



JOB DESCRIPTION

*****SENSITIVE*****

Job Title:	Deputy Prosecutor
Dept./Division:	Prosecutor's Office
Unit:	Prosecutor's Office
Job Family/Class:	Legal Attorney Series
Supervised By:	Chief Prosecutor
Employee Type:	Salary
Pay Grade:	J

NATURE OF WORK:

The Deputy Prosecutor will provide professional legal services of considerable difficulty in criminal and juvenile prosecution, some child-welfare (custodial) litigation and occasionally may assist the Chief Prosecutor with managing the Prosecutor Office.

ESSENTIAL FUNCTIONS:

- Prepare and prosecute, through trial, in Tribal Court: all varieties of criminal and traffic charges (DV, DUI, Assaults, etc.), juvenile and status offender petitions (curfew, drugs, DV, etc.), animal control violations and child welfare matters; primarily issues relating to placement of dependency cases.
- Advise Pascua Police Department, Probation Department and Social Services in the investigation and prosecution of crimes.
- Appear in court on behalf of the Tribe, in all of the above, as well as in exclusion and extradition proceedings.
- Provide occasional legal training to other departments when needed, on criminal law and/or child welfare/Indian Child Welfare Act (ICWA) issues.
- Participate in multi-disciplinary review with other relevant departments.
- May coordinate or assist in federal prosecution of non-Indian and Indian offenders with the FBI, BIA and US Department of Justice as a specially appointed United States Attorney (SAUSA).
- Perform legal writing, research, and trial preparation such as interview victims, witnesses and complaining parties along with drafting motions and responses.
- Review incoming cases and makes probable cause determinations.
- Request warrants and subpoenas from Tribal Court in pending matters; requests search warrant from Tribal Court in conjunction with the Yaqui Police.
- Occasionally prepare and submit appellate briefs and presents oral arguments for cases on appeal.
- Assist and coordinate with outside law enforcement agencies for solutions and prosecutions of crimes, i.e. FBI, U.S. Attorneys, County Attorney and Sheriff's Department.
- May assist the Chief Prosecutor in drafting legislation for the Law and Order Code.
- May assist the Chief Prosecutor in appearing/arguing cases before the Pascua Yaqui Court of Appeals.
- Coordinate with CPS/Social Services for Indian Child Welfare cases.

- Along with other prosecutors/advocates, refer appropriate defendants to diversion programs such as Drug Court, Adult Alternative Prosecution Program, Pima Youth Partnership, etc.
- Enforce all Criminal Tribal Gaming Violations that occur at the Casino.
- May be required to generate grant proposals and supporting documents in response to grant solicitations, maintain compliance with grant requirements and submission of reports, and general grant management.
- Perform other duties of a similar nature or level as requested by supervisor or director.

ESSENTIAL KNOWLEDGE AND SKILLS:

Knowledge of:

- Principles and practices of criminal, juvenile, and custodial laws;
- Criminal and civil procedures and administrative proceedings;
- Methods and practices of pleadings;
- Judicial procedures and the rules of evidence;
- Indian Child Welfare Act (ICWA) and its implications on Tribal child dependency matters;
- Principles, methods, practices citations and references accessed or employed in legal research;
- Indian regulatory jurisdiction in both civil and criminal context, including the implications of the Indian Civil Rights Act;
- Indian Law, including the legal relationships between Indian Nations and Federal or other governments;
- Yaqui culture, customs, resources and traditions and/or a willingness to learn.

Skills in & Ability to:

- Prepare opinion and draft legal documents;
- Actual prior trial litigation in tribal, state or federal court(s);
- Analyze, appraise and organize facts, evidence and precedents;
- Render logical, clear, and effective written reports and oral arguments;
- Quickly assess and determine alternative courses of action;
- Present and argue cases in court and handle unanticipated problems smoothly, patiently;
- Interact with and learn about Native Americans, particularly Yaquis;
- Establish and maintain effective working relationships with the general public, fellow employees and officials of the Pascua Yaqui Tribe;
- Communicate competently and thoughtfully, verbally and in writing;
- Operating 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 Doctor Degree from an ABA Accredited Law School, three (3) years of experience as a practicing Attorney, including criminal trial experience with sizable regularity.

AND

- Actual experiences as a Prosecutor heavily preferred;
- Bilingual in English/Spanish preferred.

LICENSING REQUIREMENTS:

- Admittance to the Arizona State Bar/Federal Bar and in good standing required;
- 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 and repetitive motions, stooping, kneeling, crouching, reaching, standing, walking, and travel.

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