



## Tolowa Dee-ni' Nation

### Position Description

**Title:** Tribal Attorney

**FLSA:** Exempt

**Pay Grade:** 15 (\$107,057.60-\$149,302.40)

**Subordinates:** Yes

**Department:** Justice

**Status:** Full Time

**Supervisor:** Executive Director

**Grant Funded:** No

#### **Position Summary:**

The Tribal Attorney serves the Tolowa Dee-ni' Nation (the "Nation") as the in-house legal counsel for the government departments, enterprises, and committees. The Tribal Attorney negotiates contracts and develops ordinances, regulations, policies, and procedures to present to the Tribal Council for approval and to ensure the Nation's Tribal sovereignty is protected and enhanced. For complex legal issues, litigation, proposed transactions, and other priorities of the Tribal Council, the Tribal Attorney will coordinate with the Nation's contracted outside legal experts to facilitate legal advice and representation to the Tribal Council.

The ideal candidate for the Tribal Attorney will be trained and experienced in Federal Indian Law and Tribal law and will require minimal managerial supervision from the Executive Director and minimal legal mentorship to drive the Nation's in-house objectives.

Applicants not licensed in California must be willing to sit for the California State Bar examination or submit Registered In-House Counsel paperwork to the California State Bar. The Tribal Attorney is largely responsible for setting their work schedule and will have work flexibility, but this is an in-person position and Nation government hours are 8:00 AM to 5:00 PM.

#### **Essential Duties and Responsibilities:**

1. Provides legal guidance to Nation departments, enterprises, and committees on contract matters and the proper application of ordinances, regulations, policies, and procedures to protect Nation sovereignty.
2. Reviews and drafts ordinances, policies, contracts, and other legal documents at the request of the Tribal Council or executive staff.
3. Negotiates contracts, Memoranda of Understanding, and engagement letters on behalf of the Nation.
4. Coordinates with outside legal counsel hired to serve as counsel for the Tolowa Dee-ni' Nation's government, enterprises, boards, commissions and departments. Monitors and tracks the accuracy of billable hours charged against TDN as assigned, and review and approves invoices for payment.
5. Provides guidance to the Tribal Council and executive staff by drafting appropriate legal opinions and responses to complex legal issues.
6. Informs the Tribal Council and executive staff of significant developments in law and policy impacting the Nation.
7. Monitors litigation involving or affecting the TDN in tribal, state, or federal forums.
8. Assists the Executive Director, alongside the Chief Financial Officer, Self-Governance Officer, and department directors in resolving legal issues impacting Nation, including issues of legislation, taxation, economic development, and tribal sovereignty. However the Tribal Attorney will have the ability to work alongside, or refer complex matters to, outside legal experts.
9. Maintains and preserves legal files.
10. Other duties as assigned.

## **Minimum Qualifications:**

### **Education and Experience**

1. Education: Graduation from an accredited college or university with a Bachelor of Arts or Science degree.
2. Graduation from an accredited law school with a Juris Doctor degree.
3. Experience: 5 years of specialized experience as a practicing attorney involving federal Indian law, Indian Child Welfare, employment law, commercial transactions, environmental law, gaming law, leasing and/or planning and zoning. A minimum of 2 years concentrated experience in federal Indian law working either for a Tribal Nation or Indian Law practice group.
4. Any equivalent combination of experience and education that will allow the applicant to satisfactorily perform the duties of the job may be considered when filling this position.
5. Special Requirements: Membership in a State Bar, preferably the California and Oregon State Bars, and must be eligible to be admitted to practice in Federal District Court. No outstanding contempt citation from any court.
6. Must be willing to sit for the Tolowa Dee-ni' Nation Tribal Court bar within 90 days of employment.
7. Excellent interpersonal skills are required in order to work effectively with the general public and department staff. Must be able to demonstrate empathy, courtesy, respect, and maturity while maintaining a professional appearance and demeanor.
8. Demonstrated knowledge of the Indian community, its organization, and needs.
9. Must accept confidentiality as a strict condition of employment.
10. Demonstrated ability to communicate effectively, both verbally and in writing at various levels of interaction ranging from individuals, community based organizations to government entities.
11. Must possess a valid driver's license. Out of state candidates must establish residency in California or Oregon and obtain a California or Oregon driver's license.
12. Must be able to pass a background check, have no felony convictions and no misdemeanor convictions involving crimes of moral turpitude.
13. Must submit to and pass a pre-employment drug and alcohol screen.
14. Qualified American Indian Preference applies.

