

Little Traverse Bay Bands of Odawa Indians

Job Posting

Job Title:	Legislative Services Attorney
Department:	Tribal Council
FSLA:	Exempt
Reports To:	Tribal Council
Salary Range:	Negotiable
Opens:	July 06, 2022
Closes:	Until Filled

SUMMARY

The primary function of the Legislative Services Attorney is to serve the Tribal Council and provide legal advice in order to promote and protect Tribal Sovereignty, Tribal Self-sufficiency, and Tribal Self-determination. The Legislative Services Attorney shall interact and communicate with Tribal Council and Tribal Council committees, representatives from other tribes, local, state, and federal units of government when necessary; and in some cases, the Tribal citizens, while maintaining effective cooperative relationships. The Legislative Services Attorney will provide representation of Tribal Council; provide advice and analysis of the Tribal Constitution, Tribal Codes, state and federal laws and regulations; negotiate and draft legal, business and State/Tribal documents; and draft Resolutions, Statutes, Certified Motions, policies, procedures, Legislative Directives, Declarations, Special Tributes, agreements, proposals, legal memorandums, Memorandums of Understandings (MOU), Leases and contracts for the Tribe and Tribal Council.

RESPONSIBILITIES

Job responsibilities may include the following tasks, knowledge, skills and other characteristics. This list of job responsibilities is illustrative only, and is not a comprehensive listing of all functions and tasks performed by this position. Other duties may be assigned.

- Must be willing to work outside the normal hours of business when the work situation requires it. This would include, but not limited to, times of travel.
- Assist Tribal Council, Tribal Council committees and Tribal Council Office staff with legal matters. This work will include a continuing list of goals and objectives submitted within the first 30 days of hire and there after annually through the process of annual job performance reviews. Must be willing and able to travel.
- Shall be responsible for reporting to Tribal Council, with the status of actions and activities that are undertaken in order to achieve the Legislative Agenda and overall goals and objectives that have been established. The Legislative Services Attorney will offer logical opinions to the Tribal Council for possible action related to Tribal citizenship and government issues.
- Provide Tribal Councilors' orientation on LTBB Constitution, Ethics, jurisdiction, sovereignty and Tribal law.
- Assist Tribal Council and Council Committees by conducting legal research, drafting, reviewing, revising and interpreting of Resolutions, Statutes, Certified Motions, policies,

procedures, Legislative Directives, Declarations, Special Tributes, agreements, proposals, legal memorandums, Memorandums of Understanding (MOU)s, leases and contracts, correspondents, motions and phone polls, and other legal documents.

- Provide legal analysis LTBB Tribal Constitution and provide Tribal Council legal interpretation in areas of Tribal Council's roles and responsibility, Separation of Powers, sovereign immunity, etc.
- Speak on behalf of the Tribe about legislative issues that are of interest to the LTBB of Odawa Indians.
- Represent Tribal Council in any court actions, including filing or defending litigation, preparing pleadings and briefs, discovery, trial, etc.
- Review Amicus filings for other jurisdictions.
- Possess knowledge of Tribe's history, and legislation that has affected the development of the Tribe to Tribal Citizens.
- Must be prepared to manage (an) employee(s) if/when the duties of the office call for more staff work than what the Legislative Services Attorney can effectively provide on their own. Other legislative staff or public relations staff could potentially be hired for this office.
- Must attend the Tribal Council Regular work sessions and meetings, unless travel cannot be avoided. The Legislative Services Attorney will give a report of legislative activities during the past month. The Legislative Services Attorney will be required to attend special Council work sessions and meetings.
- Monitor tribal, state, federal legislation and case law to determine the potential effect it could have on the Tribe's interests, treaty rights, or litigation. This should be accomplished through a process of monitoring Internet sources, analyzing legislative updates sent from lobbying/law firms or other Native American organizations.
- Coordinate workload with General Counsel and outside Counsel as needed.
- Analyze and advise on legal, business, financial, and land strategies.
- Review litigation documents that involve the Tribe, i.e.: motions, discovery, hearing, witnesses needed; and coordinate and facilitate aspects of the litigation.
- Assist Tribally Chartered Corporations and Limited Liability Corporations (LLC's) with legal and business matters, including legal analysis and advice drafting and reviewing of business and financial contracts, and performance of due diligence of prospective business or economic opportunities.
- Research areas of law for government functions, jurisdiction, reservation, general welfare, tax, treaty rights, business development and Small Business Administration (SBA) government contracting through 8A Programs, water quality, employment, civil and criminal, and apply such research to document development.
- Assist Tribal Council and Legislative staff in developing request for proposals, accepting bids, analysis of bids for recommendations.
- Advise Tribal Council and assist individual Councilors with Ethical matters.
- Assist with the land tour as sponsored by the Land and Reservation Committee.
- Represent Tribal Council in the negotiation of legal documents or other documents as requested by Tribal Council.
- Collaboration with a wide range of policy committees, departments and entities.
- Serve on Committees as requested or approved by Tribal Council.
- Provide contract review, and advise on employment law and other legal areas of law for the Gaming operations and board.

