



GOVERNMENT AFFAIRS OFFICE

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REQUEST FOR PROPOSALS – PROSECUTION LEGAL SERVICES

1. Background

The Pueblo of Laguna seeks proposals from any law firm (large or small) or individual practicing attorneys that can demonstrate proficiency in practice areas of adult criminal prosecution or presentation of delinquency actions against juveniles. The Pueblo of Laguna, a federally-recognized Native American tribal government (“Pueblo”), is a rural community of approximately 4,000 located in west central New Mexico, approximately 40 miles west of Albuquerque. The Pueblo Court is a two-minute drive from Interstate-40 at Exit 114. Pueblo Court arraignments and pre-trial conferences are generally scheduled on Mondays and Thursdays. Pueblo laws and rules of procedure are accessible by Internet. Pueblo Court judges and Pueblo defenders are NM licensed attorneys. Pueblo Court can, and often does, conduct hearings via teleconference and other virtual meeting platforms due to precautions against COVID-19.

2. Purpose and overview

The purpose of this RFP is to identify a panel of pre-qualified firms and individual practitioners with necessary demonstrable experience to receive engagement contracts from the Pueblo for this calendar year. Contractors may be assigned one or more cases on short notice to prosecute individual Pueblo residents where the full-time Prosecutor or another assigned attorney has a conflict of interest or is otherwise unavailable for Court proceedings. Contracts may be renewed each year without further solicitation upon satisfactory performance. Receiving an engagement contract does not guarantee case assignment(s) and the volume and timing of case assignments will vary according to circumstances. This solicitation does not affect existing retainer agreements for similar services.

3. Responsibilities

A Prosecuting Contractor shall provide competent, judicious, and ethical prosecution and enforcement of Pueblo law, as assigned by the Pueblo Prosecutor or Government Affairs Director, (a) in criminal cases against adult defendants, or (b) in the presentation of juvenile delinquency actions against minors over which the Pueblo has jurisdiction. Assignments occur when the Pueblo’s Prosecutor or other assigned attorney has a conflict of interest or is unavailable. Responsibilities shall include consultation with, and advocacy on behalf of, victim (if any) and citing or investigating laws enforcement officer(s), in the Pueblo Court at all stages of legal proceedings. The Contractor reviews or drafts case related documents such as complaints, motions, orders, memorandums, sentencing reports, probation reports, Pueblo law, written opinions from the Pueblo of Laguna Court of Appeals, and appellate courts of other jurisdictions,

and any other material that might be relevant to competent representation, including medical or business records. The Contractor also conducts interviews of victims or witnesses and reviews evidence in preparing a prosecution/presentation or resolution of assigned cases before the Pueblo Court.

4. Requirements

Attorney at law admitted and in good standing to practice law in any State, the District of Columbia, or any Pueblo or Tribal Nation, plus experience in prosecuting criminal cases and/or presenting juvenile delinquency actions against minors. Selected contractor must provide a W-9, provide a certificate of professional liability insurance, and timely apply for and be admitted by the Pueblo Secretary to practice in Pueblo Court under Title V, Chapter 3 of the Pueblo of Laguna Code. The annual admission to practice fee is \$100 per calendar year.

5. Preference

Preference in contracting shall be afforded to law firms owned by Pueblo members or other Native Americans, except those that have demonstrated poor performance, in accordance with Pueblo Fiscal Management Policies, Part VII, Section 5.

6. Proposal Information Required

- a. Indicate the relevant practice area(s) you or your firm is interested in serving as conflict/substitute prosecutor (e.g., adult criminal, juvenile delinquency).
- b. For each practice area, list the attorney(s) that will be assigned and provide a description of the relevant experience of each.
- c. Identify the primary contact person for assignment/representation matters and for billing matters.
- d. State proposed compensation and payment terms for cases assigned in the relevant practice areas to which the proposal applies.

7. Submission of Proposals

There is no closing date on this RFP. **Any proposal will be considered when received.** Submit responsive proposals as a PDF document attached to an email with subject line “**RFP – Prosecution Legal Services**” transmitted to James Burson, Government Affairs Director, at jburson@pol-nsn.gov. Call 505-552-5781 to obtain additional information or clarification regarding this solicitation.