

**STATE OF MARYLAND
JUDICIARY**

Policy on Memorandum of Understanding
Revised: August 2016

I. Scope

This policy applies to all courts, court-related agencies and departments within the Maryland Judiciary (Judiciary).

II. Definitions

In this Policy, the following terms have the meaning indicated:

- A) Memorandum of Understanding (MOU): A document that expresses the mutual accord in a binding document between two or more government entities. An MOU must (1) identify the contracting parties, (2) spell out the subject matter of the agreement and its objectives, (3) summarize the essential terms of the agreement, and (4) be signed by the contracting parties.

- B) Governmental agency: An executive, legislative or judicial agency, or the department, board, commission, authority, institution or instrumentality of the federal government or of a state or of a county, municipality or other political subdivision of a state.

III. Policy

The ultimate authority, determination, and applicability of a Maryland Judiciary MOU, rests with the Chief Judge of the Court of Appeals, or designee.

Selection of the MOU recipient may be determined by a competitive process or documented determination process reflecting the Judiciary's best interests. The selection process must be approved by the Director of Procurement, Contract and Grant Administration, and Counsel from the Internal Affairs Division prior to the execution of the MOU.

An MOU must be fully executed in compliance with established contract execution procedures prior to the start date. The executing department shall be responsible for administration of the MOU, in compliance with the MOU policies outlined herein, and the procedures outlined by the Department of Procurement, Contract and Grant Administration, to ensure the prudent use of public funds, and to ensure accountability on the part of all involved parties.

WAIVER

The Chief Judge of the Court of Appeals, or designee, has the authority to grant a waiver of this policy.