



PROCEDURE TITLE	RENDITION OF LEGAL OPINION
SCOPE	The procedure starts from the receipt of a request from any interested party for the interpretation of certain provisions of law or issuances related to local government administration and operations up to either release of the approved legal opinion to the requesting party, copy furnished or through the concerned Provincial Director/Regional Office and/or Local Government Operations Officer; or referral to the Central Office.
PURPOSE	To clearly define the process of rendering legal opinion and provide administrative guidance
PROCESS DESCRIPTION	
INPUT	PROCESS
Requesting Party Letter-request	<div style="border: 1px solid black; padding: 10px; text-align: center;"> RENDITION OF LEGAL OPINION </div>
	Legal Opinion or Referral to Central Office Requesting Party or Central Office
DESCRIPTIVE STATEMENT:	
A letter request for opinion is received by the Regional Office from any interested party, requesting clarifications or opinions on matters affecting local government administration and operations, including the acts of local officials and employees. The letter request is forwarded to the Regional Legal Officer for research, and drafting of Legal Opinion or referral to the Central Office, subject to the review and approval of the Regional Director.	

Step No.	Responsible Personnel	PROCESS/ACTIVITY	Details	References
1	Regional Records Officer (RRO)	Receive the request for legal opinion	Receive and record in accordance with the records management procedure (RMP)	Letter-request/ Indorsement
2	RD/ARD	Provide Instructions	Provide instructions to the Regional Legal Officer	Letter-request/ Indorsement
3	Legal Assistant	Receive the Letter-Request with Instructions	Receive and record in accordance with the RMP Forward to the Regional Legal Officer	Letter-request/ Indorsement Legal Incoming Logbook
4	Regional Legal Officer (RLO)	Assess, research and prepare draft of Legal Opinion, or Referral to C.O.	Assess the letter-request/ indorsement: Simple- those that require minimal research Complex- those that require extensive research For referral- those that requires appropriate action	Draft Legal Opinion / Referral/ Letter Reply

**QUALITY
PROCEDURE (QP)**

Step No.	Responsible Personnel	PROCESS/ACTIVITY	Details	References
			<p>from Central Office</p> <p>For return: those that involves issues not to be acted upon by the Department</p> <p>If there is already an earlier Legal Opinion issued similar to the current issue, a draft of Legal Opinion is prepared.</p> <p>If the subject matter involves a novel issue, draft a referral to the Central Office</p> <p>If the issue involves matters subject of pending litigation or justiciable controversy, or outside the jurisdiction of the DILG, draft a letter-reply to the sender, citing reasons why no LO can be issued pursuant to DILG MO No. 2010-02</p> <p>Transmit to RD/ARD for review</p>	
5	RD/ARD	Review and Approve the draft Legal Opinion/ Referral/ Letter-reply	<p>Review the draft Legal Opinion/ Referral/ Letter-reply.</p> <p>If acceptable, approve by affixing his signature.</p> <p>Otherwise, returns the draft to the Legal Unit for revision.</p>	Draft Legal Opinion / Referral/ Letter Reply
6	Legal Assistant	Record and reproduce the documents	<p>Record the approved Legal Opinion/ Referral/ Letter-reply</p> <p>Photocopy documents for releasing and filing</p> <p>Forward to RRO for releasing in accordance with the RMP</p>	<p>Legal Opinion / Referral/ Letter Reply</p> <p>Legal Outgoing Logbook</p>
7	Regional Records Officer (RRO)	Record and release	Release approved Legal Opinion/ Referral/ Letter-reply in accordance with the RMP	Legal Opinion / Referral/ Letter Reply



DILG REGION V
**QUALITY
PROCEDURE (QP)**

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Step No.	Responsible Personnel	PROCESS/ACTIVITY	Details	References
8	Regional Legal Officer (RLO)	Retain documented information	Retain records in accordance with the Control of Retained Documented Information procedure and the Master List of Retained Documented Information	Master List of Records Control of RDI procedure

Legal References:

