

TRANSCRIPT

Rural Health Rising Podcast Episode



Episode 73, Part 1: How the Pandemic Impacted Individuals with Disabilities

Guest: Justice Richard Bernstein, Michigan Supreme Court

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Rachel: Today's episode is brought to you by Provider Solutions and Development. JJ, we've often talked about the challenges recruiting providers to rural communities, and with a projected shortage of 1240, physicians by 2034 of hospitals, need an excellent recruitment partner now more than ever.

JJ: Rachel as a healthcare executive myself, it's overwhelming to consider these shortages, but having a great partner can help. Provider Solutions and Development is a leader in physician and advanced practice clinician recruitment because they do recruitment differently with no commissions or quotas. With their nationwide provider network, PS and D will work one on one with hospitals and healthcare providers to create a highly customized recruitment plan designed to find the right candidate for the job.

Rachel: Visit info.psdconnect.org/ruralhealthrising to start the conversation today. That's info.psdconnect.org/ruralhealthrising.

Rachel: COVID-19 has had significant impacts on all sectors for the past three years, but has created particular challenges for those with disabilities who use hearing and touch as communication. So, how do the critical institutions in our community and state prepare to better support those with disabilities, both in today's COVID-19-affected world and in the event of future pandemics?

JJ: With involvement in awareness campaigns, community outreach, and a dedication to helping everyone feel seen, heard, and supported.

Rachel: I'm Rachel Lott.

JJ: And I'm JJ Hodshire.

Rachel: And this is Rural Health rising.

JJ: Welcome to episode 73 of Rural Health Rising. I'm JJ Hodshire, president and chief executive Officer at Hillsville Hospital.



Rachel: And I'm Rachel Lott, Director of Marketing and Development.

JJ: So, Rachel, we often discuss the COVID-19 pandemic on this podcast, probably to some's chagrin, because it has surrounded and engulfed our lives for years now. But today we're looking at it from a much different perspective as we talk about how this pandemic has impacted those with disabilities and it's disrupted the way that they communicate, right?

Rachel: So, we are talking with someone today who has seen the effects of this firsthand, particularly in the judicial setting, and is passionate about bringing awareness to this topic.

JJ: You know, our guest today truly needs no introduction in the state of Michigan and even in the surrounding states, as you're listening. But our guest today is Richard Bernstein. He is a Michigan Supreme Court justice. And I want to first of all, welcome you to Rural Health Rising, our podcast, but also to Hillsdale. And you're not new to Hillsdale. I think you like Hillsdale.

Justice Bernstein: I love Hillsdale, I want to tell you I love Hillsdale. I want to tell you something. It is without question, one of the warmest, kindest places I've ever been. There's something really special about the people here in Hillsdale. What you find is the students and the faculty. They're kind people. They're warm people. They're helpful people. They're the kind of people who you just enjoy being around. It's just simple things. Number one, as a blind person, when you kind of walk around the campus, people always want to help you. They always ask, is there anything I can do? What assistance do you need? It's amazing. Like, you'll never come to a door that someone doesn't open for you. And I just have to say that I think that this place really brings out the best in people, because I really feel that it just emanates that sense of warmth, that sense of kindness, that sense of community. This is a very special place with incredibly special people. I mean, people need to come and visit just to see how good people are, how kind people are, how warm people are. It really almost, in a lot of ways, it lets you feel good about humanity when you're on campus. And I have to say, we are in person, because even though you said, oh, would you like to do it on Zoom? My response was absolutely not. I will be coming to Hillsdale in person. No Zoom for us. We do everything in person. And any excuse I have to be able to come here, I am always going to take advantage of it.

JJ: Yeah. And Justice Bernstein, obviously, you're well known in our state, and I was quite intimidated when I had the first opportunity to meet you. And I had been around some folks. Well, Justice Markman, he's my very good friend. Yeah. And he was my college professor, and I actually spoke at Hilton College a few months ago when we had an honor for justice. And one of the things that really, I guess, caused me to have a little bit of intimidation is because you're such a well-known family and those that do not know your story, you touched on it in your introduction, but you're blind.

