies and papers related to the Integrated Bar of the Philippines have been written. Below are some of the references that have contributed significantly to the course of completion of this research study.

In the book, *The Politics of Local Government* (1991) Gerry Stoker explained the indispensable role of quasi-governmental organizations in lessening the burden of work of the government. He defined quasi-government agencies as those agencies that "carry responsibilities for some element of local public policy and service provision" and have a "local dimension" to their work, which involves them in regular interaction with local authority policy-makers. These agencies do not have an electoral base, instead their "governing or management committees" are appointed. They also differ from multi-functional local authorities, for their concern is usually with "one purpose or policy."

The author mentioned some reasons for the acceptability of quasi-government agencies, which is to encourage the "creation of a number of 'partnerships'- joint

working agreements between central government, quasi-governmental agencies and local authorities.” Among these reasons are: (1) it enables the government to maintain a general constraint on their spending, but channel through such agencies increased and substantial resources according to its priorities; (2) it attempts at restructuring and reforming the practice and performance of elected authorities; (3) it aims at giving a greater direct influence to users in the running and management of local authority services; and (4) it provides better instruments and opportunities for the same direct involvement of service users.

The book also identifies six types of quasi-government agencies based on how they are financed and how they are constituted. Among the classifications are: (1) Joint boards, which are considered as “ corporate bodies, generally created by order of a minister, with a legal identity in their own right. Joint boards have independent financial power and can hold land and property as well as employing staffs. Another type is the, (2) central government’s ‘arms-length’ agencies, which are “ created and overseen at arm’s length by the central government. These kinds of agencies are set-up as an independent organization, free from governmental control, although they are subject to its influence. From this type of quasi-government agency, the author enumerated four forms of such centrally sponsored bodies, such are the: (1) *single-purpose service providers*; (2) *promotional and grant giving bodies*; 3) *development agencies*; and 4) *strategic bodies*.

These models as examples of quasi-government agencies will be tested in the case of the Integrated Bar of the Philippines.

The Organization Development for NGOs (1988) of Perla Rizalina Tayko defined organization as a living organism that can and must function for the human persons, and that it interacts and interrelates with itself and the environment.

The author also defined organizational development as a 'human social system'. This development is born when people who share common values, interests and competencies bond together to achieve some common purposes. These organizations are taking on a name for their 'identity, articulating the reasons of existence and making efforts towards their survival, growth and development'.

The book also enumerated two elements of an organization, which are (1) *purpose*, which signifies the existence of an organization and (2) *technology*, which enables the organization to achieve its purpose. The book implied that it is the human persons, which determine the purpose of the organization as well as its technology that puts the organization into business. It also influences the directions and activities of the organization under specific structures, roles, constraints and reasons.

Louis A. Allen in his book Management and Organization (1958) referred to organizations as mechanisms or structures that enable living beings or persons to work effectively together to accomplish a common goal. Allen also identified three kinds of work that must be performed whenever an organization has to take place: *Division of labor*, which is the division of the total efforts for the immediate attainment of the objectives; *Source of authority*, which is a means of securing compliance of every member of the group in contributing their efforts to the common goal; and *Relationship*, which is between individual and group working together within the

organization. The book also discussed some points as to on how an organization is built as well as its general purposes and responsibilities.

The book Organization Theory (1984) by William P. Anthony and B.J. Hodge, defined organization as a system of group relationships built upon and fostering cooperation. It is also a combination of individual talents and abilities into a unified whole which can accomplish more than its individual components. The authors also presented different types or models of an organization: 1) *Parsons*, which is classified according to their functions and goals; 2) *Blau and Scot*, is based on the beneficiary of the organization; 3) *Etizoni*, which is based on the ways that an organization seek to gain compliance. This model has three categories, which are *alienative*, based on using authority; utilitarian, that uses rewards; and moral, by appealing to proper conduct; The 4) *Katzy and Khan* also uses the goals that an organization seek to achieve as the, basis of classification of organization; and 5) *James Thompson*, which is based on the technology that an organization is using.

To classify the IBP, the researcher can categorize it under the model of Blau and Scott-the classification of an organization based on their beneficiaries. The IBP has been built to provide specific services, and that is to offer legal assistance to their clients. The profession of its members as lawyers roams on the world of the Rules of Law.

In his book A Diagnostic Approach to Organizational Behavior (1987), J. Gordon claimed that all types of organizations are political arenas, and that policies in organizations can be seen on its pursuit and use of power.

He also discussed the goal concept of an organization, which makes its members focused and motivated to achieve the desired end-state.

Along with his discussion of goals, he also defined teams, which are collections of people who must rely on group collaboration if each member is to experience the optimum of success and goal achievement. Then, he mentioned some characteristics that a certain team should possess for it to work effectively: (1) goals are clear to all; (2) members freely express themselves and receive empathetic responses; (3) all members participate and are listened to; (4) when problem arise, the situation is carefully diagnosed before action is proposed; (5) as needs for leadership arise, various members meet them; (6) consensus is sought and tested; (7) members trust one another; and (8) the group is flexible and seeks new and better ways of acting. So, for Gordon, for a group or team to be increasingly more effective, the level of effort in carrying out its task, their task performance strategies, and it's members' knowledge and skills brought to bear on the task should all be increased.

Furthermore, the book discussed the concept of conflict, which is inevitable in an organization. The author defined conflict as, a result of incongruent or incompatible potential influence relationships between members of a group. However, the author has laid both positive and negative outcome of conflict within an organization.

The positive outcomes that a conflict can bring would be the improvement of ideas in the organization. It also opens a tendency in seeking out new approaches that the organization can track. Conflicts also bring clarification on individual views, and increases interest and creativity among the members of the organization.

On the other hand, the negative outcome includes the increasing distance between the members of the organization, a climate of mistrust and suspicion arises, the tendency of the individuals or groups to focus on their own narrow interest.

The book *Effective Behavior in Organizations* (1984), by A. Cohen, S. Fink, H. Gadon, and R. Willits, talked about the organization itself as the one, which shapes people's interactions with each other, and these interactions are potentially a major source of an individual's productivity, satisfactions and personal learning or development. The book also maintained that organizations evolved as a consequence of people attempting to solve complex problems.

Nevertheless, the authors asserted that there is a functional and dysfunctional aspect of organization. Although here are times when a given action or decision can be functional for some members of the group, at the same time, it might be dysfunctional for the others. The book regarded that the real challenge in managing an organization, lies in finding ways to maximize the functional consequences of decisions, minimize dysfunctional effects and work creatively with situations that inevitably involve both.

In addition, the book elucidates the significance of the group, which the organization is composed of. It has stated that it takes more than one person's energy, knowledge, skills and time to get most any complicated job done. The book gave certain characteristics that should be considered before we can consider the existence of a group. Among these are; the size, the degree of differentiation from other groups, the existence of personal relations that have some duration, identification of the members with the group, and often some common goals.

The authors also stressed the importance of cohesion within an organization or group. They contended that a distant and fragmented group work differently, than those, which are unified. When there are strong prior negative feelings on the part of one or more interaction, or when there are extreme status differences between those interacting, interaction may only increase prior feelings of dislike or distance that might lead to avoidance or superficial contact. If interaction reveals strong value differences, individuals may decide to avoid one another for fear of getting into heated arguments. The text stated that possible interactions couldn't increase indefinitely. It will level off at some point and reach a kind of equilibrium where both parties are either interacting enough to satisfy their needs or are prevented by task requirements from interacting further.

On the book *Bar Associations Organization and Activities* (1954) of Glen R. Winters stated that organizations of any kind are formed to provide a vehicle through which a number of people are formed having a common interest may express their will and act together in the furtherance of that interest.

On the other hand, he defined Bar as a definite, well-defined group, membership in which is carefully controlled by bar admission regulations and may be forfeited by violation of rules enforced in all states by some agency of authority.

Then, defining the integration of the bar is simply a matter of giving to this already existing group the instrumentalities, which it needs for self-expression and for action in the name of and in accordance with the will of the group. He said that the stimulus with integration gives to broader interest and participation on the part of the

rank and file lawyers in bar association activities and the promotion of the efficient administration of justice.

The author stated that a disassociated bar would not be the same as an organization itself, instead, it would be another organization having identical membership at a certain time but with no assurance of continuation of that identity, and amounting at most to an unofficial equivalent of a genuine, official organization of the bar. An integrated bar also contributes to the high morale of the bar.

Winters also mentioned some states, which adheres to the integration of the bar.

In Michigan, all that integration did was to set up an organization for that used to be well defined but unorganized group of which every Michigan lawyer was already a member.

In Wisconsin, West Virginia and Missouri before the integration of their state bars, their poll of lawyers advanced the integration in which many lawyers not then members of the voluntary association indicated their desire for the establishment of an integrated organization truly representing the entire bar.

The Wisconsin Bar Association was formed to bring into one organization the legal profession of Wisconsin and elevate the standards and integrity, education and public service among the members of the legal profession.

The book, *Materials on the Lawyer's Professional Responsibilities* (1957) of Trumbull, W., stated that it is only through organization that the spirit of public service can be developed and maintained and crucial types of public service be rendered

effectively. It is only a bar organization, not the individual lawyer, that can maintain high standards of ethical conduct in relations both with clients and with courts.

Trumbull also defined bar associations as an organization of lawyers, which aims to promote and maintain the practice of law as a profession, in the spirit of furthering the administration of justice through law. He also enumerated the purposes of a bar organizations which are: to advance the science of jurisprudence, to promote the administration of justice in the jurisdiction in which the association exists, to uphold the honor of the profession of the law, and to establish cordial intercourse among members of the bar.

On the other hand, he explained that the integrated bar offers strengthening device in that it puts the organized bar in a position to speak with a unanimous voice for all members of the profession.

The author also mentioned that integrated bars have already been adopted in 25 states most in the West and Southeast.

In 1934 the Kentucky bar was integrated by means of a short so-called 'enabling act', which contemplated implementation of court rules. On June 6, 1946, the Supreme Court of Florida granted the bar's petition for integration of the Florida bar by inherent judicial power.

Those interested in exploring this phase of bar integration further might pursue its chronology and results in North Dakota and Alabama where it has been in effect since 1921, Idaho since 1923, New Mexico since 1925, California since 1927, Nevada since 1929, Mississippi since 1930, South Dakota and Utah since 1931, Washington, Arizona and North Carolina since 1933, Oregon and Michigan since

1935, Nebraska since 1937, Virginia since 1938, Texas and Wyoming since 1939 and Louisiana since 1940.

Theoretical Framework:

The theoretical framework of this research paper is centered on the concept of *Organization* by Perla Rizalina Tayko in her book *The Organizational Development for NGOs* (1988), which is a living organism that can and must function for the human persons. It interacts and interrelates with itself and the environment. The author provides vital elements that an organization has, which are the persons or people, purpose, structure, technology and process. In relation with this concept of organization is the idea of organizational development, which believes that a development of an organization will be achieved when people who share common values, interest and competencies bond together to achieve its directed purpose.

As an organization, the Integrated Bar of the Philippines provides for a group of people to share common expertise and aims at a common goal. It is the institution's goals and purposes, which motivates them to act as one. It is necessary for the members of the IBP to sustain their cohesiveness to be consistent in getting their purpose. Once the interaction within the organization encounters some disorder, not only will the institution be affected, but as well as their responsibilities as a provider of legal assistance. Obtaining the organization's defined goal will also be affected.

Louis A. Allen, in his book *Management and Organization* (1958), had mentioned some reasons on how an organization is built. Among these reasons are

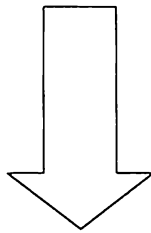
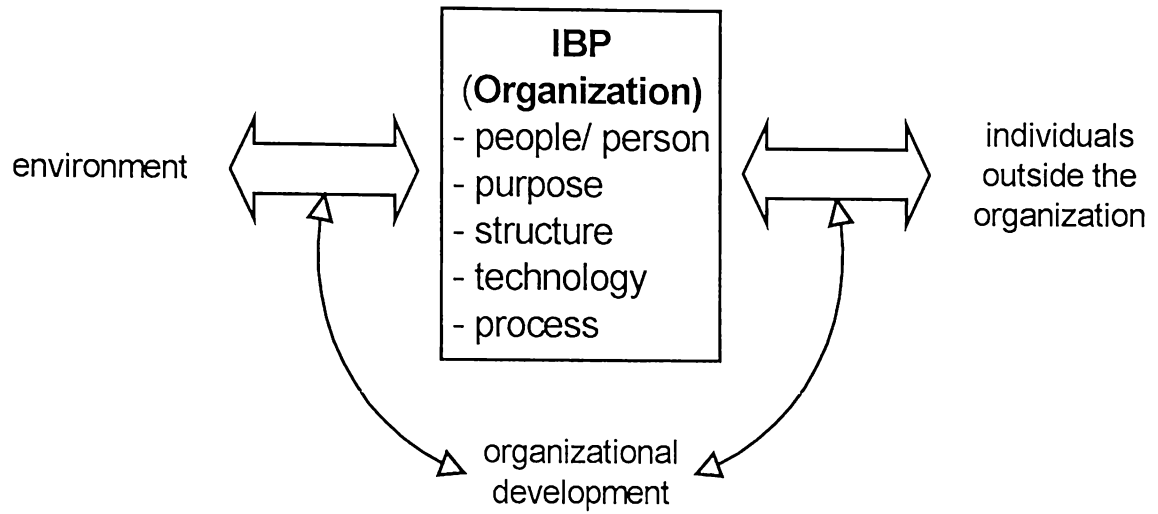
in terms of objectives and that groups that are related tend to work together. Organization is built for the purpose of accomplishing predetermined objectives and these objectives direct the major works to be performed by the members of the organization.

The main objective of the IBP is to elevate the standard of rendering legal services to the public and a responsible administration of the Rule of the Law. These objectives primarily set the organization in action for achieving these goals. Without such objectives at hand, the IBP might end up in chaos, and get no results.

Allen also discussed the responsibilities of an organization as to why it has been built. These are: (1) *planning*, which is the participation of all the members for the development and attainment of the objectives being formulated by the organization; (2) *organizing*, in which definition of responsibility, authority and accountability are divided among its members; (3) *motivating*, to provide an equitable compensation with the organization and to help develop maximum potential among its members; (4) *coordinating*, which means the consultation with the other members on matters concerning the organization; (5) *controlling*, which helps in the development and propose standards to ensure compliance with the approved plans of the organization; and (6) *operating*, that is to attend external and internal conferences of the organization, and communicate it to the members of the organization to educate them further and remain updated with the vital information about the organization.

So the IBP will be looked upon as an organization composed of people who share common dexterity and aims at a common goal.

