Baby deals: prohibit, regulate, ignore?

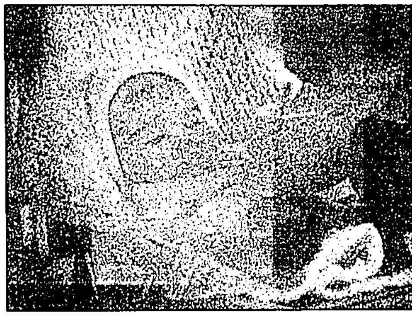
By Tim Richard
staff writer

Michigan lawmakers are in no rush to regulate surrogate parent contracts now that a New Jersey court has upheld their validity in the Baby M case.

"The Baby M case vividly points to the need for legislation regulating surrogate parenting arrangements," said Noel P. Keane, the Dearborn attorney who pioneered such arrangements, including Baby M's.

But three legislators typified three different moods in Lansing last week:

- Sen. Connie Binsfeld, R-Maple City, again will seek to declare surrogate contracts as null and void. "It's a nightmare," she said.
- Sen. R. Robert Geake, R-Northville, would prefer to legalize the contracts as "a way for couples to have a child who is the biological child of at least the father."
- Rep. Perry Bullard, D-Ann Arbor, sees "no chance of a resonable regulatory approach" as long as "the Senate is controlled by ultra right-wing fanatics." The chairman of the House Judiciary Committee sees "my role as to prevent precipitous action."



'Public policy should assure the child of a stable home and guarantee the enforceability of the contract.'
— Sen. Robert Geake

IN THE BABY M case, a New Jersey judge ruled that a surrogate contract arranged by Keane was enforceable and that the mother gave up all her rights to the child.

William and Elizabeth Stern contracted with Mary Beth Whitehead to bear a child through artificial insemination by William's sperm. Whitehead sought to keep the baby. The Sterns won custody of the girl they named Melissa.

"This is the best result we could have hoped for," said Keane, whose statement was issued through a Detroit public relations agency.

"Although the ruling is not binding outside the state of New Jersey, it does set a precedent that will be cited in any future cases. It gives an infertile couple greater assurance that surrogate parenting agreements will be recognized and enforced," said Keane, who has handled more than 150 such agreements.

IRONICALLY, Sen. Binsfeld, a conservative Republican, and liberal feminists are on much the same ground when they condemn such contracts.

"If we were to legalize such contracts, I see a continuation of the problems," Binsfeld said in an interview. She concentrated on the emotional trauma of people involved in such cases:

- "The child would be a commodity. They would grow to realize they were sold. That's reprehensible."
- "Think of the siblings, who would see the woman pregnant and have to be told what happened. We've had children testify they want to see their brother or sister." (In the Baby M case, the Whiteheads had two children of their own.)
- "We've had pediatricians testify that knowledge of such cases makes a child insecure. The child wonders, 'If I'm not good, will mom and dad sell me?' "
- In a sensational Michigan case, a surrogate mother bore a child with a birth defect. The sperm donor, who by the time of the birth was going through a divorce, was able to prove the child wasn't his and "got off the hook."
- There is "anguish for the grandparents."
- "Husbands have forced their wives into situations with bad endings."

Binsfeld blamed state government for reducing the supply of adoptable babies by 1) funding Medicaid abortions, 2) failing to counsel single mothers on the availability of adoption and 3) setting up young mothers in their own apartments through welfare payments.

In 1983 the Senate passed a Binsfeld bill, but it died in House committee.

GEAKE, A child psychologist, said the state should legalize surrogate contracts. "Public policy should assure the child of a stable home and guarantee the enforceability of the contract," he said.

Geake would not require psychological testing of the surrogate mother or parents. "There should be no more state regulation of this than of parents who conceive children naturally,"he said.

"Emotional stability is a transient thing. There is no guarantee that one who is stable now will be stable later. And a person under stress now may recover later."

