

Menominee Indian Tribe of Wisconsin

PROSECUTOR

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Job Description Minimum Salary Negotiable

GENERAL DESCRIPTION OF DUTIES

Under the general direction of the Tribal Chairman, the purpose of the position is to interview witnesses and prepare them for trials, continuing ongoing investigations, preparing criminal cases for trial, presenting criminal cases in trials, rendering legal advice and assistance to local law enforcement officials, and litigating cases before Tribal Court.

EXAMPLES OF ESSENTIAL FUNCTIONS

- Perform the duties as enumerated under Section 11.50 and with the authority as enumerated under Section 11.60 of the Tribal Government Plan, Ordinance 95-04.
- Prepare and file criminal complaints against individuals violating Tribal Law within the Menominee Tribal Court jurisdiction.
- Appear as Prosecuting Attorney for the Menominee Indian Tribe in all criminal matters within Menominee Tribal Court jurisdiction.
- Prosecutes violations of traffic laws and other civil ordinance violations within the jurisdiction of the Menominee Tribal Court.
- Appears as Prosecuting Attorney for the Menominee Indian Tribe in matters related to adopted Wisconsin Chapters, 48, 51, 55 and 880.
- Reviews police incident reports for prosecutive merit and refers such reports, where appropriate, to the proper authorities for further investigation.
- Advises and directs Tribal Police in criminal investigations.
- Assists and advises Tribal Police in obtaining search warrants and procedures for the execution and return.
- Cooperates with and assists, where appropriate, Federal Law Enforcement Agencies, Federal Prosecutors and other public criminal justice agencies.
- Initiate criminal investigations in the interest of justice as needed.
- Confers with law enforcement officers concerning the progress of various investigations.
- Researches legal authorities, drafts appellant briefs and argues appeals before the Menominee Tribal Supreme Court.
- Interviews witness and prepare cases for trial.
- Presents information and testimony as necessary for sentencing hearings.
- Hires, trains, supervise and delegates work to the Assistant Prosecutor and other subordinate staff.
- Prepares written and oral reports to the Tribal Legislature and Bureau of Indian Affairs as required.
- Performs related duties as directed.

MINIMUM TRAINING AND EXPERIENCE

Must have a degree from an accredited school of law, plus membership and good standing in any state bar or the District of Columbia Bar and must be able to become a member of the

Wisconsin State Bar within one year of hire. Must become a member of the Menominee Tribal Bar within 30 days of hire. Experience working with Tribes and/or Tribal communities preferred. Must have an exemplary work history and provide letters of reference. Must have two years of supervisory and budgetary experience. Must have demonstrated computer/software skills as evidenced by a testing process. Must have excellent writing and research skills as evidenced by a research and writing sample.

SPECIAL REQUIREMENTS

- Must submit to a background check and have no criminal convictions.
- Candidates selected for hire will be subject to a drug test and employment will be contingent of results of said test.
- Must have good moral and ethical behavior.
- Must maintain strict confidentiality.
- Must adhere to the ABA Rules of Professional Conduct.

PERFORMANCE APTITUDES

- Data Utilization: Requires the ability to perform upper level data analysis, including the ability to hypothesize, theorize and assimilate, to modify or adapt existing policies/methods to meet unusual conditions within the context of existing theories and management principles.
- Human Interaction: Requires the ability to apply principles of negotiation. Performs such in formal situations within the context of legal guidelines.
- Equipment, Machinery, Tools, and Materials Utilization: Requires the ability to operate, maneuver and/or provide simple but continuous adjustment on equipment, machinery, tools and/or materials used in performing essential functions.
- Verbal Aptitude: Requires the ability to utilize consulting and advisory data and information, as well as reference, descriptive and/or design data and information as applicable.
- Mathematical Aptitude: Requires the ability to perform addition, subtraction, multiplication, and division; ability to calculate decimals and percentages; may require ability to utilize principles of fractions and/or interpret graphs.
- Functional Reasoning: Requires the ability to apply principles of logical or synthesis functions involving planning and directing of interrelated activities or multiple departments. Ability to deal with several concrete and abstract variables in working out approaches to major problems.
- Situational Reasoning: Requires the ability to exercise the judgment, decisiveness and creativity required in critical and/or unexpected situations involving moderate risk to the organization.

BEHAVIORAL EXPECTATIONS

Must be able to work in a properly collegial relationship with co-workers. Must be able to interact with other departments within the Tribe in the spirit of compromise. Must be able to take on additional responsibilities in a spirit of cooperation and teamwork. Must be able to maintain an atmosphere of trust, fairness and respect and be mutually supportive with co-workers. Must be able to maintain strict confidentiality.