

IN THE SUPREME COURT OF THE OSAGE NATION

FILED MAR 21 2017

PAWHUSKA, OKLAHOMA

By



In re:

Rule of Court¹

Judicial Branch Administration

CHAPTER 2: JUDICIAL BRANCH ADMINISTRATION²

Rule 1: Office of the Court Clerk

The Office of the Court Clerk consists of the Court Administrator, Supreme Court Clerk, Trial Court Clerks and other support staff as needed. One person may fill multiple positions, and position titles and responsibilities may change depending on the Judicial Branch's needs.

1.1 Court Administrator. The Court Administrator is responsible for the development and maintenance of the records management system for the Osage Nation Supreme Court, plans, organizes, and coordinates all administrative activities of the Osage Nation Tribal Court, and supervises all Clerk's Office staff. A job description is included in Appendix B-1.

1.2 Clerk of the Supreme Court. The Supreme Court Clerk is responsible for managing the Supreme Court's caseload by processing matters before the Supreme Court, coordinating the transfer of cases to the Supreme Court and providing support to the Supreme Court Justices. A job description is included in Appendix B-2.

1.3 Clerks of the Trial Court. The Trial Court Clerks are responsible for managing the Trial Court's caseload by processing matters before the Trial Court, providing support to the Trial Court Judges, processing matters designated for alternative dispute resolution and other duties to ensure the smooth operation of the Trial Court. A job description(s) is/are included in Appendix B-3.

1.4 Administrative Support Staff. Additional administrative staff may be designated to provide support to the Judicial Branch. Positions include, but are not limited to, receptionist, file clerks and data clerks.

1.5 Court Support Staff. Court support staff includes, but is not limited to, court reporters, court officers and other individuals who provide services to the Trial Court and the Supreme Court for judicial proceedings.

1.6 Volunteers/Unpaid Internships. The use of volunteer services (including unpaid internships) in the Clerk's Office will be determined on an individual project basis. Volunteers shall be used for specific projects as developed by the Court Administrator. The designated

¹ The Chief Justice is responsible for promulgating Rules of Court under 5 ONC § 1-118.

² This Chapter supersedes Administrative Order No. 2012-03.

work station/area, length of project, duties involved, and level of access to case files and/or confidential information shall be set out by the Court Administrator in a Volunteer Project Description and presented to the Chief Justice for approval. Volunteers shall submit a Volunteer Contact Sheet, sign a Confidentiality Agreement, and sign a copy of the Volunteer Project Description before performing any activities.

Rule 2: Judicial Personnel

2.1 Supreme Court Justices. Pursuant to Article VIII, section 3 of the Osage Constitution, the Supreme Court consists of one Chief Justice and two Associate Justices appointed by the Principal Chief and confirmed by the Osage Nation Congress.

(A) The Chief Justice shall preside over all matters before the Supreme Court and is responsible for budget and administration of all courts. (OSAGE CONST., Article VIII, § 11.)

(B) The Associate Justices may be requested to assist the Chief Justice as needed regarding matters before the Supreme Court and other matters impacting the Osage Nation Courts.

(C) In his/her absence, the Chief Justice may designate a Judge or Justice to exercise the Chief Justice's authority under limited circumstances if needed to ensure the continued operation of the Judicial Branch. Any actions taken must be reviewed by the Chief Justice for approval upon the expiration of the temporary designation.

2.2 Chief Judge of the Trial Court. Pursuant to Article VIII, section 6 of the Osage Constitution, the Osage Trial Court, the Chief Judge shall preside over matters before the Trial Court and may assign matters to Associate Judges. The Chief Judge may also assist the Chief Justice with matters impacting the Osage Nation Courts.

2.3 Associate Judges. Associate Judges of the Trial Court are appointed by the Chief Judge and Chief Justice pursuant to Article VIII, section 8 of the Osage Constitution. Associate Judges shall preside over matters before the Trial Court as assigned.

2.4 Sitting by Designation. In accordance with ONCA 13-65, the Chief Justice may designate and assign temporarily an Associate Judge to serve the Supreme Court on a specific matter when a Justice is unable to serve due to incapacity, disability, or recusal, or when a vacancy exists on the Supreme Court. Such designations shall be made in writing with the concurrence of the remaining Associate Justices of the Supreme Court and shall indicate the term of the designation.

Rule 3: Budget Administration

3.1 Annual Budget. The Judicial Branch is funded by the Osage Nation through an annual appropriation. Additional funding may be obtained through the levy of fines or fees. Federal, State or private grants may also be used to fund Judicial Branch operations. The Chief Justice and Court Administrator shall establish a base funding amount to be the basis for the annual appropriation. A copy of the annual budget shall be maintained on file.

