



**MEMORANDUM CIRCULAR No. 04**  
**Series of 2002.**

**SUBJECT : NON-ADVERSARIAL RESOLUTION  
OF AGRARIAN RELATED DISPUTES/  
CASES/CONTROVERSIES.**

In line with the current thrust to expedite delivery of justice through amicable settlement or alternative modes other than a full-blown litigious trial in the resolution of cases/controversies involving the Department or any of its officials in the performance of their official functions, the following rules be observed:

1. In judicial or quasi-judicial cases where the presence of DAR or its officials is required and, in lieu thereof, a Special Power of Attorney has to be executed, same, as consistently it was, should not in any manner deviate from the tenor/language of Section 2, Rule 18 of the Rules of Court.
2. In all cases, where amicable settlements or compromises are believed, based on available evidence and records, proper and necessary, request for approval/clearance should forthwith be prepared, incorporating therein the reason(s) therefor, together with the draft of the corresponding instrument, and forwarded to the Executive Director, Litigation, LAO, who, upon receipt thereof, shall evaluate the same before appropriate recommendation is made to the Secretary, through the Undersecretary for Policy Planning and Legal Affairs; and
3. It shall be binding on DAR only after such approval/clearance of the Secretary has priorly been secured.

The Litigation Executive Director, LAO, shall maintain a record thereof, monitor said activities and submit periodic report or as often as may be required.

For strict compliance.

June 17, 2002.

  
**HERNANI A. BRAGANZA**  
Secretary