



Republic of the Philippines

## DEPARTMENT of AGRARIAN REFORM

MEMORANDUM CIRCULAR NO. 09  
SERIES OF 1994

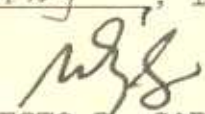
SUBJECT: AUTHORITY OF DAR LAWYERS TO APPEAR AS COUNSEL IN CASES WHERE THE DEPARTMENT IS A PARTY OR WHERE THE SECRETARY OR OTHER DAR OFFICIALS ARE SUED IN THEIR OFFICIAL CAPACITY

In view of the increasing number of cases filed with courts of justice and other tribunals where the Department is impleaded as a party or the Secretary or other DAR officials are sued in their official capacity, there is a need to involve all DAR Lawyers to appear as counsel for the Department subject to the following guidelines:

1. All lawyers at the Legal Affairs (LAO) the Bureau of Agrarian Legal Assistance (BALA) and at the Regional and Provincial Offices of the DAR may appear as counsel subject to the supervision of the chief of their respective offices;
2. Lawyers below the rank of Attorney V shall handle such cases at the instance of their unit chiefs who shall monitor and ensure the judicious disposition of the same;
3. As counsel, the lawyers are authorized to enter into amicable settlement or stipulation of facts and perform such other acts treated under Section 1, Rule 20 of the Revised Rules of Court;
4. The counsel shall furnish the Assistant Secretary for Legal Affairs, Attn.: The Executive Director, Delfin B. Samson, Litigation-LAO of all pleadings they have filed in the court or any tribunal;
5. In appropriate important cases, as the Assistant Secretary for Legal Affairs Office may determine, Executive Director Samson is authorized to enter his appearance in addition to his existing authority, at any stage of the proceeding.

For the guidance of all concerned.

Diliman, Quezon City, 26 MAY, 1994.

  
ERNESTO D. GARILAO  
Secretary