Top Stories!

Oct. 20—The Lawyer Event of the Year, get your tickets!!!!!!  5
Pictures of the Banks of the Nooksack River  6-10
RSVP for Family Law Gathering  11

Your Regular Favorites!

The Presidents Column— “Mental Health Triage Center”  2-3
Classifieds— Jobs, office space & services!  4
Pro Bono Connection— “LTO Time—The Lawyer Event of the Year”  5
Rajeev’s Musings— “To Catch a Predator”  6-10
Fantastic Ads & Deals!— Our Proud Sponsors  13-17
Bar Meeting Minutes— No bar meeting in August  18

Special Announcements!

Angela Cuevas to become a Judicial Official!  4
Superior Court Lawyer Swearing-in (Oct. 6, at 3pm, J. Snyder)  4
Local WCBA CLEs (Oct. 3, Nov. 29 & Dec. 13)  5, 12
LAW Advocates’ 30th Anniversary LTO Dinner (Oct. 20)  5

Bar Lunch

On Oct. 4th! (2017) At High Noon!
At Northwood Hall, 3240 Northwest Avenue, B’ham.

Guest Speakers: Dave Reynolds and Sandy Kiele, to discuss Whatcom Superior Court’s adoption of the Odyssey Portal for court records.

Superlative Disclaimer:
The information & various articles contained within this publication have not been checked for accuracy. All opinions expressed are those of the authors and do not reflect the opinions of the Bar Association, the Journal, or the agents thereof.
The President’s Column
By David Brown, WCBA President 2017

Whatcom County Mental Health Triage Center Moves Ahead

In the September 12, 2017, Whatcom County Counsel meeting, additional funding for Whatcom County’s mental health triage center was approved. http://www.co.whatcom.wa.us/2493/2017-Agendas-Action-Taken-Minutes-and-Au. This additional funding keeps the expansion of the triage center on track as State Legislatures in Olympia struggle to agree on funding for state projects.

What is the Triage Center?

“The Whatcom County Crisis Triage has the overarching goal of decreasing the use of jails and hospital emergency departments, acting as a diversion resource for people experiencing a behavioral health crisis.” --http://www.compasshealth.org/uploads/Whatcom_Triage_Flyer.pdf

A discussion of incarceration rates and indeed the issue of Whatcom County’s continued push for a new jail cannot ignore the role played by mental health crises. Nearly half of the daily jail population is suffering from some form of behavioral health crisis. Indeed, with no mental health triage options, law enforcement often has no choice when dealing with a citizen in behavior health crisis but to charge them with some kind of criminal offense and place them in the county jail. If only a small fraction of those folks could be diverted to a crisis triage center instead of jail, this would drastically ease pressures on law enforcement, save county tax payers money, and reduce the collateral consequence to the mentally ill of repeated brushes with the criminal justice system.

Mental health and its impact on jail populations is not just a local issue. Nation-wide, we have all begun to acknowledge the huge number of mental ill folks who wind up in our jails and suffer long-term consequences as a result. NAMI’s research has found:

“2 million people with mental illness are booked into jails each year. Nearly 15% of men and 30% of women booked into jails have a serious mental health condition. ...Once in jail, many individuals don’t receive the treatment they need and end up getting worse, not better. They stay longer than their counterparts without mental illness. They are at risk of victimization and often their mental health conditions get worse.

After leaving jail, many no longer have access to needed healthcare and benefits. A criminal record often makes it hard for individuals to get a job or housing. Many individuals, especially without access to mental health services and supports, wind up homeless, in emergency rooms and often re-arrested. At least 83% of jail inmates with a mental illness did not have access to needed treatment.”

https://www.nami.org/Learn-More/Public-Policy/Jailing-People-with-Mental-Illness
NAMI recently began “The Stepping Up Initiative.” This initiative encourages local communities to take steps much like those just taken by our County Counsel.

“The initiative will challenge counties and local communities to work together to find solutions that work for the local community. The campaign will also support local leaders by providing examples of effective reforms and connecting them with other communities that are successfully reducing the number of people with mental illness in jails.”

As lawyers, many of whom work either directly or indirectly with the criminal justice system, the mentally ill, or government agencies, we have significant credibility when we speak to lawmakers. We should take the time now to thank the County Counsel for moving ahead with the triage center and express our support for needed alternatives to help some of the most vulnerable people in our community.

(Continued from page 2)

Office Space Available – Bellingham Towers - 119 N. Commercial Street – downtown! Just down the street from City Hall, the Court House and the Federal Building. If interested please call 360-647-1916 x 112 or email: robbi@hollanderinvestments.com. Conference room available for Rent to Tenants and Non-Tenants.