Conceptual Framework Diagram:



Achievement of the Objectives and Goals

- elevation of the standards of the legal profession
- improvement of the administration of justice
- effective discharge of the Bar's public responsibility

Conceptual Framework:

The resolution initiating the integration of the Philippine Bar has within it, the undertaking to improve the position of the bar as an instrumentality of justice. This integration also seeks to foster unity among the lawyers for a better promotion of the objectives of the legal profession. Upon the enactment of the integration of the Philippine Bar, its corresponding functions, purposes and duties have been defined. Since then, the IBP proceeded to function as an organization, aiming at a common goal, and dividing the different tasks among its members.

The members of the IBP, which works as a part of an organization, do their duties that result to a larger pattern of the output of the institution. The lawyers become more enthusiastic with the idea that they don't merely render their services to persons who seek them, but also think of themselves as part of an organization, and with a vital duty that they should accomplish for the smooth functioning of the IBP.

By this union, the Philippine bar can find strength to the Government as well as to the legal profession itself. The organization can provide legal education for a further enhancement of each of its members. It also offers assistance to the Supreme Court in the administration of justice.

But as years have passed, so many issues have confronted the IBP. These issues tested the efficiency of the institution. These issues, specifically political in nature, may arise either from the internal or external environment of the organization. The way that the IBP members face these issues sometimes create a disagreement within the institution that hampers the unprejudiced administration of the law.

Consequently, their duties in the organization that are assigned to them are also affected as well as the unity among its members.

The integration of the Philippine Bar has really brought an advantage to its members on discharging their public responsibility. However, this assimilation of the different bar associations brought an inevitable effect among its members, because of their differences on the set of principles in terms of the administration of justice.

To better understand the discussion of the researcher about the IBP as an organization, please refer with the diagram above.

Definition of Terms:

- 1) Bar – refers to the collectivity of all persons whose names appear in the Roll of Attorneys of the Supreme Court.
- 2) Integration of the Philippine Bar – the official national unification of the entire lawyer population of the Philippines.
- 3) Organization – a living organism that can and must function for the human persons, and interacts and interrelates with itself and the environment.
- 4) Administration of justice – when a Court or a Tribunal passes on a legal issue/case that is brought before it, the Court or the Tribunal interprets and applies the law and renders a decision in that particular case, based on its merits that is ascertained by the lawyers.

Methodology:

This paper uses primarily the qualitative approach since it focuses mainly on an in-depth collection and analysis of data obtained from books, and library researches. The researcher also made use of the various newspaper articles, documents and some annual reports from the Integrated Bar of the Philippines (IBP).

Content analysis of the by-laws, organizational structures and function of the IBP was applied for better understanding of the topic. The same method was also applied in analyzing case studies. By this, it makes a better understanding on the processes and functions of the IBP in general, and its members in particular.

Furthermore, the researcher also made use of the most current and reliable sources and articles from Internet surfing, where a number of relevant and useful information was gathered.

Actual interview from key informants will also be employed for additional information, which cannot be found from archival sources. The perceptions of other sectors of the country about the legal profession and the administration of justice in the country were also done. Among the interviewees were Atty. Jesus T. Yu Jr., Legislative Committee Secretary of the Committee on Finance, Senate of the Philippines; Atty. Hjalmar M. Quintana Jr., State Prosecutor, Department of Justice; Atty. Dindo Venturanza, Assistant State Prosecutor, Quezon City Hall of Justice; Atty. Rowena Daroy-Morales, Director, Office of Legal Aid, UP College of Law; Atty. Jose Anselmo I. Cadiz, Executive Vice President of the Integrated Bar of the Philippines; Atty. Rhoderick D.M. de la Paz, Deputy Director of the National Committee on Legal Aid, Integrated Bar of the Philippines; Honorable Manuel M. Tan, Executive Judge,

Branch 2, Balanga City, Bataan; Justice Jose L. Sabio, Court of Appeals; Justice Sabino de Leon (Ret.), Supreme Court; and Senator Francis N. Pangilinan. While those from the other sectors; Ms. Lanli S. Ogdock, Legislative Committee Secretary of the Committee on Rules, Senate of the Philippines; Mr. Tecson John S. Lim, College of Law, Ateneo de Manila University; Mr. Antonio G. de Guzman Jr., Director IV, Committee Affairs Bureau, Senate of the Philippines.

Scope and Limitations:

The research focused on the main role that the Integrated Bar of the Philippines plays on the practice of law in the country. Along with the presentation of the task of the IBP, was the discussion of the historical background of the integration of the Philippine Bar with its corresponding functions and purposes.

This research would also present the readers the outcome of the interviews on different people from the different sectors of society regarding their perception on the Philippine bar integration. An analysis of the effect of this assimilation to its members would also be shown through presentation of case studies showing the discernible implication of the integration to its members. And finally, the researcher will formulate a general summary, analyses, conclusions and recommendations about the topic at hand.

Given that the IBP has some private feature in its nature, the author admits that she cannot have all the information, for some information are kept confidential by the organization.

The researcher also claims that the information taken from the interviews will only be a limited set of outlooks from a specific sector of the society and will not be taken as a universal view of the society as a whole.

Significance of the study:

Nowadays, the Philippine judicial system is bombarded with so many controversial issues. And the main actors that deliberate in these issues are the lawyers, which comprises the IBP as a whole.

This study hopes to present the functions, dynamics and political aspect within the IBP since it has been integrated.

The researcher believes that this study will be beneficial for academic purposes for it shall add to the reader's knowledge about the Integrated Bar of the Philippines as a quasi-government organization and to make them understand the vital role that they play on administering the law. It also presents the effects of this integration to its members in approaching issues that comes to the institution.

The data gathered in this research would be a source of primary knowledge in understanding the complexities of the organization.

Chapter II

The Integration of the Philippine Bar

The first initiation for the integration of the Philippine Bar happened in 1928, when the former Dean of the University of the Philippines Law School, Supreme Court Associate Justice George Malcolm suggested the integration of the Philippine bar after his observation of the success of other integrated bars in other countries such as Germany, Italy, France, England, Spain and the United States (Report of the Commission on Bar Integration, 1972).

For the following years, it was Jose Abad Santos and Claro M. Recto that were in the vanguard of the movement to integrate the Bar. Abad Santos was the one who prodded the Philippine Bar Association into drafting a charter for an integrated Bar, even before World War 2. To unify the Philippine Bar was one of Recto's major persuasions during his time.

In 1934, a bill was filed in the House of Representative to integrate the Philippine Bar, but it did not get beyond that stage.

In 1947, representatives agreed upon a petition, through a national convention held at the University of Santo Tomas, for the Supreme Court to integrate the Philippine Bar of forty-one local Bar associations and prominent lawyers led by former senator Francisco Delgado, Justice Manuel Lim and Law Dean Leoncio Monzon. And the petition was filed in January 1948 (Report of the Commission on Bar Integration, 1972).

On March 2, 1950, a bill was filed by former senators Lorenzo Sumulong and Emiliano Tria Tirona providing for the creation of a corporation to be known as 'The

Philippine Integrated Bar', which became known as Senate Bill No. 83 (Report of the Commission on Bar Integration, 1972). However, the measure remained pending until the adjournment of Congress, even though it has been sponsored by the Senate Committee on Justice, and that was not thereafter reviewed.

On May 7, 1958, speaking for the Lawyer's League of the Philippines at a conference of lawyers and judges, former senator Vicente J. Francisco, urged the integration of the Philippine Bar (Report of the Commission on Bar Integration, 1972).

Representatives of fifty-three Bar associations in the Philippines met in a convention that was held in the Far Eastern University in Manila in June 23, 1962, and unanimously resolved to file with the Supreme Court a petition for Bar integration. Consequently, a national committee was created for this purpose, composed of Jose W. Diokno as chairman, and, as members, Roman Ozaeta, Jose P. Carag, Eugenio Villanueva Jr., and Leo A. Panuncialman. The committee filed the corresponding petition of Administrative Case No. 526 on July 11, 1962 with the Supreme Court (1962 Petition for Bar Integration). Upon this petition, different Bar associations and individual lawyers filed manifestations in support and endorsement of the petition. Only a few numbers of lawyers and associations have submitted opposition to the petition. And on August 16, 1962, both sides argued the case before the Supreme Court and, subsequently, filed their respective memoranda (Administrative Case No. 526, 1962). But a final action in this case has been delayed.

In 1970, Senator Jose W. Diokno authored Senate Bill No. 79, which seeks to empower the Supreme Court to integrate the Philippine Bar, but sadly, the Congress did not act upon this bill

On October 5, 1970, the Supreme Court, led by former chief justice Roberto Concepcion, created the Commission on Bar Integration for the purpose of ascertaining the advisability of the integration of the Bar and directed it to submit its final report to the Court on or before December 31, 1972. The chairman of the Commission was then Supreme Court Associate Justice Fred Ruiz Castro and the members are former Senator Jose J. Roy, retired Supreme Court Justice Conrado V. Sanchez, then Supreme Court Associate Justice Salvador V. Esguerra, Director Crisostomo Pascual of the UP Law Center, Former Senator Tecla San Andres Ziga and former San Beda Law Dean and Constitutional Convention Delegate Feliciano Jover Ledesma. The Court also hired ranking members of the Bench and the Bar as consultants of the Commission, as well as those voluntary Bar associates (Report of the Commission on Bar Integration, 1972).

On June 2, 1971, Justice Fred Ruiz Castro proceeded to the United States by virtue of a grant from Asia Foundation, 'to seek answer to questions that are national and highly relevant to the propriety, necessity and predictability of integrating the Bar. From June 2 to July 15, 1971, Justice Castro visited several cities of the United States for this purpose (Report of the Commission on Bar Integration, 1972).

On the other hand, the Commission has conducted surveys, which show an indication of a widespread enthusiasm of support for the integration of the Bar. As a result of the initiative of the Commission to urge the enactment of a Bar integration law, the Congress passed the House Bill No. 3277, in September, 1971, entitled 'An Act Providing for the Integration of the Philippine Bar, and Appropriating Funds Therefore..' This measure has been signed by then president, Ferdinand E. Marcos

on September 17, 1971 and took effect on the same day, as Republic Act 6397 (Report of the Commission on Bar Integration, 1972).

The legislation started as a bill sponsored by then Congressman Ramon D. Bagatsing in the lower chamber of the Congress. The measure was passed immediately by a unanimous endorsement of the House Judiciary Committee, of which Bagatsing is the chair.

It was then forwarded to the Senate Judiciary Committee, headed by Senator Salvador H. Laurel, who enthusiastically hailed the concept of an integrated Bar. It was he who pushed the measure smoothly through the complicated process of legislation in the upper chamber.

But during the process, Senator Jose W. Diokno commented on the bill and introduced three important modifications. First, is that the bill should contain a direct appropriation clause, giving the Supreme Court the needed funds. Second, he persuaded the Senate to delimit to two years, from the approval of the law, the period within which the Supreme Court may effect integration of the Bar. And third, he puts into final shape the purpose clause of the bill.

Early in December 1971, the Commission in December 1971, the Commission the opening of the Bar Integration Center manned by a selected staff and lawyers and technical assistants, to achieve a consensus among lawyers on the issues posed by the matter of bar integration. Part of the work of the Center was to conduct a nationwide information drive on Bar integration and to collate and evaluate the reactions of all sectors, especially the lawyer population (Report of the Commission on Bar Integration, 1972).

Then a national plebiscite was held under the direction and control of the Commission to ascertain the thoughts and sentiments of the Philippine lawyer population regarding the integration of the Bar.

Then on January 9, 1973, the Supreme Court, pursuant to its constitutional mandate, ordained the integration of the Bar in accordance with its Rule 139-A (Integrated Bar of the Philippines), effective January 16, 1973. Within the next succeeding months, the IBP was organized. On February 17, 1973, local chapters all over the country were finally formed and elections for Chapter officers were held. Then on March 17, 1973, the first batch for representatives to the IBP House of Delegates, composed of 104 delegates representing IBP Chapters nationwide, convened in Manila and elected its first set of IBP Governors (Report of the Commission on Bar Integration, 1972).

Functions and Purposes of the Integrated Bar of the Philippines

The main argument for the unification of the Philippine Bar is that, it is only a unified Bar which can function effectively in fulfilling the obligations of the profession to its members, to the courts, and to the public. Besides having been designed for the improvement of the position of the Bar as an instrumentality of justice and the Rule of Law, integration of the Bar is also expected to foster cohesion among lawyers. Also to ensure, through their own organized action and participation, the promotion of the objectives of the legal profession, pursuant to the principle of maximum Bar autonomy with minimum supervision and regulation by the Supreme Court.

But generally speaking, an integrated Bar has its different purposes. As stated on the *Report of the Commission on Bar Integration* (1972), an integrated Bar is ordained to assist and improve the administration of justice, while at the same time cultivating and preserving high ideals of integrity, learning, competence and public service, and high standards of conduct among its members. It is important for those who are in the legal profession to always take into consideration the maintenance of the integrity of being a lawyer in carrying out their responsibility. With this, an integrated Bar is expected to safeguard the proper professional interest of its members, and cultivate among them a spirit of cordiality and brotherhood.

By having an integrated Bar, there would also be an opportunity to consider legal education, which should hasten improvement and development of the Rules of

Law, legal procedure, and jurisprudence. Not only will the Bar and the Bench, may benefit from this, but even the public may also have a share of these benefits by means of having a more comprehensive set of laws.

Besides paving the way for the enhancement of the administration of justice and fostering camaraderie among the members of the Bar, an integrated Bar also aims to develop the legal profession itself.

This also aims to render more effective assistance in maintaining the Rule of Law. This assertion is very important to make sure that the lawyers will stick to the principles and duties that they have sworn to follow and to do.

A Bar that is integrated would also provide protection to all lawyers and litigants from the abuses of tyrannical judges. This would enable them to discharge its full and proper responsibilities in disciplining and/or removal of incompetent and unworthy judges, as well as prosecuting officers. It would also have an effective voice on the selection of judges and prosecuting officers. Even the prevention of unauthorized practice of law, and breaking up of any monopoly of local practice, that is maintained through influence or position, would also be included among the duties of the integrated Bar.

In line with this, a Bar that is integrated is anticipated to shield the judiciary from the assaults that politics and self-interest that assails within it. This situation on the Philippine Judicial system is evident, especially during those days wherein integration of the Philippine Bar was proposed, because of its inability to defend itself except within its own forum. Subsequently, its duty to protect the Bench is in line with their commitment to uphold the Court's integrity, impartiality and independence.

As one of the branches of the government, the Judiciary should always be independent or self-governing, and insusceptible from any kind of lobbying or influence from its outside environment for it to be able to render unprejudiced decision.

In addition, with an integrated Bar, it is also feasible to distribute educational and informational materials that are difficult to obtain in many of our country's provinces. This opportunity plus the probability of conducting campaigns to educate the public on their legal rights and obligations, on the importance of preventive legal advice, and on the true functions of a Filipino lawyer.

