



REQUEST FOR PROPOSAL (RFP)

Court Legal Services-Prosecutor

Issue date: October 15, 2025

Closing Location:

Akwesasne Court
CIA #3
101 Tewesateni Road
Akwesasne, ON K6H 0G5

OR

Email: Micaelee Horn, Acting Akwesasne Court Administrator

micaelee.horn@akwesasne.ca

Closing Date and Time:

Proposals must be received at the Akwesasne Court office prior to:

12:00 p.m. (Eastern Time) October 29, 2025

Contact:

Micaelee Horn, Acting Administrator Akwesasne Court Telephone: (613) 575-2250 ext. 1025 Email: micaelee.horn@akwesasne.ca	Cactus Cook Sunday, Director Akwesasne Justice Department Telephone: (613) 575-2250 ext. 2404 Email: cactus.sunday@akwesasne.ca
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1. INTRODUCTION

The Mohawk Council of Akwesasne, through the Akwesasne Court, invites qualified candidates to submit proposals for the provision of Prosecutor services.

Candidates must be members of either the Law Society of Ontario or the Barreau du Québec. The Akwesasne Justice Department is mandated to provide a comprehensive justice system, including legal services.

The successful candidate will be committed, energetic, and collaborative, with a strong dedication to serving the legal needs of the community. They must also demonstrate:

- Extensive knowledge of legislative development
- A solid understanding of First Nations legal issues
- Familiarity with the Akwesasne community
- Insight into the governance structure of the Mohawk Council of Akwesasne

2. BACKGROUND

The Mohawk Council of Akwesasne is a recognized Band Council under the Indian Act.¹ under the section 2. of the *Indian Act* (R.S., 1985, c. 1-5) “band” means a body of Indians (a) for whose use and benefit in common, lands, the legal title to which is vested in Her Majesty, have been set apart before, on or after September 4, 1951.

The MCA serves as the elected government for the three Canadian districts of Akwesasne:

- Kawehno:ke (Cornwall Island, Ontario)
- Kana:takon (St. Regis, Quebec)
- Tsi Snaihne (Snye, Quebec)

The current Council is composed of one Grand Chief and twelve District Chiefs, with four Chiefs representing each district on the northern portion of Akwesasne.

Akwesasne is the second largest First Nation in Canada and constitutes one-third of the national on-reserve population. The MCA membership is approximately 12,000, though some individuals

¹ INDIAN ACT (R.S. 1985, c. 1-5)

are also listed with the Saint Regis Mohawk Tribal Council in the United States. The community experiences a population growth rate of approximately 3.6% per year.

Due to housing shortages, land constraints, and limited economic and employment opportunities, an estimated 1,800 Akwesasronon² currently reside off-reserve.

Unique Location

Akwesasne is a historically, geographically, politically and culturally unique community located near Cornwall Ontario.

In 1783, the Treaty of Paris, signed between the newly formed United States and Great Britain, established the international boundary between the U.S. and what is now Canada. Ignoring the claims of the Akwesasne Mohawks, the boundary cut directly through their Indigenous sovereign territory, physically dividing their lands and people.³

Today, the Canada- U.S. international boundary bi-sects Akwesasne at the 45th parallel, with the Canadian portion is further divided by the boundary between the provinces of Ontario and Quebec. These provincial boundaries meet the New York State boundary within Akwesasne.

Interestingly, this ancient community predates the existence of Canada and the United States. Akwesasne Mohawk people believe that their ancestors and predecessors have been part of this landscape since people first inhabited this region of North America.

Akwesasne Justice Department

Mission Statement: *The Akwesasne Justice Department strives to provide a comprehensive Justice System for the people of Akwesasne, utilizing principles of natural justice to empower the community to safeguard collective rights, primarily, and individual rights for Akwesasronon, while remaining respectful of the community's heritage and culture.*

Providing justice and maintaining order are fundamental aspects of governance. All human societies face the tasks of resolving internal disputes, reconciling conflict, maintaining peaceful relationships within the community, and regulating community member behaviour.

First Nations governance systems differ significantly from Western models. Rather than emphasizing adversarial processes and punitive outcomes, Indigenous systems often serve as centers of healing, harmony, and restorative justice. While some First Nations systems may include punitive elements, the emphasis is placed on:

² Akwesasronon: Persons of Akwesasne

³ Brimely, et al "Resurgent Justice: Rebuilding the Mohawk Justice System" Native Nations Institute for Leadership, Management, and Policy, Udall Center for Studies in Public Policy The University of Arizona, August 2007.

- Restoring peace and community harmony
- Upholding individual and collective obligations
- Strengthening interpersonal and inter-familial relationships

These values reflect a holistic approach to justice that is deeply rooted in Indigenous traditions and community well-being.

Akwesasne Justice Department

The **Akwesasne Justice Department** employs the principles of **natural justice** to empower the community in safeguarding collective rights—primarily—and individual rights for **Akwesasronon**, while remaining respectful of the community’s heritage and culture. The Mohawk Council of Akwesasne has designed a First Nation Justice System based on customary laws which incorporate traditional restorative principles in the three main responsibilities of government: Law-Making, Adjudication, and Enforcement.

