

The Old Gal Gazette

Number 3

October 10, 1986

National News

NATIONAL COLLEGIATE ALCOHOL AWARENESS WEEK APPROACHES

Alpha Sigs from coast to coast will be reminded the week of October 20-26 that we are our brothers' keepers, especially when it comes to the use of alcohol. Higher education's Inter-Association Task Force on Alcohol Issues is sponsoring the week for the third consecutive year and will serve as a focal point for alcohol education activities on college and university campuses nationwide. Alcohol Awareness week has three objectives:

1. To increase consciousness of alcohol misuse on college campuses and stress the need for effective prevention programs
2. To highlight existing campus programs and encourage other schools to adopt similar programs
3. To focus attention on different facts of the issue by scheduling special lectures or seminars, distributing literature, and other activities.

ALPHA SIGS TAKE A STAND

Many of the brothers in attendance at the 1986 National Leadership Conference and Convention stated that there is increasing pressure to develop more knowledge and control over the use of alcohol. Organizations such as MADD and SADD have been pushing to raise the drinking age to 21; thereby, reducing the number of teenage alcohol related fatalities. Universities have developed policies to deal with the use of alcohol on campus, and IFCs all across the country have successfully developed dry rush programs. All of these societal changes have accompanied a "national insurance crisis" and the inability of many groups, especially fraternities, to get and maintain liability coverage.

As a result, the delegates at the 1986 National Leadership Conference and Convention tackled these very tough issues while they were in Ann Arbor. In charting the course for the future of the 'Old Gal', the brothers discussed and deliberated what should be the stance of Alpha Sigma Phi and adopted the following two resolutions:





RESOLUTION NUMBER ONE



- Whereas The issue of alcohol abuse is, by far, the greatest area in which all fraternities are criticized for not maintaining proper standards, and
- Whereas Alpha Sigma Phi recognizes the importance of having each chapter have and uphold a policy governing the use of alcohol during its official functions, we are therefore
- Resolved That each chapter develop and implement a policy governing the use of alcohol during official chapter functions and furthermore
- Recommend That the National Headquarters provide for a set of guidelines involving alcohol policies by which each chapter can choose and modify by these guidelines for state, local and specific University needs.