Justice Bernstein: Yes.



JJ: And can you share a little bit of that? Because that's going to preface a little bit of what we're talking about today.

Justice Bernstein: Absolutely. So, as you said, I am blind. I was born blind. But also, JJ, I think, with the blindness. And the reason I feel such a connection to Hillsdale is because what you tend to find from people that have to live with struggle is they tend to be, in many situations, people of faith. Right. They're the kind of folks that look at life and say that God does everything for a reason. And ultimately, I've always been a believer that our life experiences are given to us for a reason, and that ultimately, it's through those experiences that we come, especially for those who have disabilities, that we come to understand what it means to really struggle. And folks that live with struggle are often the kind of people that really live the richest and fullest of lives. Now, what's very important is that it doesn't mean it's going to be easy.

JJ: No.

Justice Bernstein: It doesn't mean it's going to be joyous; it doesn't mean it's going to be happy, but it's going to be meaningful, it's going to be purposeful. And I think often is the case that when you have a severe disability, you really come to understand why you were created. And you live your life with this incredible sense of passion and you live it with an amazing sense of mission. And ultimately, every day you live it in a manner where you say to yourself, have I lived up to the potential? Have I lived up to the reason why I was created? But that only comes from having known understanding and appreciation of what it means to really have to face struggle. And that's, I think, the blessing that kind of comes with it. And it's interesting. And I really believe that the Hillsdale model kind of teaches this, which is why this is such a great place in so many different ways. But I think one of the things that you learn when you have a severe disability is people will. And I think that that's why faith makes a difference. And why it has such an important impact is that for so many people that are dealing with real struggle in their life, they're dealing with loss, they're dealing with pain, they're dealing with setback, they're dealing with all different types of life disruptions. What always happens, and that's why I love the fact that we're talking about health care, is that for folks that are dealing with these life changing events, often what happens is people will always say to them, and they'll say, you know, I know you're going to make a full recovery. Or they'll say to them, I know that you have suffered this incredible tragedy, but I'm really hoping you'll be able to find closure. And the reasons I love talking about health care, especially on your podcast, is that for the vast majority of people that are in these situations, most people, they're not going to recover. And they should never be told that they're going to find closure because that's just something that can be very offensive when you say, oh, I hope you find closure because it's offensive. But what the key is, and this is just what I've learned, and I think that the reason that we are so in sync with Hillsdale is because I believe that your health system kind of focuses on this notion as well. Which is the key isn't always in overcoming. It's not always in recovery. The key is being able to adapt, adapting to a new circumstance, adapting to a new situation, or finding a way to adapt to a life that you didn't want, but to a life that's ultimately been given to



you. But that's the essence of it. It's finding that ability to adapt. And those people that can adapt are able to live with a real sense of power, purpose and mission.

JJ: Yes. You know what? I went home after meeting you and I told my wife I met one of the kindest men that I've ever met. And I say that with all sincerity. You're so gentle and you're so kind, you make time for everyone. I saw you speaking with a janitor at the event that I was at with you. You are remarkable, and your passion comes through, Rachel. I'm sure you have felt it just in the few minutes that we've been together.

Rachel: Yes, I've known you for about 33 minutes, and I would say the exact same thing that Jayden just said, and.

JJ: Your purpose shines through. Justice Bernstein. And we're so delighted to share in a very important conversation, not only for the state, but for our nation. And it's an important question that we're going to raise about what were the impact what were the impacts of covered restrictions on those like yourself who really embrace touch and embrace that togetherness. And we're going to talk about that in just a minute, but I think Rachel wants to get to some core questions here about you as a person. Yes.

Rachel: Well, I feel like we've gotten a lot about you as a person. That was great. But I do want to know more about your professional background, too. So, can you tell us a little bit about that, about your background and your work in the Michigan Supreme Court?

