

SART Case Review MOU Template and Example

DRAFT

INTRODUCTION

A Memorandum of Understanding (MOU) is a helpful tool for recording agreements about a SART's priorities for case review, the scope of that case review work, and the various confidentiality and other legal requirements team members have with it.

The following Template and Example MOUs suggest approaches to MOUs. You should adapt them as suits your SART's needs.

Please reach out to SVJI's technical assistance team at SVJI@mncasa.org or VRLC's technical assistance team at TA@victimrights.org with any questions you may have about SART MOUs.

MOU TEMPLATE

I. Introduction

A brief statement of why you are entering into an MOU. You might include the SART's mission, vision, and scope of work.

II. Relevant law that affects the MOU

SARTs may want to identify laws that inform their case review work near the beginning of an MOU so team members know any legal bases for their MOU agreements, especially those that focus on confidentiality and privilege. If your SART decides to identify such laws, you might include the following:

- a. If you have victim service providers on the SART who receive VAWA, VOCA, and/or FVPSA funding: The VAWA, VOCA, and/or FVPSA confidentiality provisions.
- b. For professionals who have legally established confidentiality and privilege requirements: Those provisions.¹
- c. For professionals who have mandatory or permissive reporting requirements: Those laws. Note: Victim service providers who receive VAWA, VOCA, and/or FVPSA funding only may report when required to do so by the relevant statutes.
- d. If the SART anticipates that they will serve certain groups of people (e.g., students or people living in facilities such as juvenile or immigrant detention, or assisted living, the SART might include laws that come into play when they

¹ VRLC has jurisdiction-specific resources that can help you identify the mandatory reporting and victim-advocate privilege laws, etc. that might be referenced here. You can contact us at TA@victimrights.org.

review cases (e.g., guardianship statutes, the Clery Act, Title IX, the Prison Rape Elimination Act).

III. Agreements

You will have determined these SART agreements as you went through the process described previously in this Handbook. Record them here.

IV. Signatures

Signatures will indicate buy-in for the MOU terms. The best approach might be to include the names, roles, and contact information for each signatory. Given turnover and that more than one person might represent an agency or organization, for example, including where someone works indicates that the signer is acting on behalf of the broader entity. Signatures should include the date when signed.

NOT FOR DISTRIBUTION

MOU Template Example

This (fictitious) Memorandum of Understanding (MOU) records the expectations and agreements for our work together on the Our County SART. The mission of our SART is to significantly reduce the incidence of sexual assault in our county and to increase the strength of the response we collectively provide when sexual assault occurs. We engage in a victim/survivor-centered case review process that respects victims/ survivors and the roles we all bring to this work to end sexual violence.

Relevant Law

The following laws impact our case review work:

The Violence Against Women Act (VAWA), at 34 U.S.C. § 12291, and 28 C.F.R. 90.4, requires, with certain exceptions, that Office on Violence Against Women (OVW) grantees and subgrantees do not disclose personally identifying information collected in connection with funded victim services.

The Victims of Crime Act (VOCA), at 28 C.F.R. § 94.115, also requires, with certain exceptions, that Office for Victims of Crime (OVC) state administering agencies and subgrantees not disclose personally identifying information collected in connection with funded victim services.

Title IX. Establishes who at certain schools must report sexual assault to the Title IX Coordinator and other provisions related to our SART's work

Brady v. Maryland, 373 U.S. 83 (1963). Governs prosecutors' obligations to share certain information with defendants.

Our Jurisdiction Revised Statutes §123.456: Victim-advocate privilege and confidentiality.

Our Jurisdiction Revised States § 987.654: Relevant mandatory reporting law.

Agreements

AGREEMENT 1: SART members will center on the needs of the victim/survivors of sexual assault whose cases we review. We will only review a victim's/survivor's case when we have informed consent from the victim/survivor (or their authorized agent) to do so.

AGREEMENT 2: SART members will respect all of our team members. We will ensure that they are given equal opportunities to contribute to our work. We will ensure that the confidentiality, reporting, and other privacy standards for services that each partner provides will be honored.

AGREEMENT 3: We will review this MOU before participating in the case file review.

We sign this MOU to indicate our commitment to is Agreements and as representatives of our agencies and organizations.

Bea Brave
ABC Rape Crisis Center
Date:

Iam Weiss
Our County District Attorney's Office
Date:

NOT FOR DISTRIBUTION