3.2 Compliance with the Budget. The Chief Justice and Court Administrator shall ensure compliance with the Judicial Branch's budget by ensuring that sufficient funds exist to continue Judicial Branch activities. Judicial Branch employees shall avoid waste, fraud and misuse of Judicial Branch resources.

3.3 Expenses. Expenditures shall be reviewed by the Chief Justice or the Court Administrator for compliance with Osage law and policy as well as with the terms and conditions of agreements with third parties. No expenditure shall be approved without a written invoice and supporting documentation. Invoices should be submitted for payment in accordance with the Osage Nation Accounting Department policies.

3.4 Payments. Other than funds received to pay a third-party judgment creditor, monies paid to the Judicial Branch shall be credited in the Judicial Branch's Income/Fees Account to offset the costs of operation unless Osage law provides otherwise.

Rule 4: Correspondence and Recordkeeping

4.1 Official Correspondence. When corresponding with third parties and issuing memoranda, Judicial Branch letterhead should be used only when the author is representing the Judicial Branch; letters expressing personal views should be written on personal stationery. Judicial Branch letterhead correspondence with third parties shall be reviewed by the Chief Justice or the Court Administrator.

4.2 Judicial Branch Subject Correspondence Files. Ingoing and outgoing letters, memorandums, reports, and other correspondence reflecting the functions and activities of Judicial Branch shall be maintained on file and arranged by subject. Incoming correspondence shall be logged daily and stamped with the date of receipt.

4.3 Chronological Correspondence Files. An extra copy of outgoing correspondence shall be arranged in chronological order and maintained on file at the Judicial Branch's headquarters for convenience of reference. This does not include copies of incoming correspondence, which should be filed in the Judicial Branch Subject Correspondence File.

4.4 Email Correspondence. All email correspondence shall include the name, title and contact information of the sender using the signature feature of the email program in use. Emails reflecting the functions and activities of the Judicial Branch shall be preserved on the Judicial Branch's network drive and arranged by subject. During an administrative closure or an administrative employee absence, the email program's "out of office" autoreply feature shall be used indicating the date the absence ends and the contact information of an alternative Judicial Branch employee in case of emergency.

4.5 Record Retention. Until such time as the Osage Nation adopts legislation regarding the retention of records, the documents and files shall be retained as set forth in the Retention Schedule in Appendix C. When a record is designated for destruction in the Retention Schedule, it must be properly recorded on a destruction inventory, which at a minimum must include

sufficient information to identify the file type, subject matter and date of destruction. A sample inventory form is appended to the Retention Schedule.

Rule 5: Personnel Policies and Procedures

5.1 General Information. The Personnel Policies of the Osage Nation (“Personnel Policies”) shall apply to all Judicial Branch personnel; provided, employees are exempt from the provisions of the Osage Personnel Policies to the extent such provisions are covered or intended to be covered in this Rule. In the event the Judicial Branch adopts personnel policies, the term “Personnel Policies” as used throughout these Rules shall be modified to mean the Judicial Branch Personnel Policies.

5.2 Holidays and Administrative Closures. Judicial Branch holidays for employees will be those holidays observed by the Osage Nation. The Court will also follow the Osage Nation’s administrative closure schedule as may be determined by Executive Proclamation or other official directive. The Court may also be closed from time to time for staff training, emergencies or other reasons.

5.3 Inclement Weather. All Osage Nation office closings which occur as a result of inclement weather situations apply to the Judicial Branch as well. The Judicial Branch, including the Clerk’s Office, will not open on a day the Nation is closed due to inclement weather. Should hearings be scheduled on a day the Nation is closed, the hearings will be continued and rescheduled. A Clerk of the Trial Court will mail notices of new hearing dates to all parties.

Rule 6: Court Evaluation

6.1 Court Evaluation. At the end of every third fiscal year beginning the year these Rules were adopted, the courts’ caseloads for the previous year shall be evaluated. The evaluation shall include consistency with the Nation’s laws, acceptable court procedures, compliance with proper court authority, and any other proper consideration for court performance. The Judicial Branch shall pay the cost of the evaluation, which shall be conducted pursuant to nationally accepted standards for the evaluation of courts and the judiciary, including the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance *Trial Court Performance Standards*.

6.2 Evaluation Results. The Chief Justice and Court Administrator shall review the results and recommendations of the Court Evaluation and take steps to assess the resources (financial, human, organizational, etc.) required to implement recommendations, including whether coordination with other branches or agencies is required.

