

Sometimes you just never know when something is going to forever change your life and the lives of those around you – such is the saga of Bink E. Berde, my four year old Solomon Island Eclectus male. I've always been an animal lover, bred Abyssinian and Balinese cats for many years, and had been visiting nursing homes and the like with pets years before the term "animal assisted therapy" was coined.

But a parrot? I had never even thought about sharing my life with such a creature – and truth be told, I was more than slightly afraid of them. Little did I know how that was all to change.

In 1996, the store where I usually purchase cat food was temporarily housing quite a few parrots of all sizes and descriptions. Before I knew it, the "parrot urge" took on a life of its own, and during lunch hour after lunch hour, I found myself haunting this shop, picking the brains of the friendly and knowledgeable staff.

"Parrot fever" had me firmly in its grip! I wasn't at all convinced that an avian companion would be warmly and graciously welcomed by my four cats but, one way or another, I had to have a parrot. Just maybe, I thought, my boss would agree to house a parrot in our offices.

I have a great job as a paralegal/office administrator for a small law firm in San Francisco, where we specialize in representing persons with disabilities who have been denied access to public places, either because of architectural barriers or whose service animals (such as a guide dog) have been denied entry to a public place, such as a restaurant. Because of this, my boss is well aware of the many benefits pets bring to their humans. I had nothing to lose. I took the plunge and inquired, "Wouldn't it be nice to have a little bird in the office?" Somewhat to my amazement, the answer was yes – on the condition that the bird be exotic and that it be named "The Judge" (which never did quite come to pass) – and the hunt was on.

Weeks of intensive research ensued as I tried to learn as much as possible in a short time about which of the

An Eclectus in Our Law Office

Pet, "Parrotlegal," or Service Animal?

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many parrot species would make the best office pet and be less inclined than some to be a "one person" bird, not too noisy, not too destructive, have the potential to be a good talker, and of course, be spectacularly beautiful.

I visited pet shops, private aviaries, read everything I could find and I'm sure bored all my friends to tears with my single-mindedness! When all was said and done, everything pointed to an Eclectus. That decided, I spoke to several breeders in the Bay Area and was impressed in particular with Steve Copeland and Paul Bianculi, of Eggstotic Parroting. From the first moment Steve placed this beautiful little green guy on my hand, I knew he was "my" bird.

After about six weeks of visiting my baby parrot, it was finally time to bring him home and thanks to the generosity of his breeders with their time, knowledge and advice, I felt reasonably confident in my ability to properly care for my new friend.

We had set up a large cage in our very overcrowded office, putting the baby parrot right in the thick of things. From the start, this bird amazed me on a daily basis. Perhaps it was because I had visited with him so often before he came home, or perhaps it was just because of the bird he innately is, but my new Eclectus had absolutely no problems adjusting to his new surroundings.

He ate the very first day, seemed thrilled with his toys and cage, and quickly set out to win everyone's heart and to make his corner of the office his vigorously defended territory.

We had plans to relocate to larger office space (and are now ensconced

in a spacious Victorian, complete with a glassed-in back porch for the bird cage), but at first, the quarters were tight, to say the least. The bird who would never be called The Judge, was wedged between a busy photocopy machine and a big supply cabinet. Soon, he became the "toll taker" at the supply cabinet and decided it was his job to guard the copier against interlopers and so on.

He was christened "Bink E. Berde" on his second day, as one of my co-workers was playing with him and exclaimed, "Oh, you're such a cute little binky bird." Something about it seemed right. Something about "The Judge" seemed wrong. So, Bink E. Berde he became and thus began his career as a "parrotlegal."

Our offices at that time were in a building that also had residential condominiums and it wasn't long before Bink E. Berde was winning the hearts of everyone he met. He soon became the mascot of the security guards in the lobby, and was voted "best pet" in the building, beating out a very special Akita and several other wonderful dogs. But Bink E. Berde's real forte was the calming, therapeutic effect he was beginning to have on our entire staff.

