



# Lac Vieux Desert Band of Lake Superior Chippewa Indians



## POSITION DESCRIPTION

POSITION:	Prosecuting Attorney
DEPARTMENT:	Lac Vieux Desert Prosecutor's Office
SUPERVISOR:	Lac Vieux Desert Tribal Council
LOCATION:	TBD
EMPLOYMENT:	FULL-TIME
SALARY:	TBD based on qualifications and experience Non-Exempt Status

## JOB SUMMARY

Under the administrative supervision of the Tribal Council of the Lac Vieux Desert Band of Lake Superior Chippewa Indians ("LVD" or "Tribe"), the Prosecuting Attorney provides criminal and civil law enforcement services to the LVD community, presents child protection matters in LVD Tribal Court. The Prosecuting Attorney will perform the duties and responsibilities of the position in a manner that is consistent with applicable ethical standards and assuring that justice is upheld according to the laws of the Tribe. Occasional travel within and outside Michigan will be required.

## PRINCIPAL DUTIES

1. Conduct pre-trial investigations of violations of the Tribe's criminal laws in cooperation with the Tribal Police Department and other Tribal authorities;
2. Exercise authority and discretion to prosecute criminal violations in the LVD Tribal Court, including arraignments, motions, trials, and appeals, or, to the extent consistent with public policy and in the public interest and subject to the final approval of the Tribal Court, negotiate and enter into plea agreements;
3. Prepare or review all requests for warrants and subpoenas issued under the authority of Tribal law to substantiate compliance with legal requirements;
4. If designated as Special Assistant U.S. Attorney, prosecute non-Indian misdemeanor violations in the federal courts;
5. In cooperation with other LVD authorities, prosecute violations of LVD and GLIFWIC conservation, environmental, and natural resource protection laws;

6. While upholding LVD sovereignty and jurisdiction, assist, cooperate and coordinate with local, state and federal law enforcement authorities as needed regarding criminal investigations and prosecutions occurring within their respective jurisdictions, particularly where crimes involving the LVD community or its members are concerned;
7. Present child protection and custody matters in LVD Tribal Court;
8. Present juvenile status offenses and delinquency matters in the LVD Tribal Court;
9. As requested, serve as a member of the LVD Child Protection Team and other Multi-disciplinary Team that may be created from time to time;
10. As directed, prepare policies and guidelines to provide proper procedures for carrying out the Prosecuting Attorney's duties and responsibilities;
11. As directed, cooperate with and assist the LVD Tribal Court and the Tribal Police Department in their efforts to improve procedure and administration within their respective agencies as pertains to the duties and responsibilities of the Prosecuting Attorney; and
12. As directed, attend legal training and continuing legal education seminars and conferences regarding subject matters directly related to the duties and responsibilities of the Prosecuting Attorney.

Except as encompassed within the scope of duties of the Prosecutor or as otherwise expressly authorized, the Prosecuting Attorney shall not provide legal advice to LVD agencies, employees, or members. The responsibilities listed above are representative of the nature and level of work assigned and are not necessarily all-inclusive. All of the duties listed above may not be assigned, nor do the examples cover all duties which may be assigned.

## **MINIMUM QUALIFICATIONS**

1. Possess a license as a member in good standing of the State Bar of Michigan or must become licensed following the next available bar exam;
2. Demonstrated high academic achievement, such as a 3.0 g.p.a. in law school or higher;
3. High level of written and oral communication skills and superior ability to advocate and persuade;
4. Ability to interact constructively with people in highly emotional and adversarial situations;
5. Exceptional ability to think on his or her feet and to identify and analyze legal issues and present legal theories;
6. Highly independent and organized and able to manage significant number of active matters simultaneously;
7. Demonstrated ability to meet deadlines;
8. Well-developed interpersonal skills and ability to work in a supportive and professional manner with other attorneys, support staff and client agencies;
9. Professional demeanor and appearance and enthusiasm for the law and public service;
10. Familiarity with basic legal concepts, tribal sovereignty and the criminal jurisdictional framework regarding tribal, federal and state authority in Indian country;
11. Thorough knowledge of and commitment to professional ethics, particularly those rules that relate to the role of the prosecuting attorney;
12. Excellent references with substantial personal knowledge of applicant's legal abilities;
13. Valid state driver's license and able to meet minimum insurance requirements in order to use GSA vehicles; and

14. Has not been convicted any felony level crime within ten (10) years preceding the date of appointment or of any misdemeanor crime within five (5) years preceding the date of appointment.
15. Must submit to drug and alcohol testing by urinalysis prior to appointment.

## **PREFERRED QUALIFICATIONS**

1. Proficiency in legal research techniques, superior electronic and library research skills, and thorough knowledge of legal and other resources;
2. Proficiency in MS-Word and other word processing and document preparation programs;
3. Demonstrated commitment to Indian affairs as shown through significant experience working with Indian tribes or in the area of Indian affairs; and,
4. Wisconsin Bar License (in addition to a Michigan Bar license).

## **PHYSICAL DEMANDS**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly required to talk or hear, stand and sit while working at his/her work station, computer terminal. The employee will regularly be required to travel to meet with the various individuals associated with criminal investigations, attend court hearings and other meetings that may require prolonged periods sitting or standing. The employee may also be required to do light lifting with various files as needed.

## **INDIAN PREFERENCE**

Indian Preference Policy: LVD will provide preference in its employment practices to persons who are members of federally-recognized Indian tribes to the extent permitted or required by law. Persons wishing to be considered under this Indian preference policy must provide a duly authorized certificate of tribal enrollment upon application.

*The above statements are intended to describe the general nature and level of work performed by people assigned to this classification. They are not intended to be construed, as an exhaustive list of all responsibilities, duties and skills required of personnel so classified. Management retains the right to add or to change the duties of the position at any time. Any qualification to be considered as equivalents in lieu of stated minimums require prior approval of the Director of Human Resources*