Rule 7: Safety Policy

7.1 Policy. Court facilities must be as safe and secure as practicable for all those who visit and work there. Court facilities should have appropriate levels of security to address any

foreseeable concern or emergency that may arise during the course of business. Employees must be proactive and sensitive to court security and emergency preparedness concerns.

7.2 Use of Contempt Power. Nothing in these court rules prevent or preclude the Court's contempt powers or the exercise of the contempt powers to ensure courtroom safety and decorum.

7.3 Security Searches. All persons entering the court facility may be subject to a security search with the assistance of law enforcement or judicial personnel. A security search consists of clearing a metal detector (handheld or standing) and a cursory, non-invasive inspection in bags or purses or pockets, which should occur for each visit to the court facility, regardless of the purpose or the hour, when practicable. Judicial Branch personnel, law enforcement and Office of the Osage Nation Attorney General staff shall be exempt from the security search unless it is determined that, based on the circumstances, an exempt person may pose security risk to the safety of the court.

7.4 Office Safety. To ensure employee and visitor safety, employees shall take reasonable and necessary steps to prevent and avoid incidents and accidents in the workplace. Any safety and/or emergency plans issued by the Osage Nation should be maintained on file and in easy-to-access areas. Employees should call 911 for life-threatening emergencies.

- (a) Floors should remain clear of obstructions and slipping hazards;
- (b) Items should be securely placed on flat surfaces to avoid falling;
- (c) Machinery and equipment should be operated according to manufacturer instructions;
- (d) Employees should avoid workplace stress by using ergonomically appropriate workstations and taking short breaks to prevent physical and mental stress.
- (e) File cabinets should be operated to avoid collapse, toppling and collisions.
- (f) Employees should be aware of individuals behaving suspiciously and report dangerous or threatening behavior to law enforcement.

7.5 Courtroom Safety. Judges, employees and security should exercise common sense while in the courtroom.

- (a) For Court Staff:
 - (1) Do not discuss court cases or Judges' decisions with third parties.
 - (2) Be attentive to duties, even while engaging in idle conversation.
 - (3) Lock the courtroom when not in use.
 - (4) Keep sharp objects or potentially dangerous objects away from litigants.
 - (5) Keep parties separated from adverse witness and victims.

(6) Be familiar with the case and aware of all related threats, including potential issues between witnesses, families, litigants or victims.

(b) For Parties, Counsel and Court Visitors in the Courtroom:

(1) Persons should be appropriately dressed;

(2) No food, bottles, paper cups, or beverage containers, except water may be provided to parties and their counsel;

(3) No propping of feet on tables, chairs, or benches;

(4) No making noises, talking, disrespectful or discourteous behavior that interferes with the court proceedings;

(5) No smoking;

(6) Cell phones and electronic devices shall be silenced; and

(7) No cameras or recording devices shall be permitted except when authorized in advance by the judge presiding over the court matter. If a recording device is included on a cell phone or other mobile device, then that device shall not be used in the courtroom without the presiding judge's advance authorization.

(8) Before entering the courtroom, a person should first remove overcoat, hat, etc;

(9) To reduce the risk of allegations of witness/judicial/officer or employee tampering or intimidation, no person should, by any conduct or gesture, exhibit approval or disapproval of any testimony elicited or any statement or transaction which has occurred in the courtroom.

Rule 8: Contracts³

8.1 Party Identification. Contracts to which the Judicial Branch or a court of the Osage Nation is a party shall initially identify the party as the "Osage Nation Judicial Branch, a constitutional branch of the Osage Nation, a federally recognized Indian tribe."

8.2 Signatories. The Chief Justice of the Supreme Court shall be the sole authorized signatory to any contract between a third party and the Judicial Branch, unless the Chief Justice has issued prior written authorization to an alternate designated signatory within the Judicial Branch.

8.3 Negotiating Authority. Contracts to which the Judicial Branch is a party may be negotiated by the Chief Justice for any purpose or the Chief Judge of the Trial Court for judicial personnel who preside over matters before the Trial Court, provided that any contract retaining an Associate Judge shall substantially conform to the pre-approved Professional Services Agreement approved by the Chief Justice and conform to the compensation rate set forth by

³ This Rule was adopted as Administrative Order No. 2012-04, which is superseded by these Rules.

Osage law. The Court Administrator is authorized to negotiate contracts regarding administrative operations.

