



DEAN RIDDINGS  
OTHER VIEWS

# The time to support local news is now

Congress has an opportunity to pass legislation that benefits all local citizens, businesses and even protects our democracy. The Local Journalism Sustainability Act, LJSA for short, should be included as part of any upcoming reconciliation bill that Congress is considering.

The LJSA is a well-thought-out bill that would provide needed support to local news organizations, including local newspapers, to ensure their viability as they continue to make progress toward a digital future.

Many members of Congress have seen what happens when a newspaper closes in their district, and they see the impact it has on the community. That is why many of our leaders, including Sens. Maria Cantwell, Chuck Schumer, Joe Manchin, Ron Wyden and others have stepped up in support of the LJSA. And while others in Congress may not have signed on as cosponsors of the bill yet, many recognize the importance and the need to maintain strong local news organizations in their communities.

To understand what the LJSA is, it is important to understand what it is not. This is a temporary measure to help newspapers at this critical time, and it sunsets after five years. The LJSA won't help national news organizations, but it will support local news organizations and help them invest in their newsrooms in order to continue to cover the issues that impact local cities and towns. The result is a bill that provides a bridge for local newspapers as they continue to evolve their business models.

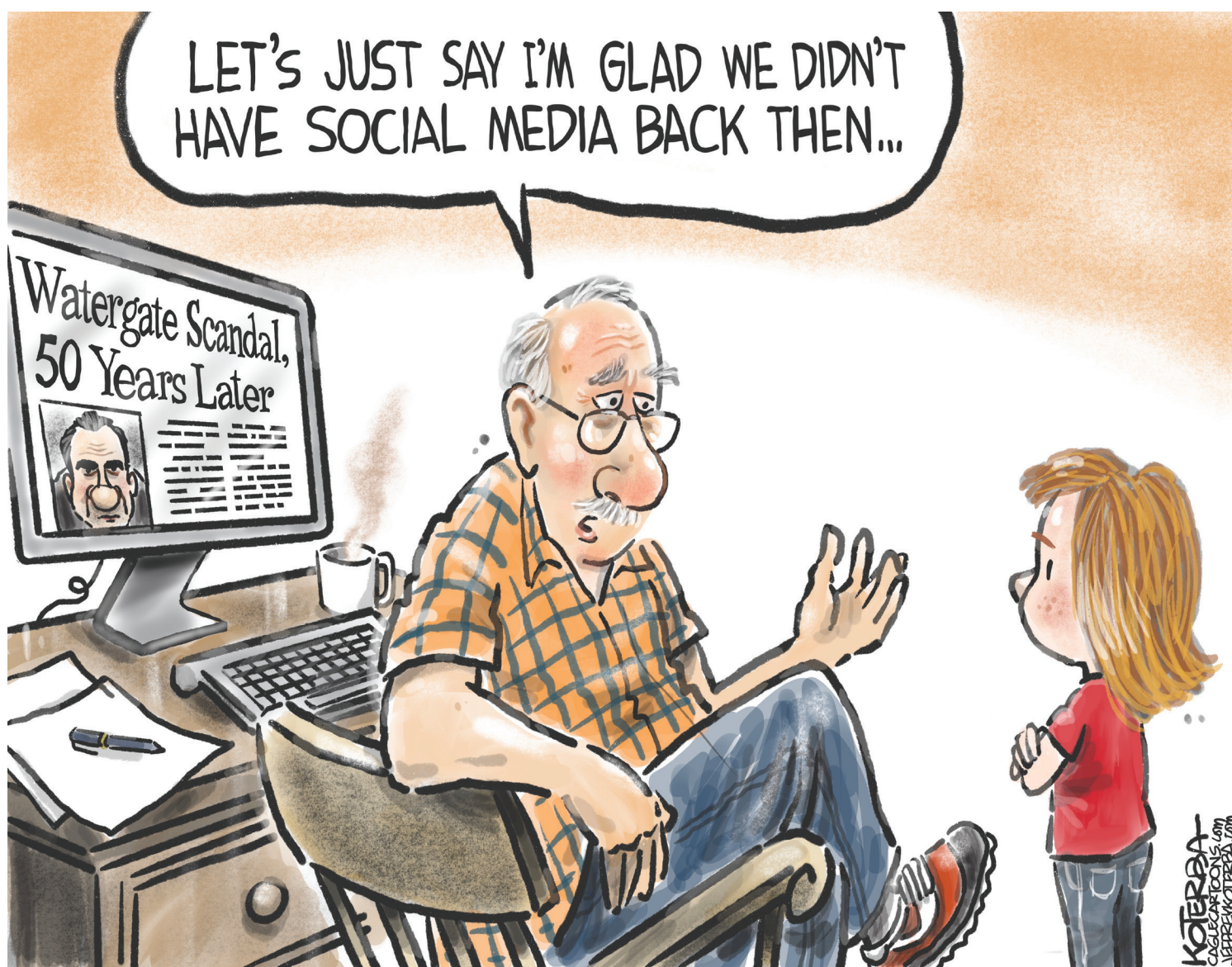
So why is it so critical for Congress to pass the LJSA now? Quite simply, the future of local newspapers in many areas of the country hangs in the balance. In the past 15 years, more than a quarter of all newspapers have disappeared, and many more have been forced to make staff reductions that have diminished the coverage of topics that impact local citizens. The way people get their information and advertise their local businesses is quickly moving to digital, and local newspapers continue to be impacted by the Big Tech companies that use their original content without fair compensation. To make matters worse, newspapers, like many other industries, were financially impacted by the pandemic, even though the coverage provided by local newspapers was more vital than ever.

