



## Snohomish County Council

**Committee:** COW  
**ECAF:** 2023-0335  
**Ordinance:** 23-030

**Analyst:** Nicole Gorle  
**Date:** April 10, 2023

### **Consideration:**

Authorize the Executive to execute a common interest, non-disclosure and joint defense agreement with the Snohomish Health District.

### **Background:**

The Snohomish Health District was incorporated into the County on January 1, 2023, and is now the Snohomish County Health Department. One of the agreements executed to effectuate this transition was a common interest, non-disclosure and joint defense agreement with the Snohomish Health District. This agreement allowed the County and the Health District to share information, including information that is privileged from disclosure to third parties as a result of attorney-client privilege, the attorney work product doctrine, the work product doctrine, the joint defense privilege, the common interest doctrine, and other laws regarding confidentiality, privileges or immunities.

While the transition has taken place, there is a need for the sharing of information to continue until the Snohomish Health District is officially dissolved (when the District can be dissolved is prescribed in RCW). The original agreement approved through Ordinance 22-030<sup>1</sup> has expired and a new agreement is necessary.

### **Current Proposal:**

*Scope:* Ordinance 23-030 approves and authorizes the county executive, or designee, to execute a common interest, non-disclosure and joint defense agreement with Snohomish Health District.

*Duration:* Until the Health District is officially dissolved under RCW.

Fiscal Implications: None

**2023 Budget:** n/a

**Future Budget Impact:** None

**Handling:** .Normal

**Approved-as-to-form:** Yes

**Risk Management:** Yes

**Executive Recommendation:** Approve

**Request:** Set time and date for a public hearing on April 26<sup>th</sup> at 10:30 a.m.

---

<sup>1</sup> <https://snohomish.legistar.com/LegislationDetail.aspx?ID=5749738&GUID=4C783BFE-70CA-420A-9192-20363FB0A8C3&Options=ID|Text|Attachments|Other|&Search=joint+defense>