Justice Bernstein: Absolutely. Well, I've always been kind of, like I say, a person of faith. And when I was going through law school as a blind person, it was excruciatingly difficult. Right. And if it takes you an hour to do something, it takes me sometimes four to five. I just work slowly because blind people have to memorize and internalize everything. So, it's just a lot slower for me to do stuff. And it was interesting because when I was in school, I remember all my friends, it came easier to them, right? They were the top of their class. They were going to all the great law firms, but they didn't have to really work as hard. It wasn't as much of a struggle as it was for me. And there was a very cold day in Chicago, and I went to Northwestern, and I remember the wind was howling off the lake, and I remember praying to the Creator, and I said, God, I said, look, this is really tough. I want to be a lawyer in the absolute worst way. Like, this is something I so desperately want. And I said, God, I'm asking you, please let me have this opportunity. Let me have this chance to become an attorney. And I said, Hashem. In Judaism we say hashem. It's just a more respectful way of referring to the Creator. So, I said, Hashem, I said, if you allow for me to graduate from law school and pass the bar, I will dedicate my professional career to representing people with disabilities and special needs who otherwise don't have access to legal representation. And I said, that is my promise to you, Hashem. If you give me this chance, I will dedicate my life to this. And so miraculously, I graduated from law school. Even more miraculously, I passed the bar exam and then I went back to my family's law firm and I talked with my family and I said, look, a promise is a promise. I made a promise to Hashem that if I could graduate from law school, I



would dedicate my life to public service. And he granted me that ability, so he followed through, and a promise was a promise. So, we set up our law firm's public services division, where we never charged for legal representation. And as a result, we would be able to take cases that nobody else would take, cases that nobody else would touch. So, I basically dedicated 15 years of my life to representing paralyzed veterans. And we would make sure and it was funny. It was myself and I had two amazing associates, Tim and Emily. And what we would do is we would take on these huge battles right now. Tim and Emily were college students. They just graduated from college. One blind lawyer and two college grads. And what we would do is we would really take on cases that you could see we're going to make life better for folks. And our focus was on paralyzed vets. And I remember our first case was we fought with the Detroit Department of Transportation so that paralyzed veterans could have access to public transit, right, because they were operating 60% of the buses without working wheelchair lifts. So, we fought in that case, basically set all of the standards for what you see nationally in how public service or how public transportation providers operate. So, the Detroit bus case set all the standards for how public transit operates. The other case that we had, which was a really intense one, was I used to be a professor at the University of Michigan, but no longer because I sued them. So, I'm shocking that I'm not teaching there anymore. But they weren't being kind to paralyze veterans. And you had veterans that wanted to go to the stadium, and you had a number of folks who were in ROTC that were coming back after service in Iraq and Afghanistan. And what was happening is they'd be wheelchair users, but they weren't able to go to the football games because the stadium was inaccessible. And ultimately, the question that the court had decided was when the University of Michigan was spending \$350,000,000, was it an alteration or repair? If you alter a structure, you have to bring it into compliance. If you repair it, you don't. And what the University of Michigan was doing, which was quite sinister, was they were deliberately trying to argue that it was a repair by basically approving projects individually. So, they were saying, oh, we're putting in new benches, we're putting in new cement, we're putting in new bathrooms, we're putting in a new scoreboard. These are just a series of repairs. They're not an alteration. And my argument back was, of course it's an alteration. You're rebuilding the entire facility. But the reason this case was so critical was if the University of Michigan had been successful, it would have impacted all commercial facilities across the United States because what developers would do is they would just simply say, oh, we're just simply making a repair, not an alteration. And what was happening was you had paralyzed veterans, you had members of the United States Marines who were still going to football games, right, because they didn't want to be left out. And their attitude was, I might be in a wheelchair, but I still want to be with my friends. I still want to be with people. I still want to do things with my community. I don't want to be left out. I don't want to be sitting by myself in a dorm room on game day because the university can't make the stadium accessible for me. So, their attitude was, we're still going. But what would happen is, because it wasn't accessible, was you had members of the United States Marines who were basically injuring themselves because the slopes were so steep that they would be catapulted out of their wheelchairs. And then on top of that, you had members of the United States Armed Services who were soiling themselves at the stadium because the university refused to make the bathrooms accessible for them to use. So, the United States Marines

