
LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

HUMAN RESOURCES

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JOB DESCRIPTION

REPOSTED: JUNE 2, 2017 DEADLINE: UNTIL FILLED

- DESCRIPTION:** Appellate Judge (2 appointments)
- DEPARTMENT:** Lac Vieux Desert Band of Lake Superior Chippewa Indians
Court of Appeals
- SUPERVISOR:** Tribal Council, with the recognition that the Judicial Branch is a separate branch of government pursuant to the Lac Vieux Desert Constitution.
- FLSA STATUS:** Contracted, as needed
- SALARY:** Negotiable Hourly Rate plus Expenses

The authority of the Lac Vieux Desert Band Tribal Court of Appeals is defined by Article V, Section 1, 2(b) and 3(b) of the Tribal Constitution ("Constitution") and, as required by the Constitution, further defined by Ordinance of the Lac Vieux Desert Band of Lake Superior Chippewa Indians ("LVD" or "Tribe"), known as the 2010 Judicial Ordinance, enacted pursuant to Tribal Council Resolution 2010-042.

The Court of Appeals has jurisdiction to hear all appeals arising from Tribal Court, defined as trial court level pursuant to Section III(E) of the Judicial Ordinance, decisions or proceedings as provided by Article V, Section 2 (b) of the Constitution and shall consist of three (3) Appellate Judges, appointed by an affirmative vote of at least six (6) members of the Tribal Council. No Appellate Judge may sit simultaneously as a Tribal Court Judge. Tribal Council retains the sole authority to determine compensation for Appellate Court Judges. All judges appointed to the Court of Appeals shall hear appeals of Tribal Court decisions as a panel. In the event of a vacancy on the Court of Appeals, the remaining Appellate Judges may hear the appeal in order to prevent unreasonable delay or a miscarriage of justice.

MINIMUM REQUIRED QUALIFICATIONS/EXPERIENCE:

- Juris Doctorate degree (not required for Tribal Members).
- Per Article V, Section 5 of the LVD Constitution, any person shall be eligible to serve as a tribal court judge only if he/she:

- Is a member of the Lac Vieux Desert Band who has attained the age of twenty-five (25) years or is an attorney licensed to practice before the courts of a state in the United States; and,
- Has not been convicted, within ten (10) years of such appointment, of a felony, unless such an offense is demonstrated to the satisfaction of the Tribal Council to be related to an assertion of a treaty protected right.
- Background Check: A preliminary background check must be completed before a new employee can begin work with LVD that includes all necessary Tribal security clearances. If selected for this position, you will be extended a tentative offer of employment pending a satisfactory background check. Alcohol and Drug Test: An alcohol and drug test must be completed before a new employee can begin work with LVD. If selected for this position, you will be extended a tentative offer of employment pending passing an alcohol and drug test.

DUTIES AND RESPONSIBILITIES:

- Preside over all appeals filed in the Lac Vieux Desert Court of Appeals.
- Render advisory opinions on issues presented by the Tribal Court or the Tribal Council
- Issue declaratory judgments when requested by a party on a matter involving Constitutional or Tribal law.
- Promulgate and amend rules of practice and procedure necessary for the efficient operation of the Court of Appeals in accordance with Article V, Section 7 of the Constitution.
- Assist the Chief Judge of the Tribal Court in the preparation, development and implementation of a one (1) and five (5) year plans based upon input received from Tribal Council, the Tribal Legal Department, and other Tribal Departments.
- Establish fees, charges and operational hours of the Court of Appeals.
- Arrange meetings of the Court of Appeals to determine and coordinate the implementation of plans designed to further judicial objectives and goals.
- Oversee and direct the performance of the Clerk of Court of Appeals.
- Strict adherence to the Tribal Court Code of Ethics.

PREFERRED KNOWLEDGE, SKILLS, AND ABILITIES:

- Minimum of five (5) years' experience in the practice of Indian law and/or working with tribal communities.
- Knowledge and familiarity with the Lac Vieux Desert Constitution.
- Extensive knowledge in civil, juvenile, criminal and child welfare proceedings.
- Advanced knowledge of applicable law, regulations, rules, and procedures.
- Excellent verbal and written communication skills.
- Excellent interpersonal skills with demonstrated patience, tact and respect.
- Exceptional detail and follow-up skills.
- Ability to effectively establish priorities and meet deadlines.
- Ability to quickly evaluate alternatives and decide on a plan of action.

The above statements are intended to describe the general nature and level of work performed by people assigned to this classification. They are not intended to be construed, as an exhaustive list of all responsibilities, duties and skills required of personnel so classified. Management retains the right to add or to change the duties of the position at any time. Must be able to pass a pre-employment drug screen and applicable background checks related to the position.

Approved by Tribal Council: April 19, 2017