

# Should we change the way people become lawyers?

The Oregon Supreme Court granted what's called "diploma privilege" in June 2020. People who had graduated from law school could become lawyers without taking the bar exam for a limited time.

Should Oregon keep that in place? Legislators recently discussed the issue with representatives from the Oregon Bar Association.

Deans of Oregon's three law schools requested the temporary change because of the pandemic. Mass in-person testing could be challenging during a pandemic. Remote testing can have glitches. And there was concern that COVID-19 disrupted the ability of students to study. Utah and Washington state took action similar to Oregon's. Wisconsin has had diploma privilege for years.

The bar exam is the traditional guard put in place to ensure only people who are competent are allowed to operate in a state. That doesn't mean the bar exam is perfect or could not be improved.

Many question if a closed-book test that rewards memorization is a good measure of future performance as a lawyer. A good lawyer would never rely on memory alone. Being a good lawyer is about careful research and building good arguments, along with other things of course. Can a test even measure that? There also is simply not a lot of strong evidence that passing an exam translates into being a competent lawyer. Doesn't it make sense

that the ability to successfully graduate from law school is a better test?

There have been equity concerns, as well. Even if a student's parents are wealthy, law school is expensive. Many students then pay more for tutoring for the bar exam after law school. Piling up debt is not good for anyone. Look back in history and the bar exam and other measures were also used as a tool to keep minorities from becoming lawyers.

Switching to diploma privilege has its own complications. Law schools would be the new gatekeepers. Will the standards they devise be suitable? Would it be better to move away from the current model and have two years of schooling and a third year of apprenticeship, legal internship or work study? Professional responsibility and fitness of character have also long been required for lawyers. Who should decide those standards?

The pandemic forced Oregon to think differently about how to certify new lawyers. Do you think Oregon should make a permanent change, go back to the pre-pandemic pattern or try something else? Tell your legislator or send us a letter to the editor at [letters@bendbulletin.com](mailto:letters@bendbulletin.com).

# Run for school board and make a difference

Four seats will be up for election in May on the Bend-La Pine School Board. If you want to make a difference in Bend schools, there can be no more powerful way than serving as a school board member.

First thing to know: It can be a rewarding way to give back to your community and help kids.

Second thing: It's demanding work. It's like a second job.

Third thing: It's not paid.

Fourth thing: Check to ensure you qualify.

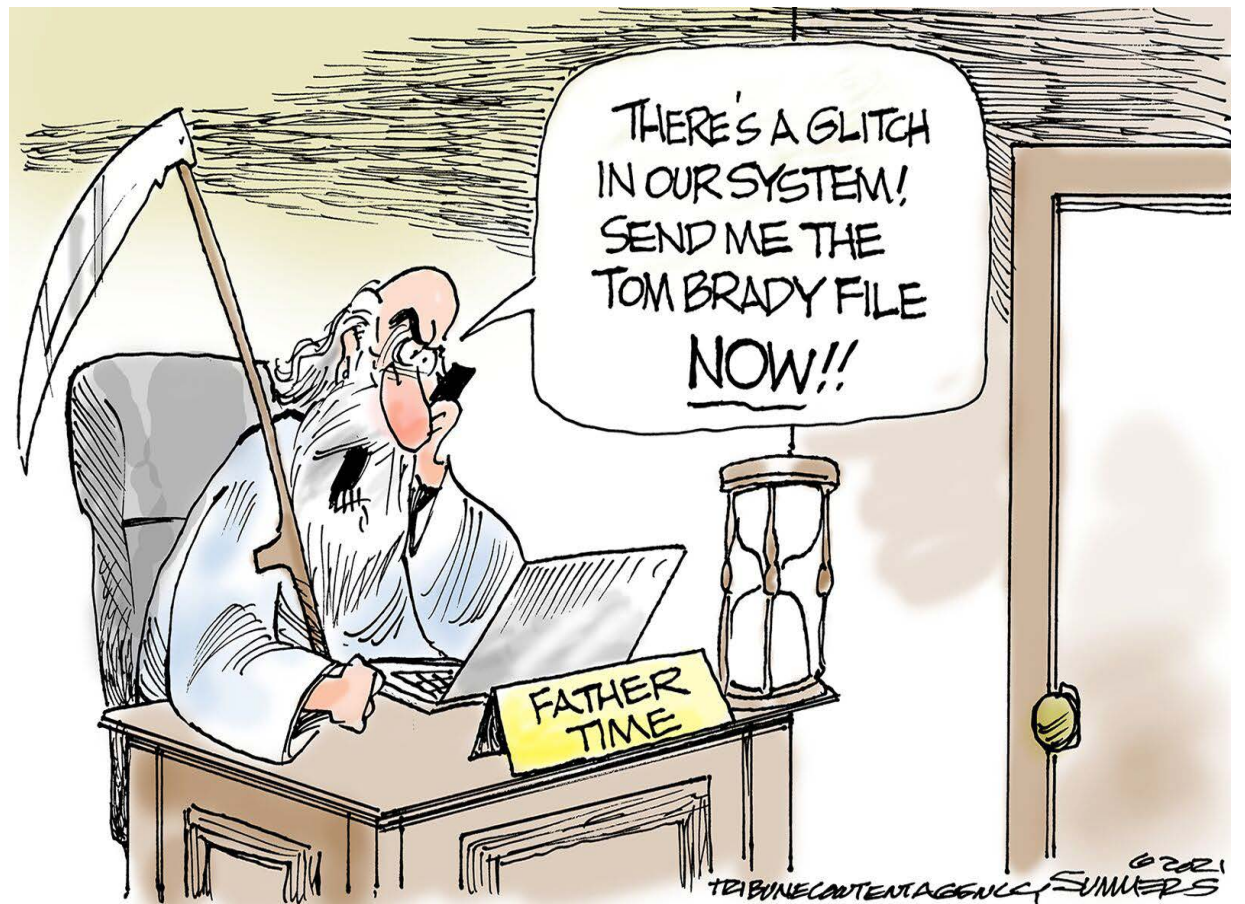
The board makes critical decisions about budgets, priorities and policies. Parents, students and employees want questions answered. Equity must be addressed. Excellence must be ensured. There are negotiations with unions and over lawsuits. Maintenance and repair must be kept up. In Bend there is

