

Office of the President  
of the Philippines  
Malacañang

MEMORANDUM ORDER NO. 159

PRESCRIBING ETHICAL STANDARDS AND NORMS OF CONDUCT FOR ALL ADMIN AND NEB LAWYERS AND SUPPORT STAFF INVOLVED IN THE ADJUDICATORIAL FUNCTIONS OF THE OFFICE OF THE PRESIDENT

Lawyers directly or indirectly assisting in the adjudication of administrative decisions which, by law or regulation, are appealable to or reviewable by the President must bear in mind that, in such appeal or review, the President assumes and exercises quasi-judicial functions and that, in the resolution of these cases, the foremost objective is the fulfillment of the presidential oath not only to "execute the laws" but more importantly "to do justice to every man."

The quasi-judicial character of these proceedings therefore require of the lawyers an attitude and standard of conduct akin to those required of the judiciary, which is not only to evaluate the cases with the cold neutrality of an impartial arbiter but furthermore to so comport themselves that they appear and are actually perceived to be impartial. (*Vide* Javier v. Commission on Elections, 144 SCRA 194)

Towards these ends, and to insulate the lawyers from extraneous pressures, the following rules of conduct and ethical standards are hereby prescribed for all lawyers and support staff in units assisting in the adjudicatorial functions of the Presidency:

1. The official anonymity of the lawyers to whom appealed cases are assigned for research, evaluation, comment or recommendation shall be maintained, and, accordingly, all personnel in units assisting in the adjudicatorial functions are prohibited from disclosing to persons outside their units the identity of the lawyers to whom particular cases are assigned.

2. Prior to the official release of the final resolution of any appeal, only the pendency of the appeal in the unit assisting in the adjudicatory process may be divulged to persons outside the unit. Lawyers and personnel in units

assisting in the adjudicatory process are therefore prohibited from discussing the merits of the appeal with, as well as from providing any information relating to any pending recommendations thereon to, any person outside his unit.

3. Excepted from the restriction of information prescribed in the preceding Paragraphs 1 and 2 are (a) the President, (b) the Executive Secretary, (c) the Senior Deputy Executive Secretary, (d) the Chief Presidential Legal Counsel and (e) the staff to whom the President, Executive Secretary or Senior Deputy Executive Secretary shall in writing assign any appealed case for review or whom such officials shall in writing authorize to secure information relating thereto.

4. A lawyer, with a conflict of interest in any appealed case similar to those constituting grounds for the disqualification of judges under the Rules of Court or for their inhibition under the Canons of Judicial Ethics, shall promptly inhibit himself.

5. All units assisting in the adjudicatorial process are enjoined to observe the functional lines of authority for cases on appeal to or for review by the Office of the President, as prescribed in Memorandum Orders Nos. 143 and 146.

6. A violation of the ethical norms herein prescribed shall be an administrative offense and dealt with accordingly.

7. For immediate compliance

Manila, August 16, 1993

  
TEODORO T. GUINGONA, JR.  
Executive Secretary

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Received

