Checklist for Developing an MOU for Information Sharing[1]

☐ Title

☐ List of agencies participating in the MOU

☐ Legal authority for the MOU

☐ Purpose(s) of the MOU

☐ Responsibilities of the participating agency:

    ☐ Individuals (by title) or departments within each participating agency responsible for obtaining signed consent from the parent and/or child to release information to another participating agency

    ☐ Individuals (by title) or departments within each participating agency authorized to *disclose* information to another participating agency

    ☐ Individuals (by title) or departments within each participating agency authorized to *receive* information from another participating agency

    ☐ Individuals (by title) in each participating agency responsible for resolving complaints of improper disclosure of information in violation of the MOU and/or applicable laws

☐ Conflict resolution protocol resolving disputes between the participating agencies regarding the operation of the MOU; if the parties have a disagreement about how the MOU is being implemented, how will that dispute be resolved?

    ☐ Individuals (by title) or departments within the relevant participating agency responsible for carrying out the conflict resolution protocol

☐ Detailed list of information to be shared by each participating agency:

    ☐ What information, from which agency, to which agency to be disclosed, and in what circumstances

☐ Federal and state laws that govern

    ☐ The disclosure of the above information: when, how (in what circumstances), and to whom can each agency can disclose information

    ☐ What the recipient is permitted to do with the information, including whether or not the recipient can disclose the information to someone else

    ☐ What the recipient is prohibited from doing with the information

☐ Process for obtaining informed consent from parent and/or child to disclose information

    ☐ Universal consent form including the following elements:

        ☐ Individual whom the information concerns

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1. This checklist was developed based on the following publications: *Models for Change Information Sharing Tool Kit* (Child Welfare League of America and Juvenile Law Center, 2008); *Protecting Youth from Self-Incrimination When Undergoing Screening, Assessment and Treatment Within the Juvenile Justice System* (Juvenile Law Center, 2007); and *Guidelines of Juvenile Information Sharing* (Office of Juvenile Justice and Delinquency Protection, 2006).

- ☐ Identity of the disclosing agency
- ☐ Identity of the recipient agency
- ☐ Details of the information to be disclosed
- ☐ Purpose of the disclosure
- ☐ What the recipient can and cannot do with the information
- ☐ Expiration date or event
- ☐ How individual can revoke consent
- ☐ Date and signature of individual giving consent, with a statement that he or she has the right to receive a copy of the consent
- ☐ Verbal and written notice to parent and child of
  - ☐ Why they are being asked to authorize the disclosure
  - ☐ How the receiving agency can and cannot use the information
  - ☐ Their options to refuse consent or revoke consent at a later date
  - ☐ The grievance procedure they can use if they think information was improperly disclosed (see next bullet)
- ☐ Consumer protections
  - ☐ Grievance procedure for children and their families for improper disclosures of information
  - ☐ Protocol for children and their families to see their records and request correction of inaccurate information in them
- ☐ Circumstances in which participating agencies may or must disclose information without first obtaining consent from the parent and/or child
- ☐ Training of personnel in participating agencies on the MOU
  - ☐ Individuals (by title) or departments within the relevant participating agency responsible for conducting the trainings
  - ☐ Training calendar – how often trainings will be offered to deal with staff turnover
- ☐ Duration of the MOU (expiration date or event)
- ☐ Signatories to the MOU
  - ☐ Has legal counsel for each agency reviewed and approved the MOU?