

FOR EMAIL TRANSACTIONS:

Subject format: **DATS# - Legal service needed - Short description**

Examples:

CAS120568 - Legal Advice - Student violation

TTBDO12098 - Contract Review - License Agreement with Phildrug Labs

NIH12081926 - Legal Opinion - Signatory of contracts with foreign corporations

1. CONTRACT REVIEW

Office or Division:	UP Manila Legal Office	
Classification:	From standard contracts to highly technical	
Type of Transaction:	Government to government; Public/private to government	
Who may avail:	All UP Manila Colleges & Units as well as the public/private individuals and entities	
CHECKLIST OF REQUIREMENTS		WHERE TO SECURE

COMMON REQUIREMENTS

- Letter-request for review
 - addressed to the Chief of the UP Manila Legal Office
 - with the favorable endorsement/approval from the dean, director or head of unit
- MOA, MOU etc. to be reviewed
 - In Word format editable through Google docs
 - Hard copies (at least 3 copies) a copy for each party and another for the notary public; add a copy for each additional party exceeding 2

For procurement of goods and services

- BAC Resolution
- Approved Terms of Reference (TOR) (only for contracts with TORs)

For corporations, non-government organizations(NGOs), partnerships:

- Latest General Information Sheet filed with the Securities and Exchange Commission
- Secretary's Certificate authorizing the signatory to enter into the contract

For single proprietorship

- Department of Trade & Industry registration

For Return Service Agreements

- Resolution from the Local Government Unit awarding the scholarship

1. Letter-request
 - prepared by the requesting UPM employee or official
 - favorable endorsement/approval-from the dean, director or head of unit.
2. MOA, MOU etc. to be reviewed
 - from originating UPM college or office
 - from contracting party
 - Templates for MOAs, MOUs, contracts, deeds and other agreements can be downloaded from the UPM Legal Office website:
<https://legal.upm.edu.ph/legal-forms> (Note: use of these standard templates can cut down time for review)

For procurement of goods and services

- BAC Resolution - from Procurement Office
- Approved Terms of Reference (TOR) (only for contracts with TORs) - from Procurement Office

For corporations, non-government organizations(NGOs), partnerships:

- Latest General Information Sheet filed with the Securities and Exchange Commission - from contracting party
- Secretary's Certificate authorizing the signatory to enter into the contract - from contracting party

For single proprietorship - Department of Trade & Industry registration - from contracting party

For Return Service Agreements

- Resolution from government agencies - from student scholar

<u>For Clinical Trial Agreement (CTA)</u> • Certification of completeness of supporting documents <u>For Material Transfer Agreements</u> • copy of CTA • copy of research protocol • specific description of materials <u>For License Agreements</u> • Term Sheet <u>For Manufacturing Agreements</u> • License Agreement UPMLO may require other supporting documents as necessary for its thorough review.		<u>For Clinical Trial Agreement (CTA)</u> • Certification of completeness of supporting documents - from UPM Research Grant Administration Office (RGAO) <u>For Material Transfer Agreements</u> • copy of CTA - from Principal Investigator • copy of research protocol - from Principal Investigator • specific description of materials - from Principal Investigator <u>For License Agreements</u> • Term Sheet - from the Technology Transfer & Business Development Office (TTBDO) <u>For Manufacturing Agreements</u> • License Agreement - from TTBDO		
CLIENT STEPS	OFFICE ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
1. Submit contracts, agreements, donations for review to the Office of the Chancellor	Receives contracts, agreements or deeds for review from the Office of the Chancellor; forwards to Adm. Officer III; Initial checking of requirements.	None	16 work hours = 2 work days	Incoming/Outgoing (I/O) Clerk
	Review to check for compliance with the requirements. <u>If complete</u>, forwards to Legal Officer (LO). <u>If not complete</u>, the documents are returned stating what is lacking for completion. Record out	None	16 work hours = 2 work days	Administrative Officer III I/O Clerk

	Review <u>Standard/simple contracts:</u> ● Use of UPMLO contract templates ● Standard contracts from government agencies (DOH, DOST, CHED, etc.) ● Memorandum of Understanding ● Return Service Agreements ● Supplemental Return Service Agreement ● Material Transfer Agreements ● General Construction Agreements ● Comprehensive Service Contracts ● Preventive Maintenance Agreements ● Deed of Assignment of Copyright <u>Non-standard complex contracts/donations:</u> ● Contracts with government and private institutions ● Training Agreements ● Affiliation Agreements ● Return Service Completion ● Manufacturing Agreements <u>Highly technical:</u> ● Clinical Trial Agreements ● License Agreements ● Research Collaboration Agreements ● Terms of Reference within UP Manila Colleges, Units (with draft of Administrative Order from Chancellor) ● Terms of Reference of inter UP constituent universities (with draft of Administrative Order from the UP President)	None	4 work days 6 work days 10 work days	Legal Officers
	Final review		<u>Standard</u> 2- work days	CLO

