MEMORANDUM CIRCULAR
No. 2021-013

TO: ALL DILG CENTRAL OFFICE CONCERNED PERSONNEL, REGIONAL DIRECTORS, ALL LITIGANTS AND OTHERS CONCERNED

SUBJECT: HOLDING OF HEARINGS ON ADMINISTRATIVE MATTERS AND CASES UNDER 2017 RACCS THROUGH VIDEO CONFERENCING

The 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS) is silent as regards the venue (location) where administrative matters or cases brought before the disciplining authorities of agencies may be heard, thus, there is a need to address the perceived gap to expedite action on pending matters and cases.

The 2017 RACCS explicitly allows national agencies, including the DILG, to formulate rules pertinent to the procedure in the administrative cases provided such rules will not conflict therewith, thus:

"Section 2. Coverage: These Rules shall apply to all disciplinary and non-disciplinary administrative cases or matters brought before the Civil Service Commission (CSC) and its regional/field offices, agencies of the national government ... except as may be provided by law."
"Unless otherwise provided by law, rules formulated by the agencies shall not be in conflict with these Rules."

Accordingly, while the country is currently placed under various forms of community quarantine measures to address the spread of coronavirus disease 19 (COVID-19), the Department’s Legal and Legislative Liaison Service (LLLS) through its Trial and Investigation Division (TID) shall continue to operate, specifically, in holding hearings of administrative cases involving department personnel covered by the 2017 RACCS as follows:

1. The holding of hearings shall be through video conferencing. This includes stages of Pre-Hearing Conference and Hearing Proper.

   1.1 Submission or filing of pre-hearing briefs, motions, position paper/memorandum and such other pleadings shall be coursed through the DILG Central Records Section.

   1.2 Submission of Position Paper/Memorandum at any stage of the formal investigation based on mutual consent in lieu of further hearings is allowed.

   1.3 The designated TID clerk is authorized to transcribe the proceedings or other authorized personnel for the purpose. The Transcript of Stenographic Notes (TSN) must indicate that the notes were taken thru videoconferencing. Any unauthorized recording of the proceedings by any of the parties shall be dealt with accordingly.
2. The LLLS-TID shall use all available platforms to conduct virtual hearing activities mentioned herein.

For the guidance and compliance of all concerned.

UNDERSECRETARY BERNARDO C. FLORECE JR.
Officer-In-Charge