

From: [Council](#)
To: [Cathy Halka](#); [Dana Brown-Davis](#); [Jill Nixon](#); [Kristi Felbinger](#); [NaDean Hanson](#)
Cc: [Mark Personius](#); [Matt Aamot](#); [Becky Boxx](#)
Subject: FW: legal advice by experts
Date: Wednesday, August 07, 2019 8:08:36 AM

From: WENDY HARRIS [mailto:w.harris2007@comcast.net]
Sent: Wednesday, August 07, 2019 1:21 AM
To: Barbara Brenner; Rud Browne; Barry Buchanan; Satpal Sidhu; Todd Donovan; Carol Frazey; Tyler Byrd; Council
Subject: legal advice by experts

Here is something you would never see anywhere else but Whatcom County. It is from the latest proposed Cherry Point Comp. Plan:

“The County should consider any legal advice freely submitted to the County by legal experts on behalf of a variety of stakeholder interests, and make that advice publicly available.”

Here is why. Attorney's do not give out free legal advice. That is how they make their living... by getting paid for that advice and for their biased advocacy. So anyone providing the county free legal advice either does not know what they are talking about or they are really lobbyists, paid consultants working on behalf of a powerful special interest group. Will any attempt be made to learn who is paying for this legal expertise?

The county works on behalf of the public interest and is represented by the County Prosecutor's Office unless special counsel is hired. It creates a conflict to listen to legal advice from attorneys representing contrary interests. It creates problems if there is litigation. What if the county had listened to part of the legal advice from their opponent's attorney? That could compromise the whole case, with the financial burden falling on the public.

Who is included in "the county?" How is it determined who is and who is not a legal expert? Doesn't Washington have

ethical rules that prohibit an attorney from speaking to an opponent's client without their own attorney present? No one should be entitled to special consideration because they are affluent enough to hire their own legal expert.

I do not want to hear my council members talking about how they have spent hours and hours of their time talking with industry at Cherry Point, nor do I want them talking with an opponent's attorney. To suggest that the county would knowingly align itself with specific special interest groups raises ethical concerns and it is disgraceful, as is the fact that this even needs to be said.

You should be reading and considering the comments everyone submits, which are posted for public review. Comments from other parties are appropriate, even if they are written by attorneys, as long as they are submitted in the normal course of public input.

Please remove this offensive and problematic provision from the Cherry Point amendments.

Sincerely,
Wendy Harris