



MESCALERO APACHE TRIBE Position Description

Position Title: Public Defender
Department: Tribal Court
Employment Status: Exempt
Grade: E4

Job Summary:

The Public Defender will represent individuals subject to any criminal complaint filed in the Mescalero Apache Tribal Court. The Public Defender will work with the Chief Prosecutor's Office to resolve criminal cases by plea agreement or trial. The Public Defender will work to resolve matters in an ethical and professional manner.

Supervision:

The Public Defender shall work independently on all matters relating to the defense of any individual appearing before court. The Public Defender shall be under the administrative supervision of the Chief Judge for budgetary and employee matters.

Duties and Responsibilities:

1. Represent individuals in criminal court for all matters filed against them.
2. Conduct legal research and compose motions and pleas on behalf of the defendants.
3. Create forms for eligibility of representation, conflicts, and any other document needed to represent individuals in criminal court.
4. Work with the Tribe on any issues involving code development.
5. Assist the Chief Judge in the development of the court rules of procedure.
6. Develop relationships with the local, state and federal public defender's office.
7. Work with the Wellness Court Team to help admit potential individuals into that program, and
8. Adhere to the Professional and Ethical Rules of Responsibility.

Knowledge, Skills and Abilities

1. Demonstrate oral and written communication skills as well as the ability to perform legal research and possess analytical skills commensurate with the position of a public defender.
2. Demonstrate knowledge of general legal principles in all areas listed in "Duties and Responsibilities".
3. Demonstrate knowledge of Mescalero Apache Law, Federal Indian Law and other relevant law.
4. Understand, appreciate and promote the ideas of tribal self-determination and tribal sovereignty as it relates to individual rights.
5. Possess and demonstrate a respect and proper candor to the court., and
6. Possess a working knowledge of computers and software and office management.

Education

- A law degree from an ABA approved law school.

Licenses and Certifications:

- A state or tribal bar license is preferred although not a pre-requisite to obtaining the appointment. However, the candidate must obtain license to practice law within one year of the date of hire.
- Must possess a valid New Mexico driver's license and be insurable, and
- Must submit to a background check

Minimum Qualifications

- 1 to 5 years working in a court as a public defender or a tribal court setting or a court setting of any jurisdiction;
- If no experience, law courses in trial practice, clinical practice, law journal or moot court competition
- Basic understanding of Federal Indian Law, and
- Knowledge of the Mescalero Apache Tribe

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.

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.