growth and no way to pay for new buildings without asking the public to vote to approve bonds. And don't underestimate the passion and conflict in naming a new school.

By the time you read this, interim Superintendent Lora Nordquist, Board Chair Carrie Douglass and Vice Chair Melissa Barnes Dholakia likely will have already held some interactive sessions for people who have questions or want more information. There will be another one on Feb. 12 from noon to 1 p.m. Recordings of the sessions will be made public, so you can watch later.

There is a bit more information on the district website: [tinyurl.com/runforboard](http://tinyurl.com/runforboard).

School board seats are zoned. Links there can help you check to ensure you qualify for a particular seat.



# My Nickel's Worth

## Negotiating with St. Charles

I am a registered, diagnostic ultrasound technologist and a 40-year employee at St. Charles Health Systems in Bend. I am one of approximately 150 technologists at the hospital who are front-line caregivers, including respiratory therapists, surgical technologists, radiation oncology technologists, technologists in all of radiology and in the heart center, and others. We work alongside doctors and registered nurses, treating traumatic injuries, critically ill patients, and, of course, those who have contracted COVID-19.

In 2019, my colleagues and I voted to build a union to improve our workplace, gain fair wages and benefits, and to ensure that St. Charles continues to deliver the absolute best patient care. We are seeking a contract that will keep local health care provided through St. Charles system functioning at a high level to serve patients throughout the region. The experience that we have accumulated over the years could be lost to Bend area families if some of us must turn elsewhere to receive fair compensation.

I am on our bargaining team and over the past year while we have been in negotiations, hospital administration has dragged its feet. Like so many of my colleagues, I am disappointed in my employer's behavior. That is why we recently held an informational picket — to make sure the community knows what is happening in

their hospital.

We are committed to continuing to provide the best care possible. Our hope is that you will support us to ensure the hospital does the right thing for its employees.

— Dee Dee Schumacher, Bend

## Legislature should not decide company boards

Directors are theoretically put on boards for their ability to aid the company in creating profits for its stockholders. Unless the company is somehow supported by the government (as a major customer) the government should have no right to interfere in its business. Any company with self respect should tell the government to "Take a Hike". Where in the U.S. Constitution is it acceptable for the government to dictate private business practices?

— Jay Feinstein, Bend

## Letter to Cliff Bentz

Your vote to protect Marjorie Taylor Greene was yet another clear indication of your support for hatred, violence and the overthrow of our democracy. You have condoned the idea of killing Congresswomen with whom you work. You have given credence to outrageous and obviously fictional conspiracy theories. You have endorsed dangerous racist, misogynistic and Semitic lies. You have encouraged citizens to distrust a free

and fair election, fracturing our precious democratic process. You have perpetuated the Big Lie and the violent, seditious attack on our Capitol. Instead of honoring your oath to defend and protect our constitution, you have sworn allegiance to a man who would throw out the legitimate votes of the American people and appoint himself dictator. You are a disgrace, and you insult each and every Oregonian in your district. We will not forget, Cliff.

— Janet Keen, Camp Sherman

## Distribute vaccine by age

Why does Oregon State need a 27-person panel to determine who gets the COVID vaccine? Does this panel shield the Governor and the head of the Oregon Health Authority from being held accountable for the mismanaged distribution plan? Today's Wall Street Journal (Feb. 5th) had a great editorial about rationing the vaccine. It stated and I quote "Basing eligibility in stages from oldest to youngest from now on is simple, scientific and fair. As supply increases, this will be the fastest way to inoculate the most people, reduce demands on the health-care system, and allow more businesses to reopen." Unfortunately, our Governor and health authority chose to create another bureaucratic panel which has slowed the delivery of the vaccine to the oldest and most needy citizens of Central Oregon.