were basically soil themselves. It was unacceptable. So, that was the case. And we fought for years over that. And in both cases, in the bus case, in the stadium case, they've all been now rebuilt. The buses now operate fully compliant. The stadium is now fully compliant. That now set the standards for all commercial facilities. And then there was this one other case I'm very passionate about, which was US. Aviation. And the issue was it used to be very difficult for our veteran to travel because the airlines didn't want to provide the services that they needed to travel safely. So, we ultimately had a huge battle with US. Aviation. And now when you go to the airport, you see tons of people in wheelchairs and you see tons of people traveling, and that's the way it's meant to be. So, ultimately, I have to tell you, I really desperately wanted to be in the US. Military. I had applied to be in Jag. But understandably, they said, look, you have to be able to handle a firearm in order to be in the military, in uniform. I wanted to be in uniform. And they said, look, and I understood. They said, look, we have these requirements that you have to meet. So, ultimately, unfortunately, you can't serve in uniform because you can't handle a firearm for obvious reasons, because I'm blind. I totally get that. Like, it kind of makes sense. But the thing is that I decided. Okay. If I can't serve in uniform. I'm going to go and basically dedicate my life to representing our paralyzed vets and representing those who have served and for 15 years I spent representing the veteran to make sure that they have access to program services. Transportation. Aviation. And making sure that they have a decent quality of life when they come back. And now they have catastrophic injury as a result of service to our country.

JJ: Well, you are a fantastic voice for the veterans and their families. And from a family who lost my nephew in the Iraq War, our family looked to you and for your encouragement and for the work that you did for our veterans as a motivation and inspiration to our family.

Justice Bernstein: I'm so sorry for your loss.

JJ: Thank you.

Justice Bernstein: It's an unbearable loss.

JJ: It is an unbearable but having you, I call it the Bernstein advantage. I think that's been a phrase that's been coined before. I ask you this, could you talk. To your dad and your brothers and make sure that we could use that? I think you are good to go. All right. But truly, you have been an advocate and your why we usually ask this question, what is your why? You've explained your why. We see the passion and the purpose in your life. And I want to thank you. As we look at the purpose of our podcast today, it's really to highlight some of the challenges that our communities face during COVID-19. And so I'm going to ask you, Justice Bernstein, during COVID-19 Pandemic, you yourself, how was your work in the Supreme Court impacted and what things change during that time? Let's first start with your work.

Justice Bernstein: Okay. And I'm just going to be very direct, right? I'll be very direct. I am very anti COVID restriction. I'm just going to just tell it to you like it is. Right. And I want folks to



understand why this is something that I'm so passionate about. And the reason that I have this and a lot of it, it goes back to what we were talking about before, which it comes down to life experience, right. At the end of the day, what it really comes down to is that people have to be able to make their own decisions. It's very important. Right. And the reason is that as a person who is blind and I want to say this, I've done 25 marathons. I've done a full Ironman competition.

JJ: Really?

Justice Bernstein: Yes. So, for those that are not familiar and Ironman is a 2.4 miles swim, 112 miles bike, and a 26.2-mile run. Okay.

JJ: So, this is something I told him earlier.

Rachel: I've run to the store before and.

Justice Bernstein: That's about the extent if I drive.

JJ: That I get tired.