These activities can be a way for the lawyers to better discharge their responsibility as public servants as well as being united with their colleagues in doing so. Aside from the fact that these activities will encourage lawyers to carry out their duties more effectively, they also educate the people about their rights, which gradually uplift them from ignorance of the law.

However, while the integrated Bar has its function to educate the public, it also has its responsibility to educate its member-lawyers for a more professional rendering of justice. It devises and maintains a program of continuing legal education for practicing attorneys in order to raise the standards of the profession throughout the country. It also tends to create law centers and establish law libraries for legal research, in order to promote greater involvement of the lawyer population in the solution of the problems that afflict the nation.

It is all within these general purposes and objective of an integrated Bar that the fundamental objectives of the Integrated Bar of the Philippines is patterned. As stated under the organization's by-laws, its basic objectives are: (1) to elevate the standards of the legal profession; (2) to improve the administration of justice; and (3) to enable the Bar to discharge its public responsibility more effectively (Section 2, The Integrated Bar of the Philippines By-Laws).

The Perceptions of Some of the Members of the Integrated Bar of the Philippines and other Sectors of Society About the Integrated Bar

Lawyers and Judges:

The primary source of data that can verify the thesis statement of this thesis comes from the interviews that were done with some of the members of the organization. Before any individual or institution can react on the effectiveness and significance of having an integrated bar, it is basically the people that are in the legal profession that should be asked about this matter. It is solely the lawyers who can say if the integration of the bar has really helped them in their position or it didn't do any difference when the bar associations was still disassociated.

The researcher tried to get the insights of some of the members of the organization, which she thinks can impart significant information about the subject matter.

Most of the respondents that have been interviewed were resolved that there are advantages of having an integrated bar. Through this, the lawyer population will have a single body that will speak for them singly, unlike when the Philippine Bar was still disintegrated. They believed that the creation of the Integrated Bar of the Philippines has really helped the lawyers to be united, and it provides for a common goal for the whole lawyer population, which are achievable.

Aside from enhancing esprit de corps in the legal profession, it also serves as a welcome phenomenon in the dispensation of justice in the Philippines. It tends to

provide a system of discipline among the lawyers, and the detection and identification of unauthorized practice of the legal profession.

The IBP, according to one of the respondents, also offers benefits for the young lawyers, because some voluntary bar associations often are stereotyped as organizations of established practitioners, that's why these young lawyers are hesitant to join. Through the authentic membership that an integrated bar offers, younger lawyers would have a chance to come into contact with the experienced and older colleagues during his early days in the profession.

The Integrated Bar of the Philippines also reaches out to the 'other aspect of the society', through, e.g., involvement in providing popular education for the people. Atty. Rhoderick de la Paz even mentioned some of the activities being conducted by the IBP as part of their public services.

The Jail Decongestion program, aims to monitor some of the cases that have not yet been disposed of and are still pending, so that the persons who should given release orders may be released, and that would lessen the burden of the Courts. He also mentioned the Legal Assistance to the OFWs, in coordination with Bayantel, wherein OFWs can directly call the IBP and ask for legal advise. Another IBP activity is the Trainer's Training on the Rights of the Child, in coordination with Unicef. With these activities, IBP is also able to take part in other issues of the society.

But despite these benefits, they are convinced that the organization has its disadvantages.

For those who think that the IBP has no significance at all, said that the organization creates division rather than integration among its members. The

constitutional right of an individual to form an association is also violated with the creation of the integrated bar.

Most of them condemn the fees that are being collected by the IBP from its members. They said that these fees hinder a lawyer to have a free practice of his or her profession, because one cannot practice when they are not able to pay their dues. They understand that not all lawyers are fortunate enough to earn that large amount. However, they are helpless because if they do not pay the dues, the Supreme Court has specific sanction for that.

One example that was given by Atty. Dindo Venturanza is the Resolution that was released by the Supreme Court, which expressed that for every pleading that a lawyer signs, he or she must indicate his or her IBP number, which can be found on the receipt for his or her IBP. That's why lawyers cannot do away with paying their dues.

Another lawyer-respondent also said that the organization is already politicized. Some members use the IBP for their own personal interests, or even a stepping-stone to politics.

Atty. Hjalmar M. Quintana said that political accommodation and compromise are necessary ingredients to get what you want, but when these are used as a vehicle to pursue certain endeavor, specifically within the organization, the result is disunity.

In addition, division within the organization usually happens during their elections. Members differ from each other in terms of political affiliation, and when both groups are vying for membership support, the result is division. Although there

are some who say that division is helpful, especially during elections because members get to choose from different sets of candidates rather than just settling for one set of candidates, it still creates controversy within the organization, which consequently affects its integrity.

Like for example, the result of the Integrated Bar of the Philippines' national election of June 1989.

The presidency is a much-desired position within the organization and the most contested, since it may serve as a launch pad for career advances, specifically on politics.

A particular law fraternity in University of the Philippines has been quite influential in the organization, and has already provided various IBP presidents from among its members. The winner on that election happened to be a wife of a cabinet minister of the IBP which is a member of the prevailing fraternity, which consequently secured the support of the fraternity on the candidacy of the winner.

However, humor spreads and allegations has been published on newspapers that the candidate had bribed delegates, used various forms of improper lobbying and spent excessively on the campaigns, and used resources and manpower from her husband's office.

As a result, the Supreme Court formed a committee to investigate the humors and accusations, and later on reported that the 'IBP by-laws has been grossly violated and the conduct of the candidate is unbecoming of lawyers'.

That election could be considered as highly politicized and bring about a gross violation of the principle of the IBP as a non-political body.

So, the Supreme Court annulled the election result and imposed a domestic revision of the procedures governing election of officers of the Bar.

This is what Judge Manuel Tan wants to imply when he stated that nepotism or paternalism is happening within the organization.

Each one agrees that emergence of groupings within an organization is really inevitable; this is because lawyers are all thinking minds that have different sets of opinions.

Atty. Jose Anselmo Cadiz had compared these dynamics in the organization to that of the family, wherein a member of a family may probably gravitate to another member whose likes and dislikes are the same. Having factions in an organization is natural, the solution is consensus; majority should prevail over the minority.

On the other hand, factions cannot only be observed during election time. It can also be felt as the IBP has to make a stand on certain issues, which concerns the organization, specifically political.

Integrated Bar of the Philippines as an organization of lawyers must have a stand on specific issues or events, which involves the organization. Nevertheless, opinions of its members about the issue are divided, depending on what or whose interests are being protected. One respondent said that the IBP as a whole should issue a stand, but others tend to disagree because they have some sectors to protect.

But one questions the legitimacy of having the organization issue positions for all lawyers. He said that the problem with the IBP in giving its stand on an issue is that, it is only the President who determines the stand of the whole organization.

What happens is that the position of the whole organization is not duly representative of the sentiments of all the members; it is only the decision of the President or the Board of Directors.

Like for instance, when the organization made its position on the issue of death penalty. The IBP made an opinion, which did not appear to be the majority opinion, but instead was a controversial opinion. Also, the IBP made a stand about the case of ousted president, Joseph Ejercito Estrada, although the IBP members were divided on their opinions about the issue.

This happens maybe because making a stand on a certain issue should be done immediately, and it would be hard to get all the opinions of its members to form a consensus about it. Having been voted for the position, the officers presume that they duly represent the members' interest. But still, it would be better if they can get the stand of all the members.

Among the most important thing that the researcher learned from the interview was that not all lawyers consider the IBP as a significant organization for the lawyers, and sometimes even think that they can survive even without the Integrated Bar of the Philippines. They tend to be a passive member because the organization cannot assert its importance to its members. The members cannot even see any benefit that a practicing lawyer will be able to get from being a member of the organization.

Without the sanctions imposed by the Supreme Court, some lawyers, according to them, would not bother to pay their dues.

The interest of the lawyer to be active in the organization depends primarily on its leadership. The officers, not only the national but also its chapter officers, should

be creative enough to entice their members to participate and dynamic in every activity of the IBP.

Some have also said that the inactivity of some of the members of the IBP is due to lack of thorough knowledge, understanding and commitment to the organization's objectives and purposes. According to them, once the members would be able to see the purpose of the organization, they would be able to appreciate the existence of the organization.

But still, according to Judge Tan, IBP has at any point performed its role as the guardian of justice as the pillar of democracy.

Other sectors:

The history of the Integrated Bar of the Philippines has thrown some serious doubts in its ability to live up to the necessary standards of self-governance and independence. Not only has the IBP's national leadership been subjected to disciplinary action on several occasions, the organization has also been poor in the exercise of discipline and promotion of integrity.

With this record of the IBP, we can reflect the perception of the people, which do not belong to the lawyer population.

Almost all of the respondents from the different sectors of our society – legislature, academe, political analyst and paralegal groups- stated that they were familiar with the Integrated Bar of the Philippines, but not on its purpose and significance to the Judiciary, law professionals and the society itself.

Even a law student doesn't have an idea on what an integrated bar does, except that he knows that the organization collects annual fees. He also said that the importance of the IBP is that one gets to know other lawyers whether they are active in the profession or not. Aside from that it has no deeper value.

They also don't know about the services that the IBP may offer as an officer of the Court.

This scenario implies that the public cannot notice the significance of the organization. They don't even know what an integrated bar would offer them.

The researcher had to explain first the purposes and function of the IBP before they understood the organization as a whole. The author also has to discuss thoroughly the dynamics between the IBP and the lawyers, and what would be its importance.

Considering this reality, the IBP exerts less effort on establishing their role as a public servant. The organization wasn't able to fully project its purpose and significance to the individuals, which are included in the organization's purposes.

General Summary, Analysis and Conclusion

This research looked into the origin of the idea of the integration of the Philippine bar, and its function and purposes. Also, the significance if an integrated bar in a country was also examined. Primarily, this answered the questions regarding the effect that the Integrated Bar of the Philippines brings has on its members and the administration of justice.

The Integrated Bar of the Philippines has the elements which any typical organization has. The IBP has its people or human resources, which share common dexterity to attain their common goals. The organization is also guided by the fundamental objectives that it has and the reason why they are in business. Finally, it has a defined organizational structure, technology and processes. All these organizational elements that can be found with the IBP are being utilized to achieve what is called organizational development.

The Bar refers to the collectivity of all persons whose names appear in the Roll of Attorneys, and thus, an integrated bar (or unified bar) must necessarily include all lawyers.

The concept of the integration of the Philippine Bar means the official unification of the entire lawyer population of the Philippines. This requires membership and financial support of every attorney as conditions to the practice of law and the retention of his name in the Roll of Attorneys of the Supreme Court. Bar integration therefore, signifies the setting up by Government authority of a national

organization of the legal profession based on the recognition of the lawyer as an officer of the Court.

The contention that a bar that is not unified makes those in the legal profession disassociated and fragmented made the way for the creation of the Integrated Bar of the Philippines. Another argument for an integrated bar was that it would help in protecting the judiciary from the assaults of politics and self-interest.

With the inherent power granted by the Philippine Constitution to the Supreme Court, as stated in Article VIII, Sec. 13 ("to promulgate rules concurring pleading, practice and procedure in all courts, and the admission to the practice of law"), the Supreme Court created the Commission on Bar Integration to ascertain the advisability of the integration of the Bar. As a result, the Congress passed the House Bill No. 3277 entitled " An Act Providing for the Integration of the Philippine Bar, and Appropriating Funds Therefore," which later on became Republic Act 6397 when it was signed by then president, Ferdinand E. Marcos.

Upon the enactment of the creation of the Integrated bar of the Philippines, its corresponding functions and purposes were also defined. These purposes includes the elevation of the standards of the legal profession through continuing legal education for all lawyers which aims to improve and develop the Rule of Law, legal procedure and jurisprudence.

The integrated bar also intends to advance the administration of justice by means of protecting the judiciary from assaults which politics and self-interest bring within it. Together with this improvement measure in the administration of justice is

their having the responsibility to discipline and/or remove incompetent and unworthy judges, as well as prosecuting officers.

Lastly, the IBP is expected to enable the Bar to develop its public responsibility more, through distribution of educational and informational materials that are difficult to obtain in many of our country's provinces, and carrying out campaigns which aims to educate the public on their legal rights and obligations. In addition, they also offer legal assistance, free of charge for those who cannot afford to get one.

Membership to the IBP is required for everyone who passed the bar examinations. Bar passers are not allowed to take their oath as attorneys, unless they would be a member of the IBP.

As the IBP was founded, it is a fact that the administration of justice has improved. However, it is inevitable that these lawyers belonging to one organization have differences in their perspective on the dispensation of justice. But sometimes these differences create controversies, which at worst might put the whole organization in shambles. Consequently, when this happen the credibility of administering unprejudiced justice is also hampered.

In the first chapter of this paper, the researcher made a thesis statement stating that the creation of the Integrated Bar of the Philippines offers a more efficient delivery of legal services and assistance to the people. However, effectiveness as a legal institution is sometimes hampered by the way its members deal with political issues that comes before the organization. These political issues not only include those that comes from the external environment of the IBP, but also from within the organization itself.

The researcher was able to gather all the data needed for the fulfillment of the researcher's objectives. Likewise, the researcher was able to prove her thesis statement. Lawyers have different attitude towards the profession. They have different specialization and perspective in the administration of justice. With this reality, emergence of grouping within the organization is inevitable even though they are pursuing a common goal.

The interviews made by the author affirmed that most of its members believe in the importance of an integrated bar. Most of the lawyer-members concurred that the creation of the IBP has its advantages. They said that it is good that we have an organization of lawyers that will speak for the whole legal professionals as one.

But not all members of the IBP think alike. Some of the respondents still regard the organization as a waste of money because of the annual fees imposed on the members and a violation of ones constitutional right to form an association.

Most of them said that groupings within the IBP are really unavoidable. The positive outcome of having these groupings will depend on how the organization's leadership will handle this.

It seems that the Integrated Bar of the Philippines has played an important role in the country's judicial members and the law professionals. Eventhough there are differences in principles among the lawyers; they still do their responsibility as a public servant.

The reasons of division among the IBP members are due to some members' unawareness of the organization's objectives and purposes. These objectives are not well known to every member that's why they are not properly guided towards their

goal. Having less knowledge on the true essence of the integrated bar, each lawyer (or group) tended to manage his or her profession on his or her own.

The main problem of the Integrated Bar of the Philippines is not the groupings that arise among its members; instead it is the attachment of the members to the organization.

The concept of leadership has also something to do with this problem on differences. The IBP officers don't have any creativity and sense of authority to entice its members to cooperate in the organization. Their set of officers should find ways wherein their members will see the significance of the IBP as an organization of the lawyers. It's just right to uphold the objectives of the organization, but they should also think of a way in which their members will be more enthusiastic to perform his or her responsibility, with consideration of the organization.

Based on some of the respondents, it seems that some lawyers think that a lawyer can survive even without the existence of the IBP, or an Integrated Bar of the Philippines ID. If by chance the integration of the bar is not mandated by the Supreme Court, if it was just founded as other organizations has been formed, some lawyers might not recognize the existence of the IBP.

