



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

MEMO CIRCULAR NO. 05
SERIES OF 1995

TO : ALL REGIONAL DIRECTORS
ALL PROVINCIAL AGRARIAN REFORM OFFICERS
ALL REGIONAL CHIEFS LEGAL DIVISION
PROVINCIAL CHIEFS LEGAL DIVISION

SUBJECT : RULES ON THE DOCKETING OF AGRARIAN LAW
IMPLEMENTATION AND PERSONNEL DISCIPLINE CASES

In order to rationalize and professionalize the records handling and decision making process, all Regional Directors, Provincial Agrarian Reform Officers, Regional Chiefs Legal Division and Provincial Chiefs Legal Division are directed to comply with the docketing system introduced by Assistant Secretary Hector D. Soliman during the National Assessment last December 1994 effective immediately.


All Folders to be used and the marking of the said folders should be in accordance with the Implementing Rules in the Docketing of Agrarian Law Implementation and Personnel Discipline Cases.

All docket numbers assigned to a particular case shall serve as a reference number in all types of communication for that particular case.

Attached is the Implementing Rules in the Docketing System.

For immediate compliance.

Diliman, Quezon City April 3, 1995


ERNESTO D. GARILAO
Secretary

RULES ON THE DOCKETING OF AGRARIAN LAW IMPLEMENTATION AND PERSONNEL DISCIPLINE CASES

Rationale for the Promulgation of these rules. The state of the case folders in our legal system are in disarray. We could not distinguish which is the main case folder, and which are copies of the different offices. Many letters and communications are misrouted because our personnel do not know where they should be filed. Instruction slips, disposition slips and other small pieces of paper clutter the folder, making it hard to see the main pleadings.

In order to rationalize and professionalize the records handling and decision making process, these rules are promulgated for the compliance of all concerned.

I. Types of Cases that need to be docketed

A. Agrarian Law Implementation cases, such as:

1. Applications for Exemption under Sec. 10
2. Applications for Exemption under DOJ 44, s. 1990
3. Applications for Retention under PD 27 or CARL
4. Protest on CARP Coverage
5. Protest on OLT Coverage
6. Conflict and Claims in Landed Estates and Settlements
7. Exclusion/Inclusion in the Master List of FBs
8. Cancellation/Correction of Unregistered EPs and CLOAs

B. Personnel Discipline Cases

II. Rules on the Preparation of the Case Folder

A. When to docket

Upon the receipt by any DAR Office at any level, the application or petition should be docketed. The docket number to be used shall be in conformity with the MIS generated docket numbering system, attached herein as Annex 1.

B. What folder to be used

The folder to be used would be a printed folder, the cover of which shall be in conformity with the sample folder attached herein as Annex 2 and 3. The proper entries in the proper blanks should be clearly made. With respect to the case number, the docket number abovementioned shall be used. The blank parentheses under the case number () is reserved for cases which have other numbering system, e.g., DARAB docket numbers, court docket numbers and others.

C. Use of the docket number

The docket number shall serve as a marker that papers, pleading and all types of communications shall be consolidated in the said folder. This will alert the receiving clerks of all offices that the papers they have received, with the docket numbers, should be consolidated in the case folder.

D. Creation of the case title

The proper case title shall also be created by the receiving office, eg. IN RE: PETITION FOR EXEMPTION FROM CARP COVERAGE, Juan dela Cruz, Petitioner.

E. Interface with the Legasys System

Together with the preparation of the docket folder should be the preparation of the inventory form that will officially enter the case into the Legasys.

III. Preparation of the Acknowledgment Letter

A. Preparation of the Acknowledgment Letter

Once the document is duly docketed, placed in a folder, and included in the inventory, the receiving office should inform the petitioner or applicant about the following:

1. The docket number assigned to the case or application
2. The title and caption of the case assigned to the folder

This is for purposes of uniformity of the communications, and also to give the case a uniform name.

IV. Rules on the Maintenance of the Folder

A. Pleadings

All pleadings should be fastened to the folder, with the first pleadings/papers at the bottom of the file, and the latest ones at the top.

B. Communications

Copies of other communications (letters, reports) related to but not part of the pleadings of the case should also be attached to the folder; but the original should be kept the addressee.

C. Internal Memos, Disposition, assignment slips etc.

In order not to clutter the folder unnecessarily, internal memoranda, disposition and assignment slips, and other extraneous pieces of paper should not be attached permanently to the

records, and should be extricated the moment they no longer serve the purpose for which they were written.

D. More than one folder

If the documents of the case become voluminous, and would require more than one folder, then the additional folders should be used, of the same form, clearly indicating Folders 2,3,4 and so on.

