



JOB DESCRIPTION

*****SENSITIVE*****

Job Title: Assistant Attorney General-ICWA
Dept./Division: Office of the Attorney General
Unit: Office of the Attorney General
Job Family/Class: Legal-Attorney Series
Supervised By: Attorney General
Employee Type: Salary
Pay Grade: J / M

NATURE OF WORK:

Under the general supervision of the Assistant Attorney General IV (ICWA Supervising Attorney) and primarily responsible for intervening in state dependency matters and representing the Pascua Yaqui Tribe primarily in Maricopa County Juvenile Courts and in various other counties, as assigned. The ICWA Attorney will be responsible for coordinating the efforts of the departments within the Tribe to implement the Tribe's Child Welfare Policy and serving as the primary legal advisor to Child Protective Services and other tribal offices addressing child welfare matters in Maricopa County.

ESSENTIAL FUNCTIONS:

- Research and analyze tribal, federal and state laws, regulations, and cases law related to child welfare; provide written legal opinions and advice to Tribal Council and tribal departments.
- Drafts codes, policies and procedures relating to child welfare and family preservation, including drafting and negotiating intergovernmental agreements.
- Represent the tribe in ICWA cases in state courts, and manage cases in foreign jurisdictions assigned to outside counsel.
- Attend community meetings and Tribal Council meetings to provide legal opinions, analysis of developments in Indian Child Welfare Law, make presentations and recommendations for improved policies and procedures.
- Ascertain and pursue outside funding for in-house ICWA Programs.
- Verify enrollment and determine those cases, in which, the Tribe will intervene.
- Supervise assigned Legal Assistant ICWA duties.
- Attend Child Protection Team Staffing, District II ICWA, and other ICWA-related meetings.
- May be assigned non-ICWA matters (e.g. policy and procedure legal review, code revisions or appellate work).
- Perform other duties of a similar nature or level as requested by supervisor or director.

ESSENTIAL KNOWLEDGE AND SKILLS:

Knowledge of:

- Tribal, state, and federal Child Welfare Laws, regulations, and family laws; specifically the Indian Child Welfare Act;
- Specific legal issues pertaining to Indian Communities;

- Principles and practices of relevant laws;
- Legal procedures and administrative proceedings;
- State juvenile court rules of procedure, evidence, and ethics;
- Yaqui culture, customs, resources; and traditions and/or a willingness to learn.

Skills in & Ability to:

- Trial advocacy;
- Prepare written opinions, motion practice, and draft legal documents;
- Present oral legal arguments;
- Draft tribal codes, ordinances, and resolutions;
- Litigate in tribal, state and federal courts;
- Advise legislative body on complex legal issues and policy decisions;
- Analyze, appraise and organize facts and legal arguments;
- Render logical, clear, and effective written reports and oral arguments;
- Immediately address unanticipated problems effectively;
- Establish and maintain effective working relationships with the public, employees and officials of the Pascua Yaqui Tribe;
- Communicate effectively, both verbally and in writing;
- Frequently travel to various counties within the State of Arizona;
- Operate a variety of office equipment, including a computer and related software applications;
- Good communication and interpersonal skills as applied to interaction with co-workers, supervisor, management, Council members and the general public. Ability to sufficiently exchange or convey information and receive verbal and written work instructions.

TRAINING AND EXPERIENCE:

Juris Doctorate from an American Bar Association accredited law school and three (3) years of experience in Family and/or Juvenile Law; or, an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job such as those listed above.

AND

- Admittance to the Arizona State Bar or must be admitted to practice in the State of Arizona within eighteen (18) months of hire;
- Admission to practice in the Pascua Yaqui Tribal Court upon completing the Next Certification Course;
- Indian Law experience preferred, but not required;
- Bilingual in English/Spanish preferred, but not required;

LICENSING REQUIREMENTS:

- Must possess and maintain a valid Arizona Driver's License.

BACKGROUND CHECK:

- Must have a current Level 1 Arizona Clearance Card. Failure to maintain a current Level 1 Clearance Card will result in removal from this position.
- Must provide at least three (3) business related reference letters.
- Must pass a background check and drug test; fingerprinting requirement determined by funding and sensitivity of position.

Applicants and employees may be subject to criminal background and character investigation in accordance with applicable federal laws including, but not limited to: Indian Child Protection and Family Violence Prevention Act (25 U.S.C. Section 3201), Minimum Standards of Character and Suitability for Employment (25 CFR 63), Section 231 of the Crime Control Act (P.L. 101-647), and Child Care Worker Employee Background Checks (42 U.S.C Section 13041).

TRIBAL VEHICLE USE POLICY NOTICE:

This position may require the use of personal, GSA or Tribal vehicle for Tribal business. Individuals must be physically capable of operating the vehicles safely, possess a valid driver's license and have an acceptable driving record. Use of a personal vehicle for Tribal business will be prohibited if the employee is not authorized to drive a Tribal vehicle or if the employee does not have personal insurance coverage. **Failure to maintain a driving record that would allow you to drive Tribal or GSA vehicles may result in removal from this position.**

PHYSICAL REQUIREMENTS:

Positions in this class typically require: finger dexterity, feeling, talking, hearing, seeing, repetitive motions, reaching, standing, walking, travel and work space restrictions.

Sedentary Work: Exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects, including the human body. Sedentary work involves sitting most of the time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.

This position will require the incumbent to work non-traditional hours, nights and weekends.

This description is intended to be generic in nature. It is not intended to determine specific duties and responsibilities or restrict management's right to assign or reassign, direct the work of employees under their supervision. Essential functions may vary based on the specific tasks assigned to the position.

Review and Approved by:

Department Head and/or Designee

Date

H.R. Manager/Classification & Compensation

Date

Human Resources Director

Date