

PRESS RELEASE

## **IBP vouches free legal assistance to teachers in May elections**

The Integrated Bar of the Philippines (IBP) has recently signed a memorandum of agreement with the Department of Education to formalize its commitment to give free legal assistance to public school teachers who may be facing legal suits in the performance of their election-related duties.

The newly installed Secretary of Education Dr. Mona D. Valisno led the department in signing the agreement with IBP represented by Justice Santiago Kapunan, Officer-In-Charge and Atty. Rodolfo Urbiztondo, Deputy General Council and Chief of Staff. Also present were Undersecretary for Legal Affairs Franklin Sunga, Assistant Secretary for Special Projects Jonathan Malaya, some regional directors, and representatives from various teachers' organizations.

Valisno has expressed her appreciation to IBP for offering free legal assistance to public school teachers serving in the coming elections.

"We express our deep appreciation to IBP for such a generous act as this will reassure our teachers who are committed to protect the integrity of the elections," said Valisno.

There have been incidents during election season where teachers, in the performance of their election duties, are wrongfully accused of wrongdoings and are unduly faced with legal suits.

DepEd is mandated by law to make available the services of public school teachers who will serve as chairmen and members of the different board of election inspectors (BEI) in the coming May 10, 2010 national and local elections.

Valisno added that the MOA will set the procedures on how such free legal assistance could be promptly availed by affected public school teachers.

"The MOA arises from our desire to promote and protect the welfare of the public school teachers who will again play a key role in this democratic exercise," stressed Valisno.

"This agreement clearly stipulates IBP's commitment to DepEd to provide free legal assistance to public school teachers who will be charged administratively and criminally in the performance of their election duties," Justice Kapunan said.

The DepEd and the IBP had previously entered into a MOA during the May 14, 2007 national and local elections wherein the IBP extended free legal assistance to the public school teachers faced with legal suits.

"This has been a standard practice on the part of DepEd and the IBP in every election year. However, since 2010 elections will be the very first automated national and local elections, it poses a whole new set of questions," said Sunga.

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The free legal assistance shall be in the nature of court appearances and representations, preparation and submission of pleadings and other documents required to be produced and submitted by the court or tribunal where the case is pending; and such other legal services needed for the protection of the rights of the public school teachers serving as chairmen members of the BEI.

Subject to IBP's means and merit test, free legal assistance shall be provided and made available in administrative and criminal cases filed against a qualified public school teacher serving as chairman or member of the BEI. In instances, however, where the BEI chairman or member of the BEI is the nominal complainant, free legal assistance shall not be granted.

The free legal assistance can be availed of upon the filing of the complaint before any court, administrative body, the Prosecutors Office, or before the Ombudsman, against a qualified public school teacher who served as chairman or member of the BEI, or at any stage of the proceeding in court, even on appeal, if still warranted by the circumstances.

All requests for free legal assistance shall first be evaluated by the DepEd. Should the DepEd find the request meritorious and that the offense charged against a public school teacher serving as chairman or member of the BEI is service connected or related, the DepEd shall submit a written request for free legal assistance to the President of the IBP for appropriate action.

Moreover, the DepEd shall monitor the coordinative efforts between the IBP office tasked to render legal assistance and the DepEd office concerned to ensure that the purpose of this MOA shall not be hindered. The MOA is effective for a period of one year.

"IBP lawyers are idealistic volunteers serving the needs of teachers involved in the election. We are happy to do it for free, contrary to what other people think that lawyers are only after the money," furthered Kapunan.

Meanwhile, DepEd Election Task force will be created for the May elections in the central office and in all regional offices for easier coordination and evaluation of complaints. There will also be IBP counterpart offices in each region to work closely with DepEd regional offices.

**END**

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