



**FLANDREAU SANTEE SIOUX TRIBE  
JOB ANNOUNCEMENT**

<b>Job Title:</b>	<b>Appellate Judge – Court of Appeals</b>
<b>Reports To:</b>	<b>Chief Judge – Court of Appeals</b>
<b>Classification:</b>	<b>Part-time/Contract (12 hours per quarter depending on caseload)</b>
<b>Date:</b>	<b>January 27, 2023</b>
<b>Salary Range:</b>	<b>DOE</b>
<b>Application Due:</b>	<b>February 17, 2023 at 5:00 P.M.</b>
<b>Experience</b>	<b>10 Years</b>

The Flandreau Santee Sioux Tribe (the “Tribe”), located in Flandreau, South Dakota, is seeking applicants for the part-time position of Appellate Judge. The Associate Judge, under the direction of the Chief Appellate Judge, will be tasked with the responsibility of fulfilling the judicial role identified within the Tribe’s Constitution.

The Associate Judge will handle all adult criminal and juvenile delinquency matters for the Tribe. Applicants must pass a P.L. 101-630 compliant background check and a pre-employment drug and alcohol screening before employment.

**TRIBAL PROFILE**

The Tribe is comprised of descendants of the Mdewakantonwan Sioux, a member of the Isanti division of the original Great Sioux Nation. They referred to themselves as Dakota, which means “friend” or “ally” or specifically Wakpa Ipaksan which means “bend in the river”. The Dakota Sioux were historically domiciled in Minnesota and Wisconsin where they lived a semi-nomadic existence for many years. As the United States began to expand westward, the Dakota Sioux faced increasing pressure from white settlers. In 1851, the Isanti ceded their land and entered a reservation in 1851.

In 1862, the Santee revolted against reservation life. The Santee believed the government did not meet its treaty obligations. Further, white traders prevented the distribution of food and provisions to the Santee pursuant to their treaties with the United States. This uprising, led by Little Crow, was quickly downed by U.S. troops. Twelve hundred Indians, many who were innocent of any involvement in the uprising, surrendered to the United States. Over 306 Santee people were sentenced to death by a military tribunal. Following the grant of some pardons by President Lincoln, 38 were hung on December 26, 1862. The survivors who remained were sent to concentration camps (prisons) in Davenport, Iowa and Ft. Thompson, South Dakota.

In 1866, the Ft. Thompson and Davenport groups were re-united at Santee Agency at the mouth of the Niobrara in Nebraska. Approximately one-third of those converted to Christianity. In 1869, twenty-five families gave up the tribal rights and annuities afforded to the Santee Sioux to become citizens of the United States. The latter group left the reservation in Nebraska, and acquired homesteads along the Big Sioux River at an area that would become Flandreau, South Dakota.

In 1873, those members built their Presbyterian Church in what was to become Flandreau. Later that fall, were joined by fifteen additional Tribal families. To the present day, after approximately 142 years, this church is one of the oldest continually used churches in South Dakota. The graveyard memorializes many of those early Christian names taken on by the Tribal members who shared in the journey to Flandreau. As noted above, in 1934, the Flandreau Santee Sioux Tribe was formally organized and recognized under the authority of the Indian Reorganization Act of 1934.

The Tribe is governed by a seven-member Executive Committee whose members are elected by the Tribe. The Executive Committee has the authority to manage all economic affairs of the Tribe and to appropriate funds for public purposes. The Executive Committee appoints a non-voting Treasurer as its eighth member. The Tribal President serves as the administrative head of the tribal government and serves, along with the Tribe's other officers. The elected terms are staggered in years and candidates must live within the defined reservation to be elected.

The Tribe's headquarters are located in Flandreau, South Dakota which is located in Moody County. The total area of the Tribe's reservation is approximately 6,000 acres, of which approximately half is trust land and the other half is owned by the Tribe in fee simple. The total membership of the Tribe is approximately 760 members, of which approximately 320 live on the reservation.

Major economic activities occurring on the Tribe's reservation are buffalo ranching, farming, convenience stores, arts and handicrafts, short-term lending and a gaming resort and hotel. The Tribe's reservation offers many opportunities for hunting, and fishing.

The Flandreau reservation is a small community that offers many services to Tribal members. Royal River Casino and Hotel, First American Mart convenience store and gas station, Fitness Center, Tribal Court, Flandreau Health Clinic, Tribal Office, Department of Natural Resources, Tribal Road Maintenance, FSST Police Department, Grace Moore Elderly Center, FSST Housing Authority, and Prairie Junction Truck Stop on Interstate 29 just seven miles west of Flandreau. The City of Flandreau provides customary municipal services such as fire, police, parks and recreation, and waste disposal to which the Tribal contributes monetarily.