Attorney Available to Assist with Overflow Work. Former Sole Practitioner licensed in both Georgia and Washington, will assist with your Overflow needs; now you can have the part-time assistance you need, when you need it. Professional and dependable. Can work on-site or off-site at my own well-equipped home office. Rates variable by complexity of work; minimum 3 hours. Contact me directly as follows: Carol Sheppard (770) 366-8186 or CSSheppard100@gmail.com.

Assistance in Serious Cases: Just moved to Bellingham. Recently licensed in Washington, with 42 years of trial experience in Texas, including lead counsel in 2 Capital Murders in the past two years, and 12 years as a trial judge. Available to assist in preparation and trial of serious cases - criminal and civil. Contact: Norman E. Lanford, Sr., 512-751-1272, or n.lanford@sbcglobal.net.

Beautifully Updated, Courthouse-Located Office Space Available. 800 sf or more. Take it all or share with me. Furnishings/new light fixtures/decorations, and rent, negotiable. Also, CONFERENCE ROOM AVAILABLE for rent. Sharon Westergreen . 360-966-3800
ATTENTION Law Offices Personnel: Please assure ALL staff, attorneys and, non-attorneys are aware of the contents of this notice.

The Whatcom County Superior Court Judges are pleased to announce that Angela Cuevas has accepted the position of Court Commissioner and will be joining the Court later this year. Ms. Cuevas is filling the position that will be vacated due to the retirement of Commissioner Martha Gross. Ms. Cuevas brings years of experience in several areas of law and particularly in domestic relations and child support matters, and will begin her service as the Commissioner hearing family law matters. Please join us in wishing her every success in her work with the Court.

____________________________________

COME SUPPORT NEW MEMBERS OF THE WSBA

Please pass the word to any new lawyers!

Whatcom County will be having a swearing in Ceremony for new bar members on October 6th at 3:30 PM in Judge Snyder’s Courtroom on the third floor.

Come welcome our new attorneys.
Pro Bono Connection

Thank you to our September Volunteer Attorneys*!

Steven Adelstein
Abtin Bahador
Kirsten Barron
Rolf Beckhusen
Aaron Brinckerhoff
Alex Britain
Phil Buri
Roger Ellingson
Heather Fathali
Ryan Floerchinger
Pat Gallery
Kendra Kelly
Michael Kleps
Barry Meyers
Ryan Mills
Holly Pai
Sallye Quinn
Jennifer Slattery
Maureen Toomey
Emily Yeh
Dominique Zervas
*As of press time

Don’t Forget to Register for the October 3rd CLE: www.lawadvocates.org/cle-2017

Morning: Moderator Arundel Pritchett: Timely Topics in Immigration Law and Related Issues
Speakers: Larry Hildes, Nicole Herrera, Holly Pai, Hannah Stone.

Afternoon: Moderator Lisa Saar: End-of-Life Planning Issues for Clients and Lawyers Themselves
Speakers: Jeanne Marie Clavere & Lisa Saar

Save the Dates for November 29th & December 13th CLEs

LTO 2017
Costume Competition Categories:
Best Female Costume
Best Male Costume
Best Table
Best Table Runner-Up

PLUS:
Special 30th Anniversary Auction Items!

Look for your Invitation in the Mail or Register Online:
www.lawadvocates.org/lawyers-take-orders-auction

Don’t forget to check out our special 80s Hair & Makeup Item to Help you Get Ready!
Ramblings of a Small Time Country Lawyer
~By Rajeev!

To Catch a Predator

Subtitle: Wandering the Nooksack River
Subtitle the 2nd: Photo Show and Tell

Human beings are the ultimate predator. There is no animal they have not killed and eaten. They can out run any animal in terms of distance and endurance. They can swim, climb, dig, run, and jump, as well as fling projectiles, set traps, and coordinate as a pack. They are exceptionally crafty, and these days they come armed and can even fly. Personally, I am terrified of human beings, so I avoid them when possible. Unpredictable and easily provoked. I also like to avoid them because with all of the hats I am wearing these days, I very rarely get any semblance of rejuvenating solitude.

Still, Hemmingway had interesting thoughts about them: “There is no hunting like the hunting of man, and those who have hunted armed men long enough and liked it, never care for anything else thereafter.” So, when the opportunity arose to both get some peace and quiet and hunt the deadliest beast by going on an anti-poaching patrol with the Nooksack Tribe’s Fish & Wildlife Department, I made time for the opportunity.