- DILG Memorandum Order No. 2010-01
- DILG Memorandum Order No. 2010-02

Prepared By	Reviewed and Approved By
<i>Maureen E. Malazarte</i> MAUREEN E. MALAZARTE, CPA, MBA, LLB Accountant II	<i>Atty. Arnaldo E. Escobar Jr.</i> ATTY. ARNALDO E. ESCOBAR JR., CESO V Assistant Regional Director
Process Owner	Regional QMR

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DILG REGION V
**QUALITY
OBJECTIVE (QO)**

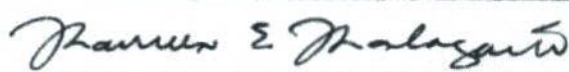
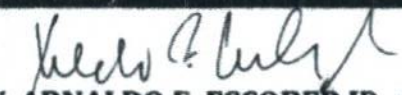
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OFFICE	OFFICE OF THE REGIONAL DIRECTOR - LEGAL UNIT
QUALITY PROCEDURE TITLE	RENDITION OF LEGAL OPINION

Function	Key Performance Indicators (KPI)			Frequency of Monitoring Results	Responsible for Monitoring	Applicable Documents (e.g. Tracker, Monitoring Log Sheet, Summary Log Sheet, Report, Memo, etc.)
	Objective	Target	Indicator/Formula (if applicable)			
Render Opinion or refer to the Central Office.	Timely release of legal action document within the <u>Reasonable Period</u> .*	85%	Total No. of legal action document released within the reasonable period / Total No. of requests or indorsements received x 100	Quarterly	Legal Officer	Rendition of Legal Opinion Summary Logsheet

Reasonable Period*

- Simple - 15 working days from receipt of the Legal Unit
- Complex - 60 working days from receipt
- For referral - 15 working days from receipt of the Legal Unit
- For return- 15 working days from receipt of the Legal Unit

Prepared By	Reviewed and Approved By
 MAUREEN E. MALAZARTE, CPA, MBA, LLB Accountant II	 ATTY. ARNALDO E. ESCOBAR JR., CESO V Assistant Regional Director
Process Owner	Regional QMR


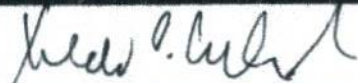




DILG REGION V

**PROCESS QUALITY MONITORING AND
EVALUATION (QME)**Document Code
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OFFICE	OFFICE OF THE REGIONAL DIRECTOR - LEGAL UNIT													
PROCEDURE TITLE	RENDITION OF LEGAL OPINION													
OBJECTIVE STATEMENT	85% of legal opinions have been rendered or referred to the Central Office within the reasonable period													
CURRENT PERIOD	For the Quarter ended _____													
INDICATORS		Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
Objective: 85% of legal opinions rendered or referred to Central Office within the prescribed period														
A	No. of Legal Opinions rendered or referred to Central Office within the reasonable period													
B	No. of requests for Legal Opinion received													
C	Formula: $A/B \times 100$	Target Result : 85%												
D	Gap Analysis: (In case the objective is not met, put your analysis why it is not met)													
Note: For unmet targets, QMS Secretariat will initiate correction and corrective action using the Corrective Action Report (CAR) duly signed by the Regional Quality Management Representative.														

Prepared By	Reviewed and Approved By
 MAUREEN E. MALAZARTE, CPA, MBA, LLB Accountant II	 ATTY. ARNALDO E. ESCOBAR JR., CESO V Assistant Regional Director
Process Owner	Regional QMR

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DILG REGION V
**RENDITION OF LEGAL OPINION
SUMMARY LOGSHEET**

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QUALITY OBJECTIVE: 85% of legal opinions have been rendered or referred to the Central Office or returned to proponent within the reasonable period
FREQUENCY OF MONITORING : Quarterly
CURRENT PERIOD:

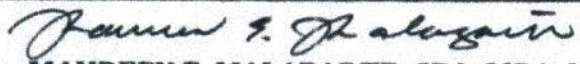
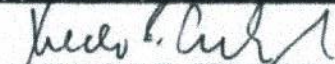
No.	Name of Proponent	Issues/Concerns	Action				Results			
			Date Received	Category as QP (S,C,FR,R)	Date LO or Referral is Released	Due date for appropriate action	Met	Unmet	NPY (No Performance Yet)	REMARKS (Indicate reason if Target is unmet or NPY)

