County officials singing the blues over settlements

By Suzie Rolline Singer 😂 🕖

Officials say it's a fallacy that county govern-ents and road commissions have fat budgets and

ments and road commissions have fat budgets and can shell out big bucks for lawsuits. In the long run, they contend, it's the taxpayer who subsidizes the thousands of dollars in settle-ments which trickle down through government

agencies.

Both Wayne and Oakland county attorneys and road commission spokesmen say that in recent years, the numbers of lawsuits filed against them have skyrocketed.

"SINCE THE mid-70s, when most states abolished government immunity, there has been an abudance of lawsuits-filed against governments," said John Grubba, managing director of the Oakland County Road Commission.

County Road Commission:
"In 1973, we paid about 465,000 for liability insurance. During 1980, we paid \$1 million.
"By 1983, we estimate we'll spend more money
on insurance and payment of claims than we will
on road construction — and that's a disaster," he

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OAKLAND is not the only agency pound named by lawsuits.

Louis. Sugo, director of public relations at the Wayne County Road Commission, joins Edward L. Douglas, Wayne County's chief assistant corporate counsel; and Robert Allen, chief civil counsel for Oakland County, in battling legal entanglements. All say their paseloads have increased substantially during the past few years. "Our caseload has doubled in the past few years," Sugo said of the Wayne County Road Commission. "Right now, we have between 500 and off outstanding cases. When times get tough, people are more inclined to sue organizations that they think are collectable."

BEING COLLECTABLE, in a lawsuit with multi-

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ple defendants, often works against governments, the officials explained.

Grubba gave this hypothotical case: "Let's say a man is hitchhiking on a county road and is picked up by a woman driver. Her car is thit head-on by a drunk driver who ran a red light. She dies, and her passenger becomes a paraplegic. The drunk driver gets minor injuries.

Then the paraplegic sues the dead woman's estate, the drunk man and road commission. We find

"Then the paraplegic sues the dead woman's extee, the drunk man and road commission. We find out the woman only carried \$40,000 of insurance, and the other driver was uninsured, unemployed and has no money." he said.
"The jury awards the paraplegic \$2 million in damages against the dri who ran the rid light, \$40,000 against the could commission. The law says the plantiff can collect from all or any of the marties.

says the plaintiff can collect from all or any of the parties.

"So the decides to collect the \$2.2 million from the road commission, even though the highway agency was only found 8 percent liable." Grubba suggests that the state establish a special fund to pay plaintiffs in such cases, because the road commission doesn't have the discretionary funds and lacks any way of increasing its revenues, "since it doesn't have taxing powers.

DURING 1976, 33 lawsuits were filed against the

Oakland County Road Commission, and he expects about 55 logged for 1980.

"Sinch 1976, we have had 197 claims for bodily injury and paid on 109," he added. "We always try to settle, if we have any evidence that we're at fault. But we try the questionable cases.

"Courts and juries are not very sympathetic to governments. Most of the cases that go to court involve very serious liquires, and juries see insurance companies and governments who they think have lots of money and they assess high judgments," he added.

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nents," ne added.

All governmental spokesmen agreed that injured arties deserve payment, but they say that many imes people use lawsuits as a means of lining their ockets.

"OUR CASES increase 10-15 percent a year," says Wayne County's counselog, Douglas.
"The more the media talk about the financial chaos of the county, the more lawsuits we have. We're never able to save up a contingency fund. We have between \$15-\$12 million in lawsuits a year, and this year we have to pay \$100,000 out in settlements."

All the county arms of government are self-in-sured, most paying the first \$150,000 and an um-brella policy paying the remainder.

WAYNE COUNTY, which employes 20 full-time attorneys, has a lot of lawsuits claiming negligence and medical majpractice resulting from from patient treatment at Wayne County General Hospital. "We get about 200-300 of those a year," Douglas said. All must be investigated. "If there's a chance of prevailing, we'll got to court. But many times in the hospital cases, the doctors or nurses or other witnesses move out of town and disancer on us," he added.

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Robert Allen of Oakland said his cases have

"quadrupled the last five years."
Although he couldn't put a number on his case load, he said, "if we took the lawsuits at face value, they'd definitely exceed the (\$110 million) budget.

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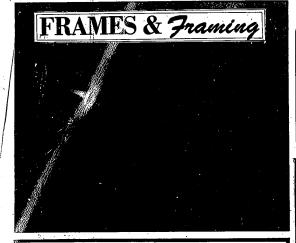
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