

## BENCHMARKING FOR EXCELLENCE IN EDUCATIONAL DEVELOPMENT ADMINISTRATION IN THE UNIVERSITY OF EASTERN PHILIPPINES COLLEGE OF LAW CATARMAN, NORTHERN SAMAR

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### ABSTRACT

This study assessed the current status of University of Eastern Philippines College of Law towards benchmarking in Educational Development Administration. Specifically, it determined the profile of the University of Eastern Philippines College of Law in terms of admission and retention policy, the curricular program, bar review program, dean and faculty members, involvement of alumni, students, Students support services, general provision and facilities. The extent to which the mandated indicators of excellence were attained by UEP College of Law was also determined. Further, this study tried to identify the areas that are not adequately met by the UEP College of Law and based on the findings, recommend development administration initiative to benchmark for educational excellence in UEP College of Law. This study was conducted at the University of Eastern Philippines College of Law, University Town, Catarman, Northern Samar. A total of 126 respondents were interviewed which include the dean, 2 full-time faculty members, seventy-seven (77) students and forty-six (46) lawyers alumni. Descriptive correlational method was used with its corresponding statistical tools such as : T – test of significant difference and one-way ANOVA. The findings of the study revealed that the current status of the UEP College of Law in terms of the mandated indicators of excellence differs significantly from that set forth by the Legal Education Board. Although some items were responded in the affirmative to a very high extent, others were identified by respondents as gray areas like Bar Review Program, full-time faculty members, law library which shall keep abreast of contemporary technology and state-of-the-art and physical facilities which must be adequate both for its current program of legal education and for growth anticipated in the immediate future.

**Key words:** benchmark, mandated, indicators of excellence, legal education

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**No: of References: 23**

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## INTRODUCTION

Legal Education is a branch of education devoted to prepare individuals for the practice of law and for other law-related careers.

In the Philippines, law studies are considered graduate programs, which are offered by Philippines law schools under the supervision of the Legal Education Board. It is manned and regulated both by the Commission on Higher education (CHED) and the Supreme Court of Justice.

The 1987 Constitution of the Philippines has given the Supreme Court the sole power to admit individuals to the practice of law in the Philippines. This power is exercised through a Bar Examination Committee, an Ad Hoc academic group tasked to formulate questions, administer proceedings, grade examinations, rank candidates, and release the results of the Philippine Bar Examination.

Under Article VIII, section 5 paragraph 5 of the 1987 Constitution:

"The Supreme Court shall have the powers to promulgate rules concerning the admission to the practice of law and the Integrated Bar. Thus, Rule 138 as amended by Supreme Court Resolutions dated May 20, 1968 and February 13, 1992 provides thereof concerning attorneys and admission to the bar.

Under the Rules of Court, for one to be allowed to the practice law, he must be admitted to the Bar furnishing satisfying proof of educational, moral, and other qualifications, pass the bar examinations,

take the Lawyers' Oath before the Supreme Court and sign the Attorney's Roll before the Clerk of the Supreme Court.

Practice of law is not a natural property or constitutional right but a mere privilege. It is not granted to anyone who demands it but a privilege to be extended or withheld in the exercise of sound judicial discretion. It is in the nature of a franchise conferred only for merit which must be earned by hard study, learning and good conduct. It is a privilege accorded only to those who measure up to a certain rigid standards of mental and moral fitness.

Passing the bar is mettle testing and eventually hurdling what most people described as the toughest examination of the land - the Bar Examination. Passing or failing the examination would define the future, whether immediate or otherwise. It is the culminating event in the four-year stay in law school as a student. It is also the only way for one to become what you have been preparing for the last four years—to be a lawyer. Admittedly, then, the law school play a pivotal role towards preparing to become a lawyer. Thus, it is believed that benchmarking for excellence in educational development administration in law schools can make or unmake a lawyer. The excellence in law schools program capitalize on maintaining the core competencies. The initiatives under the excellence in lawyering program will be built on specific competencies in legal substantive knowledge, analytical reasoning and professional skills. These

competencies include legal research writing and advocacy writing; dispute resolution skills; ethics and professional responsibility; access to justice obligations; substantive legal knowledge; the context of law; and legal analysis and reasoning. To continue strengthening these core competencies, it is imperative to strengthen and benchmark the expertise in teaching, instructions and legal research of pool of faculty of the law school and key facts that predict success: the professional school's strong ties to practicing legal community; the willingness of the community to lend their heads and hearts to students' success and the strong tradition of integrated academic legal education. As Justice Holmes put it, "The business of a law school is not sufficiently described when you merely say that it is to teach law or to make lawyers. It is to teach law in a GRAND MANNER and to make GREAT LAWYERS."

