

## **QUINAULT INDIAN NATION POSITION DESCRIPTION**

### **POSITION TITLE: PROSECUTING ATTORNEY**

#### **JOB SUMMARY:**

The Prosecuting Attorney's Office is an in-house counsel position responsible for the Quinault Nation with administration, development and oversight for all tribal statutory designated civil and criminal prosecution, including fish and wildlife, civil, criminal, and juvenile and dependency matters. The Prosecutor's Office may also be responsible for some representation in federal court, primarily in Habeas Corpus cases, as well as coordination with federal prosecutors in the enforcement of federal law on the Quinault Indian Reservation. The Prosecutor's Office is also responsible for providing advice and training to the Nation's Police Force and other regulatory and law enforcement agencies.

### **ESSENTIAL JOB DUTIES AND RESPONSIBILITIES**

The Prosecutor prosecutes tribal members and non-member Indians who are charged with the commission of offenses within the boundaries of the Quinault Indian Reservation, as well as non-Indians who commit domestic violence offenses. In addition, the Prosecutor works closely with the Quinault Tribal Police Department and other tribal departments to protect and enhance the welfare and safety of the tribal community. The Prosecutor also participates in the negotiation and management of inter-governmental law enforcement agreements with local and state agencies.

The Prosecutor will be expected to perform the tasks and meet the standards listed below:

Manage any support staff assigned to assist the Prosecutor, ensuring that they are efficiently utilized to complete the Prosecutor's duties;

Assist with the preparation of budgetary recommendations to effect the quality and enhanced services provided by the Attorney General's Office, particularly as they related to the Prosecutor's functions;

Represent the Quinault Nation before the Tribal Court in criminal, traffic, nuisance, juvenile offense, and exclusion proceedings before the Tribal Court, as well as tribal civil and regulatory enforcement;

When the Indian Child Welfare Attorney is unavailable, represent the Quinault Nation in juvenile dependency proceedings before the Tribal Court as well as state dependency cases involving Quinault children and assert the Nation's interests under the Indian Child Welfare Act;

Represent the Nation as a Prosecutor in Tribal Court to enforce the laws and tribal court orders of the Quinault Nation; Appear in court on all arraignments, trials and sentencing

hearings, as well as handle any resulting appeals;

Engage in, or lead pretrial investigations;

Train, assist and advise the tribal Police in the prosecution of criminal cases, and the preparation and execution of requests for arrest and search warrants; where relevant, train other tribal staff regarding criminal and juvenile procedures, paying particular attention to ensuring that the civil rights of defendant's are protected;

Necessary evaluation, research and preparation of cases;

Prepare, file and prosecute or plea bargain necessary charging instruments in Tribal Court;

Assist and advise the Reservation Schools in truancy actions, Assist Quinault Staff in devising and obtaining treatment for defendants, victims and their families, where appropriate, especially in juvenile cases;

Assist and advise tribal staff in regulatory enforcement actions and in the preparation of administrative search warrants;

Protect the rights and property of all persons within the jurisdiction of the Tribal Court;

Train supporting staff and attorneys as needed to carry out the prosecutor duties;

Collect and maintain statistical data concerning types and trends related to caseloads; Reporting as assigned, to be expected on a quarterly, budgetary and annual basis. Includes development and implementation of an annual operation plan, identifying accomplishments, unmet needs and priority recommendations;

Research, develop and institute the Prosecutor's Office procedures, manuals, pleading forms, prosecutions plans and other needed materials;

Research, develop and recommend to the Attorney General enhancement of Prosecution services for areas including, but not limited to cross-jurisdictional coordination, substance abuse, domestic violence, training, fish and wildlife, outreach, juvenile delinquency, status offenses, dependency, deferral/diversion programs, probation, data collection, mediation and clinic/workshops;

Work closely with the FBI and U.S. Department of Justice in ensuring that serious crimes committed on the reservation are adequately prosecuted in federal court;

Coordinate with staff of the Office of the Attorney General and be available for and attend upon request meetings of the Business Committee and other bona fide committees, councils, and projects of the Nation;

Recommend to the Attorney General revisions and amendments to the Nation's Codes as needed;

Assist the Office of the Attorney General with public relations and legislative efforts related to law enforcement issues. Such duties include, but are not limited to committee/commission, staff, and client, public meetings to coordinate, educate or solicit information concerning prosecution laws.

Advise and consult the Office of the Attorney General regarding the function and development of the Nation's criminal justice system;

Upon request of the Attorney General:

- a. Provide written opinions on legal matters affecting the Nation;
- b. Draft recommendations for procedures, statutory and legislative changes and other legal documents;
- c. Represent the Nation before any other courts, legislative and administrative agencies;

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 Tribes to govern attorney practice on the Reservation. Maintain a high level of professionalism and ethics at all times;

Comply with tribal laws and administrative policies.

## **OTHER JOB FUNCTIONS**

Represent the Quinault Nation at national, state and local meetings/conferences to promote and explain Quinault objectives;

Act as advisor to the staff on the development and implementation of Quinault criminal codes.

Establish and maintain an effective system of communication throughout the Nation, and establish and maintain effective working relationships with others.

As relevant for enumerated duties, consult with other government representatives and agencies, business community, and private and public organizations to explore new ideas and resolve problems.

Demonstrate tact, respect, and diplomacy in working relationships.

## **JOB DEMANDS:**

Work is primarily performed in an indoor office setting for eight hours per day, five days per week. While performing the duties of this job, the incumbent must regularly talk, hear and see when communicating with the public and employees; frequently sit and occasionally stand and walk. Frequently necessary to work beyond normal office hours for evening and weekend meetings or projects. Business travel within the state and to other states may be required. Travel long distances by car or plane as required;

Position specific demands include:

Strong reasoning and aptitude to make solid judgments based on considerations for due process and community values;

Approach problem solving with analytic abilities, initiative, ingenuity and imagination;

Ability to communicate the law and complex ideas in a manner understandable to laypersons;

Patience and persuasiveness and work effectively before courts, and communicate with a wide variety of non-legal staff and policy makers;

Experience with diverse communities and Indian Country;

Work on multiple projects while remaining organized and meeting deadlines;

Navigate circumstance involving demanding, angry or upset people in dignified and professional manner;

Ability to work with minimal supervision, organize well, and handle multiple projects in a timely manner;

Ability to communicate effectively in legal pleadings and in court;

Knowledge of computer operations and software programs typically used in a legal setting, including Microsoft Windows, Microsoft Word, Westlaw, Google and other software commonly used by the legal profession;

Physical ability to do to the functions of the job, including sitting at a computer typing for long hours; handling the stress of litigation, public speaking, and high work demands; lifting large and heavy case files; driving long distances and traveling by plane; and other physical and emotional demands normally placed on attorneys;

Other duties as assigned by supervisor.

#### **MINIMUM QUALIFICATIONS:**

Juris Doctor Degree from an accredited law school;

Become a member of the Quinault Tribal Bar within 6 weeks of employment. Active membership in a federal or state Bar, in good standing, or ability to attain reciprocal admission to the Washington State bar within six months of hire;

Demonstrated motivation and leadership skills, such as participation in bar, community, extracurricular contributions; OR experience demonstrating accomplishment in the face of adversarial or challenging circumstances;

At least three (3) years experience in prosecution or criminal defense;

Demonstrated knowledge of landmark cases involving the Quinault Nation. Experience or substantive education in federal Indian law, including such topics such as tribal sovereignty and jurisdiction, and protection of tribal treaty rights;

A valid driver's license and ability to meet GSA insurance requirements;