Total

0 0

Result = Met/ TQP - NPY

No. of QP for the month

Prepared By:	Reviewed and Approved By:
 MAUREEN E. MALAZARTE, CPA, MBA, LLB Accountant II Process Owner	 ATTY. ARNALDO E. ESCOBAR, JR., CESO V Assistant Regional Director Regional QMR

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Name of Division: OFFICE OF THE REGIONAL DIRECTOR - LEGAL UNIT

MASTER LIST OF MAINTAINED INTERNAL DOCUMENTED INFORMATION

DOCUMENT CODE	DOCUMENT TITLE	REVISION					
		00	01	02	03	04	05
RENDITION OF LEGAL OPINION							
QP-RO5-ORD-03	Rendition of Legal Opinion Quality Procedure	07.01.19					
QO-QP-RO5-ORD-03	Rendition of Legal Opinion Quality Objective	07.01.19					
QME-QP-RO5-ORD-03	Rendition of Legal OpinionProcess Quality Monitoring and Evaluation	07.01.19					
RRO-QP-RO5-ORD-03	Rendition of Legal Opinion Risk Register Objective	07.01.19					
RRP-QP-RO5-ORD-03	Rendition of Legal Opinion Risk Register Process	07.01.19					
RCP-QP-RO5-ORD-03	Rendition of Legal Opinion Risk Control Plan and Monitoring Report	07.01.19					
FM-QP-RO5-ORD-03-01	Rendition of Legal Opinion Process Summary Logsheet	07.01.19					

Prepared By:	Noted By:
 EDEN S. LANUZA I.T. Officer I	 ATTY. ARNALDO E. ESCOBAR, JR., CESO V Assistant Regional Director
Regional Document Controller	Regional QMR

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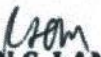
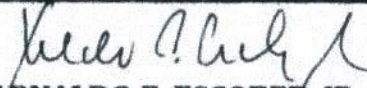
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Name of Division: OFFICE OF THE REGIONAL DIRECTOR - LEGAL UNIT

MASTER LIST OF MAINTAINED EXTERNAL DOCUMENTED INFORMATION

LIST OF MAINTAINED EXTERNAL DOCUMENTED INFORMATION							
DOCUMENT CODE	DOCUMENT TITLE	REVISION/EDITION					
RENDITION OF LEGAL OPINION							
DILG Memorandum Order No. 2010-01	REQUEST FOR LEGAL OPINION FROM THE DILG CENTRAL OFFICE	03.04.10					
DILG Memorandum Order No. 2010-02	SUPPLEMENT TO MEMORANDUM ORDER NO. 2010-01 DATED MARCH 4, 2010	09.17.10					

Prepared By:	Noted By:
 EDEN S. LANUZA I.T. Officer I	 ATTY. ARNALDO E. ESCOBAR, JR., CESO V Assistant Regional Director
Regional Document Controller	Regional QMR





Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
 DILG Regional Office No. 5, Rizal St., Legazpi City
<http://region5.dilg.gov.ph>

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ame of Division: Office of the Regional Director- Legal Unit