8.4 Prior Review Required. No contract may be executed without prior review and approval by the Chief Justice.

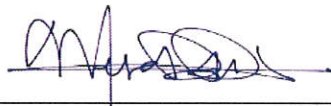
8.5 Contract Invoices. All invoices issued pursuant to a contract shall be reviewed by the Court Administrator prior to submission to the Accounting Department. The Court Administrator shall verify compliance with the terms of the contract governing the invoice and verify whether sufficient funds exist to pay the invoice. Discrepancies shall be referred to the Chief Justice for further review and approval.

8.6 Pre-existing Contracts. Contracts entered into prior to October 1, 2016 shall remain in full force and effect until they are fully performed, expire or are terminated; provided, that any contract up for renewal shall comply with this section's provisions at the time of its renewal.

Rule 9: Violations

9.1 Violations of this Chapter 2 shall be reported in writing to the Court Administrator and the Chief Justice for review and, if required, appropriate action. Reports and written submissions should be maintained on file.

ORDERED this 21st day of March, 2017.



Meredith D. Drent
Chief Justice

POSITION: COURT ADMINISTRATOR/CLERK OF THE SUPREME COURT

DEPARTMENT: OSAGE NATION JUDICIAL BRANCH

FULL-TIME: EXEMPT

IMMEDIATE SUPERVISOR: CHIEF JUSTICE, OSAGE NATION SUPREME COURT

GENERAL DESCRIPTION:

The selected individual will be responsible for the development and maintenance of the records management system for the Osage Nation Supreme Court; will plan, organize, and coordinate all administrative activities of the Osage Nation Tribal Court; and will supervise all Clerk's Office staff.

DISTINGUISHING FACTORS

This position is distinguished from other classifications by providing administration for the Osage Nation Tribal Court and serving as Clerk for the Osage Nation Supreme Court. Supervision is received from the Chief Justice of the Osage Nation Supreme Court.

ESSENTIAL FUNCTIONS OF THE POSITION

As Court Administrator:

1. Supervises and directs court employees including: Clerk of Court staff, Administrative Assistants, and other administrative staff for the Tribal Court.
2. Develops and implements new policies in coordination with Supreme Court and Trial Court.
3. In coordination with the Chief Justice, responsible for recruitment, selection and termination of Tribal Court non-judicial staff.
4. Acts as custodian of Tribal Court records, case load statistics and reports thereof.
5. Establishes expectations and provides employee performance feedback on an on-going and annual basis. Assists team members in establishing goals. Evaluates team members' goal achievement through conferences or informal meetings. Makes decisions regarding administrative employees' employment introductory periods.
6. In coordination with Chief Justice, develops a professional development plan for court personnel. Provides orientation and on-going training, mentoring and coaching to existing court personnel. Makes provisions for personnel to attend outside training. May provide cross-training and interdepartmental training.

7. Assigns duties and responsibilities to staff; develops and establishes procedures for operating and maintaining required administrative systems.
8. Works with the Chief Justice to develop and manage the Tribal Court's budget and performs all purchasing and accounting functions, including authorizing expenditures within department guidelines. Maintains a record of operating expenses, prepares requisitions and purchase orders.
9. In conjunction with Trial Court Clerk and judicial staff, participates in the design, acquisition, and implementation of automation for Tribal Court processes and proceedings.
10. Provides for facility maintenance and space needs, ensuring that all court staff have adequate equipment and safe working environment.
11. Coordinates the activities of the Supreme Court and maintains productive relationships with other Osage Nation agencies and departments, Trial Court Clerk and staff, judges, other courts, the local bar associations, law enforcement agencies, general public, and correctional institutions.
12. Apprises the Chief Justice of the Supreme Court on all administrative matters.
13. Attends meetings and training as required.
14. Performs other duties as assigned.

As Court Clerk of Supreme Court:

1. Oversees and evaluates the Supreme Court's docket and all associated processes, to ensure compliance with Supreme Court Rules and effective tracking and scheduling of cases from initiation to issuance of mandates and final orders.
2. Interprets and applies relevant rules and compiles, analyzes, and reports statistics on the Supreme Court's case load.
3. Responsible for the Tribal Court's active and closed files and permanent records.
4. Maintains the roll of attorneys, which includes the licensing process.
5. Writes reports for the Tribal Court on legal and administrative subjects and initiates or undertakes projects as directed.
6. May also be required to serve as Trial Court Clerk in the Trial Court Clerk's absence.

SUPERVISORY RESPONSIBILITIES

Responsible for the supervision of Tribal Court's operations and of court administrative personnel as directed by the Chief Justice.

QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each of the above essential functions satisfactorily. The requirements listed below are representative of the knowledge, skill, ability, physical and environmental conditions required of the employee on the job:

1. Recordkeeping (including electronic recordkeeping).
2. Knowledge and practice of supervisory techniques.
3. Knowledge and practice of budget and financial management.
4. Understanding rules and procedures of court operations.
5. Must have the ability to read, write and comprehend simple instructions, short correspondence, and memos.
6. Must also be able to effectively present information in one-on-one and small group situations to community members, clients, and other employees of the organization.
7. Apply common sense understanding to carry and provide out instructions furnished in written, oral and/or visual form.
8. Must be customer service oriented.
9. Must be able to solve problems involving multiple variables in situations.
10. Must be able to organize an office environment to ensure smooth, efficient operation using existing resources and by identifying new resources.
11. Knowledge of federal grant guidelines preferred, but not required.
12. Will be required to obtain and maintain a notary public commission.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

TECHNICAL SKILLS:

Intermediate Microsoft Office skills: Word, Outlook, Excel, Power Point, Visio, Adobe Acrobat Professional.

Must be capable of learning court case management software and other software used by the organization.

EDUCATION & EXPERIENCE

Associate's Degree or higher in business, public or court administration from an accredited college or university and at least three years of professional administrative experience, of which two years must have been in court administration or related field. A combination of relevant education and experience will also be considered, regardless of whether such education resulted in a degree. As a condition of continued employment, the employee must be able to complete mandatory supervisory training.

Knowledge of Osage government, language and culture is preferred but not required.

PHYSICAL DEMANDS

While performing the duties of this job, the employee is regularly required to sit and talk or hear. The employee must occasionally lift and/or move up to 25 pounds.

WORK ENVIRONMENT

This position is subject to many interruptions and may be required to handle multiple calls and inquiries at once. The noise level in the work environment is usually moderate.

Employee

Date

POSITION: TRIAL COURT CIVIL CLERK

DEPARTMENT: OSAGE NATION JUDICIAL BRANCH

FULL-TIME: NON-EXEMPT

IMMEDIATE SUPERVISOR: COURT ADMINISTRATOR/CLERK OF THE
SUPREME COURT

POSITION SUMMARY:

The Trial Court Civil Clerk is responsible for accomplishing all essential tasks to process from initial filing until final disposition those cases before the Osage Nation Trial Court that are not criminal in nature, but include all case types categorized as civil in nature, including but not limited to: civil, divorce, adoption, foreign judgment, child support, juvenile deprived, guardianship, protective order, incapacitated adult, and small claims cases. This position performs a variety of tasks requiring extensive knowledge of statutes, court rules and court operations and procedures.

This position designation reflects the general concept and intent of the Civil Clerk's role and should not be construed as a detailed statement of all the work requirements that may be inherent in the position. The Civil Court Clerk position is distinguished by the application of greater knowledge of a large variety of Osage Nation civil laws and procedures pertaining to multiple case types.

ESSENTIAL FUNCTIONS:

Under the supervision of the Court Administrator, and in accordance with Osage Nation law, Court Rules and Judicial Branch policies and procedures, the Trial Court Civil Clerk is responsible for all aspects of case file management, docket management, case flow management, and customer service pertaining to civil cases. The Trial Court Civil Clerk will be responsible for performing the following elements of these essential functions in a timely manner:

1. Receiving filings, pleadings and other matters related to Trial Court civil cases; processing all documents filed with the Trial Court as to civil cases by making appropriate docket entries in the case management system and by taking appropriate action as required; verifying that court forms are completed, signatures are affixed, any attachments are received and the proper filing fees are received; maintaining and entering civil case information into the Court's case management software;
2. Preparing folders and files and processing orders of the Court with respect to civil cases; preparing and entering warrants issued in civil matters into the Sheriff's Office

Management System and other relevant systems; receiving and updating files on parties in civil matters;

3. Collecting payments and fees, records the transactions in the computer system, issues receipts and processing those payments with the Accounting Department; assisting court customers, Trial Court judges, prosecutor, public defenders and private counsel on civil matters;
4. Issuing summons and subpoenas as to civil matters, certifying copies of civil records, and serving as witness to Trial Court activities with respect to the civil docket; preparing documents for service and notifications to civil court litigants and jury members, when applicable;
5. Calendaring civil cases and coordinating trial times in an effective and efficient manner, entering hearings in the case management software and electronic calendaring system, issuing hearing notices; generating calendars and dockets, posting and publishing calendars and dockets to website and other locations as directed;
6. Assembling the case files and ensuring that the record is ready for court; administering oaths for witness and parties to civil matters before the Trial Court; staffing the Trial Court during civil hearings, keeping detailed records of proceedings, processing orders of the court, marking exhibits and maintaining a recording log;
7. Monitoring cases eligible for dismissal by printing a report, verifying the status of cases, providing notice to the parties, presenting dismissal orders to judges and recording the dispositions; and
8. Other duties as assigned by the Court Administrator.