### **Preferred Knowledge**

1. Knowledge of the history, culture, and organization history of the Tolowa Dee-ni' Nation and the Tolowa people is preferred.
2. Knowledge of Tribal; state; and federal laws, rules, regulations and policies, including federal Indian law.
3. Knowledge of legal research method, legal research software including Westlaw, and use of databases. Knowledge of commercial business transactions.
4. Skill in employee supervision, including planning, scheduling, training, and performance evaluations.
5. Skill in interpreting and applying statutes and ordinances.
6. Skill in evaluation of staff performance and conducting timely performance evaluation.
7. Skill in establishing and maintaining effective working relationships with Tribal administration, Council members, community members and appropriate outside entities.
8. Skill in negotiation of complex contracts or agreements.
9. Ability to analyze difficult and complex legal issues and apply legal principles.
10. Ability to analyze appraise and organize facts, evidence and precedents and to present statements of fact, law and argument clearly and logically both orally and in writing.

**Supervisory Responsibilities:** The Tribal Attorney is authorized to hire a paralegal or secretary, as the Tribal Attorney deems necessary, and will supervise the hired employee. The Tribal Attorney will directly supervise the Department of Justice per the Tribal organizational structure.

**Language Skills:**

Ability to read, analyze, and interpret technical manuals and government regulations. Ability to write reports, business correspondence, and procedure manuals, ability to effectively present information and respond to questions while facilitating group meetings.

**Mathematical Skills:**

Ability to work with mathematical concepts such as probability and statistical inference ability to apply concepts such as fractions, percentages, ratios, and proportions.

**Reasoning Ability:**

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

**Certificates, Licenses, Registrations:**

Must possess and maintain a valid, state-issued driver's license, submit a Department of Motor Vehicles (DMV) driving history, and be eligible for Tribal vehicle insurance.

**Physical Demands:**

While performing the duties of this job the employee is regularly required to sit, use hands and fingers, handle and feel. The employee is frequently required to stand, walk, and ascend and descend steps. The employee must regularly lift and/or move up to 30 pounds and occasionally lift and/move 50 pounds.

Position could require evening and weekend work. Requires the ability to drive 7 hours within a 24 hour period. Position could require occasional overnight and weekend travel.

**Vision Requirements:**

1. Close vision (clear vision at 20 inches or less).
2. Distance vision (clear vision at 20 feet or more).
3. Color vision (ability to identify and distinguish color).

**Work Environment:**

The work environment temperature can fluctuate between 50 to 80 degrees Fahrenheit due to open doors and windows. The job will require inside and outside activities. There are many distractions and the noise level could escalate during working time.

**Additional Work Conditions:**

All Tolowa Dee-ni' Nation employees must submit to a background check and abide by all Tribal, Federal, and State laws. All employees must comply with Tolowa Dee-ni' Nation drug free workplace policy and will be subject to pre-employment, for-cause, and post-accident drug and alcohol testing.

Section 408 of the Indian Child Protection and Family Violence Prevention Act of 1990 (Public Law 101-630) requires an investigation of the character of each individual who is employed, or is being considered for employment, in a position with duties and responsibilities that involve regular contact

with or control over Indian children. A criminal history investigation will be performed and the applicant must meet the minimum standards of the Act.

In compliance with TDN laws and policies, all employees must be in good standing with TDN and its entities. Past employment will also be taken into consideration.

**Acknowledgment:**

I have read this job description and fully understand the requirements set forth herein. I hereby accept this position and agree to abide by the requirements set forth and will perform all duties and responsibilities to the best of my ability.

Tolowa Dee-ni' Nation has reviewed this job description to ensure that essential functions and basic duties have been included. It is not intended to be construed as an exhaustive list of all functions, responsibilities, skills and abilities. Additional functions and requirements may be assigned by Tolowa Dee-ni' Nation as deemed appropriate. I further understand that my employment is at-will and thereby understand that my employment can be terminated at-will by the facility or myself, and that such termination can be made with or without notice.

**Employee's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Supervisor's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_