## **TRIBAL COURT**

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The Flandreau Santee Sioux Tribal Court is court of general jurisdiction established by Article IX of the Tribe's constitution. The Tribal Court also has an appellate court that handles appeals from the Tribal Court. There is a separation of power between the tribal judiciary and the tribal government body. The Tribal Court generally meets weekly and handles both criminal and civil matters. All of the judges of the Tribal Court are law trained and members in good standing of the

Tribal Bar Association. The Court further employs a full-time clerk of courts. The Court of Appeals generally meets quarterly on the Reservation, and more often depending on caseload.

## **MINIMUM QUALIFICATIONS AND SERVICE REQUIREMENTS**

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1. Licensed attorney in good standing with the State Bar of South Dakota, or any other state bar, and is able to be admitted in South Dakota within 10 months of employment.
2. Must have between ten years of experience as a practicing attorney, with experience in Indian Law and Criminal Law.
3. Must have a juris doctorate from an American Bar Association accredited law school.
4. No felony or misdemeanor convictions involving a crime of moral turpitude.
5. Experience proven, with knowledge of tribal laws and codes, modern tribal court practices, judicial procedure, and rules of evidence.
6. Knowledge of applicable federal, state and local laws, regulations, ordinances and requirements.
7. Knowledge of federal laws and regulations pertaining to Native Americans and tribal organizations.
8. Knowledge of tribal governments and criminal and civil procedures.
9. Ability to work with attorneys, law enforcement, probation, social services, elected officials, and court staff in a professional manner.
10. Ability to confer and cooperate with neighboring jurisdictions in a professional manner.
11. Ability to establish and maintain professional relationships with individuals of varying social and cultural backgrounds and with co-workers at all levels.
12. Ability to exercise independent judgment and negotiate legal actions.
13. Eligibility and maintenance of professional liability insurance in an amount acceptable to the Tribe.
14. Must be able to efficiently utilize Microsoft Office and Westlaw.

## **DUTIES**

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Applicants can expect typical duties to include the following:

1. Judges shall administer justice and discharge all duties imposed upon them by the Constitution of the Flandreau Santee Sioux Tribe and by law and shall hear and decide matters of a judicial nature and enter judgments and orders disposing of such matters.
2. Appellate Judges shall hear appeals from any tribal court matters.
3. All judges of the Court of the Flandreau Santee Sioux Tribe shall conform their conduct to the Code of Judicial Conduct as adopted by the American Bar Association until such time as a Flandreau Santee Sioux Tribe Code of Judicial Conduct is adopted by the Tribal Bar Association or the Tribal Judge's Association.
4. Every judicial officer has power to:

- a. Preserve and enforce order in his immediate presence, and in proceedings before him, when he is engaged in the performance of his judicial duty;
  - b. Compel obedience to his lawful orders;
  - c. Compel the attendance of persons to testify in proceedings before him as provided by law;
  - d. Administer oaths to persons in proceedings before him and in any other case where such shall be necessary in the exercise of his powers and duties;
  - e. Punish for contempt to assure the effectual exercise of these powers.
5. Assist in all other matters as assigned by the Chief Appellate Judge.

## **REQUIREMENTS OF THE APPLICATION**

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Please include the following in your proposal:

- **Flandreau Santee Sioux Tribal Employment Application.**
  - o (<https://fsst-nsn.gov/application/>)
- **Cover Letter.** Please include payment requirements within the cover letter.
- **Resume.**
- **Writing Sample.** No more than five pages.
- **References** – Identify three references who can attest to your experience and capabilities as they relate to services requested. References should include contact name, address, and telephone number.
- **Native American and Veteran Preference** – The Flandreau Santee Sioux Tribe seeks to hire the best-qualified individual for all jobs. The Tribe will give preference within this process to qualified applicants based on the following classifications: Tribal Member Veterans, Tribal Members, Native American Veterans, Other Native Americans, lineal descendants of the Flandreau Santee Sioux Tribe, Veterans, and Non-Native Americans. Please specifically state if you meet any of these classifications.

## **TIME AND PLACE FOR SUBMITTAL OF PROPOSALS**

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All proposals must be submitted by February 17, 2023 by 5:00 P.M. (CST), and late proposals will not be considered. Proposals may be submitted electronically to Roxee Johnson, Chief Human Resources Officer at [Roxee.Johnson@fsst.org](mailto:Roxee.Johnson@fsst.org). Questions about the position may be directed to Roxee Johnson, Chief Human Resources Officer at [Roxee.Johnson@fsst.org](mailto:Roxee.Johnson@fsst.org) or (605) 997-3891.

## **SELECTION PROCESS**

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The Flandreau Santee Sioux Tribe Executive Committee, and Human Resources Department, will handle the scheduling of interviews, review of applications, and will otherwise perform all of hiring processes.