NORTHERN CHEYENNE TRIBE
OFFICE OF THE PROSECUTION
JOB ADVERTISEMENT
2010

POSITION: Chief Prosecutor

DEPARTMENT: Office of the Prosecution

ACCOUNTABLE TO: Tribal President, Northern Cheyenne Tribe

OPENING DATE: May 5, 2010

CLOSING DATE: May 14, 2010

How To Apply: Submit a completed application, (3) three letters of references and/or recommendations, copy of current Montana State Driver’s License and current credentials to the Northern Cheyenne Tribe, Human Resources, P.O. Box 128, Lame Deer, MT. 59043 All documentation must be attached to application to be considered.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

SUMMARY OF WORK: The incumbent is responsible for the executive and administrative control of the Tribal Prosecutor’s Office, as well as prosecuting crimes committed within the Northern Cheyenne and its boundaries, and prosecuting juvenile delinquency and minor child in need of care petitions.

DUTIES:

1. Provides oversight of the Prosecutors Office; the Chief Prosecutor will supervise the work of one or more Deputy Prosecutor as well as supervise support staff and direct their work; establish operating budgets, funding proposals and budget modifications and/or amendments; takes corrective actions as necessary to ensure continuity of office operations.

2. Represents the Northern Cheyenne Tribe in criminal, traffic juvenile offense and child welfare proceedings before the Tribal Court, investigate, prepare and prosecute cases in Tribal Court.

3. Prepare and file charging instruments in Tribal, State and/or Federal Courts as necessary; appears in court on all arraignments, preliminary hearings, trials and sentence hearings; protects the rights and property of all persons within he jurisdiction of the Tribal Court, may also appear in State courts regarding matters involving member children (Children...
Welfare Act cases), and/or in the United States in Federal Court in relation to cases occurring on the Northern Cheyenne Reservation which fall within the jurisdiction of the Federal courts.

4. Assists the Deputy Prosecutor(s) with cases that are unusual especially difficult or of a sensitive nature.

5. Confer with defense attorneys and/or witness/victims and negotiate agreements when it is in the best interest of the Tribe.

6. Train, assist and advise the Tribal Police in the prosecution of criminal cases including preservation of evidence, investigations, and civil rights, and the preparation and execution of requests for arrests and search warrants; where relevant, train other tribal staff regarding criminal and juvenile procedures; interview police officers and other agencies and/or witnesses presenting evidence for the Tribe to ascertain that the evidence is complete.

7. Advise and consult with the Northern Cheyenne Tribal Court and the Law and Order Task Team regarding the function and development of the tribe’s criminal justice system; advise and consults on the revision and amendment of the Criminal and Children’s Ordinances as needed, working with the Office of General Counsel.

8. Work closely and cooperatively with the Department of Social and Behavioral Health, the Domestic Violence Program, and other agencies in devising and obtaining treatment for defendants, victims and their families, where appropriate, especially in juvenile cases.

9. Work closely and cooperatively with the BIA, the FBI and U.S. Department of Justice in ensuring that felonies committed on the reservation are adequately prosecute in federal court and/or tribal court, work closely with other local law enforcement and prosecution agencies to ensure that criminal cases are processed properly and agencies have access to cross-training regarding Northern Cheyenne Tribal Courts and laws.

10. Keeps abreast of legislation and case law directly or indirectly affecting tribal court operations; keeps abreast of case decisions and legislative changes and attends continuing Education seminars/training.

11. Performs other duties assigned or authorized by the supervisor to achieve tribal goals and objectives.

**COMPLEXITY:** The Chief Prosecutor is expected to exercise a high degree of independence, initiative and professional expertise in the day to day prosecution of crimes on the Northern Cheyenne Reservation; to participate in the administrative and research function in criminal and civil areas and to supervise the Prosecutor’s Office.