The current economic challenges have only hastened the need for Congress to act on the LJSA quickly. As inflation is impacting everyone, it has made the environment for local newspapers even more challenging. The cost of retaining employees has gone up. The cost of newsprint has increased 30% from last year, and the cost of gas used to deliver the newspaper is up more than 50% in the past two years. Many newspaper carriers drive hundreds and even thousands of miles each week. These increases have driven many local newspapers closer to making further reductions or even ceasing operations.

Who wins with the passage of the Local Journalism Sustainability Act? Clearly, local newspapers win by obtaining the support needed to continue their investments in reporting on local news. But the real winners are the communities that keep their local newspaper. From watching the actions of local government, reporting on the state of local schools, tracking local health trends or providing the latest restaurant reviews and sales information, local newspapers keep a community connected and informed.

We encourage everyone to reach out to their representatives in Congress and ask them to support local journalism. Whether it is inclusion of the LJSA in the budget reconciliation bill, or a stand-alone bill, the time for action is now. It's a rare opportunity for government to act on something that benefits us all.

*Dean Riddings is CEO of America's Newspapers, an association committed to explaining, defending and advancing the vital role of newspapers in democracy and civil life.*



# The difference between custody and parenting time



BLAINE CLOOTEN  
ASK A LAWYER

**Q:** My soon to be ex-wife and I are going through a divorce, and I want to fight for custody of our two children. When we were together, I feel like we took equal care of the children, although most of our marriage she was a stay-at-home mom. We've been living separately since October of 2021, and since then we haven't really followed a set parenting plan. I get to see the children most weekends and sometimes during the week. I just don't think it's fair that my ex should automatically get custody, just because she's the "mom."

**A:** You've included some great information that I need, but there are a couple of important questions still outstanding. I'm going to do my best to frame this answer based on the information provided.

When you ask about custody, usually people mean custody and parenting time. For purposes of this column, I'm only going to talk about custody. It's useful to understand the legal difference between the two.

When you think about custody, think about decision making. The most common situations for decision making and custody come about through the following: school, religion and major medical decisions. When there is a disagreement between the parents on one of these issues, the custodial parent is the decider.

Let's take some examples. One parent wants to homeschool the children and the other parent wants them to go to private school. The legal custodial parent gets to decide.

Typically, custody is either sole (one parent decides) or joint custody (decisions shared between both parents).

If the parents start out with joint custody and are not able to get along on important decisions, one parent may file to modify custody to be determined sole custodian.