Justice Bernstein: It's my passion. I really love physical fitness and it's something I'm really into. But also, like I say, is that the reason I love coming to Hillsdale is and again, I keep saying it over and over. Sometimes I do kind of like to talk a little bit about my kind of relationship with the creator. And it's wonderful to be here where you can actually do that, because so many other venues, you know, I do it and people get very angry. Sure, you can talk about everything else, but if you want to talk about the Bible or you want to talk about your own journey and it's so funny because I do speeches all across the country, but there's some forums where even if you talk just about your own journey, right? Like, I'm not proselytizing, I'm just basically speaking my own journey. And it's my faith and it's my relationship with Hashem that I'm speaking about. And it's my business.

JJ: It's your business.

Justice Bernstein: But the thing is that I share that it's how I get through my life, right? It's how I get through my days. And I'm just sharing it as kind of my story. But so often people get so angry about it that literally, you can talk about everything else, but if you ever you can quote any other citation, but if you quote the Bible, people just get really angry. And I'm tired of it. I'm just tired of it. Because the Bible is something that if I wish to quote the Bible, why can't I use that as a reference point? Sure, but going to your question about COVID and about these types of things is that I'm a person that basically does these endurance competitions because it brings me closer to the Creator. That's just me, right? It should allow me, just for me to have a close connection with the Creator. Because what happens is that when you're blind, what ultimately occurs is that you understand that you're mortal and that you have a pretty intense

infirmity, right? But when you go and you do an Ironman competition, what ultimately happens is I want you to envision the way a blind person does these athletic competitions is you run with a team and they give you directional cues. Hard right, soft right, hard left, soft left. You follow those directional cues, but you do it as a team. Now imagine an Ironman again, 2.4 miles swim, 112 miles bike and a 26.2-mile run. If you stop, if you rest, if you take a break, you're going to get disqualified. If you finish at twelve five instead of 12:00, it's like you're never even there. So, I just want to share this with you. I want you to envision diving into a frigid body of water. The water temperature that morning was 55 degrees. Now imagine swimming in total darkness. You have no idea where you are, you have no idea where you're going. You get kicked in the face by all the other swimmers, and then other competitors become entangled in the rope that connects you to your guide. And as they become entangled, the rope becomes ensnared. And as the rope becomes ensnared, it becomes constrictive and it starts taking you below the surface and you start to drown. Now, I share this story with you because ultimately that's where my faith comes in. Because when you're in pain, when the outcome is uncertain, you come to find something very important. You come to find that even though you have a disability and even though you're created with infirmities, if given the chance, the spirit and the soul can disconnect, can transcend, and literally allow for you to pierce the heavens and touch the face of God. How is that relevant to the question that you just asked? It's relevant in this way. In order for someone like me to live, it requires people. It requires community, it requires being together. A blind person like myself really can't live without social interaction. We really can't. Because my entire life is energy. I need to be with people. I need to be around people, I need to be connected with people. So, many people with disabilities, that's kind of how they experience life. And I'm just going to tell you the reason why I care so deeply about this. And this is something that really we all have to fight for. People have to be in person. Period. End of story. We have to be in person. Now, this is the way going to a disability, how we need to look at this, and how we need to approach it, right? As you've heard, my entire life's work has been dedicated to representing our paralyzed veteran. Meaning my life's work is really dedicated to fighting for people with disabilities. Why do I fight so hard against covert restrictions? It is for this reason, the entire basis of the Americans with Disabilities Act is that you go to the individual, you go to the person, you accommodate the person, you accommodate the individual, the.

Rachel: Condition or the disability.

Justice Bernstein: Exactly. But the way that I want to emphasize it, right, is that the question that we are grappling with and why I am so grateful to be on this podcast, because honestly, I can go on for hours about this and thank God for Hillsdale. And I'm going to be honest with you. Thank God that there's a place like Hillsdale who is stepping up and saying that people matter and saying that people should be together and saying that community is important. And we thank God that you guys are taking this position and that you're taking on this fight. Because here's what it really comes down to. The question that we have to grapple with is what is going to be the default position, right? What is going to be the overall default position? And where we are right now is that my position is quite clear. Default should always be in

