

GUIDANCE FOR WRITING A MEMORANDUM OF UNDERSTANDING

A memorandum of understanding or MOU is a document created between two or more parties explaining how they will work together to achieve a common goal. While MOUs vary in complexity and use, the purpose is to help organizations work together and understand one another's perspectives. A MOU is not intended for use when there is an exchange of funds. The outline highlights the key components of an MOU.

Introduction

This section describes the need, the organizations involved, and why these organizations need to work together. Include provisions for confidentiality, privacy, and/or advocate privilege. Consider these questions:

- Why is the MOU being created and what makes it necessary?
- What organizations or programs are participating in this MOU?

Section 1. The Purpose

This portion should briefly explain the basis of the MOU and how and when it will be used to achieve a common goal. Consider these questions:

- What are the shared values and/or goals of the parties involved?
- What activities will the MOU partners participate in together?
- How and when will the activities be carried out?

Section 2. Roles and Responsibilities

To better collaborate, both sides must understand what the other needs to succeed. At the start, all partners benefit from understanding the expectations of the MOU to ensure a successful experience. Consider these questions:

- What roles, responsibilities, or duties will each partner take the lead on? How will those roles, responsibilities, or duties be carried out?
- What resources does each partner have, and how will those resources be shared?
- What staff will participate in this collaboration, and what do staff need (e.g., training) to effectively carry out the MOU objectives?

Section 3. Oversight and Terms of Agreement

The MOU should be considered a working document subject to changes if necessary. Consider these questions:

- How will both sides measure success?
- What methods will each party use to track progress (e.g., data collection, client surveys)?
- What circumstances require an amendment to the agreement terms?

Section 4. Effective Dates

Identify the dates that the MOU agreement is in effect. Describe what is necessary to modify or cancel the agreement. Name the authorized officials who are to sign this agreement on behalf of both parties.

SAMPLE MEMORANDUM OF UNDERSTANDING

Sample introduction:

This Memorandum of Understanding (MOU) is between _____ and _____. The organizations/programs enter this MOU to strengthen the organizations' partnership through _____ (*examples: greater coordination, training, and outreach*). This MOU is a voluntary agreement that expresses good-faith intentions of _____ and _____, is not intended to be legally binding, does not create any contractual obligations, and is not enforceable by any party. This MOU does not obligate and will not result in an exchange of funds or any kind of financial commitment. This MOU upholds state or federal requirements concerning confidentiality, privacy, and/or advocate privilege.

This MOU is in effect from _____ to _____. **The parties agree as follows:**

I. Purpose

Use this section to describe the need for the MOU and reasons for establishing this partnership. Describe what is achieved by working together and the shared values and common goals for this MOU. Describe the activities of this MOU, including:

- What activities will occur
- How will the activities occur
- When will the activities occur
- Where the activities will occur

II. Shared Roles and Responsibilities

Use this section to describe the roles, responsibilities and duties of each partner to the MOU. Consider including:

- What resources each partner will provide (e.g., staff time, physical space)
- Who are the staff responsible for carrying out activities of the MOU
- What training or expertise staff need to carry out the activities of the MOU

III. Oversight and Terms of Agreement

Use this section to outline the terms of the agreement, including oversight responsibilities. Consider describing who are the primary points of contact, especially when problems arise. Explain how often the MOU partners will meet and who is responsible for measuring and reporting on the progress of the partnership. If the MOU must be amended, describe what stipulations are necessary for an amendment.

IV. Effective Date

Sample language for Section IV:

This MOU will take effect immediately once signed by both parties and will expire _____ years from the effective date. This MOU may be modified in writing by mutual consent of both parties. This MOU may be cancelled by either party by giving _____ days advance written notice to the other organization or program prior to the date of cancellation. Renewal of the agreement may be accomplished by written agreement of both parties. Provisions related to the confidentiality and handling of information exchanged pursuant to this MOU shall survive the termination of this MOU.

This MOU is executed as of the _____ day of _____ (month).

The following officials agree to the terms and conditions of this MOU:

Official #1: _____

Official #2: _____