



Republika ng Pilipinas  
**Kagawaran ng Edukasyon**  
Tanggapan ng Pangalawang Kalihim

OUA MEMO 01-0419-0149  
**MEMORANDUM**  
10 April 2019

For: **Undersecretaries  
Assistant Secretaries  
Regional Directors and BARMM Regional Minister  
Schools Division Superintendents  
All Principals and School Heads  
DepEd Election Task Force  
All Others Concerned**

Subject: **FREE LEGAL ASSISTANCE FOR PUBLIC SCHOOL TEACHERS  
APPOINTED AS ELECTORAL BOARD FOR THE 13 MAY 2019  
NATIONAL AND LOCAL ELECTIONS**

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Kindly be informed that the Department of Education (DepEd), Commission on Elections (COMELEC) and Public Attorney's Office (PAO) has entered into a Memorandum of Agreement (MOA) dated 29 April 2016 to ensure free legal assistance to public school teachers appointed as members of the Electoral Board who may be harassed by complaining adverse parties while in the performance of their elections duties. A copy of the MOA is hereto attached for ready reference.

Also attached is a copy of Office Order No. 037, Series of 2019 from Dr. Persida V. Rueda-Acosta, Chief Public Attorney, Public Attorney's Office directing all Public Attorneys and staff nationwide to report for office duty during the 13 May 2019 National and Local Elections.

Kindly be advised that the PAO directive is being issued for the purpose of ensuring the availability of legal assistance to all teachers nationwide during the election period.

Immediate dissemination of this Memorandum is hereby enjoined.

  
**ALAIN DEL B. PASCUA**  
Undersecretary

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**Office of the Undersecretary for Administration**

(Administrative Services, Information and Communications Technology, Disaster Risk Reduction and Management, Schools Health, Youth Formation, Baguio Teachers' Camp, Education Facilities/School Buildings)  
Department of Education, Central Office, Meralco Avenue, Pasig City  
Room 519, Mabini Building; Mobile: +639260320762; Landline: +6326337203, +6326376207  
Email: usec.admin@deped.gov.ph; Facebook/Twitter @depedtayo

## MEMORANDUM OF AGREEMENT

KNOW ALL MEN BE THESE PRESENTS:

This Memorandum of Agreement entered into by and among the following:

**COMMISSION ON ELECTION (COMELEC)**, an independent Constitutional Commission charged with the enforcement and administration of laws relative to the conduct of elections, with office address at Postigo St., Intramuros, Manila, represented herein by its Chairman, **Hon. J ANDRES D. BAUTISTA**;

**DEPARTMENT OF EDUCATION (DEpED)** is the Department agency of the Government responsible for ensuring access to, promoting equity in, and improving the quality of basic education for the Philippine primary and secondary school systems, with office address at DepED Complex, Meralco Avenue, Pasig City, represented herein by Secretary of Education, **BR. ARMIN A. LUISTRO FSC**;

and

**PUBLIC ATTORNEY'S OFFICE (PAO)**, an independent and autonomous government agency attached to the Department of Justice for purposes of policy and program coordination, as reorganized and strengthened under R.A. No. 9406 (PAO law), with principal office address at DOJ Agencies Building, NIA Road, corner East Avenue, Diliman, Quezon City, represented by its Chief Public Attorney, **Hon. PERSIDA V. RUEDA-ACOSTA**;

Witnesseth that:

Whereas, Section 13 of R.A. 6646, otherwise known as "The Electoral Reforms Law of 1987" amended Section 164 of Batas Pambansa 881 (Omnibus Election Code, as amended), which states that the COMELEC shall directly or through its duly authorized representatives, constitute a Board of Election Inspectors (BEI) for each precinct to be composed of a chairman and two (2) members, one of whom shall be designated as a poll clerk, all of whom shall be public school teachers;

Whereas, the COMELEC and the PAO recognize the vital role of BEI members and other DepED Officials in the conduct of free, orderly, honest, credible and peaceful elections;

