

7. PROCUREMENT, CONTRACTS, AND GRANTS

7.2.1 JUDICIARY MEMORANDUM OF UNDERSTANDING PROCEDURES MANUAL

(a) Memorandum of Understanding Overview

A Memorandum of Understanding (MOU) formalizes the relationship between the Administrative Office of the Courts (AOC) and a key service delivery partner (Partner). It defines mutual roles and responsibilities, and fosters a strong partnership from which both parties benefit. In the Judiciary, these Partners are governmental agencies, defined as an executive, legislative, or judicial agency, or the department, board, commission, authority, institution or instrumentality of the State, federal government, or a county, municipality, or other political subdivision of a state.

An MOU describes the terms of the agreement without being legally binding. It may or may not involve the transfer of finances.

All courts, Judicial Units and departments within the Maryland Judiciary are required to submit written agreements, such as MOUs, to the Department of Procurement, Contract & Grant Administration (DPCGA) for review. The MOU must be approved by the Director of DPCGA, or designee; and, as required by established MOU procedures, the State Court Administrator, the Chief Judge of the District Court, or the Chief Judge of the Court of Appeals, or their designees. The Managing Legal Counsel within the Administrative Office of the Courts, or designee, shall approve the MOU for legal form and sufficiency. Approvals are required prior to the execution of the MOU.

(1) MOU Templates

The following list of templates provide a guide for the development of the MOU:

Administrative Office of the Courts:

(A) Remote Access to Case Records –

General – grants access to case records, other than marriage licenses, that can be obtained by the public

Enhanced – grants access to case records that are not available to the public

(B) JIS –

Fiber Optic Cabling – services and materials for installation of fiber optic cabling to connect sites with networkMaryland

(C) Security Equipment – security related goods and services

Up to \$100,000;

Over \$100,000 and Up to \$500,000;

Over \$500,000;

Anne Arundel County

(D) AOC Templates – goods and services based upon funding amounts

Up to \$100,000;

Over \$100,000 and Up to \$500,000;

Over \$500,000;

No Dollar Value

District Court of Maryland:

- (A) District Court Commissioner –
Access to Records – access to password-protected site on Judiciary website to obtain forms approved by District Court
 - (B) Video Bail Review – implementation of video bail review
 - (C) eCitation General User
 - (D) Space Allocation – utilization of District Court space
To Circuit Court;
To Court of Appeals or Court of Special Appeals Only
To Other
 - (E) District Court Templates – goods and services based upon funding amounts
Up to \$100,000;
Over \$100,000 and Up to \$500,000;
Over \$500,000;
No Dollar Value
- (2) Maintaining the Uniformity of MOU Templates
MOU templates are reviewed and updated as appropriate by the AOC Legal Affairs Department in conjunction with the Department of Procurement, Contract & Grants Administration. The templates are available at the DPCGA website.

<http://courtnet/procurement/index.html>

The templates provide a framework and include important elements of the MOU. While some of the elements may not be relevant to the current partnership, additional ones may be required.

Additional signatures may be required depending upon the partnership and/or the scope of work.

(b) MOU Preparations

When Courts, Judicial Units and departments within the Maryland Judiciary (Judiciary) formalize a partnership, the first steps are to determine the scope of work, roles and responsibilities of the parties, and the amount of funding required for the project.

Once the scope of work has been created by the Judiciary Manager (MOU Manager) responsible for administering the MOU, a requisition is created in GEARS (if appropriate). The scope of work is attached to the requisition. The requisition is forwarded to the Judiciary Grants Coordinator. Zero dollar value MOUs do not require a requisition.

The MOU Manager then begins preparation of the MOU template.

(c) Complete MOU Template

The appropriate MOU template is downloaded from the website and completed by the MOU Manager. The scope of work is included in the template under Exhibit A.

(d) Review Draft MOU

Once the draft MOU has been created, it should be emailed in Word form to the Judiciary Grants Coordinator to be recorded and reviewed. When the MOU review is completed, a number will be assigned for tracking. The number is used as the basis for the purchase order (PO) number (if appropriate) and for tracking in the Field User Access Page.

