

OUR VIEW

Should voting be mandatory?

Most Americans who were eligible to vote voted in the 2020 presidential election. Some 67%.

That's pretty good. But in election after election many people don't vote. Voters tend to skew white, wealthier, older and to people with more education. If a democracy, a republic, is supposed to be ruled by its people, it's often not the case. Some voices are left out. They don't choose who rules them or what ballot measures pass.

It is not hard to vote in Oregon. Vote by mail is convenient. Republican and Democratic election officials have declared it a good system. And registration can now happen when people get their driver's licenses.

What if it was not only not hard to vote, but mandatory to vote? It was the law that people must be registered to vote and participate.

It's not a new idea. It's the law in Australia and in some other countries. But it is an argument revived and expanded upon in a new book, "100% Democracy: The Case for Universal Voting." It's by E.J. Dionne Jr., a Washington Post columnist, and Miles Rapoport, a senior fellow at the Harvard Kennedy School and former Connecticut secretary of state. It's fair to call both of them liberals. So is this just a strategy to get more liberal people voting? It would seem to do that. Is their argument going to have broad appeal? It doesn't now. How would it work? That requires more explanation.

They say it would be better if the country didn't continue to fight over who had the right to vote. It should be a fundamental right and not abridged. It should be a fundamental civic duty.

They say it is a problem for government when the people who vote are not fully representative of the population. It raises questions about the legitimacy of elections. Of course, they don't argue that universal voting will fix everything in the political culture. They think it's one lever to pull to help improve the political culture.

They say with universal voting, candidates would have less reason to appeal to their base. Candidates would have to appeal to everyone. They believe the idea would be found constitutional. They believe it could be implemented at the federal, state and local level.

They propose a small, civil fine of not more than \$20 for people who don't vote. The authors of the book say few Americans right now would support the policy today. Maybe 25%, according to a poll.

The book is very much a response to what they call Republican efforts to roll-back access to voting. And if you remember in 2015, when President Barack Obama proposed universal voting, critics jumped all over it. One of the best lines was a recycled one from William F. Buckley Jr.: liberals don't care what you do so long as it's compulsory. Critics say it will strike most Americans as unAmerican or authoritarian to make voting mandatory. The authors' response is to compare it to the civic duty in jury duty and to say they should allow people to conscientiously object or to return blank ballots.

Another critique is that forcing people to vote may mean the country would have more uninformed voters voting. Their response: That is a critique of any democracy, not just universal voting. And the authors hope if participating in voting was required, more people would spend more time educating themselves about the candidates and the issues.

We are not sure we have done the arguments in the book justice. You should read it yourself, if you are interested. But whether you lean in support or against, people are going to keep pushing for the policy. Best to understand the arguments.



What are the basics of spousal support?



BLAINE
CLOOTEN

ASK A LAWYER

Q. I am thinking about getting a divorce. I am a stay-at-home mom with two kids in elementary school. We've been married about five years. We are currently separated. My husband makes about \$65,000 a year. I have no income. Am I able to get alimony?

A. This is a great and important question to understand. First things first, let's clarify some terminology. In Oregon, alimony is called spousal support.

What are some of the basics of spousal support?

Whether or not a party will be awarded spousal support is dependent on several factors. One of the first factors is whether or not the marriage was a "long-term" marriage. A long-term marriage in Oregon is a marriage that lasts 3-5 years, or more.

However, this is not the only factor. Some short-term marriages in rare circumstances can end up with a spousal support award.

In general, when looking at whether you will receive spousal support, the court will consider factors like length of marriage and the age and health of the parties. In Oregon, 45 years old is considered relatively young. The court also will look at the needs of the parties and the income of the parties.

One thing that's important to note, the court must consider that a single household's total income is now being split into two households. Bear in mind, the court is not going to award a punitive type of spousal support that is unrealistic for the other party to pay.

If you are a homemaker spouse, and you have been for over five years, you are going to need to have a plan for getting back into the work force, depending on your age, and having your own income, but you'll likely be asking for spousal support to help get you back on your feet.

What are the different types of spousal support in Oregon?