Recommendation:

The researcher has discussed in the previous chapters the significance of an integrated bar in a society, judiciary and the law professionals themselves. The objectives of the Integrated Bar of the Philippines is not something grand, but at the least, the most ordinary thing, which is its primary function, that is to unite all lawyers

for a more efficient administration of justice as a part of their responsibility to the public and to the Court.

The IBP is the organization, which everyone should depend on when seeking justice. It is expected to be a bastion of the Rule of Law.

Although there are times that its members – the lawyers – have different perspective on the proper administration of justice or in dealing with national or organizational political issues that confronts the organization, it should not matter because they are being united to pursue a common goal.

However, it seems that some of the members of the IBP do not fully understand, or at worst know, the objectives and purposes of the organization. Being unaware of these objectives, a lawyer will tend to be apathetic towards its colleagues, as well as the organization itself, because the objectives are the primary factor that makes members of every organization to always be intact. With this situation, the aim of unification and development cannot be achieved. A lawyer will just do his responsibility as a lawyer in every way that he/she wants but not considering their responsibility in the organization.

The researcher does not say that this kind of system within the IBP cannot be avoided. The primary measure that should be done to foster camaraderie with all the lawyer-member of the Integrated Bar of the Philippines, and the assurance of carrying out their jobs in line with their responsibility and the organization's objectives, is to make them well known of the organization's objectives and purposes. With deeper understanding of each objective of the organization, the member will

learn to internalize what they are doing, how they should do it, and for whom they are doing this.

Being well informed about the primary objectives of the IBP might guarantee that its members will see the significance of an integrated bar and will perform their responsibility, not only for their clients and the Courts, but also for the whole organization. By this coordination, the efficient administration of justice can be guaranteed.

However, the visibility of this kind of program needs a strong and creative leadership of the IBP. The officers of the organization should prove to its members that the Integrated Bar of the Philippines has really a significant purpose, and not, what other members see it to be, i.e., as only collector of fees.

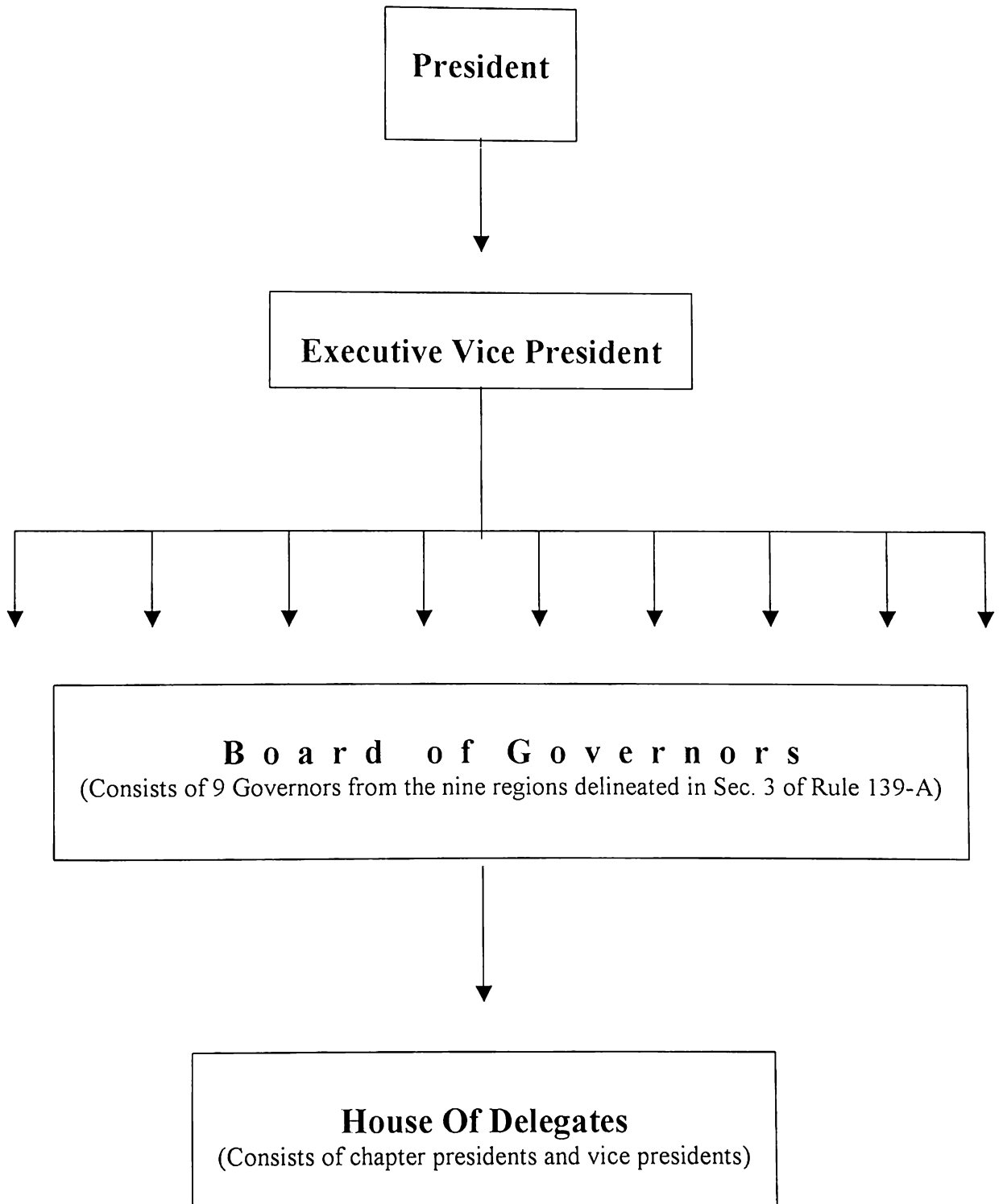
Bibliography:

- Agpalo, R. (2001). Comments on the Code of Professional Responsibility and the Code of Judicial Conduct. Manila, Philippines. Rex Printing Co., Inc.
- Allen, L. A. (1958). Management and Organization. Tokyo, Japan. Tosho Printing Co., Ltd.
- Bernas, J.G. (1996). The 1987 Constitution of the Republic of the Philippines: A Commentary. Manila, Philippines. Rex Printing Co., Inc.
- Cohen, A., Fink, S., Gadon, H., & Willits, R. (1984). Effective Behavior in Organizations. USA. Penguin Books Ltd.
- Gordon, J. (1987). A Diagnostic Approach to Organizational Behavior. New York. Peterson's/Pacesetter Books
- Hodge, B.J. & Anthony, W. (1984). Organization Theory (2nd ed.). Massachusetts. Allyn & Bacon, Inc.
- Stoker, G. (1991). The Politics of Local Government (2nd ed). London. MacMillan Press. Ltd.
- Tayko, P.R. (1988). Organization Development for NGOs. Manila, Philippines. PHILDHARRA.
- Winters, G.R. (1954). Bar Associations Organization and Activities. Michigan. The Lord Baltimore Press.
- Commission on Bar Integration. (1972). Report of the Commission on Bar on the Integration of the Philippine Bar. Manila, Philippines.
- Trumbull, W. (1957). Materials On The Lawyer's Professional Responsibilities. New Jersey. Prentice Hall, Inc.



APPENDICES

ORGANIZATIONAL STRUCTURE OF THE INTEGRATED BAR OF THE PHILIPPINES



REPUBLIC ACT NO. 6397

AN ACT PROVIDING FOR THE INTEGRATION OF THE PHILIPPINE
BAR AND APPROPRIATING FUNDS THEREFOR.

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

Section 1. Within two years from the approval of this Act, the Supreme Court may adopt rules of court to effect the integration of the Philippine Bar under such conditions as it shall see fit in order to raise the standards of the legal profession, improve the administration of justice, and enable the Bar to discharge its public responsibility more effectively.

Section 2. The sum of five hundred thousand pesos is hereby appropriated, out of any funds in the National Treasury not otherwise appropriated, to carry out the purposes of this Act. Thereafter, such sums as may be necessary for the same purpose shall be included in the annual appropriations for the Supreme Court.

Section 3. This Act shall take effect upon its approval.

Approved: September 17, 1971.

REPUBLIC OF THE PHILIPPINES

Supreme Court

MANILA

November 17, 1971

Gentlemen:

Quoted hereunder, for your information, is a resolution of this Court dated November 16, 1971:

" In the Matter of the Integration of the Bar of the Philippines, the COURT Resolved:

1. To confirm the appointment by the Commission on Bar Integration, under the authority of CBI Resolution No. 1, of

Atty. Mauro Baradi,
Atty. Lourdes Bengzon,
Atty. Gonzalo W. Gonzales, and
Atty. Teresita Cruz Sison

as members of its Board of Consultants;


2. To authorize the Commission, through the Chairman thereof, to utilize the services of the personnel of the Fiscal Management Division, the General Auditing Office Representative, and other Supreme Court divisions and sections, whenever and wherever necessary for the accomplishment of its mission; and

3. To empower the Commission, through the Chairman thereof, to expend the appropriations granted to the Court by law specifically for the Integration of the Philippine Bar, whenever advisable and necessary; and, for this purpose, to authorize the said Chairman to sign all pertinent and necessary papers and documents.

This Resolution shall be recorded in the minutes of the Court.

Let copies of this Resolution be transmitted to the Chairman of the Commission, to each of the above-named new members of the Board of Consultants, to the General Auditing Office Representative, and to the Clerk of Court, all Deputy Clerks and all Division and Section Chiefs of the Court."

Very truly yours,


ROMEO D. MENDOZA
Clerk of Court

Seventh Congress
of the
Republic of the Philippines
Fifth Special Session

Begun and held in the City of Manila on Monday, the second
day of August, nineteen hundred and seventy-one

[REPUBLIC ACT NO. 6397]


AN ACT PROVIDING FOR THE INTEGRATION OF
THE PHILIPPINE BAR, AND APPROPRIATING
FUNDS THEREFOR.

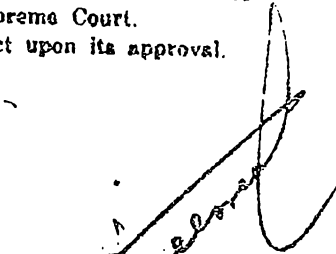
Be it enacted by the Senate and House of Representatives
of the Philippines in Congress assembled:

SECTION 1. Within two years from the approval of this
Act, the Supreme Court may adopt rules of court to effect
the integration of the Philippine Bar under such condi-
tions as it shall see fit in order to raise the standards of
the legal profession, improve the administration of jus-
tice, and enable the bar to discharge its public respon-
sibility more effectively.

Sec. 2. The sum of five hundred thousand pesos is
hereby appropriated, out of any funds in the National
Treasury not otherwise appropriated, to carry out the
purposes of this Act. Hereafter, such sums as may be
necessary for the same purpose shall be included in the
annual appropriations for the Supreme Court.

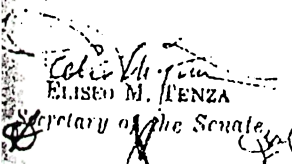
Sec. 3. This Act shall take effect upon its approval.
Approved,

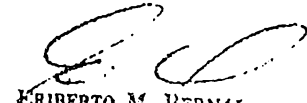

Gen. JUAN PONCE ENRILE
President of the Senate


CECILIO VILLALUZ
Speaker of the House of
Representatives

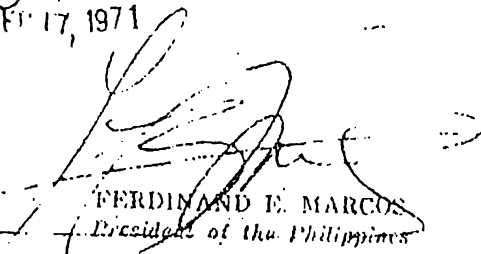
Finally passed by the Senate on
September 3, 1971.

This Act, which originated in
the House of Representatives, was
finally passed by the same on
September 4, 1971.


ELISEO M. TENZA
Secretary of the Senate


ERIBERTO M. BERNAL
Acting Secretary of the House of
Representatives

Approved:
SEP 17, 1971


FERDINAND E. MARCOS
President of the Philippines

THE INTEGRATED BAR OF THE PHILIPPINES

Rule 139-A

(Inserted by Republic Act No. 6397 which took effect on January 16, 1973)

Section 1. *Organization.* - There is hereby organized an official national body to be known as the "*Integrated Bar of the Philippines,*" composed of all persons whose names now appear or may hereafter be included in the Roll of Attorneys of the Supreme Court.

Sec. 2. *Purposes.* - The fundamental purposes of the Integrated Bar shall be to elevate the standards of the legal profession, improve the administration of justice, and enable the Bar to discharge its public responsibility more effectively.

Sec. 3. *Regions.* - The Philippines is hereby divided into nine Regions of the Integrated Bar, to wit:

(a) *Northern Luzon,* consisting of the provinces of Abra, Batanes, Benguet, Cagayan, Ifugao, Ilocos Norte, Ilocos Sur, Isabela, Kalinga-Apayao, La Union, Mountain Province, Nueva Vizcaya, and Quirino.

(b) *Central Luzon,* consisting of the provinces of Bataan, Bulacan, Nueva Ecija, Pampanga, Pangasinan, Tarlac, and Zambales;

(c) *Greater Manila,* consisting of the City of Manila and Quezon City;

(d) *Southern Luzon,* consisting of the provinces of Batangas, Cavity Laguna, Marinduque, Occidental Mindoro, Oriental Mindoro, Quezon, and Rizal;

(e) *Bicolandia,* consisting of the provinces of Al bay, Camarines Norte, Camarines Sur, Catanduanes, Masbate, and Sorsogon;

(f) *Eastern Visayas,* consisting of the provinces of Bohol, Cebu, Eastern Samar, Leyte, Northern Samar, Samar, and Southern Leyte;

(g) *Western Visayas,* consisting of the provinces of Aklan, Antique, Capiz, Iloilo, Negros Occidental, Negros Oriental, Palawan, Romblon, and Siquijor;

(h) *Eastern Mindanao,* consisting of the provinces of Agusan del Norte, Agusan del Sur, Bukidnon, CaMiguin, Davao del Norte, Davao del Sur, Davao Oriental, Nlissamis Oriental, Surigao del Norte, and Surigao del Sur; and

(i) *Western Mindanao*, consisting of the cities of Basilan and Zamboanga, and the provinces of Cotabato, Lanao del Norte, Lanao del Sur Misamis Occidental, South Cotabato, Sulu, Zamboanga del Norte, and Zamboanga del Sur.

In the event of the creation of any new province, the Board of Governors shall, with the approval of the Supreme Court, determine the Region to which the said province shall belong.