person. Yeah. That is the way that we are created. That is how we are built. We are meant to be in person. So, the answer to the question of how do we move forward is everything should be in person, period, at all times, right? So, the real issue is how do you approach the default the default is in person, right? I don't think I could be more passionate about it. Default in person. The accommodation for somebody that has an immune deficiency or someone that has concern about being in person is you accommodate that individual and you say, okay, if you can't be in person, we'll accommodate you by allowing for you to be on Zoom. We'll accommodate you by allowing for you to do it virtually. But the question is, what's happened now with our society and with workplaces and courts and all these types of things, is the default has now become Zoom, and they have the audacity to say that the accommodation will be in person. Right? So, it's just flipped where now if you're accommodating, they'll say, okay, well, we'll accommodate you by coming in person. That's unacceptable. The accommodation should be the Zoom. The default is in person. Absolutely imperative that we have to get back to this, because ultimately the reason this is so important is what is life? Life is people. Life is your interactions. Life is your friends; life are your colleagues. I mean, life is all about there's no reason to really live if you're not interacting. You need that human interaction, because when you think about your life, it really comes down to experiences. And what are your experiences? Your experiences are your human interactions. Your experiences are the interactions you have at home. Your experiences are the interactions you have at school. Your experiences are the interactions you have at work. And your experiences are the people that you enjoy being with and the people that you don't enjoy being with. But it's all part of the life experience that you're supposed to live. It is all defined by in person activity. Period. End of story. We need to make it so that our cities are filled with people. We need to make it so that people are just everywhere. And at the end of the day, again, the two are not mutually exclusive. If there are people that have concerns, then we accommodate those concerns. We work with those concerns. We make it work. But the rest of the world needs to be back in business, needs to be back in their offices, needs to be back in classrooms, needs to just be in person at all times, because that is how we are meant to live. And I'm just going to say because I really get worked up about this.

JJ: As you can tell, compassionate.

Justice Bernstein: Let me tell you something. This for me is just no joke as far as I'm concerned. You have no idea the impact that this has had. I don't think people have ever faced something as challenging or as sad or as daunting as finding out that a person that you knew ended their life. And the reason that this is happening within the disabled community is because of the isolation. Because of this intense isolation led to people feeling as though they had no. Hope and the one community that has suffered, I would ask people to guess. You might know this because I talk about a lot of times, I get so worked up about it, but if you could guess of the disabilities, which community do you think had the hardest time? With covet of all the disabilities, it wasn't easy for anyone. I get that for disabled people it was exceptionally difficult. But of the disabled groups, which group do you think had the most difficult time with this or had the highest suicide rates are the biggest challenges?



Rachel: I was going to guess maybe hard of hearing.

Justice Bernstein: You got it.

Rachel: Vision loss.

Justice Bernstein: Well, not as much vision loss, but it is hard of hearing. And the reason that hard of hearing—

Rachel: Your only connection is physical to really have that relationship with people.

Justice Bernstein: Well, but here's the thing, it's a little deeper, it's more simplistic. When you make people wear masks, what is it that you can't do?

JJ: Can't read lips.

Justice Bernstein: Exactly. So, if you can't read people's lips, they can't communicate. Think about it. If you go through life and you're not able to communicate, you feel completely alone and you feel completely isolated. That is exactly what happens. At the end of the day, what this all really comes down to is that people are smart, people are kind and people are good. You have to have a genuine belief in people. But most importantly, people are able to make their own decisions as to what their level or association of risk is going to be. So, for somebody like myself, who's blind, right, doing an Ironman, doing marathons, doing all that, has a certain level of risk that's associated to it. But it's up to me to decide what my level and form of risk is ultimately going to be, not somebody else. And I always liked the quote that Yogi Berra used to say. He used to say that, look, you know what, if people don't want to come out to the ballpark, there's nothing we can do to stop them. So, if there are people that have these concerns, then I totally respect that, I totally appreciate that, I totally empathize and understand that, and then they should basically take whatever precautions that are necessary or appropriate for them. But for somebody like myself who is blind, the isolation for me was far more dangerous and far more risky and far more problematic and far more painful than the belief that I had as to what would happen if I had COVID. So, the issue is, it really comes down to this notion that ultimately, again, accommodate the individual. If there's a person that is really concerned about it, doesn't want to come into the office, doesn't want to venture outside because they're concerned, we will accommodate them. But for everybody else, ultimately, you have to just let people make their own decisions. Because ultimately, when you make your own decision, you're doing it from your own life experience. And when you allow people to use their life experiences, they will make the appropriate decision. And that is in my situation. It should never have been that I was told I couldn't go out. It should never have been that I was told that I can't associate with other people. Think about how restrictive this actually got, because now we're kind of past it. But these things should never have happened. You shouldn't be telling this notion that like and I don't want to emphasize one other thing, right? Blind people can't use zoom. It's very difficult to use zoom without having someone assist you, right? So, meone has