There are three different types of spousal support in Oregon — maintenance, transitional and compensatory. Zero, one, two, or all three might be awarded in a case.

Maintenance spousal support is typical in longer term marriages and/or where the parties are older. Maintenance support also is common if the marriage is very long term and one of the parties has been serving as a person that takes care of the children and doesn't have any outside income. Oftentimes, they have been out of the work force for a long time, and they will need time to get back into the work force, or they have been out of the work force for so long that it is not realistic that they will go back into the work force.

Transitional support is the type of support that would be more typical in your case. This is because you don't have a very long-term marriage but may need help with housing and expenses to get you back on your feet, along with any training needed to get back into the work force.

Compensatory support is a rare type of support. An example would be where one spouse has paid living expenses while the other has gone to medical school. Then, after getting their degree, the educated spouse decides to get a divorce. The spouse who has supported the other party through school may be awarded compensatory support by the court.

How is spousal support calculated?

In Oregon, there are no spousal support formulas to provide an anticipated amount you might receive.

If you are the one requesting support, you will provide a uniform support declaration to the court. You will list your monthly income and expenses. Expenses include all things from rent to money given to charity. The other party also will submit a declaration, and ultimately the court will have an idea of the financial picture of the parties. The court then will be better able to identify the needs of the parties.

The court also may consider the reasonableness of the expenses listed in each party's declaration and determine what is necessary. The court then will determine realistic expenses and what the other party can realistically pay every month. Once again, lifestyles are likely going to change. Income is reduced, and households are split.

In any case, the person paying the spousal support must have the ability to pay it and won't be left living in poverty relative to your other spouse, after paying their monthly spousal support obligation.

As you can see, even based on this limited question and response, spousal support is a complicated topic that varies significantly based on your individual facts. I would encourage you, and anyone considering spousal support to talk to an attorney if they have questions about the law, or about whether the court will award spousal support in their particular case.

Blaine Clooten is an attorney serving Umatilla County with a focus on family law, estate planning and personal injury cases. Questions answered do not create an attorney-client relationship. Facts and law may vary; talk to an attorney for more information.

YOUR VIEWS

We support Kerry McQuisten for governor

We are supporting Kerry McQuisten for governor. We have known Kerry since she was in grade school at Burnt River/Unity. Kerry is a seventh-generation Oregonian. She grew up on a cattle ranch in Eastern Oregon, so she understands the rural part of Oregon. She had the opportunity to live and work overseas before returning stateside to complete her education at Willamette University. She has had a chance to experience both city and rural living.

Kerry is now back in Baker City where she owns her own publishing company, is mayor of Baker City and raising her two daughters.

Kerry has campaigned in all 36 counties in Oregon to listen to the concerns of all Oregonians. She cares.

If you want someone who has good common sense with conservative values,

and someone who will stand up and fight to get our Oregon back, then Kerry McQuisten is just the candidate for you.

**Patty Trost
Unity**

Time to stand together to end cancer

In the past two months, several people I was close to, including my brother, died from three types of cancer. My son's co-worker was just diagnosed with breast cancer. Each day, someone each of us cares about is told he or she has cancer.

Earlier this year, President Joe Biden reignited his cancer moonshot to end cancer. As an advocate with the American Cancer Society Cancer Action Network, I'm thrilled to hear this. I'm also thrilled to hear the emphasis on prevention and early detection. Specifically, finding ways to detect cancer earlier, especially for cancers with

no available screening tools.

The president mentioned multicancer early detection tests or MCEds, new technology that with one blood test could screen for dozens of cancers. Research is ongoing to determine the impact of these tests, but they could be a game changer. A single blood test may be less invasive and more accessible than existing early detection tests, expanding screening opportunities to traditionally underserved communities and helping to reduce cancer disparities.

Ensuring individuals have access to them will be critical. That's why I'm calling on Oregon Sens. Jeff Merkley and Ron Wyden to support legislation to create a pathway for Medicare coverage for these tests once approved by the FDA and proven to have clinical benefit.

It's time to stand together to end cancer as we know it.

**Karen Malcolm
Pendleton**