	• Terms of Reference of inter UP constituent universities (with draft of Administrative Order from the UP President)			
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2. Issuance of certificate of no pending administrative cases; undertaking forms and clearances

Office or Division:	UP Manila Legal Office			
Classification:	Simple			
Type of Transaction:	Government to Government			
Who may avail:	All UP Manila Employees and Faculty			
CHECKLIST OF REQUIREMENTS		WHERE TO SECURE		
• Certificate of No Pending Case; OR • Clearance Form • Undertaking Form (if applicable)		PGH personnel-countersigned clearance from the PGH Legal Office For other UP Manila personnel-from the Human Resource Development Office. (HRDO).		
CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE

Submits Certificate of no pending administrative cases or clearance; or undertaking form (if applicable)	Receives and forwards to AO or Administrative Aide V for initial checking	None	8 work hours	Office I/O Clerk
	Verify records	None	8 work hours	AO and/or Admin Aide V
	Signature	None	4 work hours	Legal Officer or CLO
	Records release	None	4 work hours	
TOTAL			3 work days	

3. Review of Letter request for legal opinion or advise

Office or Division:	UP Manila Legal Office			
Classification:	Highly Technical			
Type of Transaction:	Government to Government			
Who may avail:	All UP Manila Colleges & Units			
CHECKLIST OF REQUIREMENTS			WHERE TO SECURE	
1. Clear facts/background from which a legal opinion or advice is sought 2. Specify clearly the legal issue/s 3. Favorable endorsement/approval of the letter-request by the dean, director or head of unit			- letter-request from person seeking for legal opinion - signature signifying favorable endorsement/approval — from dean, directors, heads of units	
CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
Submits letter - request for legal opinion or advise to the Office of the Chancellor, Attention: Legal Office	Receives letter request and forwards to Administrative Officer	None	1 work hour	Office Aide

	Checks letter-request for completeness of requirements. If lacking, prepares letter requesting to complete requirements and sent back to the originator. If complete, forwards to the Chief Legal Officer.	None	7 work hours	Administrative Officer
	Review, research and drafting of legal opinion or advice	None	4 work days	Legal officers/Administrative Aide
	Checks draft legal opinion or advice for accuracy of facts, legal bases and grammar.	None	1 work day	Administrative Officer
Receives legal opinion or advice	Final review and release through the Office of the Chancellor	None	2 work days	Chief Legal Officer/Adm. Officer/Adm. Aide
	TOTAL		8 work days	

4. Investigation and hearing of administrative complaints

Office or Division:	UP Manila Legal Office	
Classification:	Highly Technical	
Type of Transaction:	Government to Government	
Who may avail:	All UP Manila Employees, Colleges and Units	
CHECKLIST OF REQUIREMENTS Ref. Sec. 11 of 2017 RACCS		WHERE TO SECURE
<u>For complaints initiated by employees:</u> Notarized Complaint (letter or affidavit) - full name and address of the complainant - full name and address of the person complained of as well as his/her position and office - narration of the materials facts which shows the acts or omissions allegedly committed - certified true copies of documentary evidences as well as the affidavits of witnesses, if any - certification or statement of non-forum shopping <u>For complaint initiated by the disciplining authority or his/her authorized representatives (deans, heads of offices) :</u> - Show Cause Order		<u>For complaint initiated by employees:</u> notarized complaint (letter or affidavit) containing a certification or statement of non-forum shopping - prepared by the complainant and notarized by a Notary Public of Administering Officer <u>For complaint initiated by the disciplining authority or his/her authorized representatives (deans, heads of offices) :</u> Show Cause Order - issued by the disciplining authority or his/her authorized representative