to basically sit next to you and help you do it, because I can't really do zoom. So, I used to go into my office when they finally opened the building, because the building was closed forever.

JJ: And that was for you, a source of, and I'm going to say anger, because there's righteous anger. You were very frustrated that you couldn't meet and be in the office.

Justice Bernstein: Correct? I mean, the building was closed. I was strictly prohibited from being in the building or from going into my office. Once they opened the building, I would go into my office and I would just sit by my it was really kind of pathetic. I would go into the office and sit by myself at my desk and then take out my phone and call my clerks and work by phone. Once the building was finally open. And I was able to do that, that's how I would actually kind of work. I would go into the building, and I would work by my phone and sitting at my desk. You sit by yourself in this building. And it was just really it just got to a point where it was just kind of unbearable. Just absolutely unbearable. And I think that ultimately, again, is that where we are now? Is it's a real fight, and we have got to get people back in person. It's just really critical. We had an issue at the courts and actually a Hillsdale graduate, Justice Viviano, who is one of my best friends, he and I have been fighting this for a long time. But there were a number of changes that the courts were making where they were basically creating language that basically said that zoom should be used whenever possible. Literally, that's part of the court rules now. It literally says justice Viviano and I wrote some very the two of us wrote a very sharp, intensive dissent, actually, Justice Viano and I also wrote a whole op ed piece for the Detroit News. This is how strongly we feel about this. But ultimately, what was happening was that the courts were basically adopting this position that zoom should be used whenever possible. I just think that's horrible, this notion that zoom should be used whenever possible. How about the courthouses should be used whenever possible. How about the buildings should be used whenever possible. How about people need to be together? How about court is a solemn activity that needs to be in person. And the most important reason why it needs to be in person is because if you're doing this, because the way that Justice Viviano and I believe is we believe that we have a solemn oath to the citizenry and to those that we serve as judges, we're public servants, and we are there to serve people. That's the whole reason that we're there. And I always ask people, you've waited for two years to have your day in court. This is your big moment, right? You've waited. This is your day. This is your moment, right? Just think about this. You're coming to court, but this is your day. This is your moment. Do you want to have your day beyond zoom, right? You have been praying for this. You have been waiting for this. This is your day, right? You waited forever for this. And how do you feel when you come into court and you're told or you can't come into court? We're going to hear your argument on zoom. How many people go to law school because they want to make a closing argument on Zoom, right? Who does that? This is something that we really have got, literally, this is an issue that needs to be fought for, that basically companies, schools, universities, everybody needs to refocus. On being in person I'm going to tell you why I get really worked up, as you can tell. I'm going to tell you why. This zoom thing, where people are basically doing everything by zoom, this is short term. It's not if you're a company, if you're a university, I don't care who you are, if you keep going down this road where you isolate people

