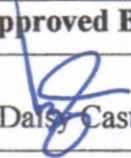

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**REVISION AND APPROVAL**

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

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## 1. PURPOSE

Develop a systematic approach on various legal issues.

## 2. SCOPE

This section covers BuCor's actions on identified legal issue, appropriate remedies and parameters on each case.

## 3. DEFINITION OF TERMS

Legal issues	<ul style="list-style-type: none"> <li>An identified problem that affects the BuCor operations and activities.</li> </ul>
Legal research	<ul style="list-style-type: none"> <li>A process of finding applicable and appropriate laws on each case.</li> </ul>
Evaluation	<ul style="list-style-type: none"> <li>Assessment on the completeness of the solution on the problem and consequences of situations as appearing on the documents.</li> </ul>
Legal Action	<ul style="list-style-type: none"> <li>The appropriate and applicable actions based on existing laws, rules and regulations to an identified problem.</li> </ul>

## 4. RESPONSIBILITIES

The following are responsible for other legal actions:

1. Legal Administrative Staff
2. Case Evaluator
3. Chief, Legal
4. Director General



# Bureau of Corrections

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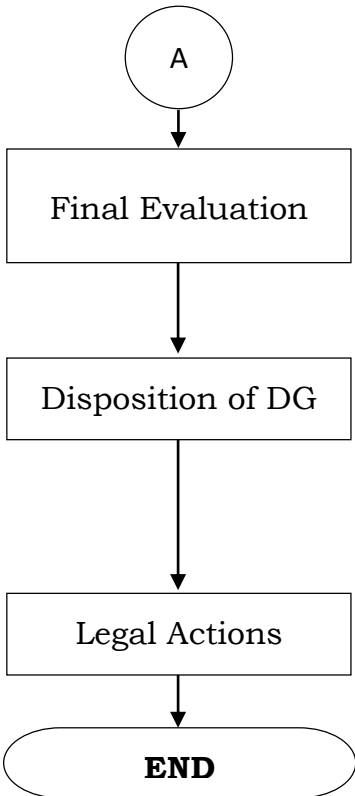
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### 5. PROCEDURE DETAILS

Activity	Person Responsible	Details/Functions	References
<p><b>START</b></p> <p>↓</p> <p>Receiving and logging of a letter or document containing an issue</p>	<ul style="list-style-type: none"> <li>• Legal Admin. Staff</li> </ul>	<ul style="list-style-type: none"> <li>• Receives and logs the request</li> </ul>	<p>Disposition Forms Routing Slips, Letter or any document Other attached related documents</p>
<p>↓</p> <p>Legal Research and gathering of information</p>	<ul style="list-style-type: none"> <li>• Case evaluator</li> </ul>	<ul style="list-style-type: none"> <li>• Research related laws and other information.</li> <li>• To review the fallo and dispositivo of the administrative case if the grounds for MR under sec. 58 RRACCS exists.</li> </ul>	<p>Applicable and related laws Office Memorandum and other guidelines Attached related documents</p>
<p>↓</p> <p>Assessment</p>	<ul style="list-style-type: none"> <li>• Chief, Legal</li> </ul>	<ul style="list-style-type: none"> <li>• To review the lacking documents and the need for ocular inspections.</li> </ul>	<p>Special order or Office Instruction</p>
<p>↓</p> <p>Collation of all documents and information</p> <p>↓</p> <p>A</p>	<ul style="list-style-type: none"> <li>• Case Evaluator</li> </ul>	<ul style="list-style-type: none"> <li>• A disposition form is drafted taking into consideration of after mission report of ocular inspections and other additional documents.</li> </ul>	<p>Applicable and related laws Office Memorandum and other guidelines Attached additional submitted documents</p>

Activity	Person Responsible	Details/Functions	References
	<ul style="list-style-type: none"> <li>• Chief, Legal</li> </ul>	<ul style="list-style-type: none"> <li>• Considers the facts and recommends appropriate actions. Advises the consequences.</li> </ul>	Same
	<ul style="list-style-type: none"> <li>• Director General</li> </ul>	<ul style="list-style-type: none"> <li>• Approves or disapproves the recommendation of the Chief, Legal</li> </ul>	Same
	<ul style="list-style-type: none"> <li>• Chief, Legal</li> </ul>	<ul style="list-style-type: none"> <li>• In case the recommended legal action is approved by the DG, the Chief, Legal acts or implements the said legal actions.</li> </ul>	Disposition form approved by the DG.

## 6. GUIDELINES

- 6.1. A disposition form and/or action slip is routed from the Office of the Director for the Chief, Legal to study or act upon.
- 6.2. The legal research and information gathering should be exhaustive.
- 6.3. In case the Chief, Legal requires additional documents and validations, a team is mobilized for inspection and collation of said documents.
- 6.4. The final evaluation of the disposition form composes of discussion of facts and the applicable laws, rules and regulations. The Chief, Legal recommends legal actions to solve the controversy or problem.

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- 6.5. If the Director General does not conform to the recommendation of the Chief, Legal, the disposition form is returned to the legal office for review.
- 6.6. In case, the DG concurs with the recommendations, he approves the DF and returns the same to the Chief, Legal for the implementation of legal actions.
- 6.7. The legal actions vary on each case. This may include demand letters, representations in court and in other organizations, private or government, pleadings, filing of cases in court or other fora, investigation of erring high ranking officials, resolutions on motion for reconsideration of administrative cases and other inherent official duties of the Chief, Legal.