

# Request for Proposals

Proposal Due Date:

April 22, 2019 by 4:00pm

Issued by:

Makah Tribal Council

P.O. Box 115

Neah Bay, WA 98357

March 22, 2019

#### Introduction:

The Makah Tribal Council invites proposals for interested parties to contract with the Makah Tribe to provide judicial services by acting as an Appellate Justice for the Makah Tribal Court in accordance with the Makah Tribe's Law and Order Code and Appellate Code.

#### Background:

The Makah Tribe wishes to enter into a contract with a licensed attorney to act as an Appellate Justice of the Makah Tribal Court.

#### Scope of Work to be Performed:

- Serve as an Appellate Justice for the Makah Tribal Court;
- Preside over, hear and resolve appeals of decisions of the Makah Tribal Court involving criminal, civil, juvenile and traffic cases as assigned by the Court Administrator within the jurisdiction of the Makah Tribal Court;
- Review the Makah Tribal Court record, conduct legal research and issue written decisions of appeal within the timelines established by tribal law and within a reasonable time, generally 30 days except where the record is unusually large or complicated;
- Comply with contractual and personnel requirements;
- Strictly adhere to the Makah Code of Judicial Ethics, the Makah Law and Order Code, applicable court rules, and applicable bar regulations and ethics requirements; and
- Keep court records and other records as may be required.

#### Qualifications and Experience:

The selected candidate must meet the following minimum qualifications:

- Preference is given to those that are an enrolled member of a federally recognized Indian Tribe;
- Must be a graduate of an ABA accredited Law School;
- Must be a member in good standing of a State Bar Association, Washington preferred;
- Have no less than five (5) years' experience as a licensed attorney;
- Experience and/or practice in the field of Indian law and demonstrated experience with the concepts of federal Indian law, tribal law and principles of tribal sovereignty and jurisdiction;
- Ability to solve legal matters, issues, problems and questions and deal with a variety of legal cases. Ability to effectively communicate, present information and respond to

legal issues, matters and questions in connection with and furtherance of the performance of the duties and responsibilities;

- Must be competent to perform all duties of the position; be of good moral character, high integrity, emotionally stable and mature, committed to equal justice under the law, patient and courteous, and capable of deliberation and decisiveness;
- Ability to read, analyze, interpret, and apply in written form the Tribal laws, and applicable State and Federal laws (e.g. codes, statutes, rules, regulations, case law and other legal and professional documents, journals, periodicals, reports, business correspondence, and manuals);
- Must not have been convicted of a felony or misdemeanor crimes involving dishonesty, moral turpitude, or ever been disbarred by any jurisdiction.

#### Proposal Format and Content:

1. Cover Page: Including the Request for Proposal title, due date, name, address, telephone number and email address for the candidate.
2. Resume: Qualifications and Experience: This section will contain a description of the professional qualifications experience and special expertise of the individual, with particular focus on the candidate's experience in tribal laws and ordinances and applicable State and Federal laws.
3. Past Record of Performance: Candidate should include the names and telephone numbers of three tribal governments that can provide references regarding appellate performance.
4. Conflict of Interest: The candidate must disclose any potential conflict of interest they might have if they accept an appellate position with the Makah Tribe, including but not limited to familial, personal or professional relationships with elected officials of the Makah Tribe, the Chief of Neah Bay Public Safety Department, and/or the Chief Judge or any associate judge of the Makah Tribal Court, and/or employees of the Makah Tribe's Prosecutor's office and Public Defender's office.

#### Evaluation

The Makah Tribe will review the qualifications of the applicants, and may interview highly qualified candidates. In making a selection, the Makah Tribe shall give preference to qualified candidates who:

1. Have more formal education and experience in the legal profession, particularly in the areas of appellate review and tribal and federal Indian law.
2. By interview have shown that they are familiar with the Makah Tribe's Constitution and Makah Law and Order Code.
3. Have demonstrated a thorough, authoritative, and researched appellate decisions by submitting examples of their written appellate decisions. Any such example must be a public record.

If the candidate for the Makah Appellate Justice is appointed by the Makah Tribal Council, the candidate will be required to take an oath of office by the Chief Judge of the Makah Tribal Court.

Questions:

Questions regarding this RFP may be addressed to Leanne Ellis, Court Administrator, [leanne.ellis@makah.com](mailto:leanne.ellis@makah.com) or Sharon Kanichy, Assistant General Manager, [sharon.kanichy@makah.com](mailto:sharon.kanichy@makah.com).

Instructions for Submission of Proposals

Please submit clearly marked **Makah Appellate Justice RFP** sealed bids either in person or by mail on or before April 22, 2019 at 4:00pm PST to:

Makah Tribe  
Attn: Laurette Venske  
161 Resort Drive / P.O. Box 115  
Neah Bay, WA 98357