(e) MOU Signatures

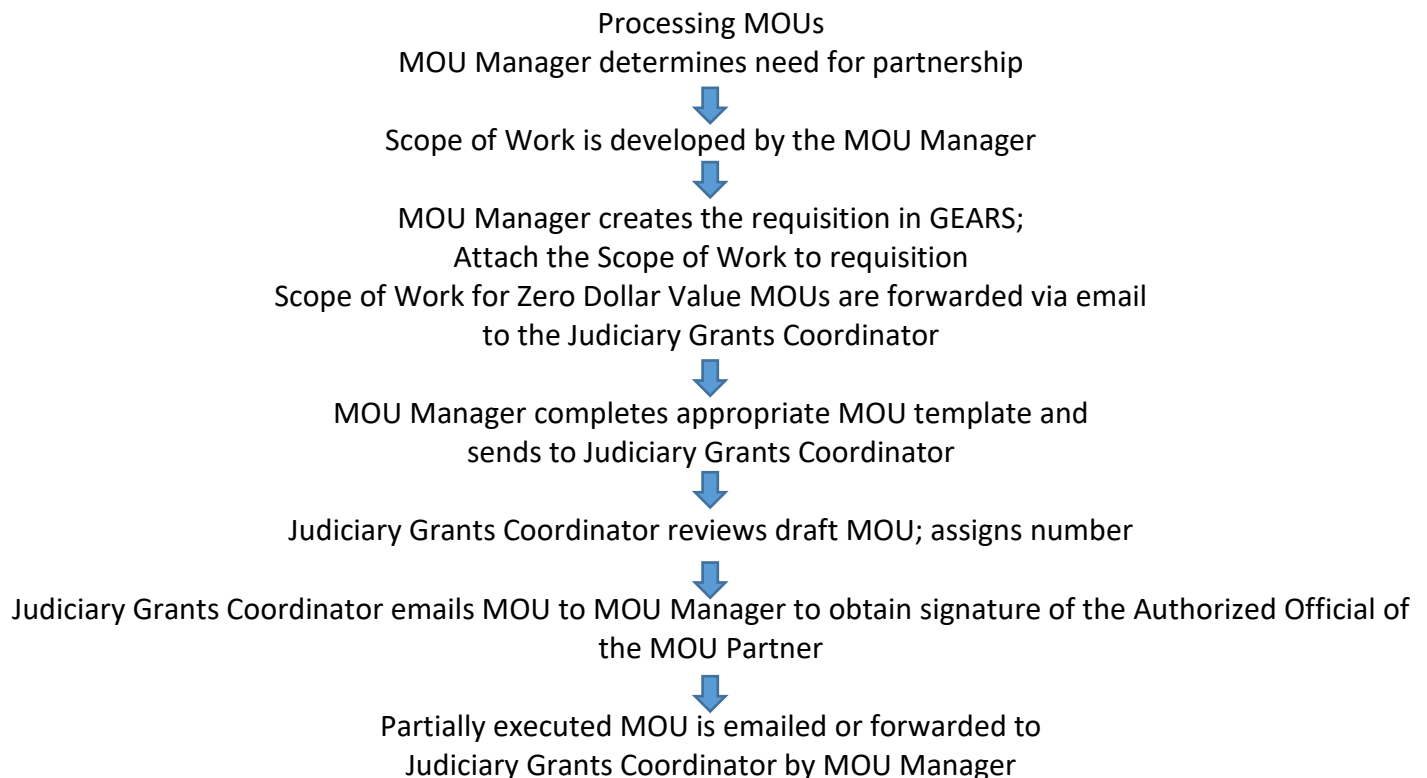
The numbered MOU will be returned to the MOU Manager in PDF form. The MOU Manager will forward the MOU to the MOU Partner for signature by the Authorized Official of the MOU Partner. Once signed by the Authorized Official, the MOU Manager will scan the partially executed MOU and email, or forward, it to the Judiciary Grants Coordinator.

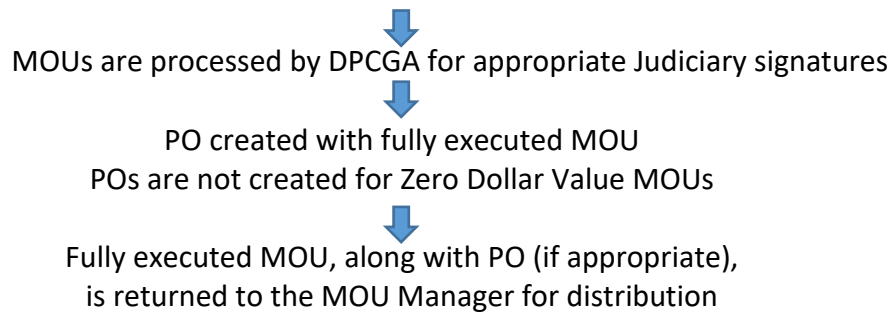
The Judiciary Grants Coordinator will obtain signatures from the appropriate Judiciary parties, such as the Director of DPCGA, Legal Counsel, the State Court Administrator, and the Chief Judge, or other designated officials (as required).

(f) Create Purchase Order

The fully executed MOU is returned to the Judiciary Grants Coordinator. A purchase order (if required) is created and dispatched based upon the requisition and Vendor ID provided by the MOU Manager. The Judiciary Grants Coordinator forwards the dispatched PO and fully executed MOU to the MOU Manager for distribution as appropriate. Fully executed Zero Dollar Value MOUs will be forwarded to the MOU Manager without a PO.

The fully executed MOUs are scanned into the Field User Access Page in GEARS.





DISCLAIMER

This manual is intended to be a procedures manual to assist Judiciary personnel in the management of Memorandum of Understanding, but it is not intended to be a complete list of all rules, regulations, or laws relating to Memorandum of Understanding. It is a supplement to 7.2 Policy on Memorandum of Understanding.