Here in Whatcom County, our big river system is that of the Nooksack River and its three forks. It is used by multiple communities, for recreation, commercial, industrial, residential and subsistence purposes. Consequently, it is the subject of multiple jurisdictions and authorities:

(Continued on page 7)
This includes both the Lummi and Nooksack Indian Tribes. Below the Marine Drive Bridge is the exclusive non-recreational fishing area of Lummi, above Marine Drive there is about a mile of shared economic zone, and then the river becomes exclusive (for non-recreational fishing) to the jurisdiction and regulation of the Nooksack Tribe and its members as part of their treaty rights under the 1855 Treaty of Point Elliot, and other agreements thereafter.\(^1\)

The Nooksack Tribe patrols the river from Marine Drive and upstream, and to do it properly take the better part of a day. And, it was a glorious Whatcom County day. Warm winds, and grey overcast skies, with long stretches of grassy banks and bluffs hemming in a river teeming with wildlife.
And... right off the bat, we caught a poacher! Errr.... Well, actually, we stopped, but did not apprehend a poacher... as he or she was not present. But, having spied something from downriver after talking to some lawfully licensed fishermen, and climbing down a bluff of blackberry bushes, we found an illegally placed set net tied off to a tree over hanging the river. With enthusiasm, I tore up my clothes in blackberry brambles, fell into the mud of the river after the muddy bank ledge I was edging across fell down, and climbed up into the tree in order to cut the net out so we could impound it and search it for owner identification and trapped fish.

A great start to the day. An Eagle flew overhead and circled three times. Clearly, a sign.

As it happens, the net was taken out in the overlapping Lummi/Nooksack patrol zone, so we had a little back and forth communication with Lummi about the matter, and in the end it as decided that we would haul away the fifty foot net ourselves. It was a good net and in good condition, worth some money... but mostly I just thought how gross it was trying to pack this smelly wet unmanageable thing through the chest high grasses and brambles that surround the river. I mean... not that I was doing much of any physical labor. No one wanted to put the tag-a-long lawyer at risk in the first place, and I only got to do the tree climbing, because no one was quick enough to stop me and I had the jump on them. But I appreciated the efforts... and despite their best efforts, I ended the day muddy, cut up, bruised and extremely happy.
The rest of the day consisted of making our way up the river looking for violations of the tribe’s regulations, checking licenses, checking nets, checking people’s catches and educating the public, both native and non-native, as to what we were doing. I met subsistence fishermen, I met anglers, fly fishers, people setting commercial nets, boaters, and was generally impressed by the deep calm every fisher on the river exuded.
New resolution: spend more time on the river.

Though I was disappointed we were never able to apprehend or identify the people that set the illegal poaching net, I am happy to know that there are multiple sets of eyes working to conserve, and protect the ecosystem here in our neighbourhood so that it will last for future generations. After all, there are already so few areas of calm and wild in our everyday lives as lawyers, it would be a shame if the next generation of lawyers didn’t have places to escape to.

Endnotes

1 At the Treaty Council in 1855, the United States held that the Lummi Treaty signers also represented the Nooksacks, as the Treaty Commissioners deemed that Chow-Wits-Hoot, whom they called the Lummi Principal Chief, represented all of the Indians in the drainage. The Nooksack Tribe was recognized separately by the United States in 1971. US v WA, 459 F.Supp. 1020, 1040-1, FF. 261-266 (1978).

Proclamation for party on: **Saturday, October 14, 2017 at Noon.**

To All Who Practice the Esteemed Art of Domestic Relations Law (and allied/interested individuals, lawyers, paralegals, and judicial officers):

From time-to-time, for the good of the profession, for the good of ourselves, and for a little delightful hedonism, the Whatcom County Family Law Bar should meet and enjoy each other’s company under most amicable circumstances.

With that in mind, I call you to our FOURTH ANNUAL GATHERING located at the private sanctuary of Rajeev Majumdar (in Bellingham, not Blaine!).

We will have hot dogs, hamburgers and beverages both alcoholic and non-alcoholic. It would be great if you could bring a side, vegetarian alternatives, drink(s) to share or a dessert(s). Did I mention drinks to share? That would be good.

I will also try to send out an Evite to last year’s invitees, but understand I am really terrible at it; and always leave important people off; you really ought to contact me.

This event shall be known as “The Great 2017 Conclave of Domestic Relations Practitioners.” All legal disputes,^1^ weapons and frowns will be left in the gatehouse before crossing the bridge. The bridge to cross is located at the Fortress of Solitude, located at 4029 Willowbrook Lane in Bellingham.

Repondez s’il vous plait to Rajeev@northwhatcomlaw.com^2^

~R!

**Endnotes**

^1^ This includes disputes over theory between traditional and collaborative law practitioners!

