

What is a MOA?

MOA stands for Memorandum of Agreement and MOU stands for Memorandum of Understanding. They are both used as written agreements between two parties and are interchangeable terms.

Most often, an MOA is just a statement of cooperation or understanding about a specific or general topic between two (or more) parties and does not carry the same legal weight as a contract, signifying a relationship between parties based on trust rather than simply legal obligation.

Why use a MOA?

MOAs can clarify the roles and responsibilities of each party in a shared endeavor. A formal agreement can help build a cooperative effort by providing a shared understanding of the purpose and goals of the partnership. A MOA can serve as a guide for moving forward.

A MOA is a good way to start off a formal, recognized partnership. They can contain as little or as much obligation as both parties are willing to sign, and be as specific or general as needed. In the end, even a general and short MOA can be the start of working towards a more meaningful relationship or goal. As a community, the more MOA's and letters of support you can show funding agencies and other potential partners, the better. MOAs and demonstrated partnerships will help to bring you the services or funds that you lack for the work you want done.

However, regardless of how an MOA is used, without the standard contract terms and conditions, MOA's do not offer the same legal assurances or protections. Is there is a substantial obligation that is being committed to that involves a significant amount of funds or services? Is there distrust or different goal motivations between the signers? If you answered yes to these questions, then you should consider a standard contract or MOA with the full range of standard contract terms and conditions.

Steps to write an MOA¹

- 1) Meet with all interested parties and the key stakeholders involved in entering into the memorandum of agreement.
- 2) Identify common goals and plans, as well as each party's agenda that may differ from the common purpose. The goals should be clear as well and have an indicator of when it has been reached.
- 3) Define the roles of each party in working towards the goal. The quantity and quality of resources contributed by each party should be viewed as fair and equitable by all those involved taking advantage of the unique resources, skills, and knowledge of the partnership's members.
- 4) Set a timeline and processes for modifying the MOA. This allows each involved party to track progress toward meeting goals. Additionally, changes to roles or activities may need to be made to reflect the reality of conditions once the project is started.
- 5) Circulate the draft MOA with all of the information decided on to all the parties involved. Allow appropriate time for each party to review and propose specific changes where needed. After all involved parties agree upon the final draft, have a representative from each involved group sign the memorandum.



¹ Quality in Linking Together Early Education Partnerships (QUILT) Project. (2002). *A Checklist for developing a Partnerships Agreement/Contract*. Retrieved from <http://nccic.acf.hhs.gov/quilt/checklist.html>.

CONTACT US

We welcome your feedback, questions, thoughts and suggestions.

Urban Indian Health Insitutue | PO Box 3364 Seattle WA 98114
Phone: 206.812.3030 | Fax: 206.812.3044 | Email: info@uihi.org
www.uihi.org