Common requirements: • Certified true copies of documentary exhibits • Fact-finding or Investigation Reports, if any • Affidavits • Photographs and video recordings • Others: e.g., email print-outs, letters, text message or Facebook and other internet print-outs, etc.		Common requirements: • Certified true copies of documentary exhibits - from issuing offices • Affidavits - from witnesses • Photographs and video recordings - from the photographer/videographer		
CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
Submits requirements to the Office of the Chancellor, Attention: Legal Office	Ref. Sec.20, 2017 RACCS Receives records requirements. Forwards to Administrative Officer III	None	1 work hour	Administrative Aide
Submits notarized complaint and other supporting affidavit and documents within 2 work days from receipt of the Order	<u>If requirements submitted are incomplete:</u> Prepares/drafts an Order to have the Complaint notarized and/or complete supporting documents within 5 work days from receipt of the Order (Note: only if not notarized or supporting documents are incomplete)		7 work hours	Administrative Officer III
PRELIMINARY INVESTIGATION				
	Ref. Sec 17, RACCS <u>If requirements submitted are complete:</u> Prepares AO designating the preliminary investigator and Adm. Asst. and forwards to CLO Reviews and initials AO Sends AO to OC for signature of Chancellor Signing of AO	None	2 work days	Adm. Officer III CLO Adm. Officer III Chancellor

	Receives signed AO		2 work days	Adm. Asst.
	Ref. 2017 Sec. 19 RACCS			
	PI determines mode of preliminary investigation in either of 3 ways:			
	[1] Prepares and signs an Order directing the respondent to submit counter-affidavit or notarized Answer in not less than 3 days but not more than 5 days from receipt of Order with attached Complaint or SCO and advise that he/she may be represented by counsel (Ref. Sec. 23, 2017 RACCS)			PI/Adm. Asst. Adm. Asst. PI/Adm. Asst
	Issues Order to respondent			
	[2] Prepares and signs an Order that the case shall be decided based on an ex parte evaluation of records			Adm. Asst.
	Issues Order to parties			PI/Adm. Asst
	[3] Prepares Order setting the date for clarificatory meeting with parties to discuss the merits of the case			Adm. Asst.
	Issues Order to parties			

	Ref. Sec. 21, 2017 RACCS Prepares Preliminary Investigation Report (PIR) If for dismissal - prepares [1] RS address to the Chancellor (Noted by CLO), recommending the dismissal of the complaint/ SCO [2] Draft Order of Dismissal Reviews Order of Dismissal and initials Prepares RS for CLO and forwards to CLO If for formal charge drafts/types Formal Charge or Notice of Charge Prepares RS for CLO and forwards to CLO	None	5 work days	PI/Adm. Asst. PI/Adm. Asst. PI/Adm. Asst. CLO Adm. Asst/PI PI/Adm. Asst Adm. Asst.
	Reviews PIR/Order of Dismissal/Formal Charge or Notice of Charge, sends back to PI for corrections, if any		3 work days	CLO
	Corrects and finalizes PIR/Order of Dismissal/Formal Charge or Notice of Charge, sends back to CLO		2 work days	PI
	Finalizes PIR/Order of Dismissal/Formal or Notice of Charge		6 work hours	CLO
	Sends PIR/Order of Dismissal/Formal or Notice Charge to the OC		2 work hours	Adm. Asst.

	prepares RS for Chancellor signs RS Sends PIR/Order of Dismissal/Formal Charge or Notice of Charge to the OC Reviews and signs: [1] Formal Charge (if Disciplining Authority initiated the case) e.g., Show Cause Orders (Se. 23, 2017 RACCS) [2] Notice of Charge (if other than the Disciplining Authority initiated the complaint) e.g., letter/affidavit complaints (Sec. 24, RACCS)	None	5 work days	PI Adm.Asst. CLO Adm. Asst. Chancellor
	Reviews PIR/Order of Dismissal/Formal or Notice of Charge, sends back to PI for corrections if any	None	1 work day	CLO
	Corrects and finalizes		1 work day	PI
	Finalizes PIR/Order of Dismissal/Formal or Notice of Charge		6 work hours	CLO
	Sends PIR/Order of Dismissal/Formal or Notice Charge to the OC		2 work hours	Adm. Asst.
FORMAL INVESTIGATION				
	Reviews and signs Order of Dismissal/Formal or Notice of Charge		2 work days	Chancellor upon advice of CLO
	Prepares Administrative Order constituting the Administrative Disciplinary Tribunal (ADT) and designation of legal/administrative assistant together with RS Final review. Initials AO and signs RS Sends AO with RS to OC for signature of the Chancellor	None	1 work day 1 work day 1 work day	PI/Adm. Asst. CLO Adm. Asst.