Nor would he limit payments to the surrogate mother, as some have suggested. Standard fee to a surrogate mother is about $10,000.

"Unfortunately, under our welfare laws, unwed mothers are encouraged to keep their children," he said, echoing Binsfeld.

"State government could adopt a policy of encouraging children to be adopted. Our social workers are, at best, neutral (on advising adoption). Three is a natural tendency for a woman to keep it, and we subsidize keeping it through ADC (welfare)."

BULLARD RECALLED that a regulatory bill sponsored by Rep. Richard Fitzpatrick, D-Battle Creek, was reported out of his House Judiciary Committee several years ago, but was sent back to committee and thus killed.

He predicted a regulatory bill will be introduced "by somebody. No, not by me." He characterized the Republican-held Senate as "ultra right-wing fanatics. These folks are there until 1990, and apportionment is there until 1994."

He doubted a regulatory bill could be adopted, later adding, "It's not a hot current issue for us."

Bullard's own view: "I personally am not in favor of prohbiting surrogate parenting, though society may eventually conclude we want to prohibit it.

"There is an archaic need for males for genetic replication. But there are plenty of children all over the world ready for adoption.

"Some feminists groups are saying it is intrinsically an exploitation of lower-income women."

Asked if he wanted to limit fees paid to women, Bullard hesitated — then said no.

DON MERENGERE, a Bloomfield Hills man involved with an adoption group, said that if adoption became more common, "Noel Keane would be down to tens and twenties instead of hundreds of clients.

"The losers were Mary Beth Whitehead, the Sterns and Baby M. The winner was Noel Keane, who is marketing his services. They know where to find him.

"Whitehead has had her face plastered all over the country. The Sterns didn't get what they wanted — anonymity for their child."

Sign language credit bill OK'd

AP — Only 10 non-deaf high school students in Michigan study sign language for credit, but Sen. James Barcia hopes a bill passed by the state House will convince more students to enroll.

The bill was praised by educators at Madonna College in Livonia and Lahser High in Bloomfield Hills.

Barcia's bill, approved 96-0 last week by the House, would allow high schools to give academic credit for a foreign language to students who learn to sign.

The measure, approved earlier by the Senate, goes back to the upper chamber for final approval.

EDUCATORS FOR the hearing impaired say the legislation is a milestone in giving sign language its due to be taught alongside French, German and Spanish.

"The thing I'm most excited about is that people, at least our government, are recognizing, 'Hey, we have this minority group with its own language and culture that really hasn't been recognized,'" said Kenneth Rust, the son of deaf parents and chairman of the sign language department at Madonna College in Livonia.

So far the 10 high school students at Lahser High School in Bloomfield Hills are the only ones in the state enrolled in formal sign-language classes for non-deaf students, said state Education and Labor Department officials.

Paul Schimmick, the students' teacher, said interest in the high school's program peaked at 75 students in the early 1980s, before offerings were curtailed during a budget crunch.

LAHSER OFFERS three one-credit courses on the subject and hopes to rebuild interest to its previous level.

"It seems to have generated some interest," Schimmick said.

Schimmick said sign language not only helps improve relations between hearing and deaf students but opens up a new channel for people who want to share ideas without talking. He gave the example of two students signing to each other across the classroom without interrupting their teacher's lecture.

At Lahser, where 45 hearing-impaired students use sign language interpreters while attending regular classes, signing has become generally accepted by hearing students, Schimmick said.

The immediate hurdle for other districts trying to copy Bloomfield Hills' program is finding instructors, who are in short supply, he said.

"It could go far as long as there are people to teach it," Schimmick said.

MICHIGAN'S SCHOOL code allows school districts to give credit for the course now, but doesn't specifically acknowledge sign language as the academic equivalent of a foreign language.

Under an amendment added in the House, any student who showed a proficiency in sign language would be able to seek academic credit, regardless of whether they took a school course in the subject.

