



MESCALERO *Apache* TRIBAL COURT



PO Box 227
Mescalero, NM 88340
(575) 464-0414

JOB TITLE: Alternate Judge (Pro Tem)/Appellate Court Judge
STATUS: Employment Contract
REPORTS TO: Chief Judge – Administrative Only
SALARY: DOE

OPENING DATE: May 12, 2017 **CLOSING DATE:** May 26, 2017

GENERAL DEFINITION

Per the Tribal Code Chapter 2 Section 1, the Chief Judge may appoint Alternate Judges to hear assigned cases on a rotating basis and must qualify per Section 4 of Article XXVI of the Mescalero Apache Constitution. The Alternate Judges shall carry out all duties of an associate judge to fairly and impartially hear and decide all matters assigned by the chief judge at the appellate level and at times at the trial level.

SUPERVISION

Under the direct supervision of the Chief Judge for matters related to the administration of the contract.

DUTIES & RESPONSIBILITIES

- Hear and preside all cases as assigned by the Chief Judge, including but not limited to: appellate cases in criminal, traffic, civil (i.e. domestic relations, probate, repossession, breach of contract, personal injury), juvenile and child welfare cases (i.e. neglect, dependency, delinquency, truancy).
- Hear any conflict cases at the trial level if necessary.
- Conduct legal research and issue orders in a timely manner.
- At times, be called upon to assist the Chief Judge in the development of the court rules of procedure in all areas listed above, and
- Adhere to the Tribal Code and Tribal Court Judicial Code of Conduct and Judicial Ethics.

KNOWLEDGE, SKILLS & ABILITIES

- Demonstrate oral and written communication skills as well as the ability to perform legal research and possess analytical skills commensurate with the position of associate judge.
- Demonstrate knowledge of general legal principles in all areas listed in “Duties and Responsibilities”, and
- Demonstrate knowledge of Mescalero Apache Law, Federal Indian Law and other relevant law.
- Understand, appreciate and promote the ideas of tribal self-determination and tribal sovereignty.
- Possess and demonstrate a judicial temperament, and
- Possess a working knowledge of computers and software.

EDUCATION & EXPERIENCE

- A law degree from an ABA approved law school, or a masters of Legal Studies with court experience, and at least three years of court experience including at least one year serving as a judge on any level.

LICENSES & CERTIFICATES

- A member in good standing of a state or tribal bar is highly preferred although not a pre-requisite to obtaining the appointment if candidate has a Masters of Legal Studies with requisite experience.
- Must possess a valid driver's license, and
- Must be willing to undergo a background check if selected

MINIMAL QUALIFICATIONS

- Must be willing to decide matters on the merits of the briefs and appear up to three times a year for oral arguments on some appellate matters in Mescalero, NM.
- Pursuant to Chapter 2, Section 2-1-4 of the Revised (*September 9, 2016*) Mescalero Apache Tribal Code, the successful candidate for the position of Associate or Alternate Judge must:
 - Possess at least one-quarter (1/4) Indian blood and is a member of a federally-recognized Tribe, nation or bank of Indians, or is an Eskimo, Aleut or other Alaskan native.
 - Be not less than thirty-five years nor more than seventy years of age; and
 - Has not been convicted of a felony, or, within one year of a misdemeanor previous to appointment.

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 and court room 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.

Tribal Preference Policy: Tribal Ordinance 06-02, preference will be given to qualified Mescalero Apache Tribal Members, members of other federally recognized tribes, and then to Tribal Affiliates. Applicants not entitled to the preference will receive consideration without discrimination based on age, sex, disability or national origin.

Please submit an application, cover letter, resume and 3-5 page writing sample for employment to the Human Resources Department located at the Tribal Offices. Call 575-464-9273 for more information.
