

POINTS OF VIEW

We do have the power to help keep kids safe

Even as America begins to recover from the tragedy in Oklahoma City, we are still left with very vivid images of the suffering of so many innocent children.

This senseless loss of life generates a feeling of helplessness from those of us emotionally involved through the media coverage.

We probably ask ourselves, "What can we do?" The magnitude of this event may make you feel powerless, but there is something you can do to ensure that more children won't lose their lives to an even larger threat to their safety: preventable childhood injuries.

Each year, more children lose their lives to preventable injuries than from all childhood diseases combined; many more children suffer injuries lasting a lifetime. This takes a tremendous toll on the nation, not only in limiting the potential for these children, but also in

the costs associated with treatment and therapy. One way people can get involved is through prevention initiatives such as the National Safe Kids campaign — the only nationwide childhood injury prevention program.

This is National Safe Kids Week and there will be many opportunities to learn how to help children before a preventable accident occurs. Did you know that one out of every four children, ages 14 and under, will be hurt seriously enough by unintentional injury to require medical attention this year? Each year, nearly 7,200 children are killed and another 50,000 are permanently disabled by injuries that, in many cases, could have been prevented.

A Family Safety Checklist will reach millions of families through a four-page newspaper supplement. It will be distributed to Farmington area

GUEST COLUMNIST



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schools, in grades three to five. The Farmington Hills Fire Department will have copies available, too. This checklist provides 10 basic steps to make homes safer for kids. It can be picked up at Fire Headquarters, Monday-Friday during business hours. Regardless of where you obtain the checklist, complete the questionnaire and correct any

problems you find in your preparedness.

A national conference in Washington, D.C., this week helped focus attention on safety, with Michigan being represented by a young girl who saved the lives of her family during a fire.

Sue Smith, trauma coordinator at Children's Hospital of Michigan, reminds us of a new poison control number that can be used anywhere in the continental United States, 1-800-POISON-1 (1-800-764-7661). Your call for help will be immediately routed to the nearest regional poison control center. In southeastern Michigan, your call to the toll-free number will be answered by Children's Hospital of Michigan.

If you have the old phone number on your refrigerator or phone, it will still work, but you are now required to add the 313 area code to complete the call

from the new 810 area code.

The Farmington Hills Safe Bike Coalition has scheduled a Bike Rodeo for 2-5 p.m. Saturday, May 20, at the Farmington Hills Activity Center on 11 Mile Road.

Children and their families can get first-hand information about safe bicycling and the importance of helmets, used by only 15 percent of children under age 15. A helmet is the best protection against head injuries. Registration information for this event can be located in the summer brochure distributed by the Farmington Hills Special Services Division or by calling their offices, 473-9570.

Take advantage of this important week to focus some of your attention on how you can get involved in helping kids.

Michael Garr is a lieutenant with the Farmington Hills Fire Department.

Legislators right in seeking to cap suit damages

S-h-h-h-h. Don't give Geoffrey Fieger this information. It would spoil his dreams and shock him into a numerical reality.

Fieger is a Southfield trial lawyer who makes a living suing doctors and manufacturers who allegedly injure his clients. That kind of law is called "tort." There is a big movement, nationally and in Michigan, to reform tort law. Naturally, Fieger is against it and professes not to understand the opposition.

The reformers never have proposed that the injured shouldn't be compensated for actual injuries. Those are known as "economic" damages. They include medical treatment, wheelchairs, lost wages and the like. They are noncontroversial.

The controversy is over "non-economic" damages, known as pain and suffering. A state Senate bill would limit P&S damages to \$250,000 in police chase cases. Horrors, says Fieger, chanting the trial lawyer's litany: "Let

the jury decide." He goes on to say it's just the insurance companies, not the city or the business or the professional person who must pay.

To test that proposition, let us take a simple but realistic case from the real world. Let's say you and I and eight others are merchants of Venice, and we send a caravel, a total of 10. We send those caravels on trading expeditions to Spain and the Middle East, but Mediterranean pirates get one in 10.

So we decide to share the risk. Each caravel is worth 10,000 lira, and one won't return. If we each pay a "premium" of 1,000 lira, we have a reserve of 10,000 lira. The unlucky entrepreneur who loses a ship to pirates collects.

Now let's let the plot thicken. Suppose one shipper says his caravel had 30,000 or 50,000 or 100,000 lira worth of cargo. We have only 10,000 in the pot. The shipper kicks and screams and moans and demands 100,000 lira. The dopey jury says the rest of us must



TIM RICHARD

pay. But it's the last time we'll do business with that whiner.

Non-economic damages, or pain and suffering, are much like that. How do we calculate our premiums when we have no advance idea what the damages will be?