ADDITIONAL DUTIES:

In collaboration with other court personnel, the civil court clerk:

1. Performs general clerical work and prepares correspondence and memos from the Trial Court as directed;
2. Records and processes payments made to the Trial Court;
3. Works cooperatively and collaboratively with court personnel, judges, attorneys, employees, and associates of the Judicial Branch to provide consistency of court services;
4. Receives and records incoming and outgoing mail for the Trial Court;
5. Receives inquiries about court services and responds to routine inquiries or directing inquiries to the appropriate entity for handling;
6. Maintains the skills necessary to perform court clerk duties through relevant training and development;

7. Understands and applies court rules as they pertain to the filing and processing of cases in the Trial Court;
8. Obtains general knowledge of Osage governmental structure and history as well as general concepts of government operations;
9. Abides by all personnel policies, procedures, ethical obligations and professional office conduct standards;
10. When an appeal is filed, prepares and transmits the court record on appeal in a timely manner, verifying that case information is accurate;
11. Performs the duties of other court clerks as needed; and
12. Must be able to maintain confidentiality and impartiality while performing duties.

Supervisory Responsibilities:

None.

QUALIFICATIONS:

To perform this job successfully, an individual must be able to perform each of the above essential functions satisfactorily. The requirements listed below are representative of the knowledge, skill, ability, physical and environmental conditions required of the employee on the job:

1. Recordkeeping (including electronic recordkeeping).
2. Able to find, read, apply and understand rules and procedures of court operations and Osage Nation law, when applicable.
3. Must have the ability to read, write and comprehend simple instructions, short correspondence, and memos.
4. Must also be able to effectively present information in one-on-one and small group situations to community members, clients, and other employees of the organization.
5. Apply common sense understanding to carry and provide out instructions furnished in written, oral and/or visual form.
6. Must be customer service oriented.
7. Must be able to solve problems involving multiple variables in situations.
8. Will be required to obtain and maintain a notary public commission.

9. Must be able to speak and write in a professional manner using appropriate grammar, spelling, and terminology applicable to the subject matter.

10. Must learn, understand, and apply professional office standards and practices.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions and other duties.

TECHNICAL SKILLS:

Basic Microsoft Office skills: Word, Outlook, Excel, Power Point, Visio, Adobe Acrobat Professional. Must be capable of learning court case management software and other software used by the organization.

EDUCATION & EXPERIENCE:

Associate's Degree or higher or a certificate from a court clerk or paralegal program. Prior court clerk experience is highly preferred. A combination of relevant education and experience will also be considered, regardless of whether such education resulted in a degree.

Knowledge of Osage government, language and culture is preferred but not required. The successful employee will be expected to become familiar with Osage government and history.

PHYSICAL DEMANDS:

While performing the duties of this job, the employee is regularly required to sit and talk or hear. The employee must occasionally lift and/or move up to 25 pounds.

WORK ENVIRONMENT:

This position is subject to many interruptions and may be required to handle multiple calls and inquiries at once. The noise level in the work environment is usually moderate.

OTHER CONDITIONS:

As a condition of hiring, the candidate must successfully pass a background check and drug test and must sign a Code of Conduct for Court Personnel.

Employee

Date

POSITION: TRIAL COURT CRIMINAL CLERK
DEPARTMENT: OSAGE NATION JUDICIAL BRANCH
FULL-TIME: NON-EXEMPT
IMMEDIATE SUPERVISOR: COURT ADMINISTRATOR/CLERK OF THE
SUPREME COURT

POSITION SUMMARY:

The Trial Court Criminal Clerk is responsible for accomplishing all essential tasks to process criminal, traffic and juvenile delinquent cases from initial filing until final disposition. This position performs a variety of tasks requiring extensive knowledge of statutes, court rules and court operations and procedures.

This position designation reflects the general concept and intent of the Criminal Clerk's role and should not be construed as a detailed statement of all the work requirements that may be inherent in the position. The Criminal Court clerk position is distinguished by the application of greater knowledge of Osage Nation criminal, traffic and juvenile delinquent laws and procedures.