E. Monitoring of the service of the decisions and the determination of the finality of orders

An appropriate mechanism should be installed to monitor the service of the orders and decisions properly. Only the final signed orders of the Regional Director and the Secretary should be furnished to the parties and not recommendations and suggestions. Sometimes, when the parties are furnished copies of recommendations, we are faced with the funny situation of motions for reconsideration being filed on mere recommendations.

When the orders/decisions deal with flashpoint cases, make sure that the service is done personally, as much as possible. Monitor the return cards, so that the period of finality and execution could be determined.

V. Mode of Transmission from One Office to Another

Ensure that the records do not get lost in transit.

VI. Cases Appealed from the Regional Office to the Central Office

A. Foldering

If the folder coming from the region is already sufficiently thick, then start a new folder for the appeal pleadings. Otherwise, use the old folder.

Before transmitting folders to the Central Office, ensure that all papers are inside the fastener, and the pages are all numbered chronologically. The transmittal slip should indicate the number of pages of the folder.

Make sure that there are no loose pages and never staple papers on the left side of the folder, much less on the front cover, that will hide the name and number of the case.

B. Use of the same docket number

The same docket number will be used on appeal, and the same name of the case.

C. Monitoring of the service of the decisions and finality of orders.

The same rule applies as above.

VII. Execution of the Decisions and Repository of the Records of the Case

Once the order becomes final, the responsible officer (Regional Director or the BALA, in the DARCO) will now issue the Order of Finality, and then transmit the folder to the Region for execution.

The Region should retain the folder, and only decision should be sent to the PARD or MARO for execution.

GUIDELINES ON THE DOCKETING OF DAR CASES PERTAINING TO AGRARIAN LAW IMPLEMENTATION, PERSONNEL DISCIPLINE AND LEGAL ASSISTANCE

1. To facilitate reporting of cases, the following format of the Legal Information System (LEGASYS) docket number shall be adopted *for cases pertaining to agrarian law implementation, personnel discipline, and legal assistance*:

X - 9999 - 9999 - 99

- | | |
|---|--|
| <div style="position: absolute; top: 0; left: 0; right: 0; bottom: 0;"></div> | Contains the last two digits of the year when the case was <u>originally filed at or received by DAR</u> . |
| <div style="position: absolute; top: 0; left: 0; right: 0; bottom: 0;"></div> | Contains a four-digit sequence number. |
| <div style="position: absolute; top: 0; left: 0; right: 0; bottom: 0;"></div> | Contains a four-digit office location code -- the DAR office/unit where the case was <u>originally filed or received</u> . |
| <div style="position: absolute; top: 0; left: 0; right: 0; bottom: 0;"></div> | Contains the case classification code. |

The aforementioned format is for internal use only. Cases will still be identified by the docket numbers originally assigned to them by the courts/DAR offices.

For the description of case types and the list of codes to be used in docketing, see Appendix A.

2. When a case is indorsed or appealed to another DAR office (e.g., from the regional office to the Central Office), the receiving office need not assign a new docket number for the case.
3. The Legal Assistance Divisions of all DAR regional and provincial offices, as well as the BALA-CCD, the BALA-Litigation Division, the Legal Affairs Office, the LAO-Litigation Unit, and the Legal Service should maintain a logbook of original cases received by or filed at their respective offices. One logbook should be maintained for each case type. Appealed and indorsed cases (meaning, cases appealed or indorsed by one DAR office/unit to another DAR office/unit) should likewise be recorded in a separate logbook.

The logbooks should contain the following entries:

- | | |
|---|------------------------|
| • LEGASYS Docket No. | • Date Received |
| • Court/Office Docket No. | • Case Indorsed to ... |
| • Case Title | • Date Indorsed |
| • Date Filed | • Case Appealed to ... |
| • Office/Court Where the Case was
Originally Filed | • Date Appealed |

4. Only the following cases shall be assigned with docket numbers using the prescribed format:

- cases pending as of December 31, 1992
- cases filed in 1993 and thereafter

The Management Information Service (MIS) shall assign LEGASYS docket numbers to cases filed prior to January 1, 1994. Original cases filed in 1994 and thereafter shall be assigned with LEGASYS docket numbers by the Legal Assistance Divisions of the regional and provincial offices, as well as the BALA, the LAO, and the Legal Service.

If the case was filed at two or more DAR offices/units, the principal addressee of the petition or complaint should be the one to assign a docket number to the case.

5. The sequence number for each type of case and for each DAR office/unit should always start with "0001" every time a new year begins.