	Receives signed AO constituting ADT and forwards to Adm. Asst.		1 work day	Receiving Clerk
Submits notarized complaint and other supporting affidavit and documents within 2 work days from receipt of the Order	<u>If requirements submitted are incomplete:</u> Prepares/drafts an Order to have the Complaint notarized and/or complete supporting documents within 10 days from receipt of the Order (Note: only if not notarized or supporting documents are incomplete) Then send to the complainant. Ref. Sec. 24, 2017 RACCS		4 work hours	Adm. Asst./ADT Chair
	Coordinates with Chair of ADT and members of ADT for the setting of the PI pre-hearing conference Prepares ADT Order setting the case for Pre-hearing conference/signs ADT Order Signing of Order Sends ADT Order to parties	None	3 work days	Adm. Asst./Chair of ADT & members of the ADT Adm. Asst/LO-PI Adm. Asst. Chair of ADT Adm. Asst.
	PRE-HEARING CONFERENCE <u>[1] If submission of Position Paper is agreed upon</u> set date for submission Prepares ADT Order for submission of Position Paper <u>[2] If hearing is requested by any of the parties</u> set only 2 date/s for hearing Prepares Order setting 2 dates of hearing Signing of Order	None	2 work days	ADT Chair & parties Adm. Asst. ADT Chair & parties. Adm. Asst. ADT Chair

	Issues Order to parties and ADT members			Adm. Asst.
	Hearing proper until termination Takes stenographic notes Prepares Order that the hearing is terminated and the case is submitted for Decision Signs Order		10 work days	ADT Chair & members/Adm. Asst. Adm. Asst. Adm. Asst. ADT Chair
	Prepares draft of Formal Investigation Report (FIR) Types FIR Reviews, finalizes and signs FIR Prepares draft of Decision Types draft Decision Prepares RS for review by CLO of FIR and draft Decision	None	7 work days	ADT Chair Adm. Asst. ADT ADT Chair Adm. Asst. Adm. Asst.
	Reviews FIR and draft Decision Prepares RS/signs RS Sends FIR, draft Decision and RS to the OC (Sec. 47, 2017 RACCS)	None	8 work days	CLO Adm. Asst./CLO Adm. Asst.
	Reviews FIR and draft Decision; confers with CLO Signs final Decision Issues signed Decision to the parties, Chair & ADT members, and appropriate offices (Ref., Sec, 48, 2017 RACCS)	None	30 work days	Chancellor/CLO Chancellor Adm. Asst.

	Total		91 work days	
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5. Student disciplinary cases

Office or Division:	UP Manila Legal Office		
Classification:	Highly Technical		
Type of Transaction:	Government to Government		
Who may avail:	UP officials or employees		
Role of UP Manila Legal Office is only part of the disciplinary process	• To provide a legal counsel who shall be appointed by the Chancellor as Chair of the Student Disciplinary Tribunal (SDT). The SDT Chair serves office for 1 year from the date of appointment and is under the Office of Student Affairs (OSA) • To review the recommendation of the Dean or SDT and draft a Decision for the review, approval and signature of the Chancellor		
Rules	• UP Student Handbook (Link: https://osa.upm.edu.ph/sites/default/files/2019-Student-Handbook_0.pdf) • College rules and regulations (cf. Section 3 of Student Handbook)		
CHECKLIST OF REQUIREMENTS		WHERE TO SECURE	
1. For Decisions of the Dean or SDT • Transmittal letter • Original Decision • Documents used as bases for the Decision 2. For Appeal by the student • Appeal letter or memorandum		1. For Decisions of the Dean or SDT • Transmittal letter - issued by the Dean or SDT • Original Decision- from the Dean or SDT • Documents used as bases for the Decision - from the Dean or SDT • Copies of all of the above may also be secured from OSA if copies have already been transmitted by the Dean and the SDT 2. For Appeal by the student- • Appeal letter or memorandum -from the student	

CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
Dean or SDT transmits a copy of the Decision to the Office of the Chancellor which in turn transmits the Decision to the Legal Office	Receives and forwards to the Administrative Officer	None	3 work hours	Office Aide
	Checks if the case is within the final Decision of the Dean or SDT or is appealable by the student to the Chancellor. (Secs. 5 & 18, Student Handbook). If yes (not appealable), no further action). If not, (appealable) wait if the student appeals.	None	2 work days	Administrative Officer
Student appeals to the Office of the Chancellor within 10 days from receipt of the Decision. (Sec. 19, Student Handbook)	Receives the letter or memorandum on appeal from the Office of the Chancellor and forwards to the Administrative Officer.	None	3 work hours	Office assistant
	Prepares Administrative Order constituting the Executive Committee and setting the date of initial meeting within 3 days from the date of receipt of the letter or memorandum on appeal and furnishing the members will a complete copy of the case.	None	1 work day	Administrative Officer/Office Assistant
	Review and recommend whether to affirm, reverse, decrease or increase penalties. Sec. 20, Student Handbook and forward to the Office of the Chancellor	None	5 work days	Executive Committee
	Receives recommendation of the Executive Committee and forwards to Administrative Officer	None	2 work hours	Office Assistant
	Initial checking of accuracy of facts, applicable laws and prepares a list of errors (if any); forwards this to the Chief Legal Officer	None	1 work day	Administrative Officer

