



Job Description Tribal Prosecutor

Summary: The Lower Elwha Klallam Tribe is dedicated to fully exercising its sovereignty to prevent and reduce criminal activity and victimization on the Reservation through vigorous and effective investigation and prosecution of crimes combined with effective use of traditional healing and cultural services provided to victims and appropriate corrective action for offenders. The Tribal Prosecutor is a critical partner in advancing these goals while identifying and addressing associated threats to the political, social, and cultural integrity of the Tribe relating to tribal justice and victimization.

Overview: This staff member works with the Elwha Public Safety Commission, the Tribal Police Department, the Indian Child Welfare Program, the Probation Office, the Lower Elwha Housing Authority, and other tribal agencies to help assess tribal interests and provide vigorous and effective prosecution of crimes, juvenile delinquency and status offenses, child abuse and neglect, fish and wildlife offenses, civil exclusion matters, traffic offenses, and other appropriate civil offenses occurring within tribal jurisdiction. The prosecutor also provides legal support to the Tribal Police Department, ICW, Probation, Domestic Violence Program, and other tribal agencies in submitting and supporting their cases in Tribal Court. The prosecutor will also work with the Office of General Counsel to provide strategic planning support and assistance on tribal justice and victimization issues.

Location: Lower Elwha Klallam Justice Center
Supervised By: General Counsel
Work Schedule: Monday – Friday, 40 hours per week
Salary Level: D.O.E.
Position Status: Regular, full-time with benefits

ESSENTIAL FUNCTION STATEMENTS—The Tribal Prosecutor will administer the prosecution unit for the Lower Elwha Klallam Tribe, including:

- Represent the Tribe in prosecution of adults committing criminal acts within tribal jurisdiction;
- Represent the Tribe in prosecution of juveniles committing delinquent acts or status offenses within tribal jurisdiction;
- Represent the Tribe in civil prosecution of child abuse and neglect occurring within tribal jurisdiction;
- Represent the Tribe in ICWA proceedings, drafting notices of intervention and other actions as provided under federal law;
- Represent the Tribe in civil prosecution of traffic offenses, fish and wildlife offenses, exclusion matters, vicious dog offenses, and other civil offenses occurring within tribal jurisdiction as well as quasi-prosecutorial matters in Tribal Court;
- Advise the Tribal Police and ICW in investigation, evaluating evidence, case preparation and preparation of legal pleadings including subpoenas, search warrants, arrest warrants, and pick-up-orders;
- Draft written complaints, motions, proposed orders, legal briefs, jury instructions, sentencing recommendations, and other legal documents as appropriate;

- Work with and refer cases, as appropriate, to the U.S. Attorney's Office for federal prosecution or the Clallam County Prosecutor's Office for state prosecution of non-Indian offenders;
- Assist in developing and improving the Tribe's criminal justice system, including code development;
- Conduct all necessary case preparation before Tribal Court hearings and trial;
- Argue and present cases as appropriate in Tribal Court and appeals therefrom;
- Advise and assist the Tribal Police Department, the Elder's Panel, the Child Protection Team, the Elwha Public Safety Commission, the Domestic Violence Program, and other tribal agencies in developing and drafting codes, protocols, responses to victimization issues, and other matters implicating tribal justice on the Reservation;
- Serve as Special Assistant U.S. Attorney to prosecute cases in federal court as appropriate;
- Train and consult with the Tribal Police and other agencies as appropriate regarding tribal justice and victimization issues;
- Attend legal seminars, tribal trainings, and meetings as appropriate and necessary to serve the Tribe's interest and to maintain professional license;
- Respond to calls from victims, concerned family and friends, and service providers;
- Foster organizational and infrastructure development;
- Assist in a variety of department operations; perform special projects and assignments as requested;
- Present and explain key policy issues regarding tribal justice and victimization;
- Prepare and distribute education and outreach materials;
- Assist in organizing or attending community events, forums, and trainings;
- Ensures the availability of 24-hour legal support services to Tribal Police and ICW.
- Other duties as assigned.

KNOWLEDGE, EXPERIENCE, SKILLS, AND ABILITIES REQUIRED BY POSITION:

Requirements –

- Knowledge of all relevant aspects of tribal law, federal law, and any state law relevant to Tribal Court proceedings;
- Respect for the culture and traditions of the Lower Elwha Klallam Tribe;
- Willingness to abide by confidentiality policies;
- Ability to display a high degree of professionalism while keeping difficult situations in proper perspective;
- The mental ability to deal with a variety of emotions and frustrations in a fast-paced, crisis-oriented environment;
- Adaptability and flexibility in working with a wide variety of people;
- Ability to communicate and provide verbal feedback in a professional manner;
- Ability and willingness to cooperate and collaborate with agencies from other jurisdictions as well as other tribal agencies;
- Ability to resolve problems, handles conflicts, and makes effective decisions under pressure.

Preferences –

- Experience working with and in tribal courts in the United States;
- Knowledge of the culture and traditions of the Lower Elwha Klallam Tribe, or other Tribes with similar culture and traditions;
- Knowledge of prosecution best-practices for both civil and criminal cases;

- Experience in providing training to tribal agencies and tribal members;
- Experience in drafting tribal codes;
- Experience as an attorney in state or federal court proceedings;
- Knowledge of outside agencies for necessary referrals and data collection.

PHYSICAL REQUIREMENTS:

- Ability to sit, stand, bend, reach, climb stairs;
- Ability to lift up to 30 pounds;
- Ability to operate standard office machines such as, computers, fax machines, copiers, calculator, and telephones.

OTHER CONSIDERATIONS:

- Must be able to comply with the Tribe's Drug-Free Workplace policy
- Must be able to follow directions and guidelines

As with all positions of the Lower Elwha Klallam Tribe, this position has Indian-preference in hiring, in accordance with P.L. 93-638

OPENING DATE: September 5, 2012 **CLOSING DATE:** September 19, 2012

CONTACT: Employment Services Department
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