**SUPERVISION RECEIVED:** General supervision is provided by the Northern Cheyenne Tribal President. When investigating pending cases and evaluating them for prosecution, the
Prosecutor functions as an independent official, with authority to withhold information form the Chief Executive Officer and other tribal staff and policy bodies when, in the judgment of the Prosecutor doing so in necessary to protect the integrity of the investigation.

**PERSONAL CONTACTS:** Contacts are with law enforcement personnel, probation officers, court personnel, victims of crime, witnesses, behavioral health providers, Northern Cheyenne Tribal departments/agencies, and the Northern Cheyenne Tribal Council.

**PHYSICAL EFFORT & ENVIRONMENTAL FACTORS:** The work is performed in a standard office environment, courtroom, and law enforcement environment and in the general community. The incumbent must be able to work under stressful conditions and may be subject to hostile environments. The work may extend beyond the normal eight (8) hour daily schedule. Moderate travel on and off the Northern Cheyenne Reservation is required.

**MINIMUM QUALIFICATIONS:**

1. **Required Education, Training and Experience:**
   
   A. **Education:** Juris Doctorate degree from an ABA accredited law school:

   **AND**

   B. **Experience:** Four (4) years legal experience with one (1) year experience in prosecution or criminal defense; one (1) year supervisory experience

2. **Required Knowledge, Skills and Abilities:**

   A. **Knowledge:**

   Knowledge of local, county, state, federal and tribal laws that relate to the criminal prosecution of suspects as well as those related to juvenile delinquency and child in need of care.

   Knowledge of judicial procedures and a thorough knowledge of the rules of evidence.

   Knowledge of the principles of jurisprudence and legal analysis.

   Knowledge of computer operations and software programs typically use in a legal setting, including Microsoft Windows, Microsoft Word, Microsoft Outlook, Westlaw or other legal research programs, Google and other software used by the legal profession.

   B. **Skills:**

   Skill in handling demanding, angry or upset individuals in a professional manner

   Skill to work effectively with a wide variety of non-legal staff and policy makers.

   C. **Abilities:**
Ability to work on multiple projects while remaining organized and meeting deadlines.
Ability to handle demanding, angry or upset individuals in a professional manner.
Ability to abide by the disciplinary rules and other requirements of the bar associations of which the attorney is a member, as well as any disciplinary rules adopted by the Tribe to govern attorney practice on the Reservation. Maintain a high level of professionalism and ethics at all times.
Ability to work effectively with a wide variety of non-legal staff and policy makers;
Ability to comply with tribal laws and administrative policies.
Ability to exercise independent judgment in resolving both criminal and civil matters concerning the Tribe and Community.
Ability to supervise and lead professional prosecuting attorneys, advocates and staff.
Ability to clearly and succinctly articulate ideas and logical analysis both orally and in writing.
Ability to meet the responsibilities and duties of the position as outlined above.
Ability to maintain effective working relationships with other employees, Tribal Officials and the general public.
Ability to perform all physical requirements of the position, with or without accommodation.
Ability to maintain a effective working relationships with others.
Agree to maintain a drug and alcohol-free workplace.

NECESSARY SPECIAL REQUIREMENTS:

1. Active membership in the State Bar of Montana, in good standing or ability to be admitted within (6) months.
2. Possess a valid Montana Drivers license
3. Complete and pass the pre-employment screening (sensitive background investigation (local & federal) and fingerprinting) in accordance with Northern Cheyenne Tribal Policy.
4. Never been convicted of a felony offense in any court, nor any offense involving moral turpitude, deceit, fraud or misappropriation of funds, or domestic violence in any court.
5. No misdemeanor charges or convictions, excluding minor traffic violations.
6. Possess or obtain within (30) days of employment a License to Practice Law in the Northern Cheyenne Tribal Courts.
7. Must agree to sign waiver for pre-employment drug testing.
8. Indian Preference, with first preference given to qualified enrolled members of the Northern Cheyenne Tribe.