Perhaps because of the type of legal work our office does, or perhaps because I have a disability in the use of my arms and hands and am unable to work at a computer or other repetitive tasks for too long, I started to wonder if Bink E. Berde could qualify as a "service animal." It was certainly clear that his good nature and unfailing instinct to say or do something not only funny, but right on target, at the most stressful of times was good for the morale and well being of everyone in the office.

Other workers in our building looked forward to seeing Bink E. outdoors during one of his several daily outings and many people told me that he brightened up their day. As for Bink E. Berde, he never failed to get a laugh asking for "apple," or better yet – "cake." And he often amazes people by matter-of-factly informing them, "I'm Bink E. Berde. I'm a good, good bird." Bink E. makes a number of "I am" statements (such as "I want it now," "I know," "I don't know" and "I

love you”), often at appropriate times, which I find quite astonishing, as it implies a level of consciousness not often attributed to our pets.

While guide (or seeing eye) dogs are the most widely known “service animals,” other animals also may be trained or may innately provide service to people with disabilities. The Americans with Disabilities Act of 1990 uses the definition of a service animal that is set forth in the Code of Federal Regulations at section 36.104:

CFR 36.104 - Definition of Service Animal

Service animal means any guide dog, signal dog, or **other animal** individually trained to do work or perform tasks for the benefit of an individual with a disability, including but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items. (emphasis added)

This definition also includes, to some extent, what are known as “therapy” animals, which is the most likely category for which a parrot would qualify, unless of course, you could teach it to

open doors, turn lights on and off, and so on – not an impossible feat for some of our wonderful birds. Service animals, by law, must be allowed in restaurants, hotels, stores, offices – any place of public accommodation. San Francisco even has sections of its Penal Code which provide for this.

In any case, before we found our Victorian and were looking for office space, it became clear that most office buildings had “no pet” clauses and that Bink E. Berde was welcome at our current facility primarily because of the residential housing in the same building which was loaded with pets. I still had not taken the plunge and brought Bink E. home to see how he and my cats got along and the thought of life without my by now much loved parrot was just not an option. What to do?

The Americans with Disabilities Act of 1990 defines a person with a disability as someone who has a disability that affects a “major life activity.” Certainly, the use of one’s hands could be categorized as a major life activity. I was now in search of a prescription.

Our next door neighbor at the office building was a medical office. One of their doctors – a psychologist – was

one of Bink E. Berde’s biggest fans (and likewise one of Bink E. Berde’s favorite people). Bill was well aware of the stress level that is innate to a law practice and had often seen Bink E.’s ability to soothe, humor and love us into a calmer and healthier state of mind and body. He was more than happy to provide me with a “prescription for a service animal (bird) And I was now safe in the knowledge that Bink E. Berde would always have a place with me.

(A copy of this prescription is included at the end of this article for information purposes only.)

It should be noted that the term disability is strictly defined by Code of Federal Regulations, section 36.104. This criteria cannot be circumvented for the sole purpose of attaining service animal status for your pets. Other elements of the law include registering any service animal with the animal control agency in the county where the animal and its owner reside.

(The text of section 36.104 containing the full definition of “disability” is included at the end of this article for information purposes only.)

As time has gone on, I’ve gotten

Photo courtesy of Jayne Meyers



Bink E. Berde and Jayne busily at work.

braver and Bink E. now comes home every night, where he co-exists beautifully with my cats. In fact, he has become the dominant animal in my little menagerie. Often, I find them sunning together in a window and at night, my bed is crowded with the cats, Bink E. Berde and me all watching television, listening to music or reading (of course, he is never left out and about without my supervision).

Yet his time at the office – and his very important jobs as parrotlegal and service animal – is the best part of Bink E.'s days. On the rare occasions when I've had to leave him at home, he loudly tells me how displeased he is as I am walking out the door and again when I return.