MASTER LIST OF RETAINED DOCUMENTED INFORMATION

MASTER LIST OF RETAINED DOCUMENTED INFORMATION									
DOCUMENT CODE	DOCUMENT TITLE	CUSTODIAN	LOCATION	FILING SYSTEM		RETENTION PERIOD			DISPOS
				FOLDER	SCHEME	ACTIVE	STORAGE	TOTAL	
RENDITION OF LEGAL OPINION									
M-QP-RO5-ORD-03-01	Rendition of Legal Opinion Process Summary Logsheet	Process Owner	QMS Shelf 6	Rendition of LO - SL	Chronological	Permanent			
	Replies/Opinions	Process Owner	QMS Shelf 4	Legal Opinion	By Province/ Chronological	3 years	3 years	6 years	Sheddi
	Referrals to C.O.	Process Owner	QMS Shelf 5	LO by CO	By Province/ Chronological	3 years	3 years	6 years	Sheddi
ME-QP-RO5-ORD-03	Rendition of Legal Opinion Process Quality Monitoring and Evaluation	Process Owner	QMS Shelf 6	Rendition of LO - QME	Chronological	Permanent			
RO-QP-RO5-ORD-03	Rendition of Legal Opinion Risk Register Objective	Process Owner	QMS Shelf 6	Rendition of LO - RRO	Chronological	Permanent			
RRP-QP-RO5-ORD-03	Rendition of Legal Opinion Risk Register Process	Process Owner	QMS Shelf 6	Rendition of LO - RRP	Chronological	Permanent			

Prepared By:	Noted By:
<i>Maureen E. Malazarte</i> MAUREEN E. MALAZARTE, CPA, MBA, LLB Accountant II Process Owner	<i>Atty. Arnaldo E. Escobar, Jr.</i> ATTY. ARNALDO E. ESCOBAR, JR., CESO V Assistant Regional Director Regional QMR





DILG REGION V
RISK REGISTER (PROCESS RISK ASSESSMENT)

OFFICE **OFFICE OF THE REGIONAL DIRECTOR - LEGAL UNIT**
 PROCEDURE TITLE **RENDITION OF LEGAL OPINION**

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PROCESS STEP (Based on the procedure's key process steps)	POTENTIAL RISK	RISK TRIGGER	CONSEQUENCE (Positive or Negative)	EXISTING RISK CONTROL MEASURE	RISK ASSESSMENT					
					IMPACT	LIKELIHOOD	RATING	RISK / OPPORTUNITY LEVEL (S, NS)	TYPE OF ACTION	RISK CONTROL PLAN/ OPPORTUNITY MANAGEMENT PLAN NO. (For Significant Risk/Opportunity)
Receive the request for legal opinion	Delay in receiving the Memoranda	Regional Records Officer (RRO) is on Official Travel or on Leave Simultaneous office activities/ programs	Delay in receiving the request	Scheduling of Activities and Leaves	3	3	9	NS	Alert	
Provide Instructions	Delayed referral to legal unit	Non availability of the RD/ARD due to multiple functions: no designated officer in charge	Delayed action on the request for opinion/advice	Designate Officer-In-charge, in case of absence of RD/ARD.	3	3	9	NS	Alert	
Receive the Letter-Request with Instructions	Delay in receiving the Memoranda	Simultaneous office activities/ programs	Delay in receiving the request	Scheduling of Activities	3	3	9	NS	Alert	
Assess, research and prepare draft of Legal Opinion, or Referral to C.O.	Delay in the preparation of draft action	Non availability of the Regional Legal Officer (RLO) due to multiple functions	Delay in the preparation of reply or referral	Delegate preparation of draft or referral to legal unit staff	3	3	9	NS	Alert	
Review and Approve the draft Legal Opinion/ Referral/ Letter-reply	Delay in the approval of draft	Non availability of the RD/ARD due to multiple functions; no designated officer in charge	Delayed issuance of Legal Opinion or letter referral or reply	Designate Officer-In-charge, in case of absence of RD/ARD.	2	3	6	NS	No action required	

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DILG REGION V

RISK REGISTER (PROCESS RISK ASSESSMENT)

OFFICE

OFFICE OF THE REGIONAL DIRECTOR - LEGAL UNIT

PROCEDURE TITLE

RENDITION OF LEGAL OPINION

Document Code:

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PROCESS STEP (Based on the procedure's key process steps)	POTENTIAL RISK	RISK TRIGGER	CONSEQUENCE (Positive or Negative)	EXISTING RISK CONTROL MEASURE	RISK ASSESSMENT					
					IMPACT	LIKELIHOOD	RATING	RISK / OPPORTUNITY LEVEL (S, NS)	TYPE OF ACTION	RISK CONTROL PLAN / OPPORTUNITY MANAGEMENT PLAN NO. (For Significant Risk/Opportunity)
Record and reproduce the documents	Delay in the reproduction of the documents	Simultaneous office activities/ programs	Delayed issuance of Legal Opinion or letter referral or reply	Scheduling of Activities	3	3	9	NS	Alert	
Record and release the Memoranda for Implementation	Delay in the release of the documents	Simultaneous office activities/ programs	Delayed implementation of DOR	Scheduling of Activities	3	3	9	NS	Alert	
Retain documented information	Unable to retain documented information	Weather disturbances	Lost documented information	On-line back up of files	3	2	6	NS	No action required	