— Steven Bahr, Bend

## Letters policy

We welcome your letters. Letters should be limited to one issue, contain no more than 250 words and include the writer's signature, phone number and address for verification. We edit letters for brevity, grammar, taste and legal reasons. We reject poetry, personal attacks, form letters, letters submitted elsewhere and those appropriate for other sections of The Bulletin. Writers are limited to one letter or guest column every 30 days.

## Guest columns

Your submissions should be between 550 and 650 words; they must be signed; and they must include the writer's phone number and address for verification. We edit submissions for brevity, grammar, taste and legal reasons. We reject those submitted elsewhere. Locally submitted columns alternate with national columnists and commentaries. Writers are limited to one letter or guest column every 30 days.

## How to submit

Please address your submission to either My Nickel's Worth or Guest Column and mail, fax or email it to The Bulletin. Email submissions are preferred.

Email: [letters@bendbulletin.com](mailto:letters@bendbulletin.com)

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Editorials reflect the views of The Bulletin's editorial board, Publisher Heidi Wright, Editor Gerry O'Brien and Editorial Page Editor Richard Coe. They are written by Richard Coe.

# Best vaccination strategy is simple: Focus on Americans 65 and older

BY RUTH FADEN, MATTHEW CRANE AND SAAD OMER

Special to The Washington Post

Now that COVID-19 vaccines are increasingly becoming available to people beyond health-care workers and those in long-term care, the question turns to who should be immunized next. For many people, the answer is essential workers. But while many workers face an elevated risk and should receive a vaccine soon, we believe the most ethically justified path forward is to focus on individuals 65 and older.

The primary reason to prioritize people in this age group is simple: They account for more than 80% of covid-19 deaths, even though they are only about 16% of the population. This disproportionate toll is why the Biden administration's vaccine plan encourages states to expand vaccine eligibility to those who are 65 and older.

But while many places — such as D.C., New York and Florida — are converging on a 65-and-older strat-

egy, whether seniors qualify for vaccination largely depends on where they live. In New Mexico and Connecticut, you need to be at least 75 years old. In Colorado and Nevada, 70 is old enough. And in Hawaii and Virginia, older adults must compete with many other people for the same limited vaccine supply, including essential workers.

Prioritizing people 65 and older is the most efficient route to reduce the dying, but that is not the only reason it is the most ethically defensible way to proceed. The age cutoff also directly addresses disproportionate mortality in structurally disadvantaged groups. The differences in mortality rates by race are arguably the most morally egregious of the covid-19 disparities. The Centers for Disease Control and Prevention report that Black and Latinx people have experienced death at 2.8 times the rate of White people. Indigenous Americans have only a slightly lower ratio, at 2.6 times.

For many of the same structurally

unjust reasons that people of color are dying of covid-19 at higher rates than White people, they are also dying at earlier ages. While nearly three-quarters of White people who die of covid-19 are 75 or older, that is true for only 45% of deaths among Black people and 33% of deaths among indigenous Americans. By contrast, almost 70% of covid-19 deaths among Black and Latinx people and 60% of deaths among Native people were among people 65 and older.

There is substantial variation among the states in terms of both percentage of the population over 65 and the percentage who are members of disadvantaged minority groups. But within each state, the relative distribution of mortality by age and the relative impact of disadvantage on mortality remains effectively the same. Thus, by simplifying vaccine prioritization to focus on people 65 and older across the nation, we can more effectively protect most Americans at the highest risk of dying in each ethnic and racial

demographic in a way that focusing on essential workers would not.

While a national age cutoff of 65 would go a long way to address equity concerns, it would not, by itself, be sufficient. We must also make intensive efforts to overcome barriers in vaccinating older people in communities of color. For many months now, there have been pleas to address the justified distrust many people of color have in government programs and public health, and to reduce barriers to registration for and access to vaccine administration. Any vaccine strategy, whether it prioritizes essential workers or older adults, will be inequitable without addressing these challenges. The considerable differential uptake of vaccines among health-care workers of color proves this point.

Massive efforts must be initiated, now, to narrow this differential among older Americans. The National Academies of Sciences, Engineering, and Medicine recommended ensuring access in areas of social vulnerability.

Different jurisdictions are applying metrics to do so. For example, D.C., which began offering vaccines to people over 65 on Jan. 11, is differentially reserving some vaccine appointments for residents of sections of the city that have been hit hardest by covid-19 hospitalizations and deaths.

With thousands of Americans succumbing to covid-19 daily, it is imperative we get our vaccine strategy right. The use of a nationally coordinated age cutoff of 65 may seem deceptively simple, but in conjunction with intensive equity efforts, it is also our best opportunity to save lives with the fierce urgency of now.

■ Ruth Faden is the founder of the Johns Hopkins Berman Institute of Bioethics and a professor at Johns Hopkins University. Matthew Crane is a medical student at the Johns Hopkins University School of Medicine and a visiting scholar at the USC Schaeffer Center for Health Policy and Economics. Saad Omer is director of the Yale Institute for Global Health and a professor at the Yale University schools of medicine, nursing and public health.