



## MESCALERO APACHE TRIBE Job Announcement

**Position Title:** Chief Prosecutor  
**Department:** Prosecutor  
**Employment Status:** Exempt **Grade:** E5  
**Date opened: August 14, 2019** **open until filled**

### Job Summary

Upholds the Mescalero Apache Tribe's Constitution and Tribal Code to protect the safety and wellbeing of tribal members and public and personal property and resources. Represents the Tribe in criminal complaints and prosecutes individuals accused of violating Tribal laws.

**This is a temporary position with the ability to apply for a permanent position.**

*This position description may not include all of the listed duties, nor do all of the listed examples include all tasks which may be found or assigned to this position.*

### Duties and Responsibilities

- Improves staff effectiveness by hiring, counseling, training and recommending disciplinary action for employees; planning, delegating, monitoring, and appraising job tasks and results in a timely manner.
- Ensures appropriate departmental staffing levels based on efficiency and cost effectiveness; yet, maintains operational requirements as dictated by internal controls and management.
- Develops weekly staffing schedule and daily assignments for staff.
- Establishes, implements, and communicates goals, objectives, policies, and procedures in accordance with strategic plan.
- Achieves financial objectives by preparing and administering the annual budget, inclusive of operational plans and objectives, and recommends staffing and expenditures.
- Works in conjunction with the Tribal Probation Office to ensure compliance with court orders.
- Recommends revisions to Tribal law as needed to provide for public safety and the general welfare.
- Works closely with the FBI and US Department of Justice in ensuring that felonies committed on the reservation are appropriately prosecuted in federal court.
- Receives, reviews and screens complaints to determine whether formal criminal proceedings should be initiated.
- Reviews, researches, interprets, prepares and drafts both written (pleadings, motions, and other Court filings) and oral arguments on a wide variety of legal issues.
- Utilizes a plea-bargaining process that will protect the interests of both the Tribe and the victims of crime. Ensures a balanced criminal justice system.
- Acquires sufficient evidence through criminal investigations for prosecuting crimes in Tribal Court, including arraignments, motions, trials, and appeals.
- Interviews relevant individuals, gathers evidence, and analyzes pertinent information to prepare for legal action.
- Litigates bench and jury trials and represents the Tribe in appeals from Tribal Court.
- Maintains professional knowledge by conducting research and attends continuing legal education classes
- Performs other duties as assigned.

## **Minimum Qualifications**

- Juris Doctor from an accredited law school.
- License to practice in New Mexico or other State.
- A member in good standing of New Mexico state bar or other state bar.
- Five years' experience as a prosecutor; experience as a prosecutor in a tribal court preferred. One year in a lead or supervisory capacity.
- Familiarity with federal Indian law preferred.
- Must have a valid NM Driver's License.
- Must successfully pass a pre-employment drug/alcohol screen and background investigation.

*Tribal preference and Native American Indian preference shall apply to all positions.*

## **Knowledge, Skills and Abilities**

- Knowledge of applicable federal laws, regulations, and requirements and have the capacity to gain knowledge of Tribal law.
- Knowledge of and sensitivity to tribal culture, customs, and traditions.
- Knowledge of criminal procedure and due process rights.
- Skill in effectively presenting material to the court, speaking clearly and providing excellent interpersonal and communication skills.
- Skill in operating various word-processing, spreadsheets, and database software programs.
- Skill in preparing, reviewing, analyzing and interpreting complex legal documents and publications.
- Skill in working effectively under pressure.
- Skill in preparing, reviewing, and analyzing operational and financial reports.
- Skill in providing leadership to, supervising, training, and evaluating assigned staff.
- Ability to conduct interviews with witnesses, victims and other involved parties.
- Ability to understand concepts to tribal sovereignty and self-determination.
- Ability to respond to common inquiries or complaints from the general public, social service and government agencies, judges and other attorneys.
- Ability to work independently and meet strict time lines.
- Ability to maintain confidentiality.
- Ability to interact and maintain good working relationships with individuals of varying social and cultural backgrounds.
- Ability to communicate efficiently and effectively both verbally and in writing.

## **Physical Demands**

While performing the duties of this job, the employee may be required to sit for prolonged periods, walk; stand; use hands for dexterity of motion; stoop, bend, kneel or crouch, and have normal auditory and verbal communications skills. The employee must occasionally lift and/or move up to 25 pounds.

## **Work Environment**

Work is generally performed in an office setting with a moderate noise level. Extended hours and irregular shifts may be required. Evening and/or weekend work may be required. Tight time constraints and multiple demands are common.

## **Submission & Questions**

Please submit resumes and questions to Diana White-Messing, Acting Director of Human Resources at [dwhite-messing@mescaleroapachetribe.com](mailto:dwhite-messing@mescaleroapachetribe.com)