



# Eastern Band of Cherokee Indians

## LEGAL ASSISTANCE ATTORNEY

### Position Description

<b>Program:</b>	Legal Assistance Office	<b>Reports to:</b>	Supervising Attorney
<b>Division:</b>	Office of the Attorney General	<b>Position Number:</b>	907317003; 907317006; 907317009
<b>Classification:</b>	Professional	<b>Revision Date:</b>	10/01/2022
<b>Pay Level:</b>	16	<b>Safety Sensitive:</b>	No

### PERFORMANCE EXPECTATIONS

In performance of their respective tasks and duties all employees of the Eastern Band of Cherokee Indians (EBCI) are expected to conform to the following:

- Uphold all principles of confidentiality to the fullest extent.
- Adhere to all professional and ethical behavior standards of the Tribal Government.
- Interact in an honest, trustworthy, and respectful manner with employees, Tribal members, visitors, and vendors.
- Participate in departmental staff meetings, quality management activities and educational programs.
- Embody respect and understanding of EBCI traditions and values.
- Display willingness, initiative, and teamwork, to perform other duties as requested.

### POSITION PURPOSE

Provide legal counsel and legal representation to qualifying individuals according to the policies and scope of the Legal Services Program's design and philosophy.

### ESSENTIAL DUTIES, FUNCTIONS, & RESPONSIBILITIES

- Ensure that individual legal representation to qualifying individuals is being provided efficiently, without unnecessary delay, and according to the North Carolina Rules of Professionalism and Ethics and according to the holistic philosophy of the Legal Assistance Office.
- Know the purpose, policies, and services provided by the various Tribal agencies that individual client's may be entitled to, relevant to the type of legal assistance being sought through the Legal Assistance Office and working collaboratively with and in the client's best interest with regard to accessing the various and available Tribal service providers.
- Work with relevant tribal programs and agencies associated with service provision for the types of cases that the Legal Assistance Office is involved in to ensure a collaborative and cooperative relationship is supported in the best interests of individuals that are entitled to those agency services.
- Promote a cooperative relationship with Tribal service agencies to ensure a cooperative spirit in the provision of all behavioral health and other services to individual clients entitled to such services.
- Maintains good community relations by providing respectful, professional, efficient legal representation to eligible clients and creating access to justice through continuous quality improvement of the Program.

### Scope of Supervision:

This position is not responsible for supervising others. Work performance is evaluated for quality of litigation skills, accountability, reliability and professionalism. Reports to a Supervising Attorney.

### MINIMUM MANDATORY QUALIFICATIONS

- Experience:** One(1) years of related experience required.
- Education:** Juris Doctor Degree required.

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**Licenses & Certifications:** Valid, insurable NC Driver's License required. Member of good standing of the North Carolina State Bar is required to qualify for this position.

### KNOWLEDGE, SKILLS, & ABILITIES

#### Key Job Knowledge:

- Requires a thorough knowledge of the various Tribal agency and program policies, procedures, and guidelines.
- Thorough knowledge of Federal Indian law, EBCI Tribal law, and NC state law relating to family law and property law is necessary.
- Must be able to compile and analyze legal data and make verbal and written reports.
- Must have knowledge of the Cherokee court system jurisdiction and procedures.
- Requires a thorough knowledge of Tribal Personnel Policy Manual and North Carolina State Bar Code of Ethics and Rules of Professionalism.
- Nine (9) to twelve (12) months would be required to become proficient in most phases of the job.

#### Safety/Accuracy Focus:

Must ensure accurate records are produced by all staff. Proofing and editing procedures would detect most errors. Undetected errors could have negative results.

#### Key Relationships:

Must be able to interact with Tribal members, agencies and programs in a professional manner with tact, respect, courtesy, and objectivity. Internal contacts occur on a regular basis with court personnel and other Tribal divisional/departmental personnel.

#### Resourcefulness & Initiative:

Follows well defined Tribal procedures and guidelines. Initiative is required to maintain accuracy, establish work priorities, and meet scheduled timeframes. Proceeds independently and initiates policies, laws, and other aspects of system infrastructure to support and sustain the administration of the Legal Services Program. Regularly asks for feedback to ensure effectiveness in meeting needs of Legal Services Program.

#### Discretion – Confidential Data:

Access to confidential and proprietary data and information which is not known by the public may occur during employment. Exercise excellent professional discretion regarding confidential and proprietary data and information, never disclosing or misusing such information. Has access to confidential information. Nature of job requires a high degree of discretion to maintain the integrity of the client and the Legal Service Program.

#### Complexity of Duties:

This position includes completing tasks of varying complexity levels. Requires the ability to solve problems, assess situations, and develop appropriate legal opinions. Must use judgement and initiative to maintain accuracy of work. Must be resourceful when responding to changing circumstances. Must be persuasive in order to ensure tribal or other governing law is applied consistently, correctly and equally. Must be a concise and articulate when speaking to others and convey information effectively. Must be skilled at negotiation, able to bring others together and reconcile differences.

### PREFERRED QUALIFICATIONS

Experience with civil litigation is required, family law or criminal law preferred.

### WORK ENVIRONMENT

**Work Environment:** Work will be performed in an office setting and in the Tribal Court.

**Mental/Visual/Physical Effort:** Must be able to lift 25 pounds and carry 5 pounds on a repetitive basis. Good communication skills, both written and verbal, are required. Must be able to work independently and have the ability to follow verbal or written instructions accurately. Must be proficient in the use of a computer, scanner, copy machine, typewriter, facsimile, telephone, and other office equipment. High levels of

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concentration and attention to detail are required along with general observation necessary for problem solving. Concentration attention to detail and careful handling of delicate documents is needed when working with older files. Work is performed primarily while sitting and standing. Must have manual dexterity, visual acuity, and be able to speak and hear clearly. Walking, bending, stooping, reaching, and lifting light to moderate objects is necessary when working in the files.

**OTHER**

**Confidentiality:** All employees must uphold all principles of confidentiality to the fullest extent. Sensitive information must be kept secure; a breach of these principles may be grounds for disciplinary action, up to and including immediate termination.

**Background Investigation:** All employees are required to complete a background investigation. Results of the background investigation will be evaluated against the requirements of the position, and as applicable to federal and state requirements. Candidates must be able to successfully pass all required background checks for data sensitive positions and for those positions subject to a 101-630 background check to ensure compliance with Public Law 101-630 "Indian Child Protection and Family Violence Prevention Act."

**Drug Screening:** All applicants must successfully pass a preemployment drug screening prior to beginning employment. Random drug testing will be carried out based upon position requirements.

***Disclaimer:** The information on this position description has been designed to indicate the general nature and level of work performance by employees in this position. It is not designed to contain, or be interpreted as, a comprehensive inventory of all duties, responsibilities and qualifications required of employees assigned to this position. Employees will be asked to perform other duties as needed.*

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**ACKNOWLEDGMENT**

I have reviewed the content of the **Legal Assistance Attorney** position description and have been provided a copy of such position description. I certify that I am able to perform the essential functions of this position as outlined in this description.

\_\_\_\_\_  
*Employee (printed name)*

\_\_\_\_\_  
*Employee (signature)*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Supervisor (printed name)*

\_\_\_\_\_  
*Supervisor (signature)*

\_\_\_\_\_  
*Date*