

**MEMORANDUM**

**FOR : ATTY. MEGAN THERESE Y. MANAHAN**  
Director IV, Standards Bureau

**FROM : THE ASSISTANT SECRETARY FOR GASSG AND**  
**CONCURRENT OFFICER-IN-CHARGE, LEGAL SERVICE**

**SUBJECT : REQUEST FOR LEGAL GUIDANCE RE: REPEAL OF**  
**MEMORANDUM CIRCULAR 13 SERIES 2022 OR THE**  
**ENHANCED GUIDELINES IN THE ACCREDITATION OF**  
**SOCIAL WORKERS MANAGING COURT CASES**  
**(SWMCCs)**

**DATE : 10 MAY 2024**

This is in reference to your MEMORANDUM<sup>1</sup> requesting for guidance and additional justification on the propriety of repealing Memorandum Circular (MC) No. 13, series of 2022 entitled "*Enhanced Guidelines in the Accreditation of Social Workers Managing Court Cases (SWMCCs)*"<sup>2</sup>.

DSWD is mandated to provide assistance to local government units (LGUs), non-government organizations (NGOs), other national government agencies (NGAs), people's organizations (POs) and other members of civil society in effectively implementing programs, projects, and services that will alleviate poverty and empower disadvantaged individuals, families and communities for an improved quality of life.<sup>3</sup>

Since the enactment of the law, the DSWD has been actively accrediting and providing consultative services to institutions, organizations and persons engaged in social welfare activities and monitor performance of institutions, organizations and person engaged in social welfare activities, both public and private.<sup>4</sup>

**LS Comment**

In the submitted Memorandum, the main intention of the Draft Memorandum Circular primarily aims to repeal the DSWD Memorandum Circular No. 13, series of 2022 entitled "Enhanced Guidelines in the Accreditation of Social Workers Managing Court Cases (SWMCCS)" and move forward in capacitating the social workers handling court cases instead of merely giving or issuing accreditation.

<sup>1</sup> Annex "A" – Memorandum from the Standards Bureau dated 19 March 2024

<sup>2</sup> Annex "A-1" – Draft Memorandum Circular

<sup>3</sup> Section 2. Mandate, Executive Order No. 15, series of 1998 entitled "REDIRECTING THE FUNCTIONS AND OPERATIONS OF THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT"

<sup>4</sup> Section 3(f), Powers and Functions, Executive Order No. 15, series of 1998

**The requirement of accreditation by DSWD is categorically stated in Section 11 of the Republic Act No. 8369 entitled “Family Courts Act of 1997” viz:**

**“Section 11 Alternative Social Services. –**

*In accordance with Sec. 17 of this Act, in areas where no Family Court has been established or no Regional Trial Court was designated by the Supreme Court due to the limited number of cases, the DSWD shall designate and assign qualified, trained, and DSWD accredited social workers of the local government units to handle juvenile and family cases filed in the designated Regional Trial Court of the place.”*

However, the said law’s Implementing Rules and Regulations promulgated by the Supreme Court in its Resolution A.M. No. 22-04-06-SC, particularly in **Rule V, on Alternate Social Services**, the requirement of accreditation by DSWD was not mentioned, to wit:

**“Rule V Alternate Social Services**

**Section 1. LGU Social Workers** – In accordance with Section 11 in relation to Section 17 of Republic Act 8369, in areas where no Family Court has been established or no Regional Trial Court has been designated as such by the Supreme Court due to the limited number of family cases, the Presiding Judge of the Regional Trial Court may request the LSWDO to assign and designate qualified and trained social workers of the local government units to handle CICL and family cases filed in the proper court”

Per Assessment of the Current Process for the Accreditation of Social Workers Managing Court Cases (SWMCCs) presented on November 20 to 21, 2023 citing the Annual Trends by Region in 2022,

*“a total of 129 Certificates of Accreditation for SWMCC in 2022 with region IX accounting for 17% of the total (or 22 applications), followed by Region XI with 13.1% and IVA with 11.6%. Out of the 17 regions in the country, only 6 regions processed above 10 applications, others have less than 5, and some none such as Region IV”.*

While Annual Trends by Region in 2023, *“until September 2023, only 3 regions processed the most number of applications, these are NCR, Regions III and IX. The rest of the regions received less than 5 applications, while others none at all”*

Citing the General Observation<sup>5</sup>, the internal process for the accreditation of the Social Workers Managing Court Cases is highly bureaucratic and the Participant’s Remarks also stated that there are limited applicants even the FO regularly invited the LGUs to apply because the latter did not see the beneficial sides of being accredited as the court does.

<sup>5</sup> Annex “A” - Assessment of the Current Process for the Accreditation of Social Workers Managing Court Cases (SWMCCs)

In view of the foregoing discussion, the need to repeal the accreditation requirement for social workers managing court cases pursuant to MC 13, series of 2022 is appropriate and fitting, taking into great consideration the present thrust of the Department to enhance the skills of SWMCC, by providing capacity building activities through the DSWD Academy.

By shifting from a mere accreditation of SWMCCs, repealing the MC will pave the way for the development and transformation of highly-trained SWMCCs who will undergo upskilling by the Department at the DSWD Academy, thereby creating a more responsive mechanism and intervention that will truly serve the purpose of the law on Family Courts Act of 1997.

Thus, this level finds that this developmental innovation is transformative and beneficial to our Social Workers in handling court cases as it will help shift to producing competent and skilled social workers, taking into account the Supreme Court Resolution A.M. No. 22-04-06-SC, which does not include DSWD Accreditation as a requirement for social workers to handle court cases.

Kindly fill out the attached Customer Feedback Form and return the same to the Legal Service.

Thank you.

  
**ATTY. GINA V. WENCESLAO**

MCUMG/ESQE/10065

Approved by:

  
**ATTY. EDWARD JUSTINE R. ORDEN**  
Undersecretary for GASSG