Whereas, public school teachers who are appointed as BEI members are usually subject to harassment suits in connection with the performance of their election duties;

Whereas, public school teachers who are appointed as BEI members are usually subject to harassment suits in connection with the performance of their election duties;

Whereas, the PAO is mandated to render, free of charge, legal representation, assistance<sup>4</sup> and counseling to indigent persons in criminal, civil, labor, administrative and quasi-judicial cases, and accordingly, the PAO maybe called upon by proper government authorities to render such service to other persons, subject to existing laws, rules and regulations;

NOW, THEREFORE, the parties hereby agree as follows:

1. That a public school teacher and/or BEI member charged with a complaint or is under investigation in relation to the performance of their election duty, may request for free legal assistance and may be represented by the PAO;
2. That the DepED shall monitor the teachers and other DepED personnel in the performance of their election duties and extend assistance to DepED personnel to conduct free, orderly, honest, peaceful and credible elections, who may later be charged with criminal and administrative cases in connection with the performance of their election duties;
3. That the PAO shall provide Public Attorneys and staff who will be on duty on election day to render immediate legal services to any public school teacher and/or BEI member who is charged with a complaint or is in need of legal assistance in connection with the performance of their election duty;
4. That the DepED, COMELEC and PAO, shall set-up a system whereby smooth communication between public school teachers and/or BEI members who are in need of legal assistance are immediately attended to and/or informed of the availability of free legal assistance of the PAO during election day;
5. That the PAO shall be responsible in providing for any election duty allowance or per diems of Public Attorneys and staff who are on duty on election day, subject to the availability of funds and the usual accounting and auditing rules;

This Memorandum of Agreement shall take effect upon its approval by the parties and shall remain in effect unless repealed or modified accordingly.

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_, Philippines.

COMMISSION ON ELECTIONS

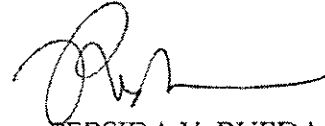
PUBLIC ATTORNEY'S OFFICE

By:



Hon. J. ANDRES D. BAUTISTA  
Chairman

By:




Hon. PERSIDA V. RUEDA-ACOSTA  
Chief Public Attorney

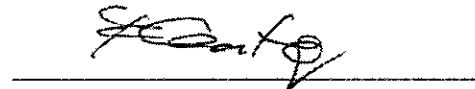
DEPARTMENT OF EDUCATION

By:



BR. ARMIN A. LUISTRO FSC  
Secretary 

Signed in the Presence of:



ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES

Province of Bulacan) Sc.

Before me this <sup>APR 29 2016</sup> day of \_\_\_\_\_, 2013 at \_\_\_\_\_, Philippines, personally appeared:

Hon. J. ANDRES D. BAUTISTA

Gov't ID \_\_\_\_\_  
Date/Place issued:

Hon. PERSIDA V. RUEDA-ACOSTA

Gov't ID \_\_\_\_\_  
Date/Place issued:

Hon. ARMIN A. LUISTRO FSC

Gov't ID \_\_\_\_\_  
Date/Place issued:

Known to me to be the same persons who executed the foregoing Memorandum of Agreement, consisting of four (4) pages, including the page on which this Acknowledgment is written and that they acknowledged to me that the same is their free, voluntary act and deed and that of the government offices they respectively represent.

IN WITNESS HEREOF, I have hereunto set my hand and seal, the day, year and place above written.

Doc No. 371  
Page No. 76  
Book No. XIV  
Series of 2016

MYRISSA C. PACALA  
NOTARY PUBLIC  
PTR NO. 1188797, 105/06, CSJDM  
NO. 0990018, 105/16(15), MALCOLM  
COMMISSION EXPIRES DEC. 31, 2016  
REG. NO. IV-0012396



Republic of the Philippines  
**PUBLIC ATTORNEY'S OFFICE**  
Tanggapan ng Manananggol Pambayan  
Kagawaran ng Katarungan  
DOJ Agencies Building, NIA Road corner East Avenue, 1104 Quezon City  
Telephone Nos. 929-90-10 / 929-94-36 ; Fax Nos. 927-68-10 / 926-28-78

