

FORT BELKNAP INDIAN COMMUNITY

**Fort Belknap Agency
656 Agency Main Street
Harlem, MT 59526**

POSITION: Presenting Officer/Prosecutor

STATUS: Regular/Full Time

PROGRAM: Tribal Court

WAGE: DOE

DEPARTMENT: Prosecutors Office

LOCATION: Fort Belknap Agency, MT

Supervisor: Incumbent will work under the direct supervision of the Chief Administrative Officer.

Supervision Exercised: No

General Description of Duties:

The incumbent shall serve as the Presenting Officer/Prosecutor for the Fort Belknap Tribes and shall perform duties as mandated in the Code of Justice. The Presenting Officer/Prosecutor shall review and draft criminal complaints for legal sufficiency and shall represent the Fort Belknap Tribe in criminal matters brought before the court. The Presenting Officer/Prosecutor shall review and provide legal representation on petitions brought in the name of the Tribe by the Juvenile Court, Mental Health, Child Protection Services and Elderly Protection. Represents the interests of the Fort Belknap Indian Community in prosecuting individuals to have violated provisions of the Fort Belknap Tribal Code as appropriate and within legal boundaries.

Essential Duties and Responsibilities:

- Reviews and receives criminal complaints from the public and law enforcement. The incumbent also reviews petitions brought by Child Protection Services.
- Prosecute the more complex criminal trials and provides assistance to the Prosecutor Advocate on less complex cases.
- Make appropriate recommendations for sentencing and conditions of bond including making appropriate recommendations on behalf of Child Protection Services.
- May enter into plea negotiations with defense advocate and/or defendants for approval by the Court
- Must be capable of proper case presentation in the courtroom, knowledgeable of courtroom procedure, conducting proper direct and cross examination, admission of evidence and must possess knowledge and skill with respect to the Rules of Evidence, Criminal Procedure, Civil Procedure, including knowledge of the Code of Justice in the representation of the Fort Belknap Tribes in criminal cases, Child Protection Services, mental health commitments and contested proceedings brought in Family Court.

- Prepares and follows through cases that have been appealed to the Appellate Court of the Fort Belknap Tribe of which the Prosecutor's Office represented the criminal action, or tribal entity, in the lower court proceedings
- Ensure law enforcement compliance with execution of court orders, warrants, subpoenas, investigations, and any other matter(s) involving law enforcement cooperation with the tribal judicial system
- Required to work with tribal programs seeking judicial remedy(s) in the execution of their job duties and responsibilities including, but not limited to, Juvenile Court contested proceedings if such assistance is requested, Child Protection Services, Mental Health, Elderly Protection, including providing representation on petitions requesting protection orders for the purposes of protection against the threat of imminent harm or physical injury.
- Promote, enhance and develop working relationships with other tribal, state and federal agencies to promote law enforcement activities within the exterior boundaries of the Fort Belknap Indian Reservation
- Adequately represent the interests of the Fort Belknap Tribe in other judicial forums, if the need arises
- Make appropriate recommendations to the Tribal Government for adopting, amending or rescinding the Code of Justice for the overall benefit of the Fort Belknap Tribe
- May be required to provide training to court personnel, law enforcement, tribal entities and the general public on matters that involve the judicial system
- Shall perform other duties as required by law

Education and Employment Requirements:

- Minimum qualifications of successful completion of Tribal Bar with at least one-year experience.
- Must be in good standing of any State or Federal Court
- Must be 21 years of age.
- Must have successfully completed the Tribal Bar examination, covering the Constitution and By-Laws, Corporate Charter, Laws of the Fort Belknap Indian Community, the judicial system and law enforcement, to be administered by the Fort Belknap Indian Community Council within three months of being hired.
- Must never have been convicted of a felony or any criminal misdemeanor, involving a potential jail sentence, within the last (5) years
- Must have never been dishonorably discharged from the Armed Services

Knowledge, Skills, and Abilities

- Ability to connect with others and forge strong relationships
- Ability to communicate effectively both verbally and in writing
- Ability to maintain confidentiality

- Ability to handle multiple tasks and meet deadlines
- Ability to work independently
- Knowledge of legal principles, practices and proceedings
- Skilled in legal research, writing and analysis
- Ability to interpret and apply case law, codes, ordinances and administrative rule
- Knowledge of tribal sovereignty, self-government and Indian self-determination
- Skilled in litigation and knowledge of federal, state and tribal court rules and procedures
- Ability to pass and retain good standing of the Fort Belknap Tribal Bar Examination

Requirements

- Incumbent will be subject to and must comply with the Fort Belknap Community Council Substance Abuse Prevention, Drug/Alcohol and Alcohol Testing Policy, prior to and during employment
- Must be eligible to be licensed to practice before the Fort Belknap Community Tribal Courts as provided by the laws of the Fort Belknap Indian Community or be able to pass the Fort Belknap Tribal Bar Examination
- Native American preference applies in filling this position; those not entitled to native preference will receive consideration without discrimination
- Must have a valid Montana State Drivers License

Working Relationships

Must interact professionally with various agencies including Tribal, State, County, and Federal Agencies

Must be able to work closely and communicate professionally among various Tribal, State, Local and Federal Programs.

The Fort Belknap Indian Community reserves the right to revise or change job duties and responsibilities as the need arises. This position description does not constitute a written or implied contract of employment.

Indian Preference Employer as Required by Law

Immigration Reform and Control Act: Requires that all individuals appointed to a position must present proof of employment eligibility. Successful applicants will be asked to produce documentation.

How to Apply: *Submit complete application & resume to:*

Human Resources Department
Fort Belknap Indian Community
656 Agency Main Street
Harlem, MT 59526