ESSENTIAL FUNCTIONS:

Under the supervision of the Court Administrator, and in accordance with Osage Nation law, Court Rules and Judicial Branch policies and procedures, the Trial Court Criminal Clerk is responsible for all aspects of case file management, docket management, case flow management, and customer service pertaining to criminal cases. The Trial Court Criminal Clerk will be responsible for performing the following elements of these essential functions in a timely manner:

1. Preparing folders and files and processing orders of the Court with respect to criminal, traffic and juvenile delinquent cases; receiving filings, pleadings and other matters related to trial court criminal, traffic and juvenile delinquent proceedings; verifying that forms are completed, signatures are affixed and any attachments are received; entering cases into the case management system;
2. Preparing and entering warrants issued by the Court into the Sheriff's Office Management System and other relevant systems; receiving and updating files on persons arrested by law enforcement; preparing documents for service and notifications to criminal and traffic court litigants and jury members;

3. Collecting payments and fees, records the transactions in the computer system, issues receipts and processing those payments with the Accounting Department.
4. Assisting the Trial Court judges, prosecutor, public defenders and private counsel on criminal, traffic and juvenile delinquent matters; processing all documents filed with the Trial Court by making appropriate docket entries in the case management system and by taking appropriate action as required;
5. Calendaring criminal, traffic and juvenile delinquent cases in an effective and efficient manner, entering hearings in the case management software and electronic calendaring system, coordinating trial times and issuing hearing notices; generating calendars and dockets, posting and publishing calendars and dockets to website and other locations as directed;
6. Assembling the files and ensuring that the record is ready for court; staffing the courtrooms during criminal, traffic and juvenile delinquent hearings, keeping detailed records of proceedings, processing orders of the court, marking exhibits and maintaining a recording log;
7. Administering oaths for witness and parties to criminal, traffic and juvenile delinquent matters before the Trial Court; issuing summons and subpoenas as to criminal, traffic and juvenile delinquent matters, certifying copies of criminal, traffic and juvenile delinquent records, and serving as witness to Trial Court activities with respect to the criminal, traffic and juvenile delinquent docket; and
8. Other duties as assigned by the Court Administrator.

ADDITIONAL DUTIES:

In collaboration with other court personnel, the criminal court clerk:

1. Performs general clerical work and prepares correspondence and memos from the Trial Court as directed; records and processes payments made to the Trial Court;
2. Works cooperatively and collaboratively with court personnel, judges, attorneys, employees, and associates of the Judicial Branch to provide consistency of court services;
3. Receives inquiries about court services and responds to routine inquiries or directing inquiries to the appropriate entity for handling; receives and records incoming and outgoing mail for the Trial Court;
4. Maintains the skills necessary to perform court clerk duties through relevant training and development;
5. Understands and applies court rules as they pertain to the filing and processing of cases in the Trial Court;

6. When an appeal is filed, prepares and transmits the court record on appeal in a timely manner, verifying that case information is accurate;
7. Obtains general knowledge of Osage governmental structure and history as well as general concepts of government operations;
8. Abides by all personnel policies, procedures, ethical obligations and professional office conduct standards;
9. Performs the duties of other court clerks as needed; and
10. Must be able to maintain confidentiality and impartiality while performing duties.

Supervisory Responsibilities:

None.

QUALIFICATIONS:

To perform this job successfully, an individual must be able to perform each of the above essential functions satisfactorily. The requirements listed below are representative of the knowledge, skill, ability, physical and environmental conditions required of the employee on the job:

1. Recordkeeping (including electronic recordkeeping).
2. Able to find, read, apply and understand rules and procedures of court operations and Osage Nation law, when applicable.
3. Must have the ability to read, write and comprehend simple instructions, short correspondence, and memos.
4. Must also be able to effectively present information in one-on-one and small group situations to community members, clients, and other employees of the organization.
5. Apply common sense understanding to carry and provide out instructions furnished in written, oral and/or visual form.
6. Must be customer service oriented.
7. Must be able to solve problems involving multiple variables in situations.
8. Will be required to obtain and maintain a notary public commission.
9. Must be able to speak and write in a professional manner using appropriate grammar, spelling, and terminology applicable to the subject matter.

10. Must learn, understand, and apply professional office standards and practices.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions and other duties.

TECHNICAL SKILLS:

Basic Microsoft Office skills: Word, Outlook, Excel, Power Point, Visio, Adobe Acrobat Professional. Must be capable of learning court case management software and other software used by the organization.

EDUCATION & EXPERIENCE:

Associate's Degree or higher or a certificate from a court clerk or paralegal program. Prior court clerk experience is highly preferred. A combination of relevant education and experience will also be considered, regardless of whether such education resulted in a degree.