**OFFICE ORDER**

NO. 037  
Series of 2019

**SUBJECT : DUTY DURING THE MAY 13, 2019 NATIONAL AND LOCAL ELECTIONS**

In the exigency of the service, and in consonance with the provisions of the Memorandum of Agreement (MOA) dated April 29, 2016 entered into by and among the Commission on Elections (COMELEC), Department of Education (DepED) and the Public Attorney's Office (PAO), one of which is to ensure free legal assistance to public school teachers and Board of Election Inspectors who may be harassed by complaining adverse parties while in the performance of their election duties, all Public Attorneys and staff nationwide are hereby directed to report for office duty during the **May 13, 2019** National and Local Elections, subject to the following guidelines/directives, to wit:

- To ensure that all PAO offices will be properly manned, all PAO employees shall be at their respective poll precincts before their opening time to cast their votes early. After which, they shall report for office duty from 8:00 A.M. to 6:00 P.M. at the nearest PAO regional or district office;
- The PAO-Central Office Monitoring Team (composed of one (1) Service Officer-in-Charge and one (1) HRMDD supervisor) shall conduct a random on-the-spot inspection at PAO-NCR and nearby Regional/District Offices to monitor compliance herewith;
- For the regions, the Regional Office Monitoring Team (composed of the Regional Public Attorney/Regional Officer-in-Charge, Administrative Officer V/designee of each region and one [1] lawyer) shall do the same random on-the-spot-inspection in their nearby district offices. For far-flung district offices, the Team shall call them via landline/cellphone/Messenger/Viber;
- The respective Regional Public Attorneys/Regional Officer-in-Charge and district heads are hereby directed to record the attendance and issue the corresponding certificate of appearance of those who shall comply with this directive and immediately submit the same, together with the names of those who failed to comply, to the Human Resource Management and Development



Division (HRMDD), Administrative Service, PAO-Central Office, for accounting/auditing and record purposes;

- The names of those who failed to comply shall be forwarded to the Legal Research Service (LRS) for its proper disposition; and
- All Public Attorneys and staff concerned shall be required to record their attendance by using their respective biometric time recorder (for the PAO Regional and district offices) or the bundy clock (for the PAO-Central Office).

It is understood that this directive is being issued only for the purpose of ensuring the availability of legal assistance to said teachers during the election period.

All Regional Public Attorneys/Regional Officer-in-Charge and District Public Attorneys/District Officers-in-Charge are hereby required to submit a written report to the Office of the Chief Public Attorney regarding the cases handled in relation hereto within ten (10) working days from the May 13, 2019 elections.

The concerned Regional Public Attorney/Regional Officer-in-Charge and Administrative Officer V/designee of each region shall be responsible for the proper dissemination of this Order in their respective jurisdiction.

All prior Office issuances inconsistent herewith are hereby revoked/rescinded accordingly.

Quezon City, Metro Manila  
March 15, 2019

**DR. PERSIDA V. RUEDA-ACOSTA, DSD**  
Chief Public Attorney

Copy furnished:

- Chairman SHERIFF ABAS  
Commission on Elections  
Intramuros, Manila
- Secretary MENARDO I. GUEVARRA  
Department of Justice,  
Padre Faura Street, Ermita, Manila
- Secretary LEONOR M. BRIONES  
Department of Education  
DepEd Complex, Meralco Avenue,  
Pasig City, Metro Manila
- All DCPAs, RPAs/Regional Officer-in-Charge,  
Service OICs, Directors II, and DPAs/District OICs

CO2  
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DEPARTMENT OF EDUCATION  
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DEPARTMENT OF EDUCATION  
UNDERSECRETARY FOR ADMINISTRATION  
(AS • EPD • BTC • ICTS • DRRMS • RLSS • SHD • YPD)  
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26 MAR 2019 / cm / g:40  
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usc\_admin@deped.gov.ph • 6217203 • 69260220762