



# Bureau of Corrections

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BUC-STO-PR-018

Revision No.  
0

Effectivity Date  
01/05/2018

## LEGAL OPINION

Page 1 of 4

### REVISION AND APPROVAL

Rev.	Date	Nature of Changes	Approved By
0		Original issue.	Atty. Daisy Castillote

	<h1>Bureau of Corrections</h1>	Document Reference Code <b>BUC-STO-PR-018</b>	
		Revision No. 0	Effectivity Date 01/05/2018
<b>LEGAL OPINION</b>		Page 2 of 4	

## 1. PURPOSE

To educate and guide the BuCor personnel confronted by a legal issue in pursuing an appropriate action.

## 2. SCOPE

This section covers BuCor's procedure in identifying a problem or issue, interpreting related laws and recommending appropriate legal actions.

## 3. DEFINITION OF TERMS

Legal research	<ul style="list-style-type: none"> <li>• A process of finding applicable and appropriate laws on each case.</li> </ul>
Legal opinion	<ul style="list-style-type: none"> <li>• An opinion based on existing laws, rules and regulations.</li> </ul>

## 4. RESPONSIBILITIES

The following are responsible for the formulation of the legal opinion:

1. Legal Administrative Staff
2. Case Evaluator
3. Chief, Legal

	<h1>Bureau of Corrections</h1>	Document Reference Code <b>BUC-STO-PR-018</b>	
		Revision No. 0	Effectivity Date 01/05/2018
<b>LEGAL OPINION</b>		Page 3 of 4	

## 5. PROCEDURE DETAILS

Activity	Person Responsible	Details/Functions	References
<b>START</b> ↓ Receiving and logging of request for legal opinion ↓ Legal research and drafting of legal opinion ↓ Review and approval ↓ <b>END</b>	Legal Admin. Staff	<ul style="list-style-type: none"> <li>Receiving and logging of the request</li> </ul>	<ul style="list-style-type: none"> <li>Action Slip</li> <li>Disposition Form</li> </ul>
	Case evaluator	<ul style="list-style-type: none"> <li>Research related laws and other information</li> </ul>	<ul style="list-style-type: none"> <li>Applicable and related laws</li> <li>Office Memorandum and other guidelines</li> </ul>
	Chief, Legal	<ul style="list-style-type: none"> <li>Conduct of review and evaluation for appropriateness of the laws used and completeness of discussion on the issue.</li> </ul>	<ul style="list-style-type: none"> <li>Applicable and related laws</li> <li>Office Memorandum and other guidelines</li> </ul>

## 6. GUIDELINES

- 6.1 The request for legal opinion should come from the Office of the Director and other concerned offices.
- 6.2 The legal laws and other office memoranda to be used on the legal opinion should be recent and appropriate for the issue at hand.
- 6.3 In case, the first draft of the legal opinion needs revision, it has to be returned back to the case evaluator for the necessary amendments.
- 6.4 If the legal opinion is complete as to the applicable laws and discussion and the Chief, Legal approves the same, it should be

	<h1>Bureau of Corrections</h1>	Document Reference Code <b>BUC-STO-PR-018</b>	
		Revision No. 0	Effectivity Date 01/05/2018
<b>LEGAL OPINION</b>		Page 4 of 4	

forwarded to the office concerned furnishing a copy to the Office of the Director.