Knowledge of Osage government, language and culture is preferred but not required. The successful employee will be expected to become familiar with Osage government and history.

PHYSICAL DEMANDS:

While performing the duties of this job, the employee is regularly required to sit and talk or hear. The employee must occasionally lift and/or move up to 25 pounds.

WORK ENVIRONMENT:

This position is subject to many interruptions and may be required to handle multiple calls and inquiries at once. The noise level in the work environment is usually moderate.

OTHER CONDITIONS:

As a condition of hiring, the candidate must successfully pass a background check and drug test and must sign a Code of Conduct for Court Personnel.

Employee

Date

**OSAGE NATION JUDICIAL BRANCH
RECORD RETENTION SCHEDULE**

CATEGORY	DOCUMENT TYPE	RETENTION PERIOD
A	Contracts and related correspondence (including any proposal that resulted in a contract and all other supportive documentation)	7 years from the date of expiration or termination
B	Correspondence and memoranda pertaining to a special type of document or supporting a special type of document (such as a contract)	Same retention period as the special type of document
C	Correspondence and memoranda pertaining to routine matters and having no significant, lasting consequences: 1. Routine letters and notes that require acknowledgement or follow up such as notes of appreciation, congratulations, transmittal cover letters and plans for meetings 2. Form letters that require no follow up (such as solicitations for business) 3. Letters of general inquiry and replies that complete a cycle of correspondence (such as requests for information) 4. Letters or complaints requesting specific action that have no further value after changes are made or action taken (such as changes of address) 5. Other letters of inconsequential subject matter (such as conferences, events) or that definitely close correspondence to which no further reference will be necessary (such as a letter declining to participate in a service or event) 6. Chronological correspondence files	3 years from the date on the correspondence
D	Correspondence and memorandum pertaining to non-routine matters or having significant lasting consequences	Permanent
E	Electronic Mail: business-related emails should be transferred on to the appropriate file in the Judicial Branch's shared network drive – only the last email containing the original message and any replies in a discussion group should be saved.	12 months in the Outlook program until transferred. Once transferred to the network drive, retain for the same period as the corresponding hard copy of the subject file.

	Emails the employee deems vital to the performance of his duties.	Print and store in the employee's work space.
F	Electronic Files: Includes Microsoft Office documents and PDFs: 1. The length of time a PDF file is retained should be based on the content of the file and the category under the various sections of this Policy. 2. Final drafts of text and formatted files should be retained on the shared network drive in the appropriate folder 3. Text and formatted files an employee deems vital to the performance of his duties.	6 years 5 years Print and store in the employee's work space.
G	Court Files: 1. General Civil Files, except as indicated below 2. Criminal files 3. Civil files closed by administrative action 4. Settlements under \$10,000 5. Settlements \$10,000 and higher 6. Unlawful detainer/evictions 7. Name change 8. Probate 9. Marriage and divorce 10. Juvenile 11. Adoption and Guardianship 12. Eminent domain 13. Quiet title 14. Trust 15. Elections 16. Appellate decisions 17. Historically significant cases 18. Cases between branches of Osage government	10 years Permanent 5 years 10 years 20 years 5 years if no money judgment; 10 years if money judgment Permanent Permanent Permanent Permanent Permanent Permanent Permanent Permanent Permanent Permanent Permanent
H	Grant Applications and Awards: 1. Original grant proposal 2. Grant agreement and subsequent modifications 3. IRS/grantee correspondence (if any) 4. Final grantee reports, financial and narrative 5. All evidence of returned grant funds (if any) 6. Formal correspondence, including letters of support 7. Report assessment forms 8. Grantee invoices, matching contributions 9. Grantee work product produced with grant funds	7 years

I	Financial Records: Accounting records, deposit records, bond payments, etc.	7 years
J	Miscellaneous Records: 1. Consultant reports 2. Material of historical value (including photos, publications and electronic records) 3. Policy and procedures manuals 4. Annual reports 5. Uncategorized	2 years Permanent 3 years after superseded by current version 7 years Deliver to Chief Justice for review
K	Personnel Records: 1. Employees records 2. Applicants who were not hired 3. Job descriptions	7 years 3 years 3 years after superseded by current version
L	Property records: 1. Equipment on loan or rented 2. Equipment owned by Judicial Branch 3. Furniture on loan or rented 4. Furniture owned by Judicial Branch 5. Art on loan 6. Art owned by Judicial Branch	3 years after returned 3 years after disposed or transferred 3 years after returned 3 years after disposed or transferred 5 years after returned 3 years after disposed or transferred