I truly believe that Bink E. Berde has an ideal life for a parrot. He certainly gets his fill of drama and excitement, as there is always some new crisis to contend with at work. His daily exposure to people has, I have no doubt, helped to nurture his evergrowing vocabulary (he now speaks about 60 or so words and phrases), and made him agreeable to handling by just about anyone and everyone. He travels to and from the office in his "pet taxi." When we board the bus most mornings, Bink E. is quick to greet everyone with a loud "hello" and most of the bus drivers know him by name. He is welcome in all the shops in my neighborhood and has truly earned minor celebrity status around town!

His days are spent eating, supervising the goings on in my office – especially when I need to load paper into my printer, talking and singing, visiting the staff on the third floor where he has a perch in a very sunny window, or playing with his toys in and on his cage which is on a spacious glassed-in back porch overlooking our back yard, now full of blooming plum trees, lots of other birds and plant life.

We're trying to increase his parrotlegal skills by teaching him to answer the phone and some of the email, but you know... And as for me and the rest of our staff – well, only four short years ago, I never dreamed a bright green and talkative parrot would have such an impact on my life and the lives of those around me.

However, I've watched Bink E. Berde develop from a brand new pet, to our mascot, and finally, into a friend and companion who truly does provide a service to not only me, but to many others who have the pleasure of knowing him.

Whether you consider him a pet, a parrotlegal, or a service animal, there's no doubt about the huge way in which he has enhanced all our lives and contributed to our well being in a thousand different ways.

Informational Legal Documents

Jayne Meyers - Prescription for Service Animal (Bird)

To Whom It May Concern:

In 1994, my patient, Jayne Meyers, sustained a work-related injury which resulted in, among other things, a 26% permanent disability to her right hand, arm and wrist, reduced strength and function in her left hand, and considerable psychological and emotional distress. At the time of the injury, Jayne was employed as a legal word processor and had worked as a legal secretary/legal assistant or legal word processor since 1972. As this profession is innately dependent on constant use of the hands for tasks such as computer use, typewriting and handwriting, and since Jayne medically was forced to reduce the time she spent utilizing these skills, the emotional consequences of her injury were significantly exacerbated.

Jayne was fortunate in finding employment as a legal assistant with an attorney willing to accommodate her needs. She consulted me regarding her fears about being able to adequately perform assigned tasks and for assistance in managing her very stressful work environment.

Since the advent of the Americans with Disabilities Act of 1990, the use of service animals (therapy animals) has proven to have a positive impact on situations such as Jayne's, much in the same way a guide dog assists its master. Jayne's situation is appropriate for this type of "treatment," and it was prescribed that a service animal, such as a bird, would be of great therapeutic benefit to her.

Jayne's employer was agreeable to making this accommodation and has permitted her to utilize a service animal (therapy bird) for the past year. Over this period of time, I have had the opportunity to see this "winged therapist" in action and have noted a significant improvement in Jayne's ability to manage her disability, effectively perform her job, and most importantly, measurably reduce her stress level. Therefore, it is my belief that the presence of her therapy bird is vital to Jayne's treatment, continued job effectiveness and overall well being.

Very truly yours,

William M. Hartman, Ph.D.

Code of Federal Regulations, section 36.104:

Section 36.104 - Definitions.

Disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

(1) The phrase physical or mental impairment means

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine;

(ii) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities;

(iii) The phrase physical or mental impairment includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, or alcoholism;

(iv) The phrase physical or mental impairment does not include homosexuality or bisexuality.

(2) The phrase major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) The phrase has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) The phrase is regarded as having an impairment means

(i) Has physical or mental impairment that substantially limit major life activities but that is treated by a private entity as constituting such a limitation;

(ii) Has a physical or mental impairment that does not substantially limit major life activities only as a result of the attitudes of others toward such impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by a private entity as having such an impairment.

(5) The term disability does not include

(i) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;

(ii) Compulsive gambling, kleptomania, or pyromania; or

(iii) Psychoactive substance use disorders resulting from current illegal use of drugs.