## METHODOLOGY

The study described and reviewed the profiles of the University of Eastern Philippines College of Law and correlate it with the indicators of excellence in educational development administration as mandated by the Legal Education Board. Subsequently, it finds out the direction and extent of relationship between and among variables of the population under study (Ardales, 2006:114).

University of Eastern Philippines College of Law, is a state university located right at the heart of Catarman, Northern Samar. It is the only comprehensive state university in Eastern Visayas, offering the largest number of programs in undergraduate, graduate, and postgraduate education among the universities in the region.

This study focused on assessing the current status of University of Eastern Philippines College of Law towards benchmarking in Educational Development Administration by conducting descriptive surveys among the Dean, the full-time Faculty members, the law students and alumni who are members of Philippine Bar. Considering that the population is relatively small, the researcher utilized simple random sampling technique through fish-bowl method in determining the sample size.

Data were gathered by distributing questionnaires to the respondents between December to February. Authority to conduct the survey were obtained seeking permission from the University President, Dr. Mar P. De Asis, University of Eastern Philippines through the Dean of the College of Law, Atty. Marlonfritz B. Broto. Subsequently, data were analyzed based on the following scoring system and the corresponding descriptive equivalents:

| Quantitative Responses | Adjective Responses | Descriptive Equivalents |
|------------------------|---------------------|-------------------------|
| 4.50 – 5.00            | Always              | To a very high extent   |
| 3.50 – 4.49            | Frequently          | To a high extent        |
| 2.50 – 3.49            | Occasionally        | To some extent          |
| 1.50 – 2.49            | Sometimes           | To a lesser extent      |
| 1.00 – 1.49            | Seldom              | To a very lesser extent |

The data collected were tallied, organized and treated statistically.

As to the profile of the respondents, frequency and percentage distribution were used. Frequency distribution was also used in to determine the mandated indicators of excellence as attained by the UEP College of Law.

To determine the extent the indicators of excellence attained by the UEP College of Law as against the indicators of excellence mandated by the Legal Education Board, T- test of significance and One-way ANOVA were used.

Subsequently, the areas that were not adequately met by the UEP College of Law were identified and come up with development administration initiatives to

benchmark for excellence in the UEP College of Law.

## RESULTS AND DISCUSSIONS

### Profile of the University of Eastern Philippines College of Law

**Profile of the Respondents.** Table 1 presents the frequency distribution of the profile of the respondents. This study includes the following respondents: The Dean of the UEP College of Law, the full-time faculty members, the students and alumni who are members of the Philippine Bar. There were 184 population of the UEP College of Law as follows: Dean , 1; Full-time faculty members – 2; Students – 114 and Alumni (Lawyers) – 67. Sample size was

determined using a Marginal Error of 5% giving the following frequency and percentage distribution: Dean – 1 or .79%; Faculty members -2 or 1.59 %; Students – 77 or 61.11% and lawyers – 46 or 36.51 for a total of 126 samples out of the 184 population.

The Dean of the UEP College of Law.

As manager of the academic unit is a full-time Dean, appointed by the University President and confirmed by the Board of Regents equipped with the authority and support needed to discharge the responsibilities of the position and those set by the Standards;

The full-time faculty members

Regular members of the core of faculty possessed the qualifications and expertise as appropriate to the stated mission of the law school and to maintain a

program of legal education consistent with the requirements set forth by the board and who shall teach the major portion of the law school's curriculum.

The Students of the UEP College of Law.

Freshmen to seniors students admitted into the law school having the qualifications and none of the disqualifications and must comply with the academic requirements and behavior while in the law school.

The Alumni of the UEP College of Law.

Members of Philippine Bar, passed the Bar Examination, taken the Oath of Lawyers and signed the Roll of Attorneys. These respondents are living testimonies of a success story and a direct evidence of the current status of UEP College of Law.

