



SWINOMISH INDIAN TRIBAL COMMUNITY

Human Resources

11404 Moorage Way

La Conner, WA 98257

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Is this a Testing Designated Position as described in the Drug and Alcohol-Free Workplace Policy?	No
Do the duties and responsibilities of this position involve regular contact with, or control over, Indian children or elders?	No

Indian Preferences in Hiring shall apply to Swinomish Indian Tribal Community Job Opportunities.

JOB TITLE: Staff Attorney, with Emphasis in Natural Resources Law and Code Drafting

DEPARTMENT: Office of Tribal Attorney

POSITION SUMMARY:

Under the supervision of the Director of Office of Tribal Attorney, the duties and responsibilities of this position are those of a staff attorney, with primary emphasis encompassing natural resource legal issues and drafting/revising the Swinomish Tribal Code, as well as providing legal services to the Tribe's didg^wálic Wellness Center.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Natural Resources

- Advise the Tribe's Fisheries, Game, Environmental Policy, and Environmental Protection Departments and related Senate committees regarding a wide range of natural resources issues, including but not limited to fisheries management, hatchery permitting and management, and ESA consultation and compliance.
- Work with the Fisheries and Game Departments and the Fish and Wildlife Management Commission to update Title 18 of the Swinomish Tribal Code – Natural Resources.
- As directed, represent the Tribe in litigation in Federal or state courts regarding the Tribe's treaty rights or natural resource issues.

Code Drafting

- Maintain thorough working knowledge of the Swinomish Tribal Code and advise Committees and Tribal Senate on code provisions as directed.
- Track changes in Federal, State, or local law and provide advice and recommendations to relevant Committees or the Tribal Senate regarding its effect on and potential revisions to Swinomish law.
- Provide advice and recommendations to relevant Committees or the Tribal Senate on potential revisions to Swinomish law in light of changed conditions or circumstances.
- Consult with governmental departments, policy makers, Tribal members, and others with specialized knowledge when researching potential code revisions.
- Collaborate when appropriate on drafting Code provisions with staff of Tribal programs that may be impacted by potential adoption or revision of Tribal Code provisions.
- Facilitate compliance with the Swinomish Tribal Code and evaluate Tribal code provisions based on department implementation and enforcement.
- Draft new code provisions or amendments to existing laws as assigned, with initial prioritization of Title 18, Natural Resources; Title 19, Environmental Protection; Title 10, Community Health; Titles 3, 4, and 4a relating to the Tribal Court, the Criminal Code, and forfeiture and exclusion; Title 20, Land Use and Zoning; and code provisions of interest to Tribal enterprises.
- Draft implementing regulations as assigned, including but not limited to cannabis regulations and Port Authority regulations.

Tribal Government

- Attend meetings and provide advice and recommendations to the Swinomish Senate and to Senate Committees as assigned.
- Draft, review, and revise Senate Resolutions.
- Prepare, analyze, review, and revise legal documents related to governmental programs, services, enforcement, and administration, including, but not limited to, contracts, grants, legal opinions, memoranda of agreement, and policy statements.

- Provide advice and recommendations to Tribal Departments as assigned.

Tribal Enterprises

- Advise, support, and represent the didg^wálič Wellness Center and its leadership and staff regarding legal issues or proceedings involving Wellness Center patients, including but not limited to requests for health records, subpoenas, dependencies, and other matters as directed.
- Prepare, analyze, review, and revise legal documents related to the didg^wálič Wellness Center including but not limited to policies and procedures, contracts, grants, legal opinions, memoranda of agreement, policy statements, and staff training materials.

Cultural Competence

- Possess and demonstrate a meaningful commitment to Native communities, social justice, and the elimination of disparities between Native and non-Native communities in education, health, economics, and wellbeing.
- Enjoy and excel working in a cross-cultural and interdisciplinary work environment.
- Understand, appreciate, and support cultural practices of the Tribal community.
- Effectively and appropriately communicate with the Swinomish Senate, Senate committees, and individual Tribal members.