	Reviews and check facts and applicable laws; draft Decision and forwards to the Chief Legal Officer	None	5 work days	Legal Officer
	Final review of the draft Decision and forwards to the Chancellor for approval and signature	None	7 work days	Chief Legal Officer/Administrative Officer
Receives a copy of the Decision.	Chancellor reviews, approves and signs the Decision. Released to the student; Dean or ADT	None	10 work days	Chancellor
Total			32 work days	

6. Prosecute/defend cases for/against UP Manila

Office or Division:	UP Manila Legal Office		
Classification:	Highly Technical		
Type of Transaction:	Government to Government/Private		
Who may avail:	Colleges or offices which sustained loss or injury		
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For filing/prosecution of lawsuit:

1. Contracts, communications, photographs showing basis of lawsuit
2. Latest General Information Sheet of opposing party
3. Affidavit of witnesses

For defense of a lawsuit:

1. Copy of complaint and annexes
2. Complete copy of court records

For filing/prosecution of lawsuit:

1. Contracts, communications, photographs showing basis of lawsuit - from college or office which suffered loss or injury.
2. Latest General Information Sheet of opposing party - from the Securities and Exchange Commission
3. Affidavit of witnesses - from those with personal knowledge of the facts that gave rise to the loss or injury.

For defense of a lawsuit:

1. Copy of complaint and annexes - from college or office which received the Order of the Court to file an Answer in an existing lawsuit.
2. Complete copy of court records-from the court which will try the case

CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
College or office refers lawsuit to the Office of the Chancellor, Attention: UPM Legal Office	Receives documentary requirements and forwards to Administrative Officer	None	2 work hours	Office Assistant
	Review completeness of documentary requirements. If incomplete, immediately sends email to college or office requesting completion of requirements. If requirements are complete, forwards documents to the Chief Legal Officer.	None	2 work days	Administrative Officer
	Initial review of documents and applicable laws. Assigns the case to a Legal Officer and Administrative Assistant.	None	3 work days	Chief Legal Officer

	Review, research and draft Complaint or Answer or appropriate pleading and forwards to Chief for review.	None	10 work days	Legal Officer/Administrative Assistant
	Review and edit Answer or appropriate pleading and forward to Legal Officer to prepare documents for filing.	None	5 work days	Chief Legal Officer
	Preparation of documents for filing: signature of Chancellor; notarization.	None	5 work days	Office Aide
	Filing in appropriate court	None	7 work hours	Administrative Assistant
	TOTAL		26 work days	

7. Termination of procurement contracts

Office or Division:	UP Manila Legal Office		
Classification:	Highly Technical		
Type of Transaction:	Government to private		
Who may avail:	Colleges or offices to which the contract pertains to		
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1. Procurement documents a. BAC Resolution b. Notice of Award c. Notice to Proceed 2. Verified Report on any of the following: a. Failure to proceed b. Negative slippage c. Any contract violation requiring termination 3. Letters, emails between the UP Manila and Contractor <u>For defense of a lawsuit:</u> 3. Copy of complaint and annexes 4. Complete copy of court records		<u>For filing/prosecution of lawsuit:</u> 4. Contracts, communications, photographs showing basis of lawsuit - from college or office which suffered loss or injury. 5. Latest General Information Sheet of opposing party - from the Securities and Exchange Commission 6. Affidavit of witnesses - from those with personal knowledge of the facts that gave rise to the loss or injury. <u>For defense of a lawsuit:</u> 3. Copy of complaint and annexes - from college or office which received the Order of the Court to file an Answer in an existing lawsuit. 4. Complete copy of court records-from the court which will try the case		
CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
College or office refers lawsuit to the Office of the Chancellor, Attention: UPM Legal Office	Receives documentary requirements and forwards to Administrative Officer	None	2 work hours	Office Assistant