Sec. 4. *Chapters*. - A Chapter of the Integrated Bar shall be organized in every province. Except as hereinbelow provided, every city shall be considered part of the province within which it is geographically situated.

A separate Chapter shall be organized in each of the following political subdivisions or areas:

- (a) The sub-province of Aurora;
- (b) Each congressional district of the City of Manila;
- (c) Quezon City;
- (d) Caloocan City, Malabon and Navotas;
- (e) Pasay City, Makati, Mandaluyong and San Juan del Monte;
- (f) Cebu City; and
- (g) Zamboanga City and Basilan City.

Unless he otherwise registers his preference for a particular Chapter, a lawyer shall be considered a member of the Chapter of the province, city, political subdivision or area where his office, or, in the absence thereof, his residence is located. In no case shall any lawyer be a member of more than one Chapter.

Each Chapter shall have its own local government as provided for by uniform rules to be prescribed by the Board of Governors and approved by the Supreme Court, the provisions of Section 19 of this Rule notwithstanding.

Chapters belonging to the same Region may hold regional conventions on matters and problems of common concern.

Sec. 5. *House of Delegates*. - The Integrated Bar shall have a House of Delegates of not more than one hundred twenty members who shall be apportioned among all the Chapters as nearly as may be according to the number of their respective members, but each Chapter shall have at least one Delegate. On or before December 31, 1974, and every four years thereafter, the Board of Governors shall make an apportionment of Delegates.

The term of the office of Delegate shall begin on the date of the opening of the annual convention of the House and shall end on the day immediately preceding the date of the opening of the next succeeding annual convention. No person may be a Delegate for more than two terms.

The House shall hold an annual convention at the call of the Board of Governors at any time during the month of April of each year for the election of Governors, the reading and discussion of reports including the annual report of the Board of Governors, the transaction of such other business as may be referred to it by the Board, and the consideration of such additional matters as may be requested in writing by at least twenty Delegates. Special conventions of the House may be called by the Board of Governors to consider only such matters as the Board shall indicate. A majority of the Delegates who have registered for a convention, whether annual or special, shall constitute a quorum to do business.

Sec. 6. *Board of Governors.* - The Integrated Bar shall be governed by a Board of Governors. Nine Governors shall be elected by the House of Delegates from the nine Regions on the representation basis of one Governor from each Region. Each Governor shall be chosen from a list of nominees submitted by the Delegates from the Region, provided that not more than one nominee shall come from any Chapter. The President and the Executive Vice President, if chosen by the Governors from outside of themselves as provided in Section 7 of this Rule, shall *ipso facto* become members of the Board.

The members of the Board shall hold office for a term of one year from the date of their election and until their successors shall have been duly elected and qualified. No person may be a governor for more than two terms

The Board shall meet regularly once every three months, on such date and such time and place as it shall designate. A majority of all the members of the Board shall constitute a quorum to do business. Special meetings may be called by the President or by five members of the Board.

Subject to the approval of the Supreme Court, the Board shall adopt By-Laws and promulgate Canons of Professional Responsibility for all members of the Integrated Bar. The By-Laws and the Canons may be amended by the Supreme Court *motu proprio* or upon the recommendation of the Board of Governors.

The Board shall prescribe such other rules and regulations as may be necessary and proper to carry out the purposes of the Integrated Bar as well as the provisions of this Rule.

Sec. 7. *Officers.* - The Integrated Bar shall have a President and an Executive Vice President who shall be chosen by the Governors immediately after the latter's election, either from among themselves or from other members of the Integrated Bar, by the vote of at least five Governors. Each of the regional members of the Board shall be *ex officio* Vice President for the Region which he represents.

The President and the Executive Vice President shall hold office for a term of one year from the date of their election and until their successors shall have duly qualified. The Executive Vice President shall automatically become the President for

the next succeeding full term. The Presidency shall rotate from year to year among all the nine Regions in such order of rotation as the Board of Governors shall prescribe. No person shall be President or Executive Vice President of the Integrated Bar for more than one term.

The Integrated Bar shall have a Secretary, a Treasurer, and such other officers and employees as may be required by the Board of Governors, to be appointed by the President with the consent of the Board, and to hold office at the pleasure of the Board or for such terms as it may fix. Said officers and employees need not be members of the Integrated Bar.

Sec. 8. *Vacancies.* - In the event the President is absent or unable to act, his duties shall be performed by the Executive vice President; and in the event of the death, resignation or removal of the President, the Executive Vice President shall serve as Acting President during the remainder of the term of the office thus vacated. In the event of the death, resignation, removal, or disability of both the President and the Executive Vice President, the Board of Governors shall elect an Acting President to hold office until the next succeeding election or during the period of disability.

The filling of vacancies in the House of Delegates, Board of Governors, and all other positions of Officers of the Integrated Bar shall be as provided in the By-Laws. Whenever the term of an office or position is for a fixed period, the person chosen to fill a vacancy therein shall serve only for the unexpired term.

Sec. 9. *Membership dues.* - Every member of the Integrated Bar shall pay such annual dues as the Board of Governors shall determine with the approval of the Supreme Court. A fixed sum equivalent to ten percent (10%) of the collection from each Chapter shall be set aside as a Welfare Fund for disabled members of the Chapter and the compulsory heirs of deceased members thereof

Sec. 10. *Effect of non-payment of dues.* - Subject to the provisions of Section 12 of this Rule, default in the payment of annual dues for six months shall warrant suspension of membership in the Integrated Bar, and default in such payment for one year shall be a ground for the removal of the name of the delinquent member from the Roll of Attorneys.

Sec. 11. *Voluntary termination of membership; reinstatement.* - A member may terminate his membership by filing a written notice to that effect with the Secretary of the Integrated Bar, who shall immediately bring the matter to the attention of the Supreme Court. Forthwith he shall cease to be a member and the Court shall strike his name from the Roll of Attorneys. The Court in accordance with rules and regulations prescribed by the Board of Governors and approved by the Court may make re-instatement.

Sec. 12. *Grievance procedures.* - The Board of Governors shall provide in the By-Laws for grievance procedures for the enforcement and maintenance of discipline

among all the members of the Integrated Bar, but no action involving the suspension or disbarment of a member or the removal of his name from the Roll of Attorneys shall be effective without the final approval of the Supreme Court.

Sec. 13. *Non-political Bar.* - The Integrated Bar shall be strictly non-political, and every activity tending to impair this basic feature is strictly prohibited and shall be penalized accordingly. No lawyer holding an elective, judicial, quasi-judicial or prosecutory office in the Government or any political subdivision or instrumentality thereof shall be eligible for election or appointment to any position in the Integrated Bar or any Chapter thereof. A Delegate, Governor, Officer or employee of the Integrated Bar, or an officer or employee of any Chapter thereof shall be considered *ipso facto* resigned from his position as of the moment he files his certificate of candidacy for any elective public office or accepts appointment to any judicial, quasi judicial, or prosecutory office in the Government or any political subdivision or instrumentality thereof.

Sec. 14. *Positions honorary.* - Except as may be specifically authorized or allowed by the Supreme Court, no Delegate or Governor and no national or local Officer or committee member shall receive any compensation, allowance or emolument from the funds of the Integrated Bar for any service rendered therein or be entitled to reimbursement for any expense incurred in the discharge of his functions.

Sec. 15. *Fiscal matters.* - The Board of Governors shall administer the funds of the Integrated Bar and shall have the power to make appropriations and disbursements therefrom. It shall cause proper Books of Accounts to be kept and Financial Statements to be rendered and shall see to it that the proper audit is made of all accounts of the Integrated Bar and all the Chapters thereof.

Sec. 16. *Journal.* - The Board of Governors shall cause to be published a quarterly Journal of the Integrated Bar, free copies of which shall be distributed to every member of the Integrated Bar.

Sec. 17. *Voluntary Bar Associations.* - All voluntary Bar associations now existing or which may hereafter be formed may co-exist with the Integrated Bar but shall not operate at cross-purposes therewith.

Sec. 18. *Amendments.* - This Rule may be amended by the Supreme Court *motu proprio* or upon the recommendation of the Board of Governors or any Chapter of the Integrated Bar.

Sec. 19. *Organizational period.* - The Commission on Bar Integration shall organize the local Chapters and toward this end shall secure the assistance of the Department of Justice and of all Judges throughout the Philippines. All Chapter organizational meetings shall be held on Saturday, February 17, 1973. In every case, the Commission shall cause proper notice of the date, time and place of the meeting to be served upon all the lawyers concerned at their addresses appearing in the records

of the commission. The lawyers present at the meeting called to organize a Chapter shall constitute a quorum for the purpose, including the election of a President, a Vice President, a Secretary, a Treasurer, and five Directors.

The Commission shall initially fix the number of Delegates and apportion the same among all the Chapters as nearly as may be in proportion to the number of their respective members, but each Chapter shall have at least one Delegate. The President of each Chapter shall concurrently be its Delegate to the House of Delegates. The Vice President shall be his alternate, except where the Chapter is entitled to have more than one Delegate, in which case, the Vice President shall also be a Delegate.

The Board of Directors of the Chapter shall in proper cases elect additional as well as alternate Delegates. The House of Delegates shall convene in the City of Manila on Saturday, March 17, 1973 for the purpose of electing a Board of Governors. The Governors shall immediately assume office and forthwith meet to elect the Officers of the Integrated Bar. The Officers so chosen shall immediately assume their respective positions.

Sec. 20. *Effectivity.* - This Rule shall take effect on January 16, 1973.

**CONSTITUTING THE INTEGRATED BAR OF THE PHILIPPINES
INTO A BODY CORPORATE AND PROVIDING GOVERNMENT
ASSISTANCE THERETO FOR THE ACCOMPLISHMENT OF ITS
PURPOSES.**

WHEREAS, the Supreme Court of the Philippines, by virtue of its rule-making power and conformably to the provisions of Republic Act No. 6397, has ordained the integration of the Philippine Bar by Resolution of January 8 1973, for the fundamental purposes of elevating the standards of the legal profession, improving the administration of justice, and enabling the Bar to discharge its public responsibility more effectively;

WHEREAS, pursuant to the said Resolution and in accordance with Court Rule 139-A effective January 16, 1973, the Integrated Bar of the Philippines has been organized, its various organs have been established, and its officers, both national and local, have been duly elected and have entered into the exercise and discharge of their respective powers and duties; and

WHEREAS, the Integrated Bar, in the pursuit of its lofty objectives, obviously merits the aid and support of the people and the Government of the Republic of the Philippines, particularly in the form of direct material and financial assistance at least during the initial years of its corporate existence;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, and Gcnrcal Order No. 1 dated September 22, 1972, and Proclamation No. 1104 January 17, 1973, do hereby order and decree as part of the law of the land that:

Section 1. The Integrated Bar of the Philippines is hereby constituted into a body corporate, by the name, style and title "*Integrated Bar of the Philippines*," with principal office in the Greater Manila Area.

Sec. 2. The Integrated Bar shall have perpetual sucession and shall have all legal powers appertaining to a juridical person, particularly the power to sue and be sued; to contract and be contracted with; to hold real and personal property as may be necessary for corporate purposes; to mortgage, lease, sell, transfer, convey and otherwise dispose of the same; to solicit and receive public and private donations and contributions; to accept and receive real and personal property by gift, devise or bequest; to levy and collect membership dues and special assessments from its members; to adopt a seal and to alter the same at pleasure; to have offices and conduct its affairs in the Greater Manila Area and elsewhere; to make and adopt by-laws, rules and regulations not inconsistent with the laws of the Philippines or the Rules of Court, particularly Rule 139-A thereof; and generally to do all such acts and things as may be necessary or proper to carry into effect and promote the purposes for which it was organized.

Sec. 3. All donations or contributions which may be made by private entities or persons to the Integrated Bar shall be exempt from income and gift taxes, and the same shall further be

deductible in full and shall not be included for purposes of computing the maximum amount deductible under Section 30, paragraph (h), of the National Internal Revenue Code, as amended.

Sec. 4. All taxes, charges and fees that may be paid by the Integrated Bar or any of its Chapters to the Government or any political subdivision or instrumentality thereof shall be refundable annually to the former for the period extending up to December 31, 1978.

Sec. 5. The Integrated Bar shall receive by way of donation or lease at a nominal rent from the Government thc Republic of the Philippines a parcel of land in the Greater Manila Area as a suitable site for the construction of a building for the Integrated Bar, with full power to mortgage or otherwise encumber the same.

Sec. 6. The foregoing provisions shall be without prejudice to the exercise by the Supreme Court of its rule-making power under the Constitution or to the provisions of Court Rule 139-A.

Sec. 7. The sum of five hundred thousand pesos is hereby appropriated, out of any funds in the National Treasury not otherwise appropriated, for the purposes of the Integrated Bar of the Philippines for the fiscal year 1973-1974.

Sec. 8. This Decree shall take effect immediately.

Done in the City of Manila, this 4th day of May, in the year of Our Lord, nineteen hundred and seventy-three.

FERDINAND E. MARCOS

President of the Philippines

By the President:

ALEJANDRO MELCHOR

Executive Secretary

THE INTEGRATED BAR OF THE PHILIPPINES

BY-LAWS

ARTICLE I

[Sections 1 to 17]

GENERAL PROVISIONS

Section 1. *Name.* - The national organization of lawyers created on January 6 , 1973 under Rule of Court 139-A (hereinafter designated as the Integration Rule) and constituted on May 4, 1973 into a body corporate by Presidential Decree No. 181 shall be known as the Integrated Bar of the Philippines.

Sec. 2. *Objectives and purposes.* - The following are the general objectives of the Integrated bar:

to elevate the standards of the legal profession,
to improve the administration of justice; and
to enable the Bar to discharge its public responsibilities more effectively.

The purposes of the Integrated Bar include, without being limited to, those specified in the *per curiam* Resolution of the Supreme Court dated January 9, 1973 ordaining the integration of the Philippine Bar, to wit:

- [1] Assist in the administration of justice;
- [2] Foster and maintain, on the part of its members, high ideals of integrity, learning, professional competence, public service and conduct;
- [3] Safeguard the professional interests of its members;
- [4] Cultivate among its members a spirit of cordiality and brotherhood;
- [5] Provide a forum for the discussion of law, jurisprudence, law reform, pleading, practice and procedure, and the relations of the Bar to the Bench and to the public, and publish information relating thereto;
- [6] Encourage and foster legal education; and

[7] Promote a continuing program of legal research in substantive and adjective law, and make reports and recommendations thereon.

Sec. 3. Powers, prerogatives, functions, duties and responsibilities. - The powers, prerogatives, functions, duties and responsibilities of the Integrated Bar, its Chapters and other agencies, its officers and committees, national and local, its commissions, and its members, are as provided by law, the Integration Rule, Presidential Decree No. 181, these By-Laws and pertinent rules and regulations.