- Interact with federal agencies in areas of tax-general welfare exception, water quality, Sex Offenders Registry and Notification Act (SORNA), Domestic Violence-Special jurisdiction, United States Department of Agriculture (USDA)-hemp program, and other federal agencies.
- Review/draft Tribal Historic Preservation Officer's Memorandum of Understanding and Programmatic Agreements in accordance with Native American Graves Protection and Repatriation Act.
- Provide and/or present tutorials on jurisdiction and Tribal law for Charters, sublessees, enterprises, and other tribally related entities.
- Draft the Legislative Branch Annual Report.
- Work with Tribal Citizens in the development of draft legislation.
- Review and assist Executive Departments with drafting of Regulations.
- Oversee the codification of the Tribal Code of Law.

Assist Tribal Council in fulfilling its constitutional duties.

OTHER NECESSARY SKILLS AND ABILITIES

- Ability to work with the Tribal Council while remaining neutral on all politically charged issues;
- Must be able to maintain confidentiality;
- Computer skills including Microsoft Office Suite and the ability to utilize e-mail and Internet, fax, internet-based programs such as zoom, other types of office equipment and electronic research systems;
- Knowledge of principles of management and record keeping;
- Possess excellent written and verbal communication skills
- Strong analytical and problem-solving skills
- Must have the ability to travel

EDUCATION AND/OR EXPERIENCE

- Must be a licensed attorney to practice law in the state of Michigan or an attorney who possesses a license to practice law in another state and obtains a license to practice law in the state of Michigan within twelve (12) months of hire.
- At least eight (8) years of legal practice, including at least four (4) years as a principal of a law firm and/or managing a corporate or government legal department supervising attorneys and staff.
- Demonstrated knowledge of relevant areas of Indian law, including gaming and sovereignty, self-governance and sovereign immunity, and of business law, including employment and contracts.
- Demonstrated expertise in complex land or commercial transactions, including finance, acquisitions, and development,
- Demonstrate expertise in advising leadership regarding Tribal governance and policy

LANGUAGE SKILLS

Ability to read, analyze, and interpret legislation and public law through writings or oral communication. Shall possess the ability to write reports and legislative opinions. Strong oral communication skills are needed to enable the program Legislative Services Attorney to effectively present information and respond to questions from the Tribal Council, Legal Department, Tribal Citizens, and politicians. Knowledge of the Odawa language is a preferred.

COMMENTS

The Little Traverse Bay Bands of Odawa Indians gives preference to eligible and qualified applicants in accordance with the LTBB Indian Preference in Tribal Employment Statute. Must be willing and able to pass a background investigation and adherence to strict governmental policy in regard to confidentiality is a must.