RESOLUTION NUMBER TWO



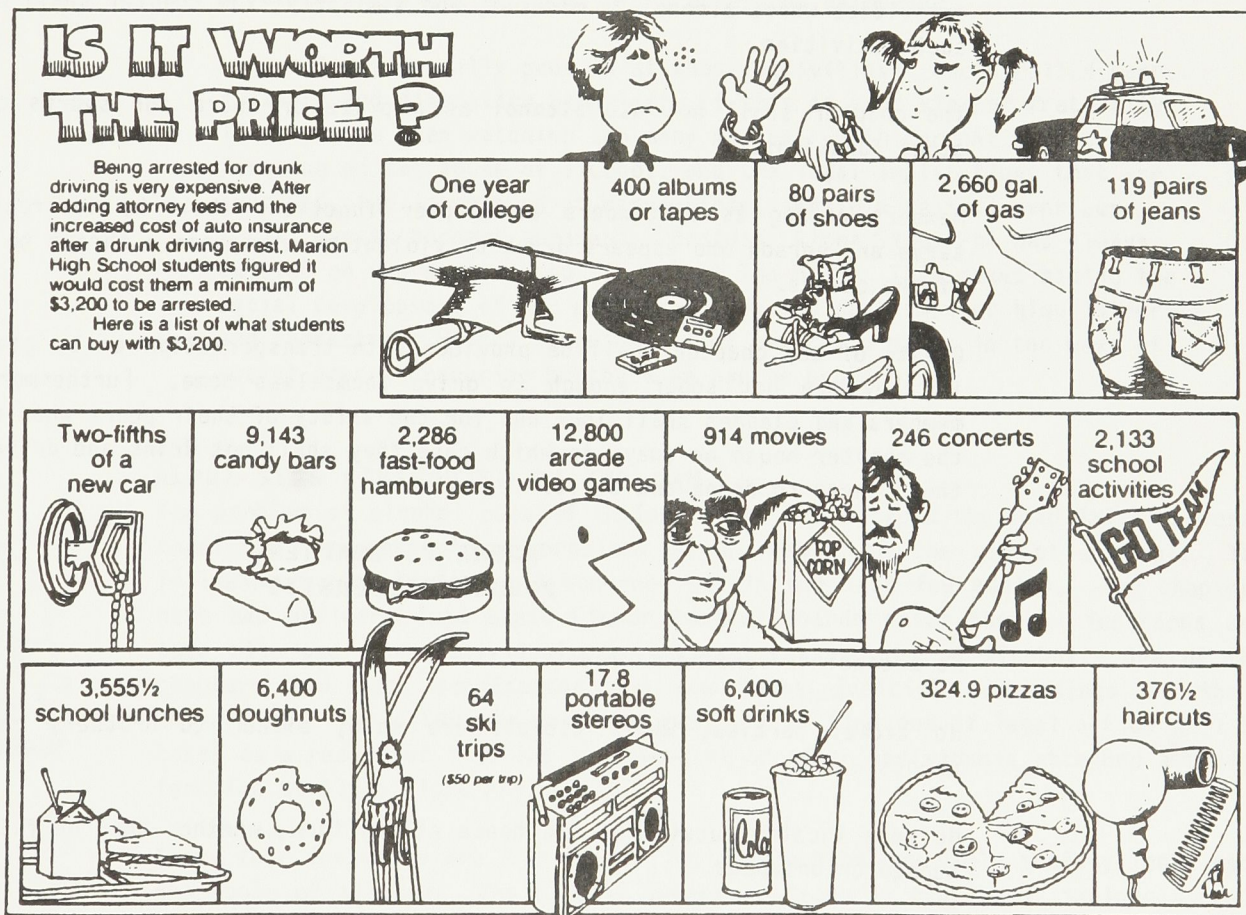
- Whereas Alpha Sigma Phi recognizes the need to instill in the public eye that fraternities in general, as well as Alpha Sigma Phi, can and do have good times with and without alcohol and,
- Whereas The need to demonstrate this in the public eye has become evident and,
- Whereas The National Collegiate Alcohol Awareness Week is being held October 20-26 of the Nineteen Hundred and Eighty-sixth year of our Lord,
- Be It Therefore Resolved That each Chapter be encouraged to hold one non-alcoholic event each year to coincide with the National Collegiate Alcohol Awareness Week.



LAST CALL FOR DRINKING LAWS

October 1, 1986 was the deadline imposed by a 1984 Congressional statute for states to have in effect a minimum drinking age of 21. Those not in compliance with the new federal law will face a 5 percent cutback in federal highway funds. In 1983 drivers under 21 accounted for more than one-quarter of all alcohol-related fatal traffic accidents. With the new mandate and subsequent compliance by 26 states, the Department of Transportation reports a drop in all traffic fatalities from 44,400 in 1983 to 43,500 in 1985--a 13 percent drop in fatal accidents involving young people.

As of the first of October, the District of Columbia and eight states--Colorado, Idaho, Montana, Wyoming, Louisiana, South Dakota, Ohio, and Tennessee--have been notified that their current drinking laws do not comply with federal status. Wyoming's governor called the law "blackmail" and refused to support a change.





CHAPTERS DEVELOP POLICIES

Eta Chapter at the University of Illinois and **Alpha Pi Chapter** at Purdue have taken up the challenge, and have responded to the public outcry against the abuse of alcohol, especially in the fraternity houses of America, by developing and implementing written guidelines concerning the consumption of alcohol on chapter property. The guidelines of both chapters promote educated and responsible use of alcohol at chapter functions.



ETA CHAPTER UNIVERSITY OF ILLINOIS

The chapter shall not sponsor an activity where drinking is the only activity.

The chapter shall always serve food and alternative beverages when alcohol is served.

Members, pledges, and guests shall not be forced to drink at any time nor shall they be encouraged to consume large quantities of alcohol.

The chapter shall not sponsor members participating in drinking contests or other activities where alcohol is misused, and similarly, the chapter shall not sponsor such activities.

The chapter shall not use alcohol as a prize or award for sports contests or other functions.

Members acting as bartenders at chapter functions shall be instructed not to serve any person who appears drunk or violent or who poses a threat to the safety of the guests.

Guests of the chapter shall be provided with transportation or be given escorts if they are not sober enough to drive themselves home. Furthermore, chapter members and pledges shall look out for the safety of their peers when drinking at the chapter house or away, in which case they shall not drink and drive or permit their peers to drink and drive.