Inter alia, The Integrated Bar shall have perpetual succession and shall have all legal powers appertaining to a juridical person, particularly the power to sue and be sued; to contract and to be contracted with; to hold real and personal property as may be necessary for corporate purposes, to mortgage, lease, sell, transfer, convey and otherwise dispose of the same; to solicit and receive public and private donations and contributions; to accept and receive real and personal property by gift, devise or bequest; to levy and collect membership dues and special assessments from its members; to adopt a seal and to alter the same at pleasure; to have offices and conduct its affairs in the Greater Manila Area and elsewhere; to make and adopt by-laws, rules and regulations not inconsistent with the laws of the Philippines or the Rules of Court particularly the Integrated Rule; and generally to do all such acts and things as may be necessary or proper to carry into effect and promote the objectives and purposes for which it was organized.

All donations or contributions which may be made by private entities or persons to the Integrated Bar shall be exempt from income and gift taxes, and the same shall further be deductible in full and shall not be included for purposes of computing the maximum amount deductible under Section 30, paragraph (h) of the National Internal Revenue Code, as amended.

All taxes, charges and fees that may be paid by the Integrated Bar or any of its Chapters to the Government or any political subdivision or instrumentality thereof shall be refundable annually to the former for the period extending up to December 31, 1978.

Sec. 4. Non-political bar. - The Intergrated Bar is strictly non-political, and every activity tending to impair this basic feature is strictly prohibited and shall be penalized accordingly. No lawyer holding an elective, judicial, quasi-judicial, or prosecutory office in the Government or any political subdivision or instrumentality thereof shall be eligible for election or appointment to any position in the Integrated Bar or any Chapter thereof. A Delegate, Governor, officer or employee of the Integrated Bar, or an officer or employee of any Chapter thereof shall be considered *ipso facto* resigned from his position as of the moment he files his certificate of candidacy for any elective public office or accepts appointment to any judicial, quasi-judicial, or prosecutory office in the Government or any political subdivision or instrumentality thereof.

Sec. 5. *Positions honorary.* - Except as may be specifically authorized or allowed by the Supreme Court, no national or local officer, or committee or commission member shall receive any compensation, allowance or emolument from the funds of the Integrated Bar for any service rendered therein, or be entitled to reimbursement for any expense incurred in the discharge of his functions.

Sec. 6. *National office.* - The national office of the Integrated Bar shall be in the Greater Manila Area.

Sec. 7. *Seal and emblem.* - The seal and emblem of the Integrated Bar, as adopted by the Board of Governors, shall be kept in its national office.

Sec. 8. *Notices and processes.* - Services of all notices and processes intended for the Integrated Bar of the Philippines shall be made upon its Secretary or any other authorized representative at its national office.

Except as otherwise provided in these By-Laws, any notice to be served upon a member of the Integrated Bar shall be deemed given when deposited in the mail, postage fully prepaid, and addressed to such member at his last known office or residence address appearing in the records or membership roll of the national office or of the Chapter concerned.

Notice to the general membership may be given by mail, by publication in the Journal of the Integrated Bar, or as otherwise directed by the Board of Governors

Sec. 9. *Officer defined.* - The term "*officer*" as used in these By-Laws shall include, but not necessarily be limited to the following: President, Executive Vice President, Governors, Secretary, Treasurer and other national officers of the Integrated Bar, officers and members of the House of Delegates, Chapter officers and directors, commissioners, and members of all national and local committees.

Only members in good standing may become officers and, unless otherwise provided in these By-Laws, no person who is not a member of the Integrated Bar may become an officer.

Sec. 10. *Term of office.* - The term of office of all elective officers, national and local, shall be two years. In no case may any member be elected to the same office for two consecutive terms.

Sec. 11. *Vacancies.* - Except as otherwise provided in these By-Laws, whenever the term of office or position, whether elective or appointive, is for a fixed period, the person chosen to fill a vacancy therein shall serve only for the unexpired position of the term.

Sec. 12. *Non-answerability of the Integrated Bar.* - In the absence of a showing of malice, fraud, bad faith, or negligence, the Integrated Bar, its national officers and

Governors, the officers and members of the House of Delegates, all the Chapters and the offices thereof, commissioners, and all committees, national and local, and the members thereof, shall not be answerable for any damage, incident to any complaint, charge, investigation, prosecution, proceeding, trial, decision, resolution, recommendation, or action had, made, done or taken under the authority of these By-Laws.

Sec. 13. *Malfeasance, misfeasance, nonfeasance.* - Notwithstanding the provisions of the next preceding section, the Board of Governors may *motu proprio* or upon the petition of any person, inquire into any malfeasance, misfeasance, or nonfeasance committed by any member of the Integrated Bar or of any of its Chapters, and, after due hearing, take whatever action it may deem warranted. Such action may include his suspension or removal from any office in the Integrated Bar or of its Chapters held by such erring member, as well as recommendation to the Supreme Court for his suspension from the practice of law or disbarment.

Sec. 14. *Prohibited acts and practices relative to elections.* - The following acts and practices relative to elections are prohibited, whether committed by a candidate for any elective office in the Integrated Bar or by any other member, directly or indirectly, in any form or manner, by himself or through another person.

- (1) Distribution, except on election day, of election campaign materials;
- (2) Distribution, on election day, of election campaign materials other than a statement of the biodata of the candidate on not more than one page of a legal size sheet of paper; or causing the distribution of such statement to be done by persons other than those authorized by the officer presiding at the elections;
- (3) Campaigning for or against any candidate, while holding an elective, judicial, quasi-judicial or prosecutory office in the Government or any political subdivision, agency or instrumentality thereof;
- (4) Formation of tickets, single slates, or combinations of candidates as well as the advertising thereof;
- (5) For the purpose of inducing or influencing a member to withhold his vote, or to vote for or against a candidate, (1) payment of the dues or other indebtedness of any member; (2) giving of food, drink, entertainment, transportation or any article of value, or any similar consideration to any person; or (3) making a promise or causing an expenditure to be made, offered or promise to any person.

Sec. 15. *Supreme Court observer.* - The Supreme Court may designate an official observer at any election of the Integrated Bar, whether national or local.

Sec. 16. *Voluntary Bar Associations.* - All voluntary Bar associations now existing or which may hereafter be formed may co-exist with the Integrated Bar but shall not

operate at cross-purposes therewith nor against any policy, act, resolution or decision thereof.

Sec. 17. *Rules of Court suppletory.* - Whenever applicable, the Rules of Court shall be suppletory to these By-Laws.

ARTICLE II

[Sections 18 to 22]

MEMBERSHIP

Sec. 18. *Membership.* - The following persons are, automatically and without exception members of the Integrated Bar of the Philippines:

(a) All lawyers whose names were in the Roll of Attorneys of the Supreme Court as of January 16, 1973; and

(b) All lawyers whose names were included or are entered therein after the said date.

Sec. 19. *Registration.* - Unless he has already previously registered, every member heretofore admitted to the practice of law shall, not later than December 31, 1974, register in the Integrated Bar as hereunder required, at the national office or at the office of his Chapter.

Every person admitted to the practice of law after these by-laws become effective shall register in like manner not later than sixty days after such admission.

Registration shall be accomplished by signing and filing in duplicate the prescribed registration form containing such information as may be required by the Board of Governors, including the following:

- (a) Full name, sex and civil status;
- (b) Month, date, year and place of birth;
- (c) Office address(es);
- (d) Residence address(es);
- (e) Occupation(s) or employment;
- (f) Name of law school and year of graduation;
- (g) Year of admission to the Bar; and
- (h) Field(s) of specialization in law, if any.

It shall be the duty of the Secretary of every Chapter to promptly forward a copy of each accomplished registration form to the national office.

Every change after registration in respect to any of the matters above specified shall be reported within sixty days to the Chapter Secretary who shall in turn promptly report the change to the national office. Unless he otherwise registers his preference for a particular Chapter, a lawyer shall be considered a member of the Chapter of the province, city, political subdivision or area where his office or, in the absence thereof, his residence is located. In no case shall any lawyer be a member of more than one Chapter.

Sec. 20. Members in good standing. - Every member who has paid all membership dues and all authorized special assessments, plus surcharges owing thereon, and who is not under suspension from the practice of law or from membership privileges, is a member in good standing.

Sec. 21. Voluntary termination of membership; reinstatement. - A member may terminate his membership by filing a verified notice to that effect with the Secretary of the Integrated Bar, who shall immediately bring the matter to the attention of the Supreme Court. Forthwith, he shall cease to be a member and his name shall be stricken from the Roll of Attorneys.

Reinstatement may be made in accordance with rules and regulations prescribed by the Board of Governors and approved by the Court, provided that any written application for reinstatement must be filed with the Board, which shall, within fifteen (15) days from receipt, forward the same to the Court with its appropriate recommendation.

Sec. 22. Retirement; reinstatement. - Any member in good standing who shall have attained the age of seventy-five years, or who shall have been forty years as lawyer shall, by reason of physical disability or judicially adjudged mental incapacity, be unable to engage in the practice of Law, may be retired from the Integrated Bar upon verified petition to the Board of Governors. Retired members shall not practice law or be required to pay dues.

A retired member may be reinstated to active membership upon written application to and approval by the Board.

The Board shall make periodic reports of retirement and reinstatement of members to the Supreme Court.

ARTICLE III

[Sections 23 to 25]

DUES

Sec. 23. *Membership dues.* - On or before the 31st day of December, every member of the Integrated Bar shall pay annual dues for the ensuing fiscal year in the amount of FIVE HUNDRED PESOS at the National Office or at the office of his Chapter, to take effect on January 1, 1995. (As amended pursuant to Bar Matter No. 668).

Membership dues shall be apportioned as follows: Chapter share - P200.00; General Fund - P150.00; Welfare Fund - P40.00; Legal Aid - P20.00; Bar Discipline - P20.00; and IBP Journal - P70.00. (As amended pursuant to Bar Matter No. 668).

Subject to approval by the Supreme Court, the Board of Governors may increase the annual membership dues, or modify the apportionment thereof. (As amended on January 30, 1992).

THE IBP LIFE MEMBERSHIP PLAN

(As amended in accordance with and pursuant to Supreme Court Resolution dated August 20, 1999, increasing the life membership fee to P8,500.00 effective as of January 1, 1999)

A member of the IBP may apply for life membership therein by filing an application therefor directly with the national office or through the appropriate chapter under the following terms:

- (1) That the member shall be in good standing as provided for under Section 20, Article II of these By-Laws at the time he files his application for life membership;
- (2) That he pays to the national office his life membership fee in the sum of Five Thousand Pesos (P5,000.00); and
- (3) That he abides by the rules and regulations promulgated by the Integrated Bar of the Philippines implementing the life membership plan. Upon payment of the life membership fee of Five Thousand Pesos (P5,000.00), the member shall be enrolled in the Roll of Life Members to be prepared by and kept in the Office of the Treasurer of the Integrated Bar of the Philippines. He shall be issued a certificate of life

membership to be signed by the national president and attested by the National Secretary.

The life membership fee of Five Thousand Pesos (P5,000.00) shall be deposited in a reputable banking institution chosen by the Board of Governors, Integrated Bar of the Philippines, as a perpetual trust fund which shall earn interest at the best possible rate per annum.

Only the annual income of the life membership trust fund shall be available for expenditure of the IBP and shall be applied as follows:

(1) To the payment of the life member's annual dues as provided in Section 23, Article III of these By-Laws;

(2) Fifty percent of the balance of the income, if any, shall be automatically appropriated for the operational expenses of the Committee on Bar Discipline, including the salaries of the national investigators or commissioners and the staff of the Committee;

(3) The other fifty percent of the balance, if any, shall be deposited as part of the life membership trust fund.

Any life member, whose membership in the IBP terminates by retirement or for any other cause, shall cease to be a life member of the Integrated Bar of the Philippines. (As amended pursuant to Supreme Court Resolution dated October 27, 1992).

All lawyers shall indicate in all pleadings, motions and papers signed and filed by them in any court in the Philippines - and in the case of government lawyers, in all official documents issued by them - the number and date of their official receipt indicating payment of their annual membership dues to the Integrated Bar of the Philippines for the current year, or in the case of life members, their life membership roll number. (As amended pursuant to Bar Matter No. 668).

Sec. 24. Effect of non-payment of dues. - Except for the fiscal year 1974- 1975, any member who has not paid his membership dues for any given fiscal year on or before the last day (June 30) of the immediately preceding fiscal year shall be considered as dues-delinquent members. For the fiscal year 1974-1975 any member who has not paid the annual dues on or before November 30, 1974 shall be considered a dues-delinquent. If the delinquency continues until the following December 31, the Board of Governors shall by Resolution forthwith suspend all his membership privileges other than the practice of law. A copy of such Resolution shall be sent by registered mail to the member and to the secretary of the Chapter concerned. The Board shall promptly inquire into the cause or causes of the delinquency and take whatever action it shall deem appropriate, including a recommendation to the Supreme Court for the suspension of the delinquent member from the practice of law.

Should the delinquency further continue until the following June 29, the Board shall promptly inquire into the cause or causes of the continued delinquency and take whatever action it shall deem appropriate, including a recommendation to the Supreme Court for the removal of the delinquent member's name from the Roll of Attorneys. Notice of the action taken shall be sent by registered mail to the member and to the Secretary of the Chapter concerned. Whenever a delinquent member makes full payment of the membership dues owing, plus a sum equivalent to ten (10) percent thereof, such fact shall, without delay, be reported to the Board, which shall take such action as may be warranted. A member whose name is removed from the Roll of Attorneys pursuant to the provision of this Section may apply for reinstatement under the provisions of the second paragraph of Section 21 (Voluntary termination of membership; reinstatement).

Sec. 25. Remission or lifting of sanctions. - The Board of Governors may, for justifiable reasons, remit or lift sanctions already imposed and authorize the retroactive reinstatement of the member concerned. However, sanctions imposed or approved by the Supreme Court may be remitted or lifted only by the Court.

ARTICLE IV

[Sections 26 to 29]

CHAPTERS

Sec. 26. Chapters. - A Chapter of the Integrated Bar shall be organized in every province existing on the date of the effectivity of the Integration Rule. Except as hereinbelow provided, every city shall be considered part of the province within which it was geographically situated prior to its creation as a city.

A separate Chapter shall be organized in each of the following political subdivisions or areas:

- (a) The sub-province of Aurora;
- (b) Each congressional district of the City of Manila existing on the date of the effectivity of the Integration Rule;
- (c) Quezon City;
- (d) Caloocan City, Malabon and Navotas;
- (e) Pasay City, Makati, Mandaluyong and San Juan del Monte;

(f) Cebu City; and

(g) Zamboanga City, Basilan Cites and Basilan province.

The Board of Governors shall reorganize the various Chapters of cities and provinces, by division or merger, to the end that, as far as practicable, no chapter shall have more than one thousand nor less than five hundred members beginning the fiscal year 1977-1978.

The Board shall study the feasibility of organizing Chapters in new provinces.

