



Job Title: LICENSED DEPUTY PROSECUTOR

Department /Office: Hopi Tribal Prosecutor

Reports to Whom (title): Chief Prosecutor

Salary / Hourly Range: 64

Job Classification Code: 8810

Level of Background Check: 1B

FLSA Status: EXEMPT; Full-time, Part-time, Temporary

Driving Required: Yes, As Required

Revised: 04/29/2013

INTRODUCTION:

This position performs professional legal work in prosecuting criminal offenses, juvenile offenses and certain civil cases in the Hopi Tribal Courts, including legal research and preparation of Court documents; response to citizen inquiries relating to tribal court procedures and violations of Tribal laws prosecuted in Tribal Court.

KEY DUTIES AND RESPONSIBILITIES:

(The following examples of duties are intended to be illustrative only and are not intended to be all inclusive or restrictive.)

1. Represent the Hopi Tribe in criminal, juvenile offenses and minor child in need of care (Child Welfare Act cases) proceedings and other criminal and civil cases as directed by the Chief Prosecutor before the Tribal Courts; prepare and file charging instruments; effectively prep witnesses for trial; litigate court hearings, trials and sentence hearings; professionally and ethically protect the rights and property of all persons within the jurisdiction of the Tribal Court.
2. Confer with defense attorneys and / or witnesses/victims and negotiate agreements when it is in the best interest of the Tribe.
3. Assist and advise the Hopi Law Enforcement in prosecution of criminal/civil cases including preservation of evidence, investigations, and civil rights; prepare and execute requests for arrest and search warrants; where relevant, train law enforcement other tribal staff regarding criminal and juvenile procedures; communicate with police officers and other agencies and/or witnesses presenting evidence for the Tribe to ascertain that the evidence is complete.
4. At the direction of the Chief Prosecutor, consult on the revision and amendment of the Criminal and Children's Code as needed.
5. Work closely and cooperatively with the Department of Social and Behavioral Health, the Hopi Tribal Social Services Program, the Domestic Violence Program, Public Defender's Office and other agencies in devising and obtaining treatment for defendants, victims and their families, where appropriate, especially in juvenile cases.
6. As directed, work closely and cooperatively with the BIA, the FBI and U.S. Department of Justice in ensuring that crimes committed on the reservation are adequately prosecuted in Tribal court and/or Federal court; work closely and cooperatively with other local law enforcement and prosecution agencies to ensure that criminal cases are processed properly.
7. Keeps abreast of legislation and case law directly or indirectly affecting tribal court operations; keeps abreast of decisions and legislative changes and attend Continuing Legal Education seminars as directed by supervisor.
8. The Licensed Deputy Prosecutor may supervise staff positions at the direction and discretion of the Chief Prosecutor, and may direct the work of some support personnel staff.
9. Performs duties as assigned or authorized by the supervisor to meet Tribal goals and objectives.

PERSONAL CONTACTS:

Contacts are with law enforcement personnel, probation officers, court personnel, victims of crime, witnesses, behavioral health providers, Hopi departments/agencies, village governments and defense attorneys or lay advocates for professional purposes only.

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. The work may extend beyond the eight (8) hour daily schedule. Moderate travel on and off the Hopi Reservation is required.

MINIMUM QUALIFICATIONS:

1. Required Education, Training and Experience:

- A. Education: Juris Doctorate, from an ABA accredited law school;

AND

- B. Active Membership in the State Bar of any state and in good standing.

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 children in need of care
- Knowledge of judicial procedures and a thorough knowledge of the Federal rules of evidence
- Knowledge of the principles of jurisprudence and legal analysis
- Knowledge of computer operations and software programs typically used in a legal setting, including Microsoft Windows, Microsoft Word, Microsoft Outlook, Westlaw or other legal research programs
- Knowledge in Google and other software commonly used by the legal profession

B. Skills

- Skill in understanding and effectively working with the socio-economic realities existing on Indian Reservations
- Skill in working effectively with a wide variety of non-legal staff and policy-makers
- Skill in litigating misdemeanor and/or felony criminal cases
- Skill in effectively litigating jury trials

C. Abilities:

- Ability to work on multiple projects while remaining organized and meeting deadlines
- Ability to abide by the disciplinary rules and other requirements of the bar associations of which the incumbent is a member, as well as any disciplinary rules adopted by the Hopi 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 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 research and write trial level and appellate level briefs
- 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 communicate the law and complex ideas in a manner understandable to laypersons
- Ability to agree to maintain a drug and alcohol-free workplace
- Ability to maintain effective working relationship with others;

NECESSARY SPECIAL REQUIREMENT:

1. Possess and maintain a valid Arizona Driver's License and satisfactorily complete/pass the Hopi Tribe's Defensive Driving Course.
2. Possess or obtain within 5 days of employment a License to Practice Law in the Hopi Tribal Courts and maintain such license.
3. Must complete and pass the pre-employment screening (sensitive background investigation (local & Federal) and fingerprinting) in accordance with Hopi Tribal Policy.
4. Must never have 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.

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