

Sisseton-Wahpeton Oyate

Job Description

Job Title: Public Defender

Salary: DOE & Contracted with Tribal Council

Supervision: Tribal Chairman

General Description: It is the duty of the Public Defender to represent indigent defendants charged with crimes within the boundaries of the Lake Traverse Reservation. The licensed attorney should have experience in criminal defense, filing pretrial motions, representing their client at all stages of the proceeding, and conducting bench and jury trials.

This individual will assist with representing parents in all juvenile cases, including but not limited to, child abuse, neglect, dependency, and unruly and delinquent cases. The applicant may be needed to assist with Indian Child Welfare Act cases, and should be able to understand motions to intervene and/or transfer from State Court ICWA proceedings.

The Public Defender shall also be available after hours to their clients, court staff, and other tribal persons or entities that regularly consult with the Public Defender's Office, as needed.

Essential Functions:

1. Represent tribal members charged with criminal violations in the Sisseton-Wahpeton Oyate Tribal Court system. This includes defendants charged pursuant to the Violence Against Women Act, Indian Civil Rights Act, as well as criminal defense work pursuant to the Tribal Law and Order Act, and any other applicable tribal or federal laws.
2. Represent civil respondents involved in juvenile delinquency, involuntary commitment, chemical dependency, mental health, and tribal housing
3. Review police records, medical examiner's files, and reports on physical evidence.
4. Interview suspects, victims, and witnesses.
5. Conduct legal research for precedents of actions or decisions in similar cases.
6. Analyze the facts and issues of a case to develop criminal defense strategies.
7. Represent clients through all stages of a criminal proceeding or trial.
8. File appropriate court documents, such as pleading, answers, and motions on a timely basis, as well as attending pretrial hearing and conferences.
9. Maintain a working relationship with the SWO Tribal Prosecutor.
10. Upon direction of the Tribal Council, represent tribal members charged in State Court.

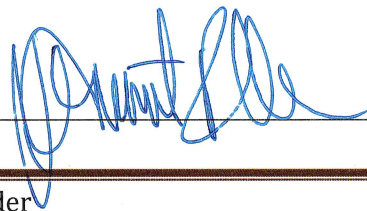
Knowledge, Skills, and Abilities:

1. Knowledge:
 - a. Federal and tribal statutes governing crimes, must also have knowledge of Indian Law and state law cases, including but not limited to, jurisdictional issues;
 - b. Criminal and civil functions of the SWO Public Defender's Office and its interrelationship with other jurisdictions' departments; and
 - c. Working knowledge of administrative procedures and legal processes associated with the maintenance of public records and documents.
2. Skills:
 - a. Professional writing skills, effective interpersonal communication, and strong legal research skills;
 - b. Computer operation and programs unique to civil document processing requirements, as well as word processing and data entry; and
 - c. Excellent organizational, management, and decision-making skills.
3. Abilities:
 - a. Create and maintain cooperative relationships with those contacted in the course of regular work duties;
 - b. Distill relevant and useful elements from vast amounts of information; and
 - c. Exhibit professional public speaking, presentation, and negotiation abilities.

Requirements:

1. Juris doctor degree from an ABA accredited law school.
2. Must be licensed attorney and member of any state bar.
3. Must become licensed as an attorney in the Sisseton-Wahpeton Oyate Tribal Court.
4. Must possess some experience working in criminal defense, preferably working as a public defender.
5. Possess a working knowledge of the Sisseton-Wahpeton Oyate Tribal Codes and of all applicable federal, state, and tribal laws, statutes, and regulations.
6. Must sign a confidentiality statement upon hire and adhere to policy.
7. Must have a valid driver license.

Approved _____



Date _____

8-24-23

Public Defender