and you do everything by zoom, this is short sighted, because what happens is that the workplace is falling apart. It's deeper than that. We can sit here and make an economic argument. We can do all of that, but it's deeper than that. It goes to why we live. It goes to the life that we have. It goes to who we are. It goes to what kind of life is this? Sitting on your computer, not going out of your home. Who lives this way? It's unacceptable. And this is a key aspect of it. Here's where this really matters. I can explain to you in numerous ways how if you do things on Zoom, it really affects the culture of the courts. It affects the culture of the workplace. And why is that? Why is it that I am impassioned about having everybody in person is because when you do things on zoom, especially in the courts, right? You're missing a key component of the workplace. And in the courts, it's critical because people need to know each other. They have to like each other, they have to respect each other and the only way that happens is when you basically have these types of conversations, hey, how are you doing? I heard that your kid had a great game yesterday, or, I'm so sorry, I heard that your parent is sick, or I heard they're struggling. Those types of interactions are critical because it's why you like people. If you just do everything on Zoom, what ultimately happens is you only go to the issue at hand. Right. So, if I come on, Zillow, that's a great point. Right.

JJ: Business only.

Justice Bernstein: I'm not going to ask you how your kids are.

JJ: I'm not in front of 20 other people.

Justice Bernstein: We're going to talk strictly business. We're not going to get into anything.

JJ: About how you lose the human connection.

Justice Bernstein: Exactly. And then what happens is people get angry very quickly.

JJ: Sure.

Justice Bernstein: Because you forget that you like people. You forget that you care about people. You forget that these people are important to you and that you're important to them. You forget those things. And so, ultimately, I'm going to tell you something. If we don't get on this and get people back in businesses and back in their offices and really focus on this, it's going to be deeper than just unused real estate. What you're going to have is no loyalty. Because ultimately, if I'm working in a law firm, I'm working in a company, I'm working at a court, what do I care? I don't know you. You don't know me.

JJ: Right.

Justice Bernstein: Why am I going to stick around?



JJ: It's just mechanical.

Justice Bernstein: It's just all mechanical. And ultimately, that is not the way that we are created and it's not how we're supposed to live. So, we need to make this a huge emphasis. If people that are listening out there, it's, enough is enough is enough. Right? It is time for everything to be in person. It is time for us to go back to living the lives that give us joy, that give us hope, that give us optimism. It's time for us to be together. Because community is life, and life is the community.

JJ: Next time on Rural Health Rising we continue the conversation with Justice Bernstein, so be sure to tune in.

Rachel: And with that, don't forget to subscribe wherever you get your podcasts. And if you like what you hear, leave us a five-star review on Apple podcasts and tell others why they should listen to your feedback helps more listeners find Rural health Rising.

JJ: And you can now find us on Twitter. I'm @HillsdaleCEOJJ, Rachel is @RuralHealthRach, and you can also follow the podcast @RuralHealthPod. Until next time, stay safe, stay healthy, and stay strong.

Rachel: Rural Health Rising is a production of Hillsdale Hospital in Hillsdale, Michigan and a proud member of the Health Podcast Network, hosted by JJ Hodshire and Rachel Lott. Audio engineering and original music by Kenji Ulmer. Special thanks to today's guest, Justice Richard Bernstein of the Michigan Supreme Court. For more episodes, interviews and more information, visit ruralhealthrising.com. Be sure to tune in next week for part two of our conversation with Justice Bernstein.

Rachel: Today's episode is brought to you by Provider Solutions and Development. JJ, we've often talked about the challenges recruiting providers to rural communities, and with a projected shortage of 1240, physicians by 2034 of hospitals, need an excellent recruitment partner now more than ever.

JJ: Rachel as a healthcare executive myself. It's overwhelming to consider these shortages, but having a great partner can help. Provider Solutions and Development is a leader in physician and advanced practice clinician recruitment because they do recruitment differently with no commissions or quotas. With their nationwide provider network, PS and D will work one on one with hospitals and healthcare providers to create a highly customized recruitment plan designed to find the right candidate for the job.

Rachel: Visit info.psdconnect.org/ruralhealthrising to start the conversation today. That's info.psdconnect.org/ruralhealthrising.