LEGASYS DOCKET NUMBER CODES

CASE CLASSIFICATION :

- L** - Legal Assistance (administrative, agrarian, civil, criminal, and DARAB cases, with DAR lawyer/legal officer acting as counsel for one of the parties of the case)
- A** - Agrarian Law Implementation (administrative cases pertaining to the ministerial implementation of the agrarian reform program, with DAR lawyer/legal officer/official assisting in the actual resolution of the case, e.g. as part of a fact-finding team)
- P** - Personnel Discipline (administrative cases pertaining to the discipline of DAR employees and officials, with DAR lawyer/legal officer/official assisting in the actual resolution of the case)

OFFICE LOCATION :

- | | | |
|----------------------------------|----------------------------------|---|
| 0100 - DARRO Region I | 0503 - DARPO Camarines Sur | 1002 - DARPO Agusan del Sur |
| 0103 - DARPO Ilocos Norte | 0504 - DARPO Catanduanes | 1003 - DARPO Bukidnon |
| 0104 - DARPO Ilocos Sur | 0505 - DARPO Masbate | 1004 - DARPO Camiguin |
| 0105 - DARPO La Union | 0506 - DARPO Sorsogon | 1007 - DARPO Misamis Occidental |
| 0107 - DARPO Pangasinan | 0600 - DARRO Region VI | 1008 - DARPO Misamis Oriental |
| 0200 - DARRO Region II | 0601 - DARPO Aklan | 1009 - DARPO Surigao del Norte |
| 0201 - DARPO Batanes | 0602 - DARPO Antique | 1100 - DARRO Region XI |
| 0202 - DARPO Cagayan | 0603 - DARPO Capiz | 1102 - DARPO South Cotabato |
| 0204 - DARPO Isabela | 0604 - DARPO Iloilo | 1103 - DARPO Davao del Norte |
| 0206 - DARPO Nueva Vizcaya | 0605 - DARPO Negros Occidental | 1104 - DARPO Davao del Sur |
| 0207 - DARPO Quirino | 0606 - DARPO Guimaras | 1105 - DARPO Davao Oriental |
| 0300 - DARRO Region III | 0700 - DARRO Region VII | 1106 - DARPO Davao City |
| 0301 - DARPO Batangas | 0701 - DARPO Bohol | 1109 - DARPO Surigao del Sur |
| 0302 - DARPO Bulacan | 0702 - DARPO Cebu | 1200 - DARRO Region XII |
| 0303 - DARPO Nueva Ecija (North) | 0703 - DARPO Negros Oriental | 1201 - DARPO Lanao del Norte |
| 0308 - DARPO Nueva Ecija (South) | 0704 - DARPO Siquijor | 1202 - DARPO Lanao del Sur |
| 0304 - DARPO Pampanga | 0800 - DARRO Region VIII | 1203 - DARPO Maguindanao |
| 0306 - DARPO Tarlac | 0801 - DARPO Leyte | 1204 - DARPO North Cotabato |
| 0307 - DARPO Zambales | 0802 - DARPO Southern Leyte | 1205 - DARPO Sultan Kudarat |
| 0400 - DARRO Region IV | 0803 - DARPO Eastern Samar | 1300 - DARRO C.A.R. |
| 0401 - DARPO Batangas | 0804 - DARPO Northern Samar | 1301 - DARPO Abra |
| 0402 - DARPO Cavite | 0805 - DARPO Western Samar | 1302 - DARPO Benguet |
| 0403 - DARPO Laguna | 0806 - DARPO Biliran | 1306 - DARPO Mountain Province |
| 0404 - DARPO Marinduque | 0900 - DARRO Region IX | 1303 - DARPO Ifugao |
| 0405 - DARPO Occidental Mindoro | 0901 - DARPO Sulu | 1305 - DARPO Kalinga-Apayao |
| 0406 - DARPO Oriental Mindoro | 0902 - DARPO Zamboanga del Norte | 9999 - DAR Central Office (Quezon City) |
| 0407 - DARPO Palawan | 0903 - DARPO Zamboanga del Sur | |
| 0408 - DARPO Quezon I | 0904 - DARPO Tawi-Tawi | |
| 0412 - DARPO Quezon II | 0905 - DARPO Basilan | |
| 0409 - DARPO Rizal | 1000 - DARRO Region X | |
| 0410 - DARPO Romblon | 1001 - DARPO Agusan del Norte | |
| 0411 - DARPO Aurora | | |
| 0500 - DARRO Region V | | |
| 0501 - DARPO Albay | | |
| 0502 - DARPO Camarines Norte | | |

Annex 2

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CASE FOLDER

IN RE: Petition for the Exemption of
Certain Parcels of Land
Located at San Jose del
Monte Bulacan.

JOSE Y. DELOS SANTOS,
Petitioner. ()

Case No. A-9999-94-0001

R-----X

Name and Address of Petitioner

Name and Address of Respondent

Petitioner's Counsel and Address

Respondent's Counsel and Address

Annex 3

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CASE FOLDER

Case No. _____

Petitioner/Applicant (_____)

Name and Address of Petitioner

Name and Address of Respondent

Petitioner's Counsel and Address

Respondent's Counsel and Address
