



OFFICE OF THE ATTORNEY GENERAL

PHONE (601) 656-4507 • FAX (601) 656-1357

MISSISSIPPI BAND OF CHOCTAW INDIANS

P. O. BOX 6258 / 354 INDUSTRIAL ROAD

CHOCTAW, MISSISSIPPI 39350

JOB ANNOUNCEMENT # 437009

POSITION TITLE: Staff Attorney (2-POS.)

SALARY: Negotiable Based on Experience

OPENING DATE: **SEPTEMBER 05, 2023**

CLOSING DATE: **SEPTEMBER 19, 2023 OR UNTIL FILLED**

SUPERVISOR: Attorney General or Designee

JOB LOCATION: Office of the Attorney General/Choctaw, MS

SCOPE OF SERVICE AND EFFECT:

The Staff Attorney is responsible for providing general staff legal services for the Attorney General's Office including on-reservation and off-reservation court appearances and litigation, including some prosecution in tribal criminal court. In addition, this position requires a working knowledge of the Tribal, Federal and State Laws and Regulations. Excellent research and writing skills are also required.

RESPONSIBILITIES AND DUTIES:

1. Represent, advise and perform legal research for the Tribe's departments, agencies and businesses and drafting correspondence, memoranda, opinions and resolutions;
2. Researching and proposing draft language for changes to the Tribal Code and policy changes;
3. Initiate on reservation mental health and alcohol and drug commitment proceedings and voluntary and involuntary treatment actions against patients who require institutional treatment; initiate exclusions and other civil proceedings; initiate exclusion proceedings in tribal court and other litigation as necessary;
4. Prosecution of criminal offenders in Tribal Court, representation of the Tribe in Extradition and other preliminary proceedings and coordinating prosecution activities with the United States Attorney's Office;
5. Representation of the Tribe in various civil actions in Tribal, State and Federal Courts;

6. Assist the Attorney General in representing the Executive Branch in administrative proceedings;
7. Assist the Attorney General in conducting periodic in-service training for Tribal agencies;
8. Review of contracts to be executed by the Tribe;
9. Assist the Attorney General in business, real estate, and contract matters involving Tribal Government programs, agencies and businesses;
10. Attend Tribal Council meetings and committee meetings; attend Business Enterprise Division meetings;
11. Provide advice to and assist other attorneys, paralegals and lay advocates as assigned by the Attorney General;
12. Other duties as assigned.

WORK ENVIRONMENT:

Duties will be performed at the Office of the Attorney General, with some duties performed at the Smith John Justice Complex or other areas as necessary.

QUALIFICATIONS:

1. Minimum qualifications include a four-year college degree plus a Juris Doctor (JD) or Master of Legal Letters (LLM) degree from a law school accredited by the American Bar Association; and two (2) years of experience preferred.
2. Applicant must be a member in good standing of the Mississippi Bar Association and be admitted to practice law in the State of Mississippi, before the State and Federal Courts of Mississippi and admitted to Tribal Court or eligible for admission to the Choctaw Tribal Court.
3. It is preferred that the applicant has prior experience practicing in Choctaw Tribal Court with a strong background of education and/or experience in the field of Federal Indian Law.
4. Applicants may be required to demonstrate their level of knowledge through an examination.
5. Some travel will be required.
6. Personal transportation, liability insurance, and a valid MS Driver's License is required for this position.

7. The Tribe is empowered to employ non-Indians, only when no qualified Native American can be recruited, trained, or upgraded to fill a given job vacancy; and a waiver of Indian Preference has been secured from the Committee on Human Resources, Training, and Development with respect to case by case action regarding the employment of a non-Indian.
8. The Authority to Waive Native American Preference Law can only be exercised by the Committee on Human Resources, Training, and Development provided that such authority is exercised on a case by case basis and by adopted motion or resolution of the committee; supported by appropriate written documentation justifying the required action, with respect to a personnel action regarding the employment of a non-Indian and only for as long as the employee remains in that position.

NOTE: The Administrative Personnel Policy & Procedures of the Mississippi Band of Choctaw Indians, Native American Preference, Section II (A), have been revised and approved, as follows:

Further bolstering this Native American preference to promote employment of MBCI members, it is the policy of MBCI to employ persons(s) who are not members of MBCI only when to qualified member of MBCI, who has applied for the position, can be trained up upgraded to fill a given job vacancy within a reasonable period of time at a reasonable cost, and then only when a Waiver of Native American Preference has been secured from the Committee on Human Resources, Training and Development on a case-by-case basis.

The authority to waive Native American Preference laws can only be exercised by the Committee on Human Resources, Training and Development. The Committee will exercise its discretion to do so only when a motion is made by a committee member to support such waiver and the committee determines by reviewing the facts and appropriate written documentation that a waiver is justified. A waiver to allow the employment of a person who is not a member of MBCI, or to employ a person who is Native American outside the order of preference set forth in this Policy, can be made by the Committee only for as long as the person who is granted the waiver remains in the position for which the waiver was granted. That waiver does not apply to other openings which the person who is granted the waiver may request a promotion or transfer for or apply for. The Committee only has the right to approve or disapprove a waiver that has been requested by Executive Branch supervisors, and has no right to direct, demand, or coerce any executive Branch supervisor or personnel that any specific applicant other than the one for which waiver is sought, be employed. Supervisors who do not follow the Native American Preference Policy are subject to disciplinary action up to termination.

IF INTERESTED, SEND APPLICATION TO:

Mississippi Band of Choctaw Indians
Human Resources
P.O. Box 6033, Choctaw Branch
Choctaw, MS 39350