

# RFP for Legal Services

The Seneca Nation of Indians has issued an RFP for legal services/Consultant for the Nation's [Surrogates Court](#). Interested attorneys are invited to submit a letter of interest, statement of qualifications, and a detailed rate and service proposal to the Court Administrator. Proposals are due Friday, April 1, 2019. The Nation plans to schedule interviews the second week of April and select the attorney by April 12, 2019. A copy of the RFP is available on the Nation's website at [www.sni.org](http://www.sni.org).

The Seneca Nation desires to enter into a contractual agreement with the selected attorney and is interested in establishing and maintaining a long-term, working relationship. Applicants should be experienced in Indian law, court procedural rules, custom and tradition, and related matters. Applicants must also include a cost for in-house training for the Surrogate Courts.

Proposals should be submitted to:

Courtney John-Jemison, Court Administrator  
Seneca Nation of Indians  
2 Thomas Indian School Drive  
Irving, New York 14081  
[courtney.john-jemison@sni.org](mailto:courtney.john-jemison@sni.org)

***Seneca Nation of Indians***  
***Surrogate Court***  
***Request for Proposal***  
***Legal Advisor***

**A. Notice** - Information provided in this request is to be used only for purposes of preparing a proposal detailing the scope and cost of providing Special Counsel legal services to the Seneca Nation of Indians Surrogate Court. It is expected that each attorney meet the conditions or specifications herein or it may be considered a rejected proposal.

Proposals are being solicited by the Seneca Nation of Indians Surrogate Court. The Nation reserves the right to accept, reject or negotiate any or all proposals or any portion thereof. Price shall not be the sole criteria for selecting an attorney. Rather, scope of available services, experiences with similar clients in similar matters, and references shall also be considered.

Requests for additional information clarifying the specifications should be directed via email to Courtney John-Jemison, Court Administrator, at [courtney.john-jemison@sni.org](mailto:courtney.john-jemison@sni.org)

**B. Introduction** - The Seneca Nation of Indians is a federally recognized, self-governing Indian Nation in Western New York State with approximately 8,500 enrolled members. The Seneca Nation is one of the original Six Nations of the Iroquois Confederacy, which also consists of the Cayuga, Onondaga, Oneida, Mohawk and Tuscarora nations. The Seneca Nation holds title to five distinct Territories, including land in Niagara Falls and Buffalo and land set aside by the 1794 Treaty of Canandaigua: the Allegany, Cattaraugus and Oil Spring Territories.

Under the Constitution of the Seneca Nation of Indians of 1848, as amended, the judicial power of the Seneca Nation is vested in two Peacemakers Courts, two Surrogates Courts, a Court of Appeals, and the Supreme Court. The forms of process and proceedings in the Surrogate Courts are as prescribed by Nation law. Surrogate Court determinations are subject to appeal to the Court of Appeals. Determinations of the Court of Appeals are subject to appeal to the Council, sitting as the Nation's Supreme Court upon the granting of a writ of permission.

**C. General Information**

**1. Agreement** - A written agreement will be drawn up between the Seneca Nation on behalf of the Surrogate Court, as the client, and the selected legal consultant specifying the terms and conditions of the agreement.

**2. Terms** - The agreement starts upon signature(s) of acceptance until December 30<sup>th</sup>, 2019.

**3. Records** - Records, files, data and legal work product regarding the Surrogate Court, and the services provided thereto, will remain the property of the Seneca Nation.

**4. General Responsibilities** - To provide necessary legal advice and counsel to the Surrogate Court judges in supporting them in the performance of their Constitutional duties.

**5. Conflict of Interest** - The proposal must address the Attorneys policy and procedure for addressing conflict of interest issues. Selected attorney cannot represent individuals within the Seneca Nation Judiciary OR any outside jurisdiction in which there may be a potential of the matter coming before the Seneca Nation Courts or raising cross jurisdictional issues.

Any violation of this provision will result in the attorney being removed from practicing law before the Seneca Nation Judiciary for a period of one year.

**6. Compensation & Billing** - Please submit a proposal for compensation consistent with the following:

The selected attorney shall provide a monthly itemized billing statement. The statement must include a description of the subject matter of work (including case name as appropriate), the attorney, the time spent, the rate charged and the total of the amount billed for that item and shall be sent to the Cost Center Judge for approval and submits monthly billing to the Judicial Conference for payment processing. Standardized billing practice to the 10<sup>th</sup> of the hour applies; must be broken down in 10 minute increments.

Include with the proposal, an explanation of reimbursable expenses and the method for determination of cost for reimbursable expenses that would be over and beyond normal billing invoicing.

An annual "not to exceed" agreement will specify the contract amount. Any additional hourly charges for work beyond the scope of the agreement or other alternative proposals will not be considered.

**D. Preparation of Proposal** - Three copies of the proposal must be submitted. The total proposal shall include all costs associated with services provided by the Attorney. Proposals are to clearly indicate all costs and the basis for their determination.

#### **E. Procedures for Submission of Proposals**

All proposals are to be submitted to the address indicated below no later than Monday, April 1, 2019. The Nation may reject any proposal that is received after the specified date and time.

**F. Period of Validity** - All proposals must remain valid for a period of 120 days after the due date specified.

**G. Consideration of Proposal** - The Surrogate Judges and one member of the Seneca Nation Judicial Conference shall review and consider the responses to this request for proposal on behalf of the Seneca Nation. The Seneca Nation reserves the right to reject any or all proposals.

**H. Proposal Format** - The Proposal should include a discussion of your understanding of the scope of the legal services required. Please include in your proposal the following:

1. A short summary of why you should be selected.
2. Resume of the primary.
3. Resumes of any others who may work on matters before the Nation's Courts the Surrogate Courts specifically.
4. A representative list of Indian Nations that your firm represents.
5. A brief synopsis regarding each suit, claim or grievance brought against the applying attorney since June, 2008.
6. The physical address, email address, and telephone number of the Attorneys main office and any branch offices that may be involved in providing the services.
7. Names, addresses, phone numbers, and contact persons for any Indian Nation Clients for which legal services are or have been provided and which may be contacted as references.

**I. Acceptance of Proposal** - The Seneca Nation anticipates that it will enter into a fully executed agreement with the selected Attorney by April 12, 2019, (at which time the selected attorney will be required to provide evidence of professional liability insurance).