



Eastern Band of Cherokee Indians

Job Description

Position ID Number:	065-1700-004 065-1700-030	Last Revised:	11/18/2016
Position Title:	Associate Attorney General III	Department:	Civil Law Department
Reports to:	Senior Associate Attorney General	Division:	Office of the Attorney General

Primary Function: Performs a variety of legal services for the Tribe as directed by the Senior Associate Attorney General for both the Executive and Legislative Branches of government for the Eastern Band of the Cherokee Indians. Maintains good community relations by providing efficient and comprehensive quality of service for the Tribe.

Job Duties and Responsibilities:

- Drafts reports, letters, memoranda, and other documents including legal opinions as necessary for both the Executive and Legislative Branches of government of the EBCI as directed by the Senior Associate Attorney General.
- Assists the Senior Associate Attorney General in ensuring that the laws of the Tribe to protect the health and welfare of the Tribe and its citizens are enforced.
- Advises Deputy Officers, Council, committees, departments, and tribal entities concerning business transactions, claim liability, advisability of prosecuting or defending lawsuits, or legal rights and precedents.
- Analyzes the probable outcomes of cases, using knowledge of legal precedents. Assists the Senior Associate Attorney General in presenting and summarizing cases to judges and other attorneys. Evaluates findings and develops strategies and arguments in preparation for presentation of cases. Gather evidence to formulate defense or to initiate legal actions, by such means as interviewing clients and witnesses to ascertain the facts of a case.
- Interprets laws, rules, and regulations for individuals and businesses.
- Prepares and drafts legal documents such as deeds, trademark applications, leases, and contracts.
- Searches for and examine public and other legal records to write opinions or establish ownership.
- Drafts legislation for consideration by Council as directed by the Senior Associate Attorney General, assigned committees, departments, and entities.
- Responds to and provide legal advice to assigned boards, committees, and departments including Qualla Housing Authority and Board, Housing and Community Development, Housing Improvement Program and Committee, Enrollment Department and Committee, Human Resources, Lands Committee, and other departments and committees as assigned.
- Studies the Cherokee Code, U.S. Constitution, statutes, decisions, regulations, and ordinances of quasi-judicial bodies to determine ramification for litigation and other legal issues/matters.
- Assists the Senior Associate Attorney General in litigating matters on behalf of the Tribe through appropriate legal proceedings, as directed.
- Assists the Senior Associate Attorney General with the preparation of written reports to the respective authorities, as required.
- Researches the law and prepares written reports for the supervising attorney.
- Assists other legal staff as instructed by the Senior Associate Attorney General.
- Performs legal mandates as assigned, including association on specific projects with other attorneys.

- Refers tribal members to outside resources as the Senior Associate Attorney General deems appropriate.
- Performs job duties according to established safety guidelines as well as tribal policies.
- Performs other duties as assigned.

**Education
/Experience:**

A Juris Doctor (J.D.) degree from an ABA accredited law school in addition to being a member of good standing of the North Carolina State Bar are required to qualify for this position. The attorney's level of skill may range from the equivalent of five years of prior experience in the practice of law. Six to nine months would be required to become proficient in most phases of the job.

**Job Knowledge/
Requirements:**

Requires a thorough knowledge of the Office of the Attorney General policies, procedures, and guidelines. Must be able to compile and analyze legal data and make verbal and written reports. A thorough knowledge of federal, state, and Indian law is required. Must have a thorough knowledge of federal, state and Indian court system policies, procedures, and guidelines. Requires knowledge of Tribal Personnel Policy Manual, North Carolina State Bar code of ethics and tribal policies, and procedures. Good communications skills, both verbal and written, are required. Must be able to work independently and have the ability to follow verbal or written instructions accurately. The ability to operate a computer, facsimile, copy machine, and other related office equipment is required. Must possess a valid North Carolina driver's license. Must be able to work on multiple projects while remaining organized and meeting deadlines. Must be able to handle demanding, angry, or upset people in a professional manner. Must be able to work effectively with a wide variety of non-legal staff and policy makers. Knowledge of computer operations and software programs typically used in a legal setting, including Microsoft Windows, Microsoft Word, Westlaw, Google, Microsoft Outlook, and other software commonly used by the legal profession. Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, etc. Ability to discern legal issues, define problems, collect data, establish facts, and draw valid legal conclusions. Ability to follow a variety of instructions furnished in written or oral form. Ability to exercise independent judgement and engage in civil debate for the purpose of resolving legal issues. Ability to think and write in clear, progressive, and logical terms.

**Complexity of
Duties:**

Follows well defined policies, procedures, and established guidelines. Requires the ability to solve problems, assess situations, and develop appropriate legal opinions. Must use judgment and initiative to maintain accuracy of work. Must be resourceful when responding to changing circumstances. Must be persuasive in order to get others to change their minds or behavior. Must be a good speaker, able to talk to others and convey information effectively. Must be skilled at negotiation, able to bring others together and reconcile differences. Uses deductive reasoning, must be able to apply general rules to specific problems to produce answers that make sense.

**Contact with
Others:**

Internal contacts occur on regular basis with Attorney General and divisional personnel. External contacts include officials of tribal government, BIA, IHS, Cherokee Boys Club, tribal committees established by Tribal Council, businesses on the reservation, general public, and other tribal entities. Additional contacts are made with various federal, state, and tribal agencies and courts. Contacts are made to exchange ideas and information where a high degree of tact, courtesy, and professional decorum are required.

Confidential Data:	Has access to all divisional files, memos, court records and proceedings, legal documents, and discussions all of which are considered confidential. Must adhere to all tribal confidentiality policies and procedures. Must not release confidential data without prior approval of the Senior Associate Attorney General. Must follow North Carolina State Bar Rules.
Mental /Visual /Physical Effort:	High levels of concentration and attention to detail are required along with general observation necessary for problem solving. Job duties require physical efforts of sitting, standing, walking, bending, reaching with arms and hands, good eye/hand/foot coordination, manual dexterity, and visual acuity. Must be able to hear and speak.
Environment:	Work is performed in a normal office/court setting with occasional outside consultations. Extensive travel may be required for this position.
Extent of Supervision:	Responsible for the efficient operation of assigned work area including personnel, methods, and scheduling.
Supervision Received:	Works under the direction of the Senior Associate Attorney General. Develops course of action and uses independent judgment to achieve objectives.
Responsibility for Accuracy:	Review of work and subsequent procedures would detect most errors of job functions. However, more serious errors in judgment could have major impact if error occurred when not carried out in a sound legal manner.