

**[ DECS ORDER NO. 15, S. 1999, February 18, 1999 ]**

**AUTHORITY AND GUIDELINES IN HIRING LEGAL CONSULTANTS**

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**Authority to Hire Legal Consultants**

Due to the volume of legal work in the Department and the difficulty in filling-up Legal Officer items, the Undersecretary and Assistant Secretary for Legal Affairs, the Regional Directors and Schools Division Superintendents are hereby authorized to hire legal consultants subject to the guidelines herein stipulated.

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**Guidelines in Hiring Legal Consultants**

**a. Authorized Number of Legal Consultants**

1. The Offices of the Undersecretary and the Assistant Secretary for Legal Affairs may hire as many legal consultants as may be approved by the Secretary.
2. The Regional Director may hire one (1) Legal Consultant for the Regional Office.
3. The School Division Superintendent may hire one (1) Legal Consultant for the Division Office.

**b. Minimum Qualification Standard of a Legal Consultant**

1. Member of the Philippine Bar;
2. Member of the Integrated Bar of the Philippines in good standing;
3. Five (5) years experience in the practice of law;
4. Two (2) years experience in trial practice; and
5. A resident of the place where the DECS office to be served is located.

**c. Services to be Rendered by a Legal Consultant**

1. To render legal opinion and advice to the DECS Office concerned on all matters affecting its governmental and proprietary functions;

2. To act as legal adviser to Fact-Finding Investigation Committees and/or Formal Investigation Committees conducting hearings on administrative cases involving personnel of the DECS Office concerned or those involving private schools and their clients under the supervision of the DECS Office concerned;
3. To prepare comments on reports of hearings on administrative cases conducted within the DECS Office concerned;
4. To monitor, coordinate and assist the legal staff of the Office of the Solicitor General (OSG) in cases filed or against the DECS Office concerned and its officials before the courts and administrative tribunals; and with deputation from the OSG, to appear as regular counsel or lawyer of the DECS Office concerned or its officials before the trial and appellate courts;
5. To attend and participate in periodic meetings and conferences called by the DECS Undersecretary and Assistant Secretary for Legal Affairs involving legal and administrative problems posed by cases involving DECS;
6. To submit a monthly report of accomplishment to the Office concerned, copy furnish the Assistant Secretary for Legal Affairs; and,
7. To perform such other functions and duties as may be directed by the Head of the DECS Office concerned.

d. Time to Render and Limitation on External Practice by a Legal Consultant.

The Legal Consultant shall devote substantial time in the service of the DECS Office concerned and must undertake limited external employment with the expressed consent of the DECS Office concerned.

e. Honorarium and Travelling Allowance

1. The Honorarium to be paid to a Legal Consultant shall be as follows:

DECS Office	Honorarium
Offices of the Undersecretary and Assistant Secretary for Legal Affairs	P5,000 to P20,000/mo.
Office of the Director DECS Regional Office	P5,000 to P15,000/mo.
Office of the Schools Division Superintendents	P5,000 to P10,000/mo.

2. Reasonable travelling allowances shall be allowed in the performance of the Legal Consultant's assigned tasks.