In your case, the court has not yet made a custody decision, so we are not attempting to modify custody, which has its own set of considerations.

Most of the law on custody is contained in one statute. One thing that statute says is "No preference in custody shall be given to the mother over the father for the sole reason that she is the mother..." So in this sense, the court should not give a preference to your soon-to-be ex simply because she is the "mom."

The court considers certain "factors" when deciding who will get custody. The primary consideration for the judge during custody cases is what is the best interests and welfare of the child. Keep in mind, this is not what is in the best interests of the parents, the state, society or the court. Only the child(ren).

Factors considered in determining custody of child.

- (a) The emotional ties between the child and other family members.
- (b) The interest of the parties in and attitude toward the child.
- (c) The desirability of continuing an existing relationship.
- (d) The abuse of one parent by the other.
- (e) The preference for the primary caregiver of the child, if the caregiver is deemed fit by the court.
- (f) And the willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the other parent and the child. However, the court may not consider such willingness and ability if one parent shows that the other parent has sexually assaulted or engaged in a pattern of behavior of abuse against the parent or a child and that a

continuing relationship with the other parent will endanger the health or safety of either parent or the child.

When looking at these factors, the court doesn't look at any one factor in isolation. If a parent has committed abuse there is a rebuttable presumption that it is not in the best interests and welfare of the child to award sole or joint custody of the child to the parent who committed the abuse.

Typically, the court considers these factors under a current analysis and/or a recent analysis. The term primary caregiver (or primary parent) usually refers to the parent who has provided more care for the child and with whom the child has lived a majority of his or her recent life. All other factors being relatively equal, considerable weight is given to which parent has been the primary caretaker.

The primary parent is the parent who handles (or who has handled) most of the decision-making and caretaking of the child. In some situations, there is no clear-cut primary parent, because the parents divide the parenting duties approximately equally. In that case, the court will turn to the other factors to determine the best interests of the child.

Therefore, the parents' behavior as parents prior to the custody case as well as their behavior during the pendency of the case largely determines who will be granted sole legal custody.

Custody and parenting time are complicated areas of the law. Please talk to an attorney to discuss your options and decide the best way to move forward in your 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.*

# Oregon congressmen should explain their votes



GERRY O'BRIEN  
OTHER VIEWS

Oregon U.S. Reps. Kurt Schrader, a Democrat, and Cliff Bentz, a Republican, both voted to oppose passage of one of two gun regulation bills in the aftermath of the mass shootings in Uvalde, Texas, and Buffalo, New York.

We still don't know what their reasons are. Neither have responded to requests from the media for an explanation. That's unconscionable. Their employers, the citizens of Oregon, should demand and get answers.

We suspect, especially in Bentz' case, that he voted along party lines as he has so often done. Schrader, too, has sided with the Republicans from time to time, but has explained those votes, too.

Public officials often clam up when they do something that may be perceived as controversial. It's a sad commentary on how accountability has taken a back seat in the public sector.

According to Oregon Capital reporter Peter Wong, Schrader and Maine's Jared Golden were the only Democrats to join 202 Republicans to oppose a bill (HR 7910) to raise the minimum age to 21 for purchase of a semi-automatic weapon — both shooters in Uvalde and Buffalo were 18 when they bought their military-style guns legally.



U.S. Rep. Cliff Bentz, R-Ontario, holds a town hall meeting June 7, 2021, in Pendleton. Bentz and Rep. Kurt Schrader, D-Oregon City, voted against two gun regulation bills in the aftermath of the mass shootings in Uvalde, Texas, and Buffalo, New York.

The bill also would outlaw high-capacity magazines, require background checks for purchases of ghost guns that bear no registration numbers, strengthen requirements for safe storage of firearms and close a loophole for bump stocks, which are devices that allow for more rapid fire by semi-automatic weapons, Wong wrote.

The issue may be moot, as the bill passed

largely along party lines but is expected to die in the evenly divided Senate, where some Democrats and Republicans have been negotiating more modest changes.

At the very least, both men need to explain their votes to their constituents.

*Gerry O'Brien is the editor of The Bulletin in Bend.*