The Department is comprised of several key programs and services:

- Legislative Services - responsible for developing community laws and regulations.
- The Community Justice Program - provides assistance for court proceedings through an Indigenous court worker, Gladue reports, Gladue aftercare, victim services, restorative justice, inmate services, and early parole.
- The Akwesasne Court - an inherent right court that provides adjudication of community laws, and offers mediation and court services.
- The Akwesasne Representative & Advocacy Program - delivers services to families and children living on other First Nations and across Canada, all with a commitment to preserving Akwesasne culture.

3. SCOPE OF WORK

Prosecutor services are under the direction of the Akwesasne Court Administrator within the Akwesasne Justice Department and the Mohawk Council of Akwesasne.

The Prosecutor is contracted to provide legal representation of the interests of the Akwesasne community in the Akwesasne Court. The Prosecutor will present cases to the court based on information provided by Akwesasne Mohawk Police Services and Sworn Conservation Officers to address issues pertaining to community safety.

The Prosecutor is expected to guide decisions based on sound legal advice, respecting legal rights and obligations, the cultural values of the community, the protection of Indigenous rights, and the assertion of jurisdiction and legal authority within the operations of the Akwesasne Court.

The successful candidate will:

- Provide Prosecutor services to the Akwesasne Court
- Collaborate with Duty Counsel to negotiate fair judgments that uphold community safety
- Demonstrate a strong understanding of Akwesasne laws and governance
- Show commitment to both community safety and individual needs

Prosecutor services include, but are not limited to:

- Negotiation with Duty Counsel
- Application of Akwesasne laws and cultural context
- Advocacy for community safety and restorative outcomes

Additional consideration will be given to candidates who demonstrate:

- A deep understanding of the Akwesasne community, including its historical and cultural values
- Experience working with other First Nations communities

Candidates must also possess:

- Strong prioritization and organizational skills
- Analytical and problem-solving abilities
- A collaborative mindset and ability to work as part of a team
- Excellent oral and written communication skills

STANDARDS AND WORK SUMMARY

The Lawyer, in performing their duties pursuant to a Prosecutor Agreement, is acting as an independent contractor and not as an employee of Council. As such, the Lawyer is personally responsible for their own liability, errors, and omissions insurance coverage, and for maintaining their professional status as a member of the Law Society of Ontario and the Barreau du Québec.

Without limiting the general scope of responsibilities, the Prosecutor's duties shall include:

- **Providing legal representation** on behalf of the Akwesasne community against individuals accused of violating Akwesasne community laws
- **Documenting legal issues, processes, and case activities** in a timely manner and in accordance with established procedures
- **Supporting Akwesasne Justice Department programs** by responding to inquiries related to client cases and court orders involving community members
- **Participating in training presentations** on legal matters and procedures for Mohawk Council authorities, boards, commissions, and tribunals involved in semi-adjudicative processes

4. DELIVERABLES

The Legal Counsel Services consultant will be responsible for providing Prosecutor services throughout the contract and for the following deliverables (note that proponents are not limited by the deliverables and may wish to expand on them):

- **Regular meetings with Duty Counsel** to negotiate fair and satisfactory agreements that balance community safety with individual rights
- **Attendance at scheduled court sessions**, with prompt notification to the Court Administrator in the event of unavoidable absence
- **Participation in orientation and training sessions** with Akwesasne Court staff, Justice Department programs, and other departments of the Mohawk Council of Akwesasne, as required
- **Demonstration of strong negotiation skills** when working with Duty Counsel at the Akwesasne Court

5. SUBMISSION GUIDELINES

LETTER OF INTEREST:

A Letter of Interest must be provided to the Akwesasne Justice Department, Attention: Micaelee Horn, Acting Akwesasne Court Administrator.

Prospective candidates must declare any conflict of interest in relation to any litigation or legal subject matters or issues, whether it be in the past, present or future; or, with any potential legal challenge or litigation that would involve the Mohawk Council of Akwesasne.

6. COMMUNICATION AFTER ISSUANCE OF RFP AND TIMELINES

Please direct questions by email to the primary contacts for this RFP:

Micaelee Horn (micaelee.horn@akwesasne.ca)

CC: Cactus Cook Sunday (cactus.sunday@akwesasne.ca)

MCA will make every effort to adhere to the following schedule:

ACTIVITY	DATE
RFP issue date	October 15, 2025
Deadline for questions for clarification via email	October 27, 2025
Answers to potential consultants' questions for clarification	October 28, 2025
Deadline to submit RFP	October 29, 2025
Selection Process	November 7, 2025
Notification of Selection	November 10, 2025
Legal Services Agreement, internal vetting process and approval	November 21, 2025
Contract signed with Mohawk Council of Akwesasne	November 28, 2025

When MCA selects a successful consultant for Prosecutor Services for the Akwesasne Court, the selection committee will negotiate and attempt to enter into an agreement with the consultant. If contract terms and conditions cannot be negotiated with the selected consultant, a contract may be offered to another bidder or the RFP will be revised for further clarification and be retendered.