Sec. 27. Coordination of Chapter activities. - The Board shall coordinate and supervise the activities of all the Chapters for purposes of promoting maximum lawyer participation in Integrated Bar affairs, and effective administration and operation of the organization.

Sec. 28. Chapter local government. - Each Chapter shall have its own government.

Sec. 29. Uniform by-laws. - Every Chapter shall strictly observe the following by-laws, but the Board of Officers of any Chapter may submit for consideration and action by the Board of Governors such additional provisions as may be demanded by local conditions.

ARTICLE V

[Sections 30 to 36]

HOUSE OF DELEGATES

Sec. 30. Composition of the House. - The Integrated Bar shall have a House of Delegates composed of not more than one hundred and twenty members apportioned among all the Chapters. On or before December 31, 1974, and every two years thereafter, the Board of Governors shall make a reappointment of Delegates among all the Chapters as nearly as may be according to the number of their respective members, but each Chapter shall have at least one Delegate.

Sec. 31. Membership. - The membership of the House of Delegates shall consist of all the Chapter Presidents and in the case of Chapters entitled to more than one Delegate each, the Vice Presidents of the Chapters and such additional Delegates as the Chapters are entitled to. Unless the Vice President is already a Delegate, he shall be an alternate Delegate. Additional Delegates and alternates shall in proper cases be elected by the Board of Officers of the Chapter. Members of the Board of Governors who are not Delegates shall be members *ex officio* of the House, without

the right to vote.

Sec. 32. *Term of office.* - The term of office of additional and alternate Delegates shall be coterminous with that of Chapter Delegates.

Sec. 33. *Annual convention.* -

(a) Unless for special reasons, another date is set by the Board of Governors, the House shall hold an annual convention during the month of April of each year, at the call of the Board, at such time and place as the Board shall determine. Each Region shall be entitled to host one annual or special convention every nine years. The convention program shall be prepared by the Board. No convention of the House of Delegates nor of the general membership shall be held prior to any election in an election year. (As amended pursuant to Bar Matter 491).

(b) The President and Executive Vice President of the IBP shall be the Chairman and Vice-Chairman, respectively, of the House of Delegates. The Secretary, Treasurer, and Sergeant-at-Arms shall be appointed by the President with the consent of the House of Delegates. (As amended pursuant to Bar Matter 491)

(c) At or prior to the annual convention, there shall be published an address by the President on the state of the Integrated Bar, a report of the proceedings, reports of officers and committees, and recommendations submitted in connection with these reports.

(d) Any matter not included in the published convention program may be considered, debated or acted upon by the House, upon written petition signed by at least twenty Delegates.

(e) During the deliberations, no person shall speak for more than five minutes or more than twice on the same matter, unless otherwise authorized by the Chairman.

(f) The House shall be a deliberative body of the Integrated Bar, and its resolutions shall bind the Integrated Bar when concurred in by the Board of Governors.

(g) At all deliberations of the House, whether in annual or special convention, the Robert's Rules of Order shall govern.

Sec. 34. *Special convention.* - Special conventions of the House may be called by the Board of Governors *motu proprio*, or upon written petition therefor filed with the Secretary of the Integrated Bar signed by not less than thirty Delegates. The Board shall set the date, time and place for each special convention. Notice shall be given to all Delegates at least thirty days before the convention, stating the purpose and the urgency thereof as well as the business to be transacted thereat.

Sec. 35. *Quorum.* - The Delegates present at any session of a convention shall

constitute a quorum to do business.

Sec. 36. *Duties of Delegates.* - The Delegates shall attend every convention of the House, promote the work of the convention, and make reports of the proceedings thereof to their respective Chapters.

ARTICLE VI

[Sections 37 to 46]

BOARD OF GOVERNORS

Sec. 37. *Composition of the Board.* - The Integrated Bar of the Philippines shall be governed by a Board of Governors consisting of nine (9) Governors from the nine (9) regions as delineated in Section 3 of the Integration Rule, on the representation basis of one (1) Governor for each region to be elected by the members of the House of Delegates from that region only. The position of Governor should be rotated among the different Chapters in the Region. (As amended pursuant to Bar Matter 491).

Sec. 38. *Term of office.* - The Governors shall hold office for a term of two years from July 1 immediately following their election to June 30 of their second year in office and until their successors shall have been duly chosen and qualified.

Sec. 39. *Nomination and election of the Governors.* - At least one (1) month before the national convention the delegates from each region shall elect the governor for their region, the choice of which shall as much as possible be rotated among the chapters in the region. (As amended pursuant to Bar Matter 491).

Sec. 40. *Election contests.* - Any nominee desiring to contest an election shall, within two days after the announcement of the results of the elections, file with the President of the Integrated Bar a written protest setting forth the grounds therefor. Upon receipt of such petition, the President shall forthwith call a special meeting of the outgoing Board of Governors to consider and hear the protest, with due notice to the contending parties. The decision of the Board shall be announced not later than the following May 31, and shall be final and conclusive.

Sec. 41. *Functions of the Board.* - The Board of Governors shall have general charge of the affairs and activities of the Integrated Bar. It shall have authority, *inter alia*, to:

(a) Fix the date, time and place of every convention of the House of Delegates, subject to the provisions of Sections 33 (Annual convention) and 34 (Special conventions);

- (b) Make appropriations and authorize disbursements from the funds of the Integrated Bar, subject to the provisions of Sec. 14 of the Integration Rule and Section 5 (Positions honorary) of these By-Laws;
- (c) Engage the services of employees, define their duties and fix their compensation;
- (d) Receive, consider and act on reports and recommendations submitted by the House of Delegates or its committees;
- (e) Provide for the publication of the Journal of the Integrated Bar;
- (f) Administer the Welfare Fund in accordance with such rules and regulations as it may promulgate;
- (g) Fill vacancies, however arising in the positions of officers of the Integrated Bar, subject to the provisions of Sec. 8 of the Integration Rule, and Section 11 (Vacancies), Section 44 (Removal of members), Section 47 (National officers), Section 48 (Other officers), and Section 49 (Terms of office) of these By-Laws;
- (h) Subject to the approval of the Supreme Court, promulgate Canons of Professional Responsibility for all members of the Integrated Bar;
- (i) Promulgate rules and regulations for the establishment and maintenance of lawyer referral services throughout the Philippines;
- (j) Subject to the approval of the Supreme Court, impose special assessments for specific national purposes, and impose, or recommend in proper cases to the Court the imposition of, sanctions for non-payment or delinquency in the payment thereof;
- (k) Prescribe such rules and regulations as may be necessary and proper to carry out the objectives and purposes of the Integrated Bar as well as the provisions of the Integration Rule and Presidential Decree No. 181; and
- (1) Perform such other functions as may be necessary or expedient in the interest of the Integrated Bar.

Sec. 42. *Meetings.* - The Board shall meet regularly once a month, on such date and such time and place as it shall designate. Special meetings may be called by the President, and shall be called by him upon the written request of five members of the Board.

Sec. 43. *Quorum.* - Five members of the Board shall constitute a quorum to transact business. However, the Board may take action, without a meeting, by resolution signed by at least five Governors provided that every member of the Board shall have been previously apprised of the contents of the resolution.

Sec. 44. *Removal of members.* - If the Board of Governors should determine after proper inquiry that any of its members, elective or otherwise, has for any reason become unable to perform his duties, the Board, by resolution of the majority of the remaining members, may declare his position vacant, subject to the approval of the Supreme Court. Any member of the Board, elective or otherwise, may be removed for cause, including three consecutive absences from Board meetings without justifiable excuse, by resolution adopted by two-thirds of the remaining members of the Board, subject to the approval of the Supreme Court. In case of any vacancy in the office of Governor for whatever cause, the delegates from the region shall, by majority vote, elect a successor from among the members of the Chapter to which the resigned governor is a member to serve as governor for the unexpired portion of the term. (As amended pursuant to Supreme Court Resolution dated March 2, 1993).

Sec. 45. *Executive Committee.* - There shall be an Executive Committee of not less than three Governors, the powers, functions, duties and responsibilities of which shall be as prescribed by the Board. The President shall be the chairman thereof.

Sec. 46. *Urgent matters.* - Should the Executive Committee consider it desirable and imperative that any matter be decided urgently by the Board, and it is not practicable or expedient for the Board to convene, the Executive Committee may, for the purpose, direct a poll of all the members of the Board on that matter, to be taken by correspondence, telegram, radiogram, cablegram, or any other expeditious means, and the effect of such a poll shall be the same as if the votes therein were cast at a regular meeting of the Board.

ARTICLE VII

[Sections 47 to 51]

NATIONAL OFFICERS

Sec. 47. *National Officers.* - The Integrated Bar of the Philippines shall have a President and Executive Vice President to be chosen by the Board of Governors from among nine (9) regional governors, as much as practicable, on a rotation basis. The governors shall be *ex officio* Vice President for their respective regions. There shall also be a Secretary and Treasurer of the Board of Governors to be appointed by the President with the consent of the Board. (As amended pursuant to Bar Matter 491).

The Executive Vice President shall automatically become President for the next succeeding term. The Presidency shall rotate among the nine Regions.

Sec. 48. *Other officers.* - Other officers and employees as the Board may require

shall be appointed by the President with the consent of the Board. Such officers and employees need not be members of the Integrated Bar.

Sec. 49. Terms of office. - The President and the Executive Vice President shall hold office for a term of two years from July 1 following their election until June 30 of their second year in office and until their successors shall have been duly chosen and qualified. In the event the President is absent or unable to act, his functions and duties shall be performed by the Executive Vice President, and in the event of the death, resignation, or removal of the President, the Executive Vice President shall serve as Acting President for the unexpired portion of the term. In the event of the death, resignation, removal or disability of both the President and the Executive Vice President, the Board of Governors shall elect an Acting President to hold office for the unexpired portion of the term or during the period of disability. Unless otherwise provided in these By-Laws, all other officers and employees appointed by the President with the consent of the Board shall hold office at the pleasure of the Board or for such term as the Board may fix.

Sec. 50. Duties of officers. - (a) *President:* The President shall be the chief executive of the Integrated Bar, and shall preside at all meetings of the Board of Governors.

From assumption of office and for the duration of his term the President shall dissociate himself from any and all activities that may, in one way or another, restrict or hamper the effective exercise of his powers and performance of his functions and duties.

(b) *Executive Vice President:* The Executive Vice President shall exercise the powers and perform the functions and duties of the President during the absence or inability of the latter to act, and shall perform such other functions and duties as are assigned to him by the President and the Board of Governors.

(c) *Governors:* In addition to his duties as a member of the Board of Governors, each elective Governor shall act as representative of his Region in the Board. He shall promote, coordinate and correlate activities of the Chapters within his Region.

(d) *Secretary:* The Secretary shall attend all meetings of the Board of Governors, and keep a record of all the proceedings thereof; prepare and maintain a register of all members of the Integrated Bar; notify national officers as well as members of national committees of their election or appointments; cause to be prepared the necessary official ballots for the election of Governors; and perform such other duties as are assigned to him by these By-Laws, by the President and by the Board of Governors.

(e) *Treasurer:* The Treasurer shall collect, receive, recorder and disburse ad funds of the Integrated Bar; however, no disbursement shall be made except over his signature, countersigned by the President or, in the absence or inability of the President, by the Executive Vice President, or in the absence or inability of both, by a member of the Executive Committee designated by the President. He shall render

reports of receipts and disbursements as required by the Board of Governors; promptly remit to the Chapters concerned their proportionate shares in the dues and assessments paid by members directly to the national office under Section 23 (Membership dues); assist in the preparation of the annual budget; and perform such other duties as are assigned to him by these By-Laws, by the President and by the Board of Governors. He shall furnish a surety bond at the expense of the Integrated Bar, in such amount as may be required by the Board.

Sec. 51. *Delegation of duties.* - The functions and duties of the Secretary and the treasurer may, in their absence or inability, be performed by assistants or employees of the Integrated Bar designated by the President.

ARTICLE VIII

[Sections 52 to 67]

NATIONAL COMMITTEES

Sec. 52. *National Committees.* - The Board of Governors shall establish and maintain standing national committees. Until otherwise changed, modified or redefined by the Board, the respective names, powers, prerogatives, functions, duties and responsibilities of the standing committees shall be as set forth in this Article. The Board shall have authority to create additional standing committees and special committees and to define their respective powers, prerogatives, functions, duties and responsibilities. Every committee shall submit an annual report to the President, but the Board may, at any time, require any committee to submit a special report.

Sec. 53. *Membership of committees.* - Each national committee shall consist of such number of members as may be fixed by the Board of Governors. They shall be appointed by the President with the consent of the Board, and shall serve for a term of two years, and until their respective successors shall have been duly appointed and qualified. The chairman of each committee shall be designated by the President. Three consecutive absences of any member from committee meetings without justifiable excuse shall be a ground for the President to appoint his replacement.

Sec. 54. *Committee on Chapter Affairs.* - This committee shall make studies of, and submit reports and recommendations on, the establishment, organization and operation of all Chapters, the apportionment and reapportionment of the seats in the House of Delegates, and the means and methods of encouraging and coordinating Chapter activities and of promoting maximum involvement and participation of the members of the Integrated Bar in the activities thereof and of their respective Chapters.

Sec. 55. *Committee on Legal Aid.* - This committee shall promote the establishment and efficient maintenance of Chapter legal aid organizations suited to provide free legal service; direct and supervise all Chapter legal aid organizations; maintain maximum levels of coordination and cooperation with other organizations having similar objectives; receive and solicit aid and assistance from any available and suitable source or sources, provided that the independent character of the legal aid is not impaired; and, in general, do or cause to be done all things necessary and proper for the promotion of legal aid activities, projects and objectives.

Sec. 56. *Committee on Administration of Justice.* - This committee shall study the organization and operation of the judicial system and recommend appropriate changes in practice and procedure to improve the efficiency thereof, and, in that connection, shall examine all proposed changes in the system. It shall collate information and submit appropriate recommendations on judicial appointments, judicial tenure and compensation, and retirement pensions.

Sec. 57. *Committee on Legal Education and Bar Admissions.* - This committee shall make continuing studies of, and submit recommendations on, the curriculum and teaching methods in law schools, as well as standards and methods in determining the qualifications of applicants for admission to the Bar and, whenever requested, shall assist in the investigation of the qualifications of persons seeking admission to the Bar. It shall formulate and promote or co-sponsor with other groups of institutions, programs designed to afford members of the Integrated Bar suitable opportunities for acquiring, here and abroad, additional professional knowledge, training and skill.