^2^ I’ll probably respond by sending you an evite so I can try to make the food calculations correct, but I understand not everyone’s computers are evite friendly, so when you RSVP, please give me a body count if you are bringing a retinue.
WCBA CLE PROGRAM

In partnership with the Whatcom County Bar Association, LAW Advocates puts on 6 live CLEs each year.

CLEs are usually held in the Encore Room at the Mount Baker Theater 104 N Commercial St, Bellingham, WA 98225. Sessions may also be attended by live webinar on the day of.

In addition, LAW Advocates will be offering recorded versions of our live CLEs for online viewing and credit thanks to the generous support of 4th Corner Network.

Proceeds from CLE sales provide critical operating support to LAW Advocates.

Upcoming CLEs:

10/3/2017 — Morning: Immigration and Related Topics for All Lawyers.

Afternoon: End-of-Life Planning for Clients and Lawyers Themselves.


Afternoon: Law & Technology: Trial/Courtroom Presentation of Electronic Evidence.

12/13/2017 — Morning: Ethics! Enough said!

Afternoon: Evidence, with judicial, civil litigation, and criminal defense components.
NOW OFFERING
ARBITRATION & MEDIATION SERVICES

Successful mediations and arbitrations don’t just happen. With over 35 years of civil trial experience, I help parties assess risks and resolve differences in a fair and balanced way, crafting mutually agreed upon solutions, economically and efficiently.

Karlberg & Associates, PLLC
ARBITRATION • MEDIATION • LITIGATION • BUSINESS • INDIVIDUAL
432 W. Bakerview Road, Suite 101, Bellingham
360.325.7774 • karlberglaw.com
Business keeps booming! Seeking additional, experienced family law associate.

Business keeps booming! Top-rated family law firm in Snohomish County seeks experienced, family law associate attorney to help keep up with our demand by joining our A-team roster. The ideal candidate will have a proven record of managing multiple cases independently, exceptional attention to detail (including self critique), excellent written and verbal communication skills, be comfortable with aggressive litigation on behalf of our clients (including motion practice, mediation, and trial), and will share our commitment to providing superior client service. 2-3 years' experience in family law litigation is REQUIRED for consideration, as candidate will be expected to hit the ground running without further training. Comp package of $100,000.00+ DOE and billable hour requirements and includes comprehensive medical/dental benefits, annual productivity bonus, and employer funded 401-K. Please e-mail your cover letter, resume, writing sample(s), professional references, and law school transcript (if passed the Bar within the last 4 years) to jberner@bernerlawgroup.com.
Is Your Process Server Certified?

The Center for Process Server Education offers the only comprehensive process server training course in the state of Washington.

Topics Include

- Civil law
- The judicial process
- Statutes of limitations
- Ethics
- Tips and tools
- Business operations
- Rules of service
- Trespass
- Due diligence
- And much more

See www.c4pse.com for details or call Robin Mullins at 360-671-2455

Grow your business with our all-inclusive offices!

Stop by for a Tour Today!

We also have virtual options!

Executive Offices include everything to meet your business needs, all in one place!

- Reception Services with Custom Scripted Greeting Tailored to Your Needs
- All Utilities Included
- Fully Furnished
- On-Site Mail Reception
- Advanced Copy & Print Center
- On-Demand Conference Rooms, Ready When You Are

1313 E. Maple St. Suite 201, Bellingham, WA 98225
www.thegatewaycentre.com — 360.685.4200

We understand the complexities of the Workers’ Compensation system and disability laws.

Wayerski & Zmolek Injury Law

Personal Injury • Workers’ Compensation • Social Security Disability / SSI

Kip Wayerski • Gerry Zmolek • Mitchell Wayerski

360.676.1448
800.865.7921
F 360.676.1525

1402 F Street
PO Box 668
Bellingham WA
98227-0668

Our firm was founded over two decades ago with the principles of aggressive advocacy and compassionate representation of individuals with Workers’ Compensation, Personal Injury and Social Security Disability/SSI claims.

Your professional referrals are welcome and appreciated.

wayerskizmolek.com | A Professional Limited Liability Company

Practice devoted exclusively to Personal Injury, Workers’ Compensation, and Social Security Disability/SSI claims.
C&A
Copolongo & Associates

Court Reporting & Real-time Specialists
Court Approved Audio Transcription

We Offer Premier
Certified Court Reporters
Video Conference
Transcriptionist
Conference Rooms
Videographer Services
Transcription of Audio/Video Files, from all formats
Easy Online Scheduling

We look forward to meeting all your Court Reporting
and Transcription needs.