7. MANDATORY SUBMISSION REQUIREMENTS

To be eligible for consideration, the Proponent must provide the Proposal in MS Word or pdf format. It must include the following:

- Brief Cover Letter;
- Proponent Profile with full legal name, address, telephone and email contact information, description of company, evidence of proven track record;

- Narrative description of key personnel and qualifications of all individuals proposed for performing services, including the extent and nature of their roles for the services needed;
- Statement of relevant experience, description of proposed approach, including a history of the expertise in law and understanding of Prosecutorial role;
- Description of work experience with First Nation(s);
- Provisions for ensuring timelines for completion and contingencies for urgent and unexpected deadlines;
- Detailed costs for services utilized, including travel per diem, other direct costs and deliverables as well as any foreseen travel and other related costs;
- Proof of Professional Liability Insurance; and
- Proof of professional status as a licensed lawyer with the ability to practice law in Ontario with the Law Society of Ontario or the Barreau du Québec

8. INSTRUCTIONS TO PROPONENTS

To be eligible for consideration, the proposal must be received no later than:

12:00 p.m. (EST) on October 29, 2025

Email submission are to be submitted to:

- Micaelee Horn (micaelee.horn@akwasasne.ca)
- CC: Cactus Cook Sunday (cactus.sunday@akwasasne.ca)

OR

Delivered by hand/courier to one of the following locations:

Akwesasne Court	Akwesasne Justice Department
101 Tewesateni Road	15 Akwesasne Street
Akwesasne, ON	Akwesasne, QC
K6H 0G5	H0M 1A0

Any consultant, whose proposal is determined to be in the most advantageous to the Mohawk Council of Akwesasne, as determined by the AJD selection committee, will be notified in writing of its selection.

MCA reserves the right to request additional information which is necessary to assure that the consultants' competence, number of qualified employees, business organization and financial resources are adequate to perform according to the contract.

This may include, but is not limited to:

- Website and online presence
- Better Business Bureau (BBB) records
- Past client reviews
- Media or newspaper coverage
- Law Society of Ontario or Barreau du Québec status review
- References or discussions with other MCA departments

9. NEGOTIATION OF CONTRACT AND AWARD

When the Mohawk Council of Akwesasne Court selection committee selects a successful consultant for Prosecutor Services, the committee shall negotiate and attempt to enter into a Legal Counsel Services Agreement with the consultant. If the agreement terms cannot be negotiated with the selected consultant, a contract may be offered to another bidder or the RFP will be revised for further clarification and be retendered.

The selected consultant will be provided with a Legal Counsel Services Agreement that will outline the final contract for services amount. The successful consultant will be required to submit invoices to the Akwesasne Court Administrator on a monthly basis.

For greater certainty, the cost of general management, non-technical supporting services and general overhead costs are deemed to be covered in the invoice and AJD will not be subjected to additional overhead or undisclosed costs.

In addition to a submission of an Electronic Fund Transfer information; all subsequent invoices must include the following information:

1. An invoice number;
2. The name of the consultant, address and telephone number; and,
3. Services rendered for the billing time frame that outlines the various activities completed.

10. DISCLAIMER

All information distributed in connection with this RFP is confidential and is to be used solely for the purpose of preparing submissions. It may not be used for any other purpose without prior written consent from the Mohawk Council of Akwesasne (MCA). All material and information distributed will remain the property of the MCA to be used at its discretion.

All Proponents electing not to submit a proposal will dispose of any and all confidential information in a responsible manner.

Proponents will not be compensated or reimbursed for costs incurred in preparing proposals.

The Mohawk Council of Akwesasne Justice Department reserves the right to:

- Accept or reject any or all proposals submitted, if such action is deemed to be in the best interest of MCA;
- Assume no obligation, no responsibility, or liability costs incurred by the responding consultants prior to the issuance of a Legal Services Agreement;
- Negotiate a lower or alternative fee structure, or adjust the selection and prioritization of deliverables in line with the contract price, with any selected consultant;
- Waive any anomalies in proposals;
- Negotiate with any or all potential consultants;
- Modify or cancel the RFP at any time.

Proponents may withdraw their Proposal at any time prior to the Proposal closing time by submitting a written withdrawal letter to the contact persons listed.

All Proposals are irrevocable for a period of (60) business days from the closing date.

Ownership of Proposals: All Proposals, including attachments and any documentation, submitted to and accepted by the MCA in response to this RFP become the property of the MCA.

Local Preference: Preference shall be given to local Proponents where quality, service, and price are equivalent.

Confidentiality: The Proponent covenants and agrees that neither it nor its employees shall divulge, publish, or otherwise reveal either directly or indirectly any knowledge, information or facts disclosed to the bidder by reason of this Request for Proposal. All information furnished to the bidder by the Mohawk Council of Akwesasne (the “MCA”) is confidential and shall remain the sole property of the MCA and shall be held in confidence and safekeeping by the bidder for its sole use.