Barcia has said the real focus of his bill is to encourage school districts to hire qualified sign language teachers and expand interaction between the deaf and the hearing.

The result, supporters say, would make school a friendlier place for Michigan's 5,200 school-age children with hearing impairments.

Divorce, family workshops to start

A new series of workshops on divorce and family counseling will start Monday under sponsorship of the Oakland County Circuit Court.

Sessions will run 7-9 p.m. Mondays through May 11 except for one Tuesday session on April 21.

Free and open to the public, they will take place in First United Methodist church, 1589 W. Maple, Birmingham.

Dates, topics and speakers will be:

- April 13 — "How Divorce Affects Children," James Kors, psychologist and child therapist, and Circuit Judge Francis X. O'Brien.
- April 21 (Tuesday) — "Social, Emotional and Sexual Adjustment to Divorce," psychologist Michael Willett and Circuit Judge Fred M. Mester.
- April 27 — "Child Custody and the Step Parent Issue," Richard Victor, legal advisor to the Step Family Association, and Judge Robert C. Anderson.
- May 4 — "Legal-Financial Aspects of Divorce," attorney Sandor Gelman and Judge Jessica R. Cooper.
- May 11 — "Friend of the Court Functions," court personnel and court administrator Joan E. Young.

For additional information on any of the workshops, call the Friend of the Court office at 858-0344 in Pontiac.

Builders are short of land — Dickstein

By the end of the year, prospective home buyers may find there are no developed lots available.

Dennis Dickstein, president of the Builders Association of Southeastern Michigan, said 13,000 developed lots, or lots in the process of being approved, are available — enough to last only nine months.

Dickstein blamed the state Department of Natural Resources. Developers submit "plats" or site plans to the DNR for approval before they begin building, but DNR lacks manpower to process them expeditiously.

Dickstein said there also needs to be more realistic zoning of property in southeastern Michigan to deal with the coming shortage of building sites in this area of the state.

Dickstein is president of Ralph Manuel Realtors, Birmingham.

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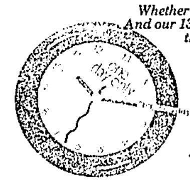
All Stores Open Friday 9 a.m. To 10 p.m.
Whether you're delivering a punch line or buying and selling stocks, timing is everything. And our 13 hour sale is no exception. For one day only, you'll find savings for the entire family throughout our store. But remember, if your timing is off, it could cost you.



25% off
Selected Boundary Waters shells. Reg. $24 to $28, sale $18 to $21. In Sweaters and Knits

25% off
Selected two-piece dressing from Josephine and Hastings and Smith. Reg. $28 to $36, sale $21 to $27. Blouses and Shirts

30% off
Selected blouses from Lady Manhattan, Shapely, Laura and Jayne, and Josephine. Reg. $29 to $46, sale 19.80 to 32.20. Blouses and Shirts

FOR HER

25% off
Selected cotton robes and sleepwear from Gilligan and O'Malley, Miss Elaine and Barbizon. Reg. $28 to $46, sale $21 to 34.50. Intimate Apparel

25% off
Maidenform Wise Buys daywear and pants. Reg. $3 to $15, sale 2.25 to 11.25. Intimate Apparel

25% off
Selected bras, pants, daywear and shapewear from Vanity Fair, Vassarette and Olga. Reg. $4 to $48, sale $3 to $36. Intimate Apparel

25% off
Selected shoes from Fun-Dare, Summit Hill, Bandolino, Liz Claiborne and Red Cross. Reg. $34 to $78, sale 25.50 to 58.50. Women's Shoes

25% off
Selected skimmers, moccasins and loafers from 9 West, Esprit and Magnet. Reg. $36 to $52, sale $27 to $39. Women's and Juniors' Shoes

25% off
All jewelry boxes, selected smooth and textured leather belts, and selected fashion sunglasses. Reg. 6.50 to $45, sale 4.87 to 33.75. Fashion Accessories

