



OFFICE OF THE TRIBAL PROSECUTOR

CHIEF PROSECUTOR

INTRODUCTION: This position is responsible for the executive and administrative control of the Tribal Prosecutor's Office, as well as prosecuting crimes committed within the Hopi Reservation and its boundaries, and prosecuting juvenile delinquency and minor child in need of care petitions.

DUTIES: (The duty statements are intended to describe the general nature and level of work being performed. They are not intended to be construed as an exhaustive list of all responsibilities, duties and skills required)

1. Provides oversight of the Prosecutor's Office; the Chief Prosecutor will supervise the work of one or more Deputy Prosecutor as well as supervise support staff and direct their work; establish operating budgets, funding proposals and budget modifications and/or amendments; takes corrective actions as necessary to ensure continuity of office operations.
2. Represents the Hopi Tribe in criminal, traffic, juvenile offense and child welfare proceedings before the Tribal Court; investigate, prepare and prosecute cases in Tribal Court;
3. Prepare and file charging instruments in Tribal, State and/or Federal Courts as necessary; appears in court on all arraignments, preliminary hearings, trials and sentence hearings; protects the rights and property of all persons within the jurisdiction of the Tribal Court; may also appear in State courts regarding matters involving member children (Child Welfare Act cases), and/or in the United States in Federal Court in relation to cases occurring on the Hopi Reservation which fall within the jurisdiction of the Federal courts.
4. Assists the Deputy Prosecutor(s) with cases that are unusual, especially difficult or of a sensitive nature.
5. Confer with defense attorneys and /or witnesses/victims and negotiate agreements when it is in the best interest of the Tribe.
6. Train, assist and advise the Tribal Police in the prosecution of criminal cases including preservation of evidence, investigations, and civil rights, and the preparation and execution of requests for arrest and search warrants; where relevant, train other tribal staff regarding criminal and juvenile procedures; interview police officers and other agencies and/or witnesses presenting evidence for the Tribe to ascertain that the evidence is complete.
7. Advise and consult with the Hopi Tribal Court and the Law and Order Task Team regarding the function and development of the tribes' criminal justice system; advise and consults on the revision and amendment of the Criminal and Children's Ordinances as needed, working with the Office of General Counsel.
8. Work closely and cooperatively with the Department of Social and Behavioral Health, the Domestic Violence Program, and other agencies in devising and obtaining treatment for defendants, victims and their families, where appropriate, especially in juvenile cases
9. Work closely and cooperatively with the BIA, the FBI and U.S. Department of Justice in ensuring that felonies committed on the reservation are adequately prosecuted in federal court and/or tribal court; work closely with other local law enforcement and prosecution agencies to ensure that criminal cases are processed properly and agencies have access to cross-training regarding Hopi Tribal Courts and laws
10. Keeps abreast of legislation and case law directly or indirectly affecting tribal court operations; keeps abreast of case decisions and legislative changes and attends Continuing Education seminars/training.

11. Performs other duties assigned or authorized by the supervisor to achieve tribal goals and objectives.

COMPLEXITY: The Chief Prosecutor is expected to exercise a high degree of independence, initiative and professional expertise in the day to day prosecution of crimes on the Hopi Reservation; to participate in the administrative and research function in criminal and civil areas and to supervise the Prosecutor's Office.

SUPERVISION RECEIVED: General supervision is provided by the Hopi Tribal Chairman/Chief Executive Officer (CEO). When investigating pending cases and evaluating them for prosecution, the Prosecutor functions as an independent official, with authority to withhold information from the Chief Executive Officer and other tribal staff and policy bodies when, in the judgment of the Prosecutor, doing so is necessary to protect the integrity of the investigation.

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 the Tribal Council.

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 and may be subject to hostile environments. The work may extend beyond the normal 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 Doctor degree from an ABA accredited law school;

AND

3. Experience : Four (4) years legal experience with one (1) year experience in prosecution or criminal defense; one (1) year supervisory experience.

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 child in need of care
Knowledge of judicial procedures and a thorough knowledge of the 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, Google and other software commonly used by the legal profession

B. Skills:

Skill in handling demanding, angry or upset individuals in a professional manner
Skill to work effectively with a wide variety of non-legal staff and policy makers

C. Abilities:

Ability to work on multiple projects while remaining organized and meeting deadlines
Ability to handle demanding, angry or upset individuals in a professional manner
Ability to 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 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 supervise and lead professional prosecuting attorneys, advocates and staff
- 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 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
- Agree to maintain a drug and alcohol-free workplace
- Ability to maintain an effective working relationship with others


NECESSARY SPECIAL REQUIREMENTS:

1. Active membership in the State Bar of Arizona, in good standing or ability to be admitted within 6 months.
2. Possess a valid Arizona Drivers license and complete/pass the Hopi Tribe's Defensive Driving Course.
3. Complete and pass the pre-employment screening (sensitive background investigation (local & federal) and fingerprinting) in accordance with Hopi Tribal Policy.
4. Never 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.
6. Possess or obtain within 30 days of employment a License to Practice Law in the Hopi Tribal Courts.

PREFERRED QUALIFICATIONS:

1. Demonstrated commitment to the ideals of tribal sovereignty and self determination.
3. Ability to understand and speak the Hopi Language.

REVIEWED BY:  2.18.10
Hiring Authority Date

APPROVED BY:  02-10-10
Personnel Director Date

SENSITIVE
SALARIED (RANGE 65)
02/2010(nfp)