



DEPUTY PROSECUTOR

Hopi Tribal Prosecutor

Reports To: Chief Prosecutor

Salary/Hourly Range: 62

FLSA Status: EXEMPT

VALID DRIVER'S LICENSE REQUIRED

PD Revised: 05/22/2019

INTRODUCTION

This position performs professional legal work in the investigation and prosecution of adult and juvenile criminal offenses through conviction and appeal; presentation of certain civil cases in the Hopi Family Court, including Minor In Need of Care cases; legal research and preparation of Court documents; participates as directed in specialty dockets such the Hopi Family Wellness Court and Veterans' Court; responds to inquiries from citizen and governmental offices relating to tribal court procedures and violations of Hopi Tribal laws prosecuted in the Hopi Trial Court.

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

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 throughout all phases of adult and juvenile criminal cases, including: evaluation of law enforcement investigations and filing of appropriate criminal charges; appear at initial hearings, arraignments, pretrial conferences and motions hearings; prepare for and conduct bench/jury trials, sentencing and probation revocation hearings; prepare appellate briefs and argue before the Hopi Appellate Court; professionally and ethically protect the rights, safety and property of all persons within the jurisdiction of the Hopi Courts.
2. Serve as Presenting Officer for Minor In Need of Care (MINOC) cases investigated by the Hopi Tribe Social Services Program; appear in other civil matters, including the filing and litigation of civil petitions for involuntary commitment.
3. Confer with defense attorneys, pro se defendants and / or witnesses/victims and negotiate plea agreements when it is in the best interest of the Tribe, with particular attention given to the victims of crimes, especially intimate partner or family domestic violence, and preservation of family units in juvenile offender cases.
4. Assist and advise Hopi law enforcement agencies in all aspects of investigations for criminal and civil matters handled by the Office of the Prosecutor, including, witness interviews, report writing, drafting of criminal complaints, processing of crime scenes/preservation of evidence, compliance with suspects' rights under the Hopi Code and the Indian Civil Rights Act; prepare and present requests for arrest and search warrants; , provide routine training for law enforcement other tribal staff regarding adult criminal and juvenile procedures;
5. At the direction of the Chief Prosecutor, consult on revision of the Hopi Code and Children's Code.
6. Work closely and cooperatively with the Hopi Tribe Domestic Violence Program, Hopi Behavioral Health Services, the Hopi Tribe Social Services 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.
7. 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 Federal court where appropriate; communicate with and answer questions from Hopi villages regarding law enforcement and prosecution issues of general interest on Hopi.
8. Keep abreast of legislation and case law directly or indirectly affecting tribal court cases and operations; attend seminars and other training, consultations and conferences as directed by the Chief Prosecutor or designee.
9. The 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.
10. Perform other duties as assigned or authorized by the Chief Prosecutor or designee to accomplish Tribal criminal justice goals and objectives.

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

Education: Legal education equivalent to minimum of a four (4) year degree in a law related field such as para-legal, law enforcement, or criminal justice;

AND

Experience: Two (2) years work experience in prosecution or criminal defense or related litigation experience;

OR

Any equivalent combination of Education and Experience which demonstrates the ability to perform the duties. Prior prosecution experience, or related work in a criminal justice setting, is preferred but not mandatory.

KNOWLEDGE, SKILLS AND ABILITIES

- Tribal, state, and federal laws that relate to all phases of the criminal prosecution of Indian suspects, as well as those related to juvenile delinquency and minor children in need of care under the Hopi Children's Code.
- Judicial procedures; strong knowledge of the Federal Rules of Evidence and Criminal Procedure, and the Indian Civil Rights Act.
- Principles of jurisprudence and legal analysis/reasoning.
- Basic computer operations and software programs typically used in a legal office setting, including Microsoft Windows, Microsoft Word, Microsoft Outlook, Westlaw, Lexis or other computer-based legal research programs.
- Google and other software commonly used by the legal profession.
- Hopi Culture and Tradition, and way of life, generally applicable to criminal and Hopi Family Court cases.
- The socio-economic realities typically existing on Indian Reservations.
- Fundamental social work principles applicable to Minor In Need of Care cases filed in the Hopi Family Court.
- Appear at court hearings and trials, representing the Tribe professionally, ethically and knowledgeably.
- Establish a relationship of trust with crime victims, their family members and other lay witnesses.
- Work on multiple projects and dockets while remaining organized, prioritizing matters to timely meet deadlines.
- 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.
- Work closely with tribal and other law enforcement agencies to pursue prosecution objectives, evaluate and process cases, provide training and legal advice.
- Comply with tribal laws and administrative policies.
- Exercise fair and independent judgement in resolving both criminal and civil matters concerning the Tribe and community.
- Clearly and succinctly articulate ideas and analytical reasoning both orally and in writing.
- Conduct computer-based legal research and write trial level motions, briefs and other documents typical to criminal cases.
- Maintain effective working relationships with other employees, Tribal officials and the general public.
- Perform all physical requirements of the position, with or without accommodation.
- Communicate the law and complex ideas in a manner understandable to laypersons.
- Maintain a drug and alcohol-free workplace.

NECESSARY SPECIAL REQUIREMENTS

1. Shall possess a valid Arizona Driver's License and complete/pass the Hopi Tribe's Defensive Driving course.
2. Driving is an essential function of this position. Certification to operate a tribal vehicle for business purposes requires a valid Arizona driver's license and maintaining a clear driving record to meet all necessary insurance requirements.
3. Must complete and pass the pre-employment screening including fingerprint and background investigation in accordance with the Hopi Tribal policy.
4. Must be able to pass mandatory and random drug & alcohol screening.
5. Must not have any felony convictions.
6. Must never have been convicted of a felony offense in any court, or any offense involving moral turpitude, deceit, fraud or misappropriation of funds, or domestic violence in any court.
7. No misdemeanor charges or convictions, excluding minor traffic violations.
8. Possess or obtain within five (5) days of employment a License to Practice Law in the Hopi Tribal Courts and maintain such license.

DESIRED REQUIREMENTS

- Depending upon the needs of the Hopi Tribe, some incumbents may be required to demonstrate fluency in both the Hopi and English languages as a condition of employment.