**Table 1**

**Frequency Distribution on the Profile of the Respondents**

| Profile          | Frequency | Percent |
|------------------|-----------|---------|
| Dean             | 1         | 0.79    |
| Faculty          | 2         | 1.59    |
| Students         | 77        | 61.11   |
| Lawyers (Alumni) | 46        | 36.51   |
| Total            | 126       | 100.00  |

**Mandated Indicators of Excellence Attained by UEP College of Law**

Admission and Retention Policy

Majority of the respondents answered “Always” in items A.1, which means that the respondents agreed that the UEP College of Law maintain sound

admission and retention policies and practices, consistent with the objectives of its educational program and the resources available for implementing those

objectives; Respondents also affirmed that the policy in UEP College of Law is very selective as enunciated in the majority answers - "Always" in item A.2. As required, the applicant must be a holder of a four-year undergraduate degree (Bachelor of Science or its equivalent) and must have earned at least twelve units in English, six units in Filipino, six units in Mathematics, eighteen units in Social Sciences, History, Political Science, Economics, Philosophy, Psychology, etc; In addition, Item A.3, also garnered "Always" answers of majority of the respondents which signify that for one to be able to be admitted in the UEP College of Law, applicants must take and pass the rigid entrance Law Admission Test (LAT) where the applicant's analytic and writing skills are tested. Only when the applicant passes the examination, and panel interview where his or her ability to reason verbally is tested to be qualified to enroll.

In item A.4, majority of the respondents answered "Frequently" which means that the UEP College of Law, adheres to the Three Flanked Rule. As such, students who obtained a grade of "five point zero (5.0)", a failing grade in three subjects in one semester will no longer be admitted for enrollment in the succeeding semester and will be barred from future admission to the institution.

#### Curricular Program

Majority of the respondents indicated "Always" in item B.1 indicating that the UEP College of Law, as observed by the respondents, at all times utilizes the

Model Law curriculum developed by the Philippine Association of Law Schools (PALS) approved by the Department of Education, Culture and Sports on July 9, 1990. Those who reach the junior and senior levels, undergo practical training by engaging in simulated court practice in class and appear in actual court trials before the Municipal or Regional Trial Courts.

In item B. 2 majority of the respondents indicated "Frequently" which clearly manifest that the UEP College of Law adhere to the legal reforms instituted by the Board such as improvements in quality of instruction and facilities of law schools; and. It does so by establishing that it is being operated in compliance with the standards to prepare its students for admission to the bar, for an effective and responsible participation in the legal profession.

#### Bar Review Program

Data revealed that majority of the respondents indicated "Frequently" in most of the responses in item C.1 which justify that the UEP College of Law provides pre-bar review classes on the Fourth Year to prepare bar candidates for the Philippine bar examinations.

However, on items C. 2, most responses were "Sometimes" clearly indicating based on the respondents' answers that the UEP College of Law does not practice except on occasional bases, employ lecturers including law professors, law deans, justices and judges who are known experts in the fields they teach from various parts of the Philippines, particularly

from Manila, to conduct bar review classes ; Majority of the responses on item C. 3 were "Sometimes" which means that only to a lesser extent would the UEP College of Law provides specialized classes on top of its regular pre-bar review program, on certain bar subjects to UEP law students and graduates as part of its Mentoring Program established to enable exceptionally-talented students showing high academic achievement to be equipped for the Philippine Bar Examinations.

#### Dean and Faculty Members

In this indicator, majority of the respondents indicated "Always" in items D.1, which means that the respondents affirmed that the UEP College of Law has a full-time Dean, appointed by the University President and confirmed by the Board of Regent; Majority of the respondents also answered "Always " in Item D.2, thereby affirming that the Dean of the UEP College of Law is a equipped with the authority and support needed to discharge the responsibilities of the position and those contemplated by the Standards; A majority answer of "Always" in D.3, indicates that the UEP College of Law has and a faculty whose qualifications and experiences are appropriate to the stated mission of the law school and to maintaining a program of legal education consistent with the requirements set forth by the Board possessing a high degree of competence, as demonstrated by its education, experience in teaching effectiveness or practice, and scholarly research and writing; Item D.7 which was

also answered "Always" by majority of the respondents as impressed upon their minds that the Faculty Members of the UEP College of Law are in compliance with the requirement of attendance to Mandatory Continuing Legal Education seminars for practicing attorney pursuant to Bar Matter No.850 dated October 2, 2001; Likewise, the answer of "always" of the majority of the respondents in Item D.9 signify that the UEP College of Law, employ also the services of experienced practicing lawyers and judges as teaching resources to enrich the educational program.