Sec. 58. *Committee on Professional Responsibility, Discipline and Disbarment.* - This committee shall formulate the Canons of Professional Responsibility for adoption by the Board of Governors and approval by the Supreme Court, and submit recommendations on methods for the effective enforcement thereof as well as on appropriate amendments thereto. It shall have authority to express advisory opinions, upon written request of any member, on any matter affecting his own professional conduct. In no case shall the opinion of the committee disclose the name of any party. The committee may call upon any Chapter officer or Chapter committee member to exchange information as to problems arising under the Canons of Professional Responsibility, and to examine grievance procedures. It shall make recommendations to the Board of Governors for reforms and improvements in the said procedures.

Sec. 59. *Committee on Research Services.* - This committee shall plan the research services of the Integrated Bar in substantive and adjective laws and, together with other institutions, promote legal research and law reform and development. It shall select areas of the law in need of general study, revision or codification; formulate plans and prepare budgets for specific research projects; assess the availability of qualified personnel to perform research work; and submit recommendations thereon. It shall periodically render progress reports on authorized research projects, and provide necessary supervision for the successful completion of each project.

reports of receipts and disbursements as required by the Board of Governors; promptly remit to the Chapters concerned their proportionate shares in the dues and assessments paid by members directly to the national office under Section 23 (Membership dues); assist in the preparation of the annual budget; and perform such other duties as are assigned to him by these By-Laws, by the President and by the Board of Governors. He shall furnish a surety bond at the expense of the Integrated Bar, in such amount as may be required by the Board.

Sec. 51. *Delegation of duties.* - The functions and duties of the Secretary and the treasurer may, in their absence or inability, be performed by assistants or employees of the Integrated Bar designated by the President.

ARTICLE VIII

[Sections 52 to 67]

NATIONAL COMMITTEES

Sec. 52. *National Committees.* - The Board of Governors shall establish and maintain standing national committees. Until otherwise changed, modified or redefined by the Board, the respective names, powers, prerogatives, functions, duties and responsibilities of the standing committees shall be as set forth in this Article. The Board shall have authority to create additional standing committees and special committees and to define their respective powers, prerogatives, functions, duties and responsibilities. Every committee shall submit an annual report to the President, but the Board may, at any time, require any committee to submit a special report.

Sec. 53. *Membership of committees.* - Each national committee shall consist of such number of members as may be fixed by the Board of Governors. They shall be appointed by the President with the consent of the Board, and shall serve for a term of two years, and until their respective successors shall have been duly appointed and qualified. The chairman of each committee shall be designated by the President. Three consecutive absences of any member from committee meetings without justifiable excuse shall be a ground for the President to appoint his replacement.

Sec. 54. *Committee on Chapter Affairs.* - This committee shall make studies of, and submit reports and recommendations on, the establishment, organization and operation of all Chapters, the apportionment and reapportionment of the seats in the House of Delegates, and the means and methods of encouraging and coordinating Chapter activities and of promoting maximum involvement and participation of the members of the Integrated Bar in the activities thereof and of their respective Chapters.

Sec. 55. *Committee on Legal Aid.* - This committee shall promote the establishment and efficient maintenance of Chapter legal aid organizations suited to provide free legal service; direct and supervise all Chapter legal aid organizations; maintain maximum levels of coordination and cooperation with other organizations having similar objectives; receive and solicit aid and assistance from any available and suitable source or sources, provided that the independent character of the legal aid is not impaired; and, in general, do or cause to be done all things necessary and proper for the promotion of legal aid activities, projects and objectives.

Sec. 56. *Committee on Administration of Justice.* - This committee shall study the organization and operation of the judicial system and recommend appropriate changes in practice and procedure to improve the efficiency thereof, and, in that connection, shall examine all proposed changes in the system. It shall collate information and submit appropriate recommendations on judicial appointments, judicial tenure and compensation, and retirement pensions.

Sec. 57. *Committee on Legal Education and Bar Admissions.* - This committee shall make continuing studies of, and submit recommendations on, the curriculum and teaching methods in law schools, as well as standards and methods in determining the qualifications of applicants for admission to the Bar and, whenever requested, shall assist in the investigation of the qualifications of persons seeking admission to the Bar. It shall formulate and promote or co-sponsor with other groups of institutions, programs designed to afford members of the Integrated Bar suitable opportunities for acquiring, here and abroad, additional professional knowledge, training and skill.

Sec. 58. *Committee on Professional Responsibility, Discipline and Disbarment.* - This committee shall formulate the Canons of Professional Responsibility for adoption by the Board of Governors and approval by the Supreme Court, and submit recommendations on methods for the effective enforcement thereof as well as on appropriate amendments thereto. It shall have authority to express advisory opinions, upon written request of any member, on any matter affecting his own professional conduct. In no case shall the opinion of the committee disclose the name of any party. The committee may call upon any Chapter officer or Chapter committee member to exchange information as to problems arising under the Canons of Professional Responsibility, and to examine grievance procedures. It shall make recommendations to the Board of Governors for reforms and improvements in the said procedures.

Sec. 59. *Committee on Research Services.* - This committee shall plan the research services of the Integrated Bar in substantive and adjective laws and, together with other institutions, promote legal research and law reform and development. It shall select areas of the law in need of general study, revision or codification; formulate plans and prepare budgets for specific research projects; assess the availability of qualified personnel to perform research work; and submit recommendations thereon. It shall periodically render progress reports on authorized research projects, and provide necessary supervision for the successful completion of each project.

Sec. 60. *Committee on Legislation.* - This committee shall study all proposed changes in the Constitution and in statutes and laws of general interests or general application and submit reports thereon and, upon the approval of the Board of Governors, shall represent the Integrated Bar in supporting or opposing such proposals.

Sec. 61. *Committee on Public Services.* - This committee shall prepare and submit plans for advancing public acceptance of the objectives and purposes of the Integrated Bar, and shall execute such plans as are approved by the Board of Governors. These plans shall include arrangements for disseminating information of interest to the public in relation to the functions of the departments of government, the judicial system and the Bar; and to that end, the committee may operate an information bureau and utilize the facilities of the media of public communication.

Sec. 62. *Committee on Inter-Professional and Business Relations.* - This committee shall maintain liaison between the legal profession and other professions as well as business groups in order to acquaint the latter on the nature and proper scope of the practice of law.

Sec. 63. *Committee on Books and Publications.* - This committee shall make studies of, and submit recommendations on matters and materials for publication, and ways and means of assisting in the efficient publications of legal literature at reasonable costs, and of discouraging unnecessary publications or duplications thereof.

Sec. 64. *Committee on Unauthorized Practice of Law.* - This committee shall keep the Integrated Bar informed with respect to the practice of law by unauthorized persons and entities, as well as the participation therein of members of the Bar, and recommend ways and means for the elimination and prevention of unauthorized practice of law.

Sec. 65. *Committee on Law Reporting.* - This committee shall examine and appraise methods of reporting and disseminating legislation, presidential decrees, court decisions, the Rules of Court, and decisions of administrative tribunals and agencies, with particular emphasis on the correction of deficiencies; conduct a continuing study and evaluation of corresponding trends and reforms in other jurisdictions; and submit appropriate recommendations thereon.

Sec. 66. *Public statements.* - No committee or member thereof shall publicly express any opinion or conclusion respecting the assigned functions or work of the committee without previous authorization from the Board of Governors or the Executive Committee.

Sec. 67. *Finances of committees.* - Every committee shall file with the Secretary of the Integrated Bar a detailed statement setting forth necessary data on the funds required in connection with its work for consideration and action by the Board of

Governors. No committee shall incur any obligation payable by the Integrated Bar without the Board's prior approval.

ARTICLE IX

[Sections 68 to 75]

FISCAL CONTROL

Sec. 68. *Fiscal year.* - The Integrated Bar shall operate on a fiscal year beginning on January 1 and ending on December 31 of each year. (As amended pursuant to Bar Matter No. 668).

Sec. 69. *Budget committee.* - The President, with the approval of the Board of Governors, shall appoint a budget committee consisting of not less than three or more than five Governors, with the Executive Vice President as chairman, whose responsibility shall be the preparation of the annual budget.

Sec. 70. *Preparation and approval of the budget.* - The preparation, consideration, approval and publication of the budget shall be in accordance with rules and regulations prescribed by the Board.

Sec. 71. *Automatic re-enactment.* - If by the end of any fiscal year, the Board shall have failed to pass the budget for the ensuing fiscal year, the budget for the preceding fiscal year shall be deemed re-enacted and shall remain in force and effect until a new budget is adopted by the Board.

Sec. 72. *Amendment to the budget.* - The Board may, from time to time, amend the budget in order to provide funds for necessary expenditures: *Provided, however,* that the total of the increases made in the items of the budget, including new items created by such amendments, shall not exceed ten percent of the total estimated income of the Integrated Bar for the current fiscal year. If the proposed amendments shall cause the total of the increases and the new items to exceed such limitation, the same procedure required for the adoption of the original budget shall be followed.

Sec. 73. *Disbursements.* - No disbursement shall be made except in accordance with the budget.

Sec. 74. *Unexpended balances.* - All unexpended balances of appropriations shall revert at the end of every fiscal year to the funds from which they were appropriated.

Sec. 75. *Accounting and audit.* - The Board shall cause books of accounts to be kept and maintained in accordance with sound accounting practices. An annual external

audit of all funds, accounts, receipts and disbursements of the Integrated Bar shall be made without delay after the end of every fiscal year. A summary of such audit shall be published in the following September issue of the Journal of the Integrated Bar.

ARTICLE X.

[Section 76]

JOURNAL

Sec. 76. *Journal of the Integrated Bar.* - The Board of Governors shall cause to be published a quarterly Journal, and to this end shall be assisted by a board of editorial consultants, the members of which shall be appointed by the President, with the consent of the Board. The editorial consultants shall hold office at the pleasure of the Board.

Every member of the Integrated Bar is entitled to receive a free copy of every issue of the Journal.

ARTICLE XI

[Section 77]

AMENDMENTS

Sec. 77. *Amendments.* - These By-Laws may be amended, modified or repealed by the Supreme Court *motu proprio* or upon the recommendation of the Board of Governors.

ARTICLE XII

[Section 78]

EFFECTIVITY

Sec. 78. *Effectivity.* - These By-Laws shall take effect on November 1, 1974.

Integrated Bar of the Philippines

The Philippine Bar is used to be composed of different cluster of bar associations. Then on January 9, 1973, the Supreme Court ordained the integration of the Philippine Bar in pursuant to its constitutional mandate, under its Rule 139-A (Integrated Bar of the Philippines), for the reason that an integrated bar would work more effectively than the disassociated ones. For the next succeeding months, the IBP was established with its corresponding functions and purposes, which are: (1) *to elevate the standards of the legal profession* through continuing legal education for all the lawyers which aims to improve and develop the Rules of Law, legal procedure and jurisprudence; (2) *to improve the administration of justice* by means of protecting the judiciary from assaults which politics and self interest bring within it. Also included is its responsibility to discipline and/or removing incompetent and unworthy judges, as well as prosecuting officers; and (3) *to enable the Bar to develop its public responsibility more* through distribution of educational and informational materials that are difficult to obtain in many of our country's provinces, and carrying out campaigns which aims to educate the public on their legal rights and obligations. In addition, they also offer legal assistance, free for those can't afford to get one. The IBP also gives its stand on some of the political issues of the country that might have an implication on their organization.

Upon the establishment of the IBP, it is a fact that the administration of justice has improved. However, it is inevitable that some lawyers belonging on one organization have different perspective on the dispensation of justice. But sometimes these differences create a controversy, which at worst put the whole institution in confusion. Consequently, their responsibility on the administration of unprejudiced justice is also hampered.

So, it is being perceived whether the integration of the Philippine Bar is really more effective in its administration of justice or it is the bar associations which are disbanded which are basically composed of lawyers that the same specialization, attitude towards the profession and perspective in the dispensation of justice.

Department of Social Sciences

College of Arts and Sciences
University of the Philippines, Manila
Padre Faura St., Manila

_____:

Greetings!

I am Marie Dawn E. Asis, a fourth year Political Science student of the University of the Philippines, Manila. I am currently doing my undergraduate thesis, which focuses on the effect(s) of the integration of the Philippine Bar on the performance of its members and on the dispensation of justice. The paper aims to show whether the idea of having an integrated bar has truly served its purpose of uniting those in the legal profession, which in turn would supposedly result in the effective administration of justice.

In line with this, I would like to request an interview. With your expertise on this matter, I am very confident that you will be able to impart significant information on this topic. The interview would last for 30 minutes to 1 hour. The date, time, and the venue would depend upon your convenience.

I may be reached at 0919-777-9156 for any inquiries and other details of the interview. Rest assured that all information gathered will be exclusively used for my undergraduate thesis only. For your convenience, please find attached list of questions.

Looking forward to your positive action on this request.

Sincerely yours,

MARIE DAWN E. ASIS

Noted by:

ATTY. JAYSON S. LAMCHEK
Thesis Adviser

*letter of consent for lawyers and judges

Questionnaire:

- (1) How long have you been practicing as a lawyer/judge?
- (2) What is your stand about the idea of the integration of the Philippine Bar?
- (3) What are the advantages of having an integrated bar?
- (4) What do you perceive, on the other hand, are the disadvantages/problems of an integrated bar?
- (5) Does the integration of the Philippine Bar create some effect on the relationship of its members? What are they?
- (6) How would you assess the performance of the integrated Philippine Bar as compared when it is still disassociated? (kindly state your basis)

Department of Social Sciences

College of Arts and Sciences
University of the Philippines, Manila
Padre Faura St., Manila

_____:

Greetings!

I am Marie Dawn E. Asis, a fourth year Political Science student of the University of the Philippines, Manila. I am currently doing my undergraduate thesis, which focuses on the effect(s) of the integration of the Philippine Bar on the performance of its members and on the dispensation of justice. The paper aims to show whether the idea of having an integrated bar has truly served its purpose of uniting those in the legal profession, which in turn would supposedly result in the effective administration of justice.

In line with this, I would like to request an interview. Acknowledging your extensive knowledge, I am very confident that you will be able to impart significant information/opinion on this topic. The interview would last for 30 minutes to 1 hour. The date, time, and the venue would depend upon your convenience.

I may be reached at 0919-777-9156 for any inquiries and other details of the interview. Rest assured that all information gathered will be exclusively used for my undergraduate thesis only. For your convenience, please find attached list of questions.

Looking forward to your positive action on this request.

Sincerely yours,

MARIE DAWN E. ASIS

Noted by:

ATTY. JAYSON S. LAMCHEK
Thesis Adviser

*letter of consent for the other sectors

Questionnaire:

- (1) Are you familiar with the Integrated Bar of the Philippines, its functions and purposes?
- (2) Do you believe that the integration of the Philippine Bar will further improve the administration of justice? Why or why not?
- (3) Is there an advantages of having an integrated bar? What are they?
- (4) What do you see as its disadvantages?
- (5) How would you assess the function of the IBP for the past years in terms of the following;
 - (a) fulfilling their responsibility as a public servant
 - (b) efficient administration of justice
 - (c) a lawyer-member of the organization

*questionnaire for the other sectors