

POLICIES ON AND GUIDELINES AND PROCEDURES FOR LEGAL DOCUMENT MANAGEMENT

APPROVED
by the President's Council
05 August 2022

Policies

A. Purpose

1. To designate the Office of the University Legal Counsel (OULC) as the central repository for all University legal documents defined in this policy.
2. To designate the University Libraries Archives as the
 - a. official repository of the University's architectural and building plans and related or similar documents, and
 - b. safekeeper of one (1) of the original copies of the legal documents defined in this policy.
3. To direct the University Libraries Archies to assist the OULC in the preservation of the legal documents following archival standards.
4. To provide guidelines and procedures and outline responsibilities relative to the management of legal documents to specifically ensure
 - a. the prompt and efficient submission of documents to the OULC by the different units/offices/departments/ colleges;
 - b. efficiency in the process and mechanism for the safekeeping, preservation, safeguarding of confidentiality, and retrieval of legal documents;
 - c. compliance with regulatory requirements;
 - d. that complete and accurate records of the University's activities are stored, maintained, made accessible to authorized parties and/or for authorized use; and
 - e. that University legal documents are properly disposed of consistent with the law.

B. Scope

This policy shall apply to the OULC, the University Libraries Archives (as regards its safekeeping and preservation functions of legal documents), all units/offices/ departments/colleges that transact with external parties using legal documents, and all such documents owned by the University, which fall under this policy's definition of "legal documents."

C. Definition of Terms

1. OULC – refers to the Office of the University Legal Counsel.
2. University - refers to De La Salle University and all its campuses and units/offices/departments/colleges.
3. Requesting Party – refers to the
 - a. head of the unit/office/department/college or,
 - b. duly authorized representative of the unit/office/department/college.
4. External Party – refers to the party to the contract outside the University's organization.
5. Legal documents - refer to any of the following that, as much as possible, are printed on acid-free paper and signed using Pigma pens:
 - a. a contract or written agreement entered into by the University with one or more external parties, which creates rights and/or obligations enforceable by law on the part of the University and the external party;
 - b. a permit, clearance, license, certification, or registration document, issued to the University by a local government unit, by the national government or any of its instrumentalities, or by an international body or organization;
 - c. a certificate, written acknowledgment, an accreditation, or award issued to or conferred on the University by an international or local organization or body; and
 - d. evidence of ownership of property by the University such as, but not limited to, stock certificates, bank certificates, club membership certificates, transfer certificates of title, condominium certificates of title, licenses, and other similar documents
6. Legal Documents Management - refers to the function of the OULC that is guided by the policies, guidelines, and procedures governing the submission, receipt/acquisition, record-keeping, storage and safekeeping, preservation, retrieval, and granting of access to the University's legal documents.
7. Original Document – refers to the master or original copy of a legal document that was executed by the University with at least one (1) external party.
8. Duplicate copy of an original legal document - refers to the “certified true copy” of the document duly marked, signed, and attested to as such by the University Legal Counsel.

9. File - refers to the physical paper folder, which contains the hard/printed copies of legal documents; it also includes legal documents in electronic or digital format.

D. Policy Statements

1. The OULC shall be the central repository of the University's legal documents.
2. The OULC shall retain the legal documents in its repository for five (5) years from submission, where applicable.
3. The University Legal Counsel shall have the sole authority to grant or deny any request to access or obtain a copy of a legal document.
4. The University Libraries Archives shall be the official repository of University architectural and building plans and blueprints, related or similar documents, and safekeeper of the second copy of the original legal documents.
5. The submitting unit/office/department/college shall maintain a duplicate copy of the original or a "certified true copy" of the legal document that was submitted to the OULC.
6. The University Legal Counsel shall have the sole authority to sign and issue a "certified true copy" of a University legal document.

E. Special situation

The President may exercise the authority to approve or deny a request to access or obtain a copy of a legal document from the OULC.

F. Responsibilities

1. All members of the University community are expected to be familiar and compliant with relevant laws, regulations, policies, procedures, professional standards, and legal requirements when performing tasks and transacting business for or on behalf of the University.
2. Every member, unit, office, department, or college of the University shall, at all times, exercise utmost diligence and care in handling legal documents to safeguard University information.
3. The heads of units/offices/departments/colleges that transact with external parties using legal documents shall be responsible for diligently ensuring

that the OULC is furnished with two (2) original copies of the signed documents.

4. The OULC shall
 - a. establish and implement policies and guidelines to ensure faithful compliance with regulatory requirements and preserve the confidentiality of the University's legal documents;
 - b. ensure the accuracy of the University's business information and protect the integrity of its corporate records and other legal documents that are related to the University's operations;
 - c. maintain a physical and electronic database of all legal documents of the University;
 - d. assign document numbers to and categorize the legal documents for proper recording/logbook entry, safekeeping, and easy access, when needed;
 - e. store and maintain the legal documents in a fireproof safe/vault; and
 - f. coordinate with and/or seek the assistance of other units/offices/departments/colleges of the University to ensure the proper implementation of and compliance with this policy.
5. The University Legal Counsel shall
 - a. screen requests for access to or obtain a copy of a legal document and shall have sole authority to grant or deny such requests; and
 - b. sign and issue a "certified true copy" of a University legal document for cleared requests.
6. The University Libraries Archives shall
 - a. be responsible solely for the safekeeping of the duplicate copy (or certified true copy) of the original legal document;
 - b. assist the OULC in the proper preservation of these documents following archival standards;
 - c. direct any request to access or obtain a copy of a legal document to the OULC, which has the sole authority to clear and grant such requests; and
 - d. only retrieve and release the duplicate copy (certified true copy) of the original legal document in its safekeeping to the duly authorized OULC personnel.