ISK ASSESSMENT:	RISK RATING	RISK LEVEL	RISK DESCRIPTION	ACTION REQUIRED
IMPACT: 1-Insignificant; 2-Minor; 3-Moderate; 4-Major; 5-Extreme	1 - 7	LOW	Not Significant	No further action required (Maintain and sustain the existing control)
LIKELIHOOD: 1-Rare; 2-Unlikely; 3-Moderate; 4-Likely; 5-Almost Certain	8 - 9	MODERATE	Not Significant	Alert level (Maintain and sustain the existing control)
Risk Rating = Impact x Likelihood	10 - 25	HIGH	Significant	Control (e.g. Avoid or Treat/Mitigate, Transfer, Terminate)

Prepared by:

Reviewed and Noted by:

*Maureen E. Malazarte***MAUREEN E. MALAZARTE, CPA, MBA, LLB**

Accountant II

Process Owner

*Atty. Arnaldo E. Escobar, Jr.***ATTY. ARNALDO E. ESCOBAR, JR., CESO V**

Assistant Regional Director

Regional QMR

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RISK REGISTER (OBJECTIVE RISK ASSESSMENT)

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FICE **OFFICE OF THE REGIONAL DIRECTOR - LEGAL UNIT**
OCEDURE TITLE **RENDITION OF LEGAL OPINION**

OBJECTIVE	RELEVANT ISSUE(S)	RELEVANT INTERESTED PARTIES (refer to IP Matrix for Requirements)	POTENTIAL RISK or OPPORTUNITY	RISK TRIGGER (N/A FOR OPPORTUNITY)	CONSEQUENCE (RISK) / BENEFIT (OPPORTUNITY)	EXISTING RISK CONTROL MEASURE (N/A FOR OPPORTUNITY)	RISK ASSESSMENT				
							IMPACT	LIKELIHOOD	RATING	RISK / OPPORTUNITY LEVEL (S, NS)	RISK CONTROL PLAN OPPORTUNITY MANAGEMENT PLAN (For Significant Risk/Opportunity)
% of legal opinions have been rendered or referred to the Central Office Referrals within reasonable period	The requests may be complicated and too many for a particular period;	Clients	Delayed action on the request or non-action/inaction on the request for opinion	Nature of request for opinion, complexity of issues	Delayed action and or reply on the request for opinion/administrative guidance	Refer to Provincial Offices or instruct legal assistants to draft replies and or referrals	3	3	9	NS	Alert

ASSESSMENT:	RISK RATING	RISK LEVEL	RISK DESCRIPTION	ACTION REQUIRED
ACT: 1-Insignificant; 2-Minor; 3-Moderate; 4-Major; 5-Extreme	1 - 7	LOW	Not Significant (NS)	No further action required (Maintain and sustain the existing control)
LIKHOOD: 1-Rare; 2-Unlikely; 3-Moderate; 4-Likely; 5-Almost Certain	8 - 9	MODERATE	Not Significant (NS)	Alert level (Maintain and sustain the existing control)
/Opportunity Rating = Impact X Likelihood	10 - 25	HIGH	Significant (S)	Control (e.g. Avoid or Treat/ Mitigate, Transfer, Terminate)

Prepared by:	Reviewed and Noted by:
<i>Maureen E. Malazarte</i> MAUREEN E. MALAZARTE, CPA, MBA, LLB Accountant II Process Owner	<i>Arnel E. Escobar, Jr.</i> ATTY. ARNALDO E. ESCOBAR, JR./CESO V Assistant Regional Director Regional QMR

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