30% off
All sequins and silver fashion jewelry. Reg. $10 to $50, sale $7 to $35. Fashion Jewelry

25% off
Designer casual socks from Anne Klein, Perry Ellis and others. Reg. 4.50 to 5.50, sale 3.38 to 4.13. Women's Hosiery

25% off
Selected leather and fabric handbags from B.H. Smith, Valerie Bardi, Richmark, Woodward, Summit Hill and others. Reg. $22 to $100, sale 16.50 to $75. Handbags

20% off
All straw hats from small silhouettes to large brims in classic and dress styles. In white, pastels, brights and neutrals. Reg. $22 to $65, sale 17.60 to $52. In Hats, all stores except South Bend

25% off
Selected linen coordinates from Personal and Tan Jay. Reg. $30 to $88, sale 22.50 to $66. Coordinated Sportswear

25% off
Selected juniors' separates from Magnet, LA Seatcovers, Union Bay and Palmetto's. Reg. $9 to $36, sale 6.75 to $27. Juniors

25% off
Selected denim jeans and skirts from Zena, Palmetto's and Union Bay. Reg. $22 to $42, sale 16.50 to 31.50. Juniors

25% off
Selected stonewashed and bleached denim jeans and skirts. Reg. $35 to $50, sale 26.25 to 37.50. Sport Separates

25% off
Selected related separates from Chaus, Counterparts, Rafaella and Sk & Co. Reg. $30 to $56, sale 22.50 to $42. Updated Sportswear

25% off
Selected active jackets. Reg. $40 to $60, sale $30 to $45. Misses' Coats

25% off
Selected Spring dresses in Misses', Petites' and Women's World sizes. Reg. $68 to $150, sale $51 to 112.50. Misses, Petites and Women's World Dresses

25% off
Chambray two-piece dressing from Boundary Waters. Reg. $26, sale 19.50. Women's World

25% off
All Boundary Waters polo shirts. Reg. $18 to $20, sale 13.50 to $15. Women's World

25% off
All regular-priced denim from Palmetto's and Cherokee. Reg. $34 to $45, sale 25.50 to 33.75. Women's World

FOR HIM

25% off
All Woodward woven sportshirts. Reg. $28 to $30, sale $21 to 22.50. Woodward Shop

25% off
All Alexander Julian pants and shorts. Reg. $26 to $50, sale 19.50 to 37.50. Woodward Shop

25% off
All striped short sleeve knit shirts from Arrow. Reg. $20, sale $15. Men's Sportswear

40% off
All solid fleece crewnecks, hooded sweatshirts and pants. Reg. $18 to $22, sale 10.80 to 13.20. Athletic Apparel

25% off
Selected Generra sportswear. Reg. $20 to $42, sale $15 to 31.50. Young Men's

1/3 off
All Summit Hill dress shirts. Reg. $14 to $18, sale 9.33 to $12. Men's Dress Shirts

20% off
All Crickateer, Christian Dior, Austin Reed, Daniel Hechter suits and Crickateer, Christian Dior and Stanley Blacker sportcoats. Reg. $175 to $310, sale $140 to $248. Men's Clothing. Suits in all stores except Lansing, Kalamazoo and Battle Creek

20% off
Famous maker classic white underwear and men's Gold Toe hosiery. Reg. $3 to 12.50, sale 2.40 to $10. Men's Furnishings

25% off
All Members Only casual outerwear. Reg. $60 to $65, sale $45 to 48.75. Men's Outerwear

25% off
Selected sandals, huaraches and espadrilles from Bass, Giorgio Brutini, Boundary Waters and Bartley. Reg. $12 to $39, sale $9 to 29.25. Men's Shoes

FOR KIDS

25% off
Jams and tank tops for girls' 7 to 14 and boys' 8 to 20. Reg. $6 to $24, sale 4.50 to $18. Children's

25% off
Children's selected HealthTex. Reg. $6 to $20, sale 4.50 to $15. Children's

25% off
All Buster Brown playwear for infants, toddler boys and girls, girls' 4 to 6X. Reg. $8 to $20, sale $6 to $15. Children's

25% off
Boys' Inside Land polo shirts. Reg. 15.50, sale 11.62. Boys' 8 to 20.