That's how insurance works. To calculate each insured's premium, we must have some calculable idea of what the loss might be. It's this concept Fieger professes to be unable to

understand, repeatedly and at length, when he hassled the Senate Judiciary Committee last week.

It's a convenient misunderstanding because plaintiffs' lawyers who work on a contingency typically collect one-third of the jury award. (In fairness, I must report Fieger said, "I don't do it for the money any more. I do it because it's right." Yeah, sure.)

Remember, the question isn't calculating economic damages. It's calculating "pain and suffering."

Some folks are stoic about pain and suffering. They'll force a smile and pretend it doesn't hurt. They may go off in a corner and bear their wounds quietly, like our poodle who avoided us for two days after he'd suffered a gash in the side of his neck.

Other folks make an operatic production out of it. They can emit melancholy wails that will rip your heartstrings. I recollect a drug addict, a veritable bum and drag on the public exchequer, a man who had forsaken his

relatives. When he died, relatives emerged from the woodwork demanding tens of millions of dollars for the loss of the dear, dear departed.

Should pain and suffering be judged, as Fieger would have it, by a jury listening to the sighs and moans of the injured or the survivors? Jurors don't calculate actuarial tables. They don't tally how many \$7 million sobes, \$5 million sobes and \$250,000 sobes they will hear in a year. They determine one case at a time. Jurors can't judge pain and suffering.

Our lawmakers are moving in the right direction when they say, hey, there's got to be a monetary cap on what a jury calls "pain and suffering." But don't tell that to Geoffrey Fieger. He doesn't understand these things, by his own admission, and doesn't want to.

Tim Richard reports on the local implications of state and regional events. His Touch-Tone voice mail number is (313) 953-2047 ext. 1881.

Fund state's universities using policy, not politics

One annual spring ritual in Michigan is the squabble over how the \$1.3 billion budget for higher education gets doled out among the state's 16 public universities.

With no coherent state policy driving appropriations decisions, the process has become the single most totally parochial donnybrook in Lansing. Legislators pick partisan sides. Those representing Lansing favor Michigan State University, and those from Ann Arbor push the University of Michigan. Or Spartan alumni square off against Wayne State graduates.

But over the past decade or so, a kind of tacit gentlemen's agreement has emerged that put at least the Big Three — U-M, MSU and WSU — at rough parity. If U-M got a 4-percent increase, so too would MSU and WSU.

This year, however, Gov. John Engler surprised everybody by proposing a budget with additional special appropriations of \$10.3 million for MSU, \$4.2 million for Western Michigan University and \$1 million for Grand Valley State University. The net effect was to pick three winners (each receiving around a 6-percent increase) and 12 losers (each receiving around 3 percent, below the cost of inflation).

Right away, talk erupted of special deals and political deck-stacking. Gov. Engler was intimately involved in picking new MSU President Peter McPherson. Rep. Don Gilmer, who will be a member of the all-powerful conference committee on higher education appropriations, is from Augusta, near WMU's campus in Kalamazoo. And Grand Valley, located near Grand Rapids, benefited from the general west-side-of-the-state tilt of the Engler Administration.

A period of ferocious — even by higher education appropriations standards — lobbying ensued. Led by Sen. John Schwarz, a physician and alum of both U-M and WSU, and chair of the Senate Appropriations subcommittee on higher ed, a compromise proposal emerged last week that would give all universities general increases of 6 percent while maintaining the special outlays for the three winners.

State revenue projections will come out next Monday. Senate and House leaders will meet with Engler in the middle of next week to set targets for final appropriations.

What is to be made out of all this hullabaloo? Plainly, Michigan needs a policy-driven way to allocate funds to higher education. Political



PHILIP POWER

arm-twisting is hardly a sensible basis for supporting the great universities on which much of our economic future rests.

The basis can be found in the report of the Commission on the Future of Higher Education in Michigan, published in 1984. This bipartisan panel, which included former MSU President John Hannah, unanimously recommended a funding system based on twin facts:

■ Naturally, the roles and missions of Michigan's universities differ. Research universities do not pretend to do the same thing as regional state colleges.

■ So, too, do costs per student. It does cost much more to educate a doctor at U-M than it does to train a lab technician at Oakland Community College or Schoolcraft College.

The brilliance of the commission's report was to suggest that Michigan's funding targets for each type of university be set by examining how other states support their peer institutions — that is, those with similar roles and missions.

If, for example, other states support their regional colleges at a level of 4% per student, this should become a target for state funding in Michigan.

You don't need a Ph.D. in rocket science to realize that once the current funding donnybrook is over, Michigan should adopt a rational system for supporting higher education based on the commission's model.

Phil Power is chairman of the company that owns this newspaper. He also is a regent of the U-M and was a member of the Commission on the Future of Higher Education in Michigan. His Touch-Tone voice mail number is (313) 953-2047, Ext. 1880.

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