

MEMORANDUM CIRCULAR NO. 2001-009

SUBJECT: **MODIFICATION OF MC NO. 2001-018  
(MANDATORY REPRESENTATION OF APPLICANTS  
BY MEMBERS OF THE INTEGRATED BAR OF THE  
PHILIPPINES IN GOOD STANDING IN ALL CASES)**

This Board issued MC No. 2001-018 directing the mandatory representation of applicants before it by lawyers or members of the Bar of good standing. For certitude, the pertinent provisions thereof namely pars. 1, 2 and 3 of such Circular are reproduced hereunder:

"The proliferation of spurious documents submitted to and/or offered in evidence with this Board by applicant/petitioners whose applications are attended to by non-lawyers has vitiated the processing of uncontested applications/petitions to the prejudice of the general and public interest.

To curbe this nefarious practice, this Board hereby resolves to impose the requirement that all applications/petitions with hearings must be duly signed by the party's lawyer (a member of the IBP of good standing) who also reviews all documents attached thereto and represent their client during hearings.

In the filing of applications/petitions, the duly authorized representatives of the lawyers are allowed to file said pleadings. Only two (2) duly authorized representatives are allowed per lawyer to transact business with this Board. The names of the representatives should be submitted with this Board for its information and proper guidance."



After several months since the above-quoted Memorandum Circular was issued, the Board intermittently receives complaints from applicants and operators whereby such Circular circumscribed their freedom to choose whether or not to avail of the services of counsel. They claim that those who wanted to be represented by lawyers should be allowed to do so if they wish. On the other hand, those who wanted to pursue their applications/petitions without the assistance of counsel should also be allowed to do so. They further cited the fact that this was done before and no serious adverse effects in the relief-granting process of the Board was noted.

Accordingly, this Board upon careful deliberation, and to accord the applicants/petitioners the freedom of choice consistent with the democratic processes, the above-quoted pars. 1, 2 and 3 of Memorandum Circular No. 2001-018 are hereby modified to allow the applicants/petitioners the right to avail or not to avail legal representation before this Board. Accordingly, upon the effectivity of this Memorandum Circular, if they so desire, it shall no longer be compulsory for applicants/petitioners to avail legal representation before this Board if they think they can do without it, to pursue their applications/petitions pursuant to the rules and regulations of this Board.

Previous issuances or parts thereof that are inconsistent with this Memorandum Circular are hereby modified or repealed to conform herewith.

This circular shall take effect fifteen (15) days after the filing of three (3) copies thereof with the UP Law Center pursuant to Presidential Memorandum Circular No. 11 dated 09 October 1992.

Quezon City, 7 June 2002.

EFFECTIVITY DATE - JUNE 28, 2002

  
DANTE M. LANTIN  
Chairman

  
REMEDIOS G. BELLEZA  
Board Member

  
FELIX S. RACADIO  
Board Member

Office of the Chairman  
w/return orig. - gc 6/17

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A TRUE COPY:  
  
CECILE S. ABELLA  
Executive Director