Legal Analysis and Communication

- Facilitate compliance by departments and Tribe with applicable Federal, Tribal, and State laws, regulations, and policies, as well as grant and contractual obligations.
- Identify, anticipate, and analyze legal issues in a clear and comprehensive manner.
- Efficiently and effectively research legal issues, including new and unexpected issues, involving Tribal, Federal, and State law, and the complex intersections between these bodies of law.
- Orally communicate and discuss complex ideas, problems, and solutions in a thoughtful, efficient, and effective manner, and discuss sensitive matters with discretion and respect.
- Anticipate and analyze potential outcomes of various courses of action and develop strategic recommendations to maximize favorable outcomes.
- Meet with, effectively listen to, communicate in writing with, and provide legal and strategic advice to elected Tribal leaders, Tribal Senate committees, Tribal businesses, Tribal Department Directors, and staff.
- Analyze and anticipate impacts of Tribal and outside activities on a range of Tribal interests. Analyze and communicate on a variety of complex and sensitive intergovernmental issues with Tribal, Intertribal, Federal, State, and local representatives.
- Negotiate contentious issues in a calm and deliberate manner despite unreasonable or unfair statements from parties with whom the Tribe is negotiating.
- Advocate effectively for the Tribe in writing or orally with governmental entities (Federal, other Tribal, State, and local) and business entities.

Legal Writing

- Write, review, and/or revise a broad range of documents, which, depending upon the attorney's assigned areas of emphasis, may include (but not be limited to):
 - Contracts and other agreements with businesses, governments, and other parties;
 - Senate Resolutions, Tribal Ordinances, and policy statements;
 - Letters, emails, and other correspondence;
 - Grant proposals and awards;
 - Land acquisition and management documents;
 - Position papers and outlines of oral presentations;
 - Formal comments on proposed Federal, Tribal, State, or local actions;
 - Legal research memoranda;
 - Proposed Federal or State legislation or regulations;
 - Requests for proposals.

MINIMUM QUALIFICATIONS

Qualified applicants must have:

- Graduated from an accredited law school;
- An active license to practice law in Washington, but consideration will be given to applicants able to be licensed in Washington within six months of employment through reciprocity or the bar exam;
- At least 5 years of relevant legal experience;
- Excellent written, oral, research and analytical skills;
- Strong interpersonal communication skills, including active listening, negotiation and facilitation;
- Abilities to:

- thrive in an interdisciplinary and cross-cultural work environment;
- work well in, and bring flexibility to, a fast-paced and dynamic work setting;
- enjoy and excel at creative problem-solving;
- A demonstrated commitment to working with Native or other minority communities and/or restorative justice;
- A Washington State driver’s license, or the ability to promptly obtain a Washington State driver’s license.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

- Work effectively in a fast-paced work setting in which priorities may change unexpectedly and often, and in which interruptions are commonplace.
- Organize, track, assess and prioritize work on multiple complex and high value projects that may have similar or conflicting schedules and/or urgency.
- Enjoy and excel at both independent and collaborative problem-solving.
- Work independently without need for frequent or close guidance or direction.
- Mentor and assist staff in other Tribal departments to develop skills and help increase Tribal government capacity.
- Comply with OTA processes and protocols, such as creating and saving electronic documents and timely and accurately recording time electronically.
- Complete assigned tasks by the applicable, specific deadline or, if none, then in a reasonable and appropriate time.

WORK ENVIRONMENT AND TIME COMMITMENT

Work schedule is 40 hours per week. This is a full-time position. At this time, many of the tasks required may be completed either remotely, on a hybrid basis (a combination of in-person and remote work) or fully in-person. Employees are expected to meet in person when necessary or directed but are also allowed to work remotely or on a hybrid basis. Each employee of the legal department ideally will spend one day a week at the physical office location.

Tribal Administration Building with standard office furnishings and equipment. Work is generally sedentary, but may require standing and walking for about 15% of the time. Noise level is generally moderate, lighting and temperature are adequate; there are no hazardous or unpleasant conditions caused by noise, dust, etc. Lifting and/or carrying up to ten pounds is required frequently with occasional lifting and/or carrying of up to 25 pounds. Travel out of town and out of state, including overnight travel, is occasionally required.

EMPLOYMENT CONDITIONS

The Personnel Policies and Procedures of the Swinomish Indian Tribal Community apply to all employees. The position of Attorney is considered to be an exempt “standard hour” position. All offers of employment are contingent on the successful completion of a drug and alcohol screening. If the position involves regular contact with or control over children or elders, then a successful applicant must also meet minimum standards of character based on an extended criminal background check.

Employee: _____ Date: _____

Supervisor: _____ Date: _____