Upon the other hand, item D.5 garnered "Occasionally" answers from the majority of respondents , which means that to the belief and observation of the respondents, only to some extent would the number of full-time faculty UEP College of Law commensurate with the size of the student body and the opportunity for students to meet individually with and consult faculty members; In Item D.6, it is the understanding of the respondents that the faculty members of UEP College of Law, only to some extent, has adequate opportunities to full teaching obligations, conduct scholarly research, and participate effectively in the governance of the law school and in service to the legal profession and the public; In Item D.8 ,majority of the respondents elaborated in their answers "Occasional" which indicate that the full-time faculty teach the major portion of the law school's curriculum, including substantially all of the first one-third of each student's coursework,

occasionally or only to some extent; In Item D.10, it is the observation of the respondents based on their answers that the UEP College of Law only so some extent establish policies with respect to a full-time faculty member's responsibilities in teaching, scholarship, service to the law school community, and professional activities outside the law school. The policies need not seek uniformity among faculty members, but should address: faculty teaching responsibilities, including carrying a fair share of the law school's course offerings, preparing for classes, being available for student consultation, participating in academic advising, and creating an atmosphere in which students and faculty may voice opinions and exchange ideas.

#### Involvement of Alumni, Students and Others.

The greater portion of the respondents answered "Always" in item E. 1, which signify that they are convinced that the law school involve alumni, students, and others in a participatory or advisory capacity; but the dean and faculty shall retain control over matters affecting the educational program of the law school.

In item E.2, the answers "Frequently", predominates. The respondents are convinced that the law school, to a high extent, includes in its program comparable opportunities for students to take advantage of the school's educational program, co-curricular

programs, and other educational benefits.

#### Students Support Services

In item F.1, the greater number of the respondents answered " Frequently" , to their belief, based on their answer that the law school provide all its students, regardless of enrollment or scheduling option, with basic student services, including maintenance of accurate student records, academic advising and counseling and an active career counseling service to assist students in making sound career choices and obtaining employment or else, it must demonstrate that its students have reasonable access to such services from the university of which it is a part or from other sources.

#### General Provisions

Majority of the respondents answered "Frequently in items G.1. The respondents are convinced that the UEP College of Law, to a high extent, maintain a law library that is an active and responsive force in the educational life of the law school and as effective support of the school's teaching, scholarship, research and service programs requiring a direct, continuing and informed relationship with the faculty, students and administration of the law school; The same answer by the respondents in Item G.2 indicates that the law school's library has sufficient financial resources to support the law school's teaching, scholarship, research, and service programs . These resources shall be supplied on a consistent basis.



Respondents answered “Occasionally” in Item G.3 To them, it is mandatory that the law school shall keep its library abreast of contemporary technology and state of the art.

#### Facilities

Majority of the respondents indicated “Occasionally in item H.1 . To the minds of the respondent , the law school shall have physical facilities that are adequate both for its current program of legal education and for growth anticipated in the immediate future, but the UEP College of Law, only to some extent, complied the same.

## CONCLUSIONS AND RECOMMENDATIONS

### Conclusion

Based on the findings of the study, it can be inferred that the current status of the profile of UEP College of Law in terms of indicators of excellence differ significantly from that mandated by the Legal Education Board. As such, more should be done in order to be at par with the standard.

### Recommendations

Based on the results of the study, the researcher would like to submit the following recommendations, to wit:

1. Institutionalize Bar Review Mentoring and Tutorial Program on top of its pre-bar review classes which must be curriculum-based to start at the Junior year. Corollary to this, a

revision of the curriculum must also be considered;

2. Conduct lectures, symposia and legal conferences for students and alumni with lecturers from various parts of the Philippines, particularly from Manila, include law professors, law deans, justices and judges who are known experts in the fields they teach.
3. The UEP College of Law shall have a sufficient number of full-time faculty to fulfill the requirements of the Board and meet the goals of its educational program which commensurate with the size of the student body and the opportunity for students to meet individually with and consult faculty members to handle the major portion of the law school's curriculum, including substantially all of the first one-third of each student's coursework;
4. The UEP College of Law school shall establish policies with respect to a full-time faculty member's responsibilities in teaching, scholarship, service to the law school community, and professional activities outside the law school. The policies need not seek uniformity among faculty members, but should address: Faculty teaching responsibilities, including carrying a fair share of the law school's course offerings, preparing for classes, being available for student consultation, participating in academic advising, and creating an atmosphere in

which students and faculty may voice opinions and exchange ideas;

5. The UEP College of Law shall keep its library abreast of contemporary technology and state of the art and shall have physical facilities that are adequate both for its current program of legal education and for growth anticipated in the immediate future.

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Achievement Approved by the Board of  
Education August 13, 2007, Revised August  
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Characteristics of EXCELLENCE in Higher  
Education Requirements of Affiliation and  
Standards for Accreditation Online Version  
- Revised March 2009 (pages xii and xiii)

Middle States Commission on Higher  
Education Published by the Middle States  
Commission on Higher Education 3624  
Market Street Philadelphia, PA 19104

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