



Bureau of Corrections

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MOTION FOR RECONSIDERATION ON DECIDED ADMINISTRATIVE CASES

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REVISION AND APPROVAL

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

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1. PURPOSE

Develop a procedure on the review of decided administrative cases.

2. SCOPE

This section covers the review of all administrative cases whose decisions were recommended by the Internal Affairs Section and approved by the Director General.

3. DEFINITION OF TERMS

Motion for Reconsideration	<ul style="list-style-type: none"> An action by a respondent in an administrative case asking the adjudicating body to review or reconsider the case in light of new evidences, errors of law and that the decision is not supported by the evidence on record.
Internal Affairs Section	<ul style="list-style-type: none"> An office of the Bureau that handles all administrative offense of the employees.
New evidence	<ul style="list-style-type: none"> Newly discovered evidence that when submitted to the adjudicating body might change the decision thereof on the case.
Resolution	<ul style="list-style-type: none"> A written report of the Legal Office adjudicating the issues raised on the Motion for Reconsideration of the administrative case.

4. RESPONSIBILITIES

The following are responsible for the procedure on Motion for Reconsideration of administrative cases:

1. Legal Administrative Personnel
2. Case evaluator
3. Chief, Legal Officer



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5. PROCEDURE DETAILS

Activity	Person Responsible	Details/Functions	References
<p>START</p> <p>↓</p> <p>Receiving and logging of MR of a respondent</p>	Legal Admin. Staff	<ul style="list-style-type: none"> Receives and logs the request 	<ul style="list-style-type: none"> Disposition Forms Routing Slips Letter request from contracting party Other attached related documents
<p>↓</p> <p>Legal Research and review by Legal Office Staff</p>	Case evaluator	<ul style="list-style-type: none"> Research related laws and other information. To review the fallo and dispositivo of the administrative case if the grounds for MR under sec. 58 RRACCS exists 	<ul style="list-style-type: none"> Applicable and related laws Office Memorandum and other guidelines Attached related documents
<p>↓</p> <p>Submission of New Evidences (if necessary)</p>	Admin. Staff	<ul style="list-style-type: none"> Collate all documents for final perusal of the Chief, Legal 	<ul style="list-style-type: none"> RRACCS Office Memorandum and other guidelines
<p>↓</p> <p>Evaluation and Final Resolution on the MR</p> <p>↓</p> <p>END</p>	Chief, Legal	<ul style="list-style-type: none"> To review the fallo and dispositivo and of the administrative case if the grounds for MR under sec. 58 RRACCS exists. 	<ul style="list-style-type: none"> Applicable and related laws Office Memorandum and other guidelines Attached related documents

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6. GUIDELINES

- 6.1. The case evaluator will verify if the motion for reconsideration is filed on time and the grounds thereof are existing.
- 6.2. The statutory provisions and jurisprudence that will be used should be recent and appropriate for each administrative case.
- 6.3. New evidences should be meritorious. The Chief Legal should review the completeness of each case.
- 6.4. The resolution of the Chief, Legal should be recommendatory; while, the final approval is by the Director General.
- 6.5. A copy of the approved decision should be forwarded to the concerned employee and other offices for record purposes.