25% off
All jelly shoes in girls' sizes 2 to 10. Reg. $2, sale 1.50. Children's Shoes

FOR THE HOME

25% off
All Chiba bed pillows, all down comforters, selected towels, sheets, coordinate comforters, decorative pillows and chair pads. Reg. 7.50 to 449.99, sale 5.63 to 337.49. Bed and Bath, all stores except Fort Wayne

25% off
All in-stock regular priced luggage from Skyway, Members Only and Ricardo of Beverly Hills. Reg. $35 to $245, sale 26.25 to 183.75. Luggage

40% off
The ticketed price of selected sheets, coordinating comforters, towels and bath sheets. Styles vary by store. Reg. 7.50 to $160, sale 4.50 to $96. Bed and Bath, all stores except Fort Wayne

40% off
Selected in-stock china patterns from famous makers. Reg. 16.99 to 99.99, sale 10.19 to 59.99. China, all stores except Fort Wayne

30% off
All Calphalon, Revere and T-Fal open stock cookware and sets. Reg. $35 to $210, sale 2.34 to $147. In Marketplace, all stores except Fort Wayne

20% to 30% off
Selected crystal accessories from Gorham, Mikasa, Colony and Import Associates. Reg. $14 to $55, sale 9.80 to 43.99. Crystal, all stores except Fort Wayne

33% off
Chicago Cutlery gourmet cutlery set includes 3" paring, 5" boning/utility, 8" slicer, 8" chef, 10" butcher steel in solid oak start block with four empty slots. Reg. $120, sale 79.99. In Marketplace, all stores except Fort Wayne

25% off
Selected placemats, napkins and napkin rings. Reg. 59¢ to $38, sale 45¢ to 28.50. In Table Linens, all stores except Fort Wayne

Sale 169.99 to 599.99
All Smith Corona typewriters are on sale. All feature WordEraser correction. Spell Right electronic dictionary and personal word processor. Reg. 219.95 to 649.95. In Electronics, all stores except Lansing, Battle Creek and Fort Wayne

Sale 149.99 to 444.99
Save $79 to $154 on all in-stock receivers and cassette decks from JVC. Reg. 229.95 to 599.95. In Electronics, all stores except Lansing, Battle Creek and Fort Wayne

Sale 299.99
Panasonic VHS HQ (High Quality) video cassette recorder has remote control. 8 hour recording capability and programs 4 events over 14 days. Model PV1363. Reg. 363.95. In Electronics, all stores except Lansing, Battle Creek and Fort Wayne

Save $140 to $320 a set
Simmons Regency Maxipedic 401 bedding. Twin mattress or box spring, reg. 169.95, sale 99.99. Full mattress or box spring, reg. 219.95, sale 149.99. Queen 2 pc. set, reg. 649.95, sale 379.99. King 3 pc. set, reg. 849.95, sale 529.99. In Furniture, all metro Detroit stores (except Fairlane) also at Flint

30% off
Selected lamps and mirrors. Choose from brass, crystal and ceramic lamps, and traditional to contemporary mirrors. Lamps, reg. $50 to $250, sale $35 to $175. Mirrors, reg. $60 to $300, sale $42 to $210. Lamps and Mirrors in all metro Detroit stores plus Flint, Toledo and Ann Arbor

15% to 40% off
Selected furniture and carpeting including sofas, loveseats, chairs, bedroom and dining room furniture, dinettes, occasional tables, desks, entertainment centers, wall systems, recliners, sleepers, mattresses, area rugs and carpeting. Furniture in all metro Detroit stores (except Fairlane), also at Flint

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