

Sisseton-Wahpeton Oyate

Job Description

Job Title: SWO Tribal Prosecutor

Employment:

8 a.m. to 4:30 p.m., five days a week. The Prosecutor shall also be available after hours to Tribal Police, court staff and other tribal official's or entities which regularly consult with the Tribal Prosecutor's Office should the need arise.

General Description:

It is the duty of the Prosecutor, among others, to administer justice, and carries the responsibility that defendants are accorded procedural justice and that guilt is decided upon the basis of sufficient evidence as required by the Law and Order Code of the Sisseton-Wahpeton Oyate. The Prosecutor is responsible for the prosecution of all crimes that occur within the jurisdiction of the Lake Traverse Reservation, prosecute all juvenile cases including but not limited to child abuse, neglect, dependency, unruly and delinquent cases.

Essential Functions:

1. Prosecute and charge individuals with criminal violations in the Sisseton-Wahpeton Oyate Tribal Court system, including appellate court proceedings. This includes, but is not limited to, tribal members and any and all defendants charged pursuant to the Violence Against Women's Act, tribal provisions and/or the amended Indian Civil Rights Act, as well as prosecution pursuant to the Tribal Law and Order Act. May handle civil litigation and perform other duties as required.
2. Responsible for bringing involuntary civil commitment proceedings in mental health and chemical dependency addiction cases.
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 cases.
7. Develop prosecution strategies.
8. Ability to file appropriate court documents, such as pleadings, answers, and motions on a timely basis, as well as attending pretrial hearings and conferences.
9. Performs administrative duties related to the prosecutor's office.
10. Must maintain a working relationship with the Tribal Council, Tribal Law Enforcement, neighboring law enforcement agencies, Tribal Programs and Tribal for-profit entities.
11. Upon the direction of the Tribal Council, be required to serve as a Special Assistant U.S. Attorney.

Vice-Chairman's Initials EG 2/3/22

ADDITIONAL RESPONSIBILITIES MAY INCLUDE:

1. Receives, directs, and resolves citizen complaints.
2. Coordinates some office functions with other County departments or divisions.

KNOWLEDGE, SKILLS, AND ABILITIES:

1. **Considerable knowledge of:** General office management practices and procedures of the Sisseton-Wahpeton Oyate,
2. Federal and tribal statutes governing crimes, must also have knowledge of Indian Law and state law cases including but not limited to jurisdictional issues;
3. The criminal and civil functions of the tribal law enforcement and its interrelationship with other jurisdictions' departments;
4. Interpersonal communication skills.
5. Computer operation and programs unique to civil document processing requirements;
6. Various computer applications including word processing, data entry, and spreadsheets.
7. **Working knowledge of:** administrative procedures; legal processes associated with the maintenance of public records and documents; interpersonal communication skills.
8. **Skills in:** superior writing skills, verbal communication, and legal research skills.
9. **Ability to:** Maintain cooperative relationships and useful elements from vast amounts of information.

Qualifications:

1. Juris Doctorate degree from an ABA accredited Law School.
2. Must be licensed as an attorney in the Sisseton-Wahpeton Oyate Tribal Court.
3. Must be licensed in the state and federal courts of South Dakota.
4. Must possess at least one year of experience working as a prosecutor, preferably working as a Tribal Prosecutor.
5. Possess a working knowledge of the Sisseton-Wahpeton Oyate Tribal Codes and of all relative federal, state and tribal laws, rules and regulations.

Job Requirements:

1. Pre-employment background check and drug-use screening test is required.
2. Must sign a Confidentiality Statement upon hire and adhere to policy.
3. Must have a valid driver's license.

Approved  Date 2-3-22