360-671-6298
info@corpolongoandassociates.com
or visit us at
Corpolongo.net
Serving Western Washington Since 1985

Boundary Bay Law
U.S. Immigration Law

Now located in the
Bellingham Herald Building!
The highly experienced team at Boundary Bay Law works
with individuals and businesses to navigate rapidly changing
U.S. immigration regulations and policy.

- Business & Employment visas
- Family visas
- Permanent Residence
- Naturalization & Citizenship
- Expertise in Entrepreneur & Investor visas

Dedicated to facilitating economic opportunities
and uniting families in the United States

WWW.BOUNDARYBAYLAW.COM
125 S. STATE STREET, STE 603
BELLINGHAM, WA 98225
(360) 229-7766
INFO@BBAYLAW.COM

Express Legal Transcription, L.L.C.
Fast * Accurate * Reliable
Serving Whatcom County’s legal community since 2004

Sue Fox Golombek
(360) 739-6707
express@openaccess.org

PLEASE NOTE OUR NEW NUMBER! Let us transcribe your documents. Pick-up and delivery service in Bellingham. $6.50 per page. Court hearing transcripts, doctor letters, pleadings, telephone interviews, GAL reports, you name it!
Judicial Dispute Resolution, LLC
is pleased to announce and welcome
JUDGE
PALMER ROBINSON, RET.
as a new panelist
Former King County Superior Court Judge
Judge Robinson is available to provide mediation, arbitration, special master
and related services.

Joshua Green Building: 1425 Fourth Ave., Suite 300 - Seattle, WA 98101
206.223.1669 • www.jdrlc.com

Evan B. Freedman
PhD, ABPP
Whatcom, Skagit and Snohomish’s
only Nationally Board Certified
Forensic Psychologist

Forensic Mental Health Evaluations
• Child Custody/ “Parenting Evaluations”
• Parental Capacity/Child Protection/Sexual Abuse
• Risk/Threat Assessment
• Criminal Competency (Adjudicative, Miranda,
  Waive counsel, or Plea)
• Diminished Capacity/Sentence Mitigation
• Civil Competency (Guardianship/AIP,
  Testamentary, Adjudicative)
• Immigration
• Personal Injury

*INFORMAL CASE CONSULTATION WELCOMED*
360.734.2664
evan@drevanfreedman.com
www.drevanfreedman.com
Whatcom County Bar Association – September 2017 Monthly Meeting  
9/6/17

(1) Call to Order – President David Brown (12:15 p.m.)

(2) Introduction / Welcome of Guests

(3) Motion to Approve June 2017 Minutes
   *Approved Unanimously

(4) Motion to Approve June 2017 Treasurer’s Report
   *Approved Unanimously

(5) Events / Announcements
   * Jennifer Slattery – Whatcom Women Lawyers
     * Lisa Keeler will be hosting event @ Carmichael Clark – “Implicit Bias in the Profession”
     * Brown Bag Lunch – no RSVP necessary
     * 9/21/17 – First Happy Hour @ The Local Annex
   * Lisa Keeler – Carmichael Clark BBQ today (9/6/17)
   * Northwest Youth Services
     * 20th Anniversary Celebration of Teen Court
       *September 13, 2017 @ Boundary Bay
     * Thanks to WCBA for continued financial support
     * Teen Court hearings are open to the Public
   * LAW Advocates – Mike Heatherly – Lawyers Take Orders Update
     * Nikki D’Onofrio – Thanks to August 2017 Volunteers
     * Roger Ellingson – Winner of Volunteer Raffle
     * Free Immigration Clinic – 9/21 – Call LAW Advocates to register

(6) Speaker – Brad Furlong – President of the Washington State Bar Association

(7) Meeting Adjourned (1:05 p.m.)
Advertise in the Newsletter

Admit it. You read the ads in the Newsletter to see what’s going on. So does everyone else. If you have a service to offer to your colleagues in the local legal community — or if you just want to show off — you won’t find a cheaper, easier way to do it.

1/8-page . . . $35/mo.
2.46” H x 3.86” W
1/4-page . . . $50/mo.
5.00” H x 3.86” W
1/2-page . . . $75/mo.
5.00” H x 7.90” W
full page . . . $100/mo.
10.00” H x 7.90” W

And it’s easy to place your ad
E-mail your ad as an MS Word .docx, MS Publisher .pub, JPG, .GIF or .pdf file to: rajeev@northwhatcomlaw.com

We’ll get it in the next issue and bill you. Pre-size the ad if you know how. Otherwise, tell us the size you want. Questions? E-mail Editor Rajeev at the above e-mail address, or call (360) 332-7000.