



REPUBLIKA NG PILIPINAS
REPUBLIC OF THE PHILIPPINES
KAGAWARAN NG EDUKASYON
DEPARTMENT OF EDUCATION
DepEd Complex, Meralco Avenue, Pasig City, Philippines

Tanggapan ng Kalihim
Office of the Secretary

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MAR 07 2003

DepEd ORDER
No. 10, s. 2003

CONTRACTS FOR LEGAL CONSULTANCY AND SERVICES

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services/Centers and Heads of Units
Regional Directors
Schools Division/City Superintendents

1. Due to voluminous cases and other related concerns facing the Legal Division (in the Central and Regional Offices), there is a need to hire legal consultants to cope with the pending legal cases.
2. Pursuant to Section 8 of CSC Resolution No. 02-1480 dated November 12, 2002, regarding guidelines for grant of exemption from the implementation of CSC Memorandum Circular No. 17, series of 2002, all heads of offices are directed to make request on the Contract for Legal Consultancy and Services of lawyers. This request shall be endorsed by the Department for consideration to the CSC en banc upon the favorable recommendation of the CSC Regional Office concerned. Enclosed is a sample copy of the letter for the purpose.
3. Widest dissemination of and compliance with this Order is directed.

EDILBERTO C. DE JESUS
Secretary

Madel:c: contract2
2-27-03

Encl.:
As stated

Reference:
None

Allotment: 1—(D.O. 50-97)

To be indicated in the Perpetual Index
under the following subjects:

OFFICIALS
POLICY

_____, 2003

The Regional Director
Civil Service Commission

Dear Sir/Madam:

This refers to our desire to hire the legal consultants of lawyers, the list of which is attached hereto as Annex "A".

While, we are aware of the prohibition provided under Sec. 4 of the Civil Service Commission of Memorandum Circular No. 17, against hiring under contract of services, "to perform functions pertaining to vacant regular plantilla position", a later CSC Resolution No. 021480 grants exemption from said prohibition particularly sec. 8, thereof, pertinent provisions of which are quoted hereunder, to wit;

"Section 8. Grant of Exemption. The CSCRO may grant exemption with respect to the contracting of the services of licensed teachers, licensed nurses and other allied medical personnel under contracts of service or job orders upon the request of the concerned agency. The agency must also submit, together with its request, an explanation why the issuance of a contractual or casual appointment is not feasible under circumstances. Nevertheless, copies of the contracts of service or job orders will still be required to be submitted and the services rendered will not be considered as government.

Requests for exemption of other services under contracts of services or job orders other than those mentioned in the preceding paragraph shall be granted by the Commission en banc upon favorable recommendation of the CSCRO concerned."

In view thereof, we are formally requesting your favorable recommendation on the Contract for Legal Consultancy and Services of the lawyers in the aforesaid lists before we endorse the same to the Commission *en banc* for the required exemption in compliance with the aforesaid provision.

This request is being made in the absence of a specific allocation in the current budget and positions approved by the Department of Budget and Management.

