



REQUEST FOR PROPOSAL (RFP)

Court Legal Services-Duty Counsel

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
--	--

TABLE OF CONTENTS

1. Introduction	2
2. Background.....	2
3. SCOPE OF WORK.....	4
4. Deliverables	5
5. Submission Guidelines.....	5
6. Communication after issuance of RFP And Timelines.....	6
7. Mandatory Submission Requirements	6
8. Instructions to Proponents	7
9. Negotiation of contract and award.....	8
10. Disclaimer	9

1. INTRODUCTION

The Mohawk Council of Akwesasne - Akwesasne Court is seeking proposals from qualified candidates to provide Duty Counsel services. Interested candidates must be members in good standing with either the Law Society of Ontario or Le Barreau du Québec. The Akwesasne Justice Department has mandate to provide a comprehensive justice system, which includes access to legal services for community members.

The ideal candidate should be committed, energetic, and a team player while providing legal services to the members of Akwesasne.

The successful individual must have extensive knowledge of the legislative development process, First Nations legal issues, and 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 Mohawk Council of Akwesasne is the elected government of the three Akwesasne districts in Canada:

- Kawehnoke (Cornwall Island, Ontario)
- Kanatakon (St. Regis, Quebec)
- Tsi Snaihne (Snye, Quebec)

The current Mohawk Council of Akwesasne is comprised of one Grand Chief and twelve Chiefs, with four Chiefs representing each of the three northern districts.

Akwesasne is the second-largest First Nation in Canada and constitutes one-third of the national on-reserve population. The Mohawk Council of Akwesasne has approximately 12,000 members. Some Akwesasronon² are listed on both Mohawk Council of Akwesasne and the Saint Regis Mohawk Tribal Council membership lists. The population growth is estimated to be around 3.6%

¹ INDIAN ACT (R.S. 1985, c. 1-5)

² Akwesasronon: Persons of Akwesasne
Akwesasne Court — M. Horn

per year. Approximately 1,800 of Akwesasronon live off reserve due to lack of housing, land constraints, and economic or employment limitations.

Unique Location

Akwesasne is a uniquely intriguing community - historically, geographically, politically and culturally - 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

The Canada- U.S. international boundary bi-sects Akwesasne at the 45th parallel and the Canadian portion is further divided by the boundary between the provinces of Ontario and Quebec, which 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 the behavior community members.

A First Nation governance system is not quite the opposite of western systems. As centers of healing, harmony, and restorative justice, these systems are reconciliatory processes in contrast to Western models, which often emphasize adversarial procedures and punitive outcomes. While some First Nation governance systems are punitive in nature, the emphasis is largely on the restoration of peace and comity, fulfilling individual obligations, and nurturing interpersonal and interfamilial relations.

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.
Akwesasne Court — M. Horn

The Akwesasne Justice Department employs the principle of natural justice to empower the community to safeguard collective rights – primarily - and individuals’ rights for Akwesasnon, while remaining respectful of the community’s heritage and culture. The Mohawk Council of Akwesasne 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 consists of:

- Legislative Services - responsible for developing community laws and regulations.
- The Community Justice Program - provides assistance for court proceedings through a 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

Duty Counsel services are under the direction of the Akwesasne Court Administrator within the Akwesasne Justice Department and the Mohawk Council of Akwesasne

Duty Counsel is contracted to provide legal representation of the interests of Akwesasne community members in the Akwesasne Court. Duty Counsel will advise accused community members of their rights and provide legal advice when they appear before the Akwesasne Court.

Duty Counsel will guide decisions based on sound legal advice, grounded in legal rights and obligations, general community culture, the protection of Indigenous rights, and the assertion of jurisdiction and legal authority in the operations of the Akwesasne Court.

The successful candidate will provide Duty Counsel services to the Akwesasne Court and work with the Prosecutor to negotiate fair judgements that satisfy the need for safety within the community.

Duty Counsel will be selected based on the ability to provide legal services. Duty Counsel services include, but are not limited to: negotiation with Prosecutor, understanding of Akwesasne Laws and community, commitment to community safety and the need to protect the rights of the individual.

Consideration for Duty Counsel services will also be chosen based on the understanding and knowledge of the Akwesasne community, historical and cultural values. Work experience with other First Nation(s) is a desirable asset.

Duty Counsel must also be able to prioritize work; demonstrate analytical and problem-solving skills; demonstrate commitment and ability to work as a team member; and must possess excellent oral and written communication skills.

STANDARDS AND WORK SUMMARY

The Lawyer, in performing their duties, pursuant to a Duty Counsel 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 of Quebec.

Without limiting the generality of the Lawyer's duties and responsibilities as Duty Counsel for the Akwesasne Court, duties shall include:

- Provide legal representation of those accused of violating Akwesasne Community Laws.
- Document all legal issues, processes, and case activities in accordance with established procedures in a timely fashion;
- In addition, services are required to assist the Akwesasne Justice Department programs when responding to queries related to client cases and court orders in instances involving community members current court cases;
- Participate in the presentation of training programs on legal matters and procedures to Mohawk Council's authorities/boards/commissions/tribunals for semi-adjudicative processes;

4. DELIVERABLES

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

- Regular meetings with Prosecutor to negotiate satisfactory agreements for the accused while also protecting their rights;
- Attending court as scheduled and notifying the court as soon as possible in the event you cannot attend;

- Participating in orientation and/or training sessions with Akwesasne Court staff, program staff, and other departments of the Mohawk Council of Akwesasne, as required;
- Demonstrating strong negotiation skills when working with the Prosecutor at the Akwesasne Court;

5. SUBMISSION GUIDELINES

LETTER OF INTEREST:

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

THE PROSPECTIVE DUTY COUNSEL MUST DECLARE ANY CONFLICT OF INTEREST RELATED TO LITIGATION OR LEGAL MATTERS—PAST, PRESENT, OR POTENTIAL FUTURE—THAT MAY INVOLVE THE MOHAWK COUNCIL OF AKWESASNE. THIS INCLUDES ANY LEGAL CHALLENGES OR PROCEEDINGS THAT COULD RESULT IN A CONFLICT OF INTEREST.

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 Duty Counsel 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. The Proposal must include the following:

- Brief Cover Letter
- Proponent Profile with full legal name, address, telephone and email contact information, description of company, and 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 covering services provided, travel per diem, other direct costs, deliverables, and any anticipated travel or related expenses
- Proof of Professional Liability Insurance; and
- Proof of professional status as a licensed lawyer with the ability to practice law in Ontario (Law Society of Ontario) and in Quebec (Le Barreau du Québec)

8. INSTRUCTIONS TO PROPONENTS

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

12pm (EST) on October 29, 2025

Via Email to:

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

OR

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

Akwesasne Court	Akwesasne Justice Department
101 Tewesateni Road	45 Johnson Rd.
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 Akwesasne Court selection committee, will be notified in writing of its selection.

MCA reserves the right to request additional information which is necessary to ensure that the consultants' competence, number of qualified employees, business organization and financial resources are adequate to perform according to the contract. This may include reviewing website information, Better Business Bureau (BBB) records, past reviews, newspaper articles, Law Society of Ontario status, and 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 (EFT) information; all subsequent invoices must include the following information:

1. Invoice number
2. Consultant's name, address and telephone number
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.