

CHEYENNE RIVER SIOUX TRIBE  
LEGAL DEPARTMENT  
ATTORNEY GENERAL

DESCRIPTION OF WORK

General Statement of Duties: The Attorney General is the Chief Legal Officer of the Tribe. He/She serves as the primary legal advisor to the Tribal Council, Tribal Chairman, and all department heads, directors, officers, employees and staff of the Tribe. The office acts as legal liaison to other tribes as well as federal, state, and local governments, court systems, professional associations and various interest groups.

Supervision Received: It shall be the duty of the Attorney General to act as Attorney for the Tribe under the direction and supervision of the Tribal Council/Chairman, as designated under the CRST Organizational Chart, and to represent the Tribe before courts, department, tribunals, committees of Congress and other offices in legal matters referred to him/her by the Tribal Chairman.

Supervision Exercised: The Attorney General shall have administrative responsibility for the Legal Department, Prosecutor's Office, all attorneys under contract providing legal services to the tribe, and will directly supervise the employees assigned to the Legal Department.

EXAMPLE OF DUTIES (Duties may include but are not limited to the following):

To provide nonpartisan legal advice and representation as needed to the Tribe, its officials, departments, agencies, offices enterprises, branches, the Tribal Council and its committees, and such other entities as the Tribal Council shall authorize the Attorney General to advice and represent.

To formulate overall administrative and operating policies pertaining to the Legal Department and to take such action as the Attorney General deems necessary to implement such policies.

To exercise ultimate supervisory control and direction over all personnel within the Legal Department.

To represent the Tribe and its governmental agencies in all legal matters in its dealings and relations outside the Tribe except to the extent that such representation has been delegated to other counsel.

Develop and submit an annual budget to the Tribal Council for operation of the Legal Department.

To assist in preparing proposed resolutions, to review all resolutions proposed to be submitted to the Tribal Council, to provide advice and recommendations, and to provide legal advice and opinions and assist in conducting day to day business.

To draft contracts proposed to be entered into by or on behalf of the Tribe prior to execution thereof with attorneys, lobbyists, independent auditors, and other professional advisors to the Tribal Council for which an ongoing relationship is anticipated.

To determine manner of referrals for outside attorneys and monitor all outside attorney billings as described in CRST Resolution 510-2017.

To review contracts of any type for an amount in excess of \$3,000 proposed to be entered into by or on behalf of the Tribe, prior to execution thereof, and, at the request of the Chairman, Tribal Council, or head of any tribal department, office or agency, to assist in negotiating any such contracts.

Oversee the compilation and adoption of a comprehensive code of laws of the Tribe and to propose the enactment of such additional laws as, in the Attorney General's opinion, are required for the orderly management of the Tribe's affairs and regulation of persons and activities within the Tribe. Regularly, and

upon special request, to report to the Tribal Council and to the Chairman of the Tribe on the legal affairs of the Tribe, the particular legal matters facing the Tribe and their potential consequences, and on the progress of the Attorney General in meeting the Tribe's legal needs.

Will attend CRST Law & Order Committee meetings on a monthly basis providing brief reports, consultation, and concerns.

To perform all of the duties and responsibilities of the Office in accordance with the highest standards of legal ethics.

In the Attorney General's sole discretion, to identify any legal issue that the Attorney General believes is of importance to the wellbeing of the Tribe, and to report such issues to the Tribal Council or Chairman, as Attorney General, in his or her sole discretion, deems appropriate.

To provide advice and representation in additional matters as the Tribal Chairman/Tribal Council directs.

Shall perform other duties as assigned.

## MINIMUM QUALIFICATIONS

Required Knowledge, Skills, and Abilities: The Tribal Attorney General shall have the ability to work with others in a culturally diverse environment and have the ability to work with members of the tribe in a culturally-sensitive manner.

**Must demonstrate excellent legal research, writing and oral communication procedures.** Ability to maintain effective working relationships with Tribal officials, supervisor, fellow employees, Tribal members and the general public.

Working knowledge and understanding of the Indian community and its people, including traditions and customs preferred. **Must be dependable, trustworthy, maintain confidentiality, and be able to work flexible hours when necessary.**

Education: **Must be a graduate of an American Bar Association accredited law school,** Preference in hiring shall be given to members of the Cheyenne River Sioux Tribe and members of other federally recognized Indian tribes/nations, according to prevailing tribal policy. The Tribe is an equal opportunity employer with Native American preference. Tribal members are strongly encouraged to apply.

**Must be admitted to the practice of law, and in good standing, in a State or Washington, D.C. and be eligible to practice law in the Cheyenne River Sioux Tribal Courts.**

Experience: **Must have a minimum of ten (10) years of legal experience.** Must have experience in performing complex litigation for federally recognized Indian tribes/nations and/or organizations seeking to protect the rights of Native Americans and federal recognized Indian nations and/or tribes is preferred. **Judicial internships or clerkships may also be included within the assessment of experience.**

Special Requirements: Admission to practice in South Dakota would be a plus. Must also apply to the Tribal Court for admission within five (5) business days after assuming office, if he or she is not already admitted to the practice of law in the tribal courts.

**Must be or must become thoroughly familiar with:** the 1868 Treaty, (15 Stat. 635), the Constitution and By-Laws of the Cheyenne River Sioux Tribe, as amended, the Tribal Law and Order Code, the Indian Civil Rights Act, 25 U.S.C. section 1301 et sea., Tribal criminal and civil procedures, the Major Crimes Act, 18 U.S.C. section 1153 et sect., relevant federal Indian law cases with emphasis on cases decided by the United States Supreme Court and the U.S. Eighth Circuit Court of Appeals, the common law of the Cheyenne River Sioux

Tribe, Tribal history and culture, SDCL section 1-1-25 (South Dakota's comity statute) and the cases decided thereunder, State v. Larsen, 455 N.W.2d 600 (1990) and other relevant materials relating to the role and function of a Tribal Attorney, whether assigned or unassigned.

Incumbent is subject to the CRST Drug and Alcohol Testing Policy, Tribal/Federal/State background checks in accordance with P.L. 101-630, 101-647, and CRST Resolution No. 86-2013-CR.

Revision Date: 3.27.18 approved by Tribal Council  
(Revised 10.30.17 job description)