G. Appendices

None

H. Procedures

1. Submission of Legal Documents

The submission of original documents to the OULC repository for archiving shall be done on a day of the week to be announced by the OULC.

- a. For legal documents defined under Section C.5.a, the turnover shall follow the Policies on the Legal Review and Approval of Contracts.
- b. For legal documents defined in Section C.5.b and C.5.c, the submission shall be made within ten (10) days upon their receipt by the unit/office/ department/college concerned from the government or external party.

Step 1 - The submitting party accomplishes two (2) copies of OULC Form 4 - Document Submission Form (DSF) (downloadable at _____), and attaches two (2) original copies of the legal document.

Step 2 - The submitting party submits the two (2) accomplished OULC Form 4 and the two (2) original copies of the legal documents to OULC.

Step 3 - The OULC

- 1) assigns a Document Number for the two (2) legal documents received and indicates this Document Number on OULC Form 4,
- 2) signs both copies of OULC Form 4, and
- 3) returns one(1) copy of Form 4 to the submitting party.

Step 4 - The OULC

- 1) scans a copy of the legal document for the OULC electronic file, and
- 2) records the complete title and description of the legal document in the database.

Step 5 - The OULC stores physical copy in the OULC document vault.

Step 6 - The OULC forwards one (1) original copy of the legal document to the University Libraries Archives for safekeeping and preservation.

Step 7 - The University Libraries Archives issues an acknowledgment Receipt to OULC for the legal document received.

2. Requesting a Copy of a Legal Document from the OULC Repository

- Step 1** - The head of the requesting unit/office/department/college accomplishes two (2) copies of OULC Form 5 – Document Retrieval Form (DRF) (downloadable at _____).
- Step 2** - The head of the requesting unit/office/department/college submits the two (2) copies of OULC Form 5 to OULC.
- Step 3** - The OULC
- 1) signs both copies of OULC Form 5, and
 - 2) returns one (1) copy to requesting party as acknowledgment.
- Step 4** - The OULC evaluates the request
- 1) **If approved**, the OULC proceeds to **Step ‘5’ onwards**.
 - 2) If denied, the OULC
 - a) indicates the decision on its file copy of OULC Form 5, signs,
 - b) photocopies the Form, and
 - c) sends the photocopy of the Form to the Requesting Party.
- Step 5** - The OULC retrieves the legal document from the vault, and depending on the request,
- 1) makes a photocopy or a certified true copy of the legal document (charged to the unit/office/ department/college of the Requesting Party)
- OR**
- 2) prepares the original document.
- Step 6** - The OULC releases, in a **sealed envelope**,
- 1) the photocopy or certified true copy of the legal document to the authorized recipient only after the latter has signed OULC’s file copy of Form 5 to acknowledge receipt.
- OR**
- 2) the original copy to the authorized recipient only after the latter has signed the following
 - a) the OULC’s file copy of Form 5 to acknowledge receipt; AND
 - b) the corresponding entry in the Register of Borrowed Documents.
- Step 7** - The OULC updates its database pertinent to the retrieval transactions, accordingly.

3. Returning a Borrowed Original Legal Document to the OULC Repository

Step 1 - The borrower

- 1) returns the document to the OULC, and
- 2) requests the OULC staff to sign on his/her copy of OULC Form 5 to acknowledge receipt.

Step 2 - The OULC staff

- 1) retrieves the OULC copy of Form 5, and
- 2) signs both the OULC file copy and the borrower's copy of Form 5 to acknowledge the return of the original legal document.

Step 3 - The OULC staff

- 1) attaches the OULC file copy of Form 5 with the returned original legal document, and
- 2) returns the borrower's copy of OULC Form 5.

Step 4 - The OULC staff updates the Register of Borrowed Documents pertinent to the returned legal document by indicating the date when it was returned and signing the entry.

Step 5 - The OULC staff

- 1) immediately returns the original document to the vault, and
- 2) updates the electronic database accordingly.

I. Instructions/Forms

- Appendix A -Legal Document Management Procedure
- Document Submission Form (OULC Form 4)
- Document Retrieval Form (OULC Form 5)

J. Standards

None

K. Parent Policy

None

L. Related Policies

- Policies on the Legal Review and Approval of Contracts

- Policy on Signatory Authority for Contracts

M. Related information

None

N. References

- Proposed University Code of Ethical Conduct ([hyperlink](#))

O. History

- The first issuance of the Legal Document Management Policy was approved by the President's Council on 23 June 2017.