ALPHA PI CHAPTER PURDUE UNIVERSITY

No alcohol in vending machines.

No ticket parties, where tickets are sold, either to brothers or people on campus.

No kegs located outside of the house at any time, whether they be full or empty, tapped or untapped.

No obvious alcoholic container outside at any time (e.g. beer cans).

Policy is to be in conformance with the Purdue University Alcohol Policy and is to be no more restrictive.



ONE BROTHER SPEAKS OUT

Tom Marklin '84, former HSP of **Phi Chapter**, Iowa State University recently wrote an article on the social aspect of belonging to a fraternity. The brief article is very insightful and definitely bears repeating:

"All they do in those damn fraternities is party!"

That's one of the famous half-truths that makes stereotyping a particular fraternity so easy. Yes, Greeks do have more fun, more parties than anyone else on campus - especially here at Iowa State University; our Greek system is one of the finest in the country and we have a lot to celebrate and be proud of.

And Alpha Sigma Phi is indeed a social fraternity dedicated to the social welfare and development of her members--as well as making collegiate life fun-filled and rewarding. A sample academic year includes our pledging party, Homecoming festivities, Fall House Party, our age-old Black and White Formal, Spring Woodsie, and a healthy distribution of sorority exchanges and good old brotherhood gatherings.

So what really goes on at these activities? Uncontrolled beer-guzzling and disgusting behavior? If this is your view of fraternity life, you've been watching too many movies. With current public concern focusing on the abuse of alcohol, and the legal implications that are involved, the importance of responsible, sensible control over our social events becomes apparent. Besides, Alpha Sigma Phi has always existed on the basic motto "To Better The Man." This means aiding the social development of our members, producing gentlemen of high integrity and character. We try to guide all of our new members in the ways of social grace, producing brothers we can be proud of.

ALPHA SIGS CONFRONTED BY THE LAW

The problem of alcohol related incidents has not escaped the "Old Gal." Several chapters have encountered problems as a result of the use of alcohol. The following incidents have all occurred within the last few months. Two chapters have had officers from State Liquor Control Boards enter chapter functions and then cite and fine individuals for illegal consumption of alcohol. One of the chapters had kegs confiscated and now faces judicial proceedings at their university. Two other chapters are awaiting to find out if legal action will be taken as a result of injuries sustained at or after individuals attended a social function at Alpha Sigma Phi.



These four incidents are serious and just go to show how dimly society looks upon the abuse of alcohol. The biggest lesson to learn is that these incidents could have happened to any of our brothers at any chapter.

NEW ADDITIONS TO THE HEADQUARTERS STAFF

The next time you call the National Headquarters and hear, "Alpha Sigma Phi Fraternity Headquarters," the voice on the other end of the line will most likely be one of the new additions to the administrative staff of the fraternity. Shirley Doty joins the staff as administrative assistant. Her responsibilities are to assist the Office Manager and serve as secretary to Rob Sheehan, Executive Director. Shirley just recently moved to Marion, OH. from Indianapolis, IN. Julie Crampton has joined the staff as secretary/receptionist and is also a resident of Marion, OH. Welcome to the team!!

DEADLINES

Are you meeting all the following deadlines? If not, be sure to check with the appropriate officer. Remember if you have any questions or problems, call the Headquarters at 614/363-1911 between 8:30 A.M. - 5:00 P.M. ET, Monday thru Friday.

- September 26 - Newsletter Contract(s)
- October 1 - Report of Undergraduate Membership, Carry-Over
Pledge Report
- November 1 - Chapter Dues and Fees
- November 1 - Chapter Newsletter Verification Form
- November 15 - Fall Newsletter
- November 15 - Winter Tomahawk Report



Pledged To The Seven Points



ALPHA PSI CHAPTER, Presbyterian College: Mark G. Jones, Anderson H. Scott, II, Christopher B. Amerson, Wayne K. Gehrhardt, William P. Thomas, John A. Kuhne, Jr., Michael T. Howe, Paul M. Albergotti, William S. Ottinger, James D. Southern, Richard T. King, Stephen M. Vance, Eirik S. Kviten, Paul Weathers, and Michael J. Brandma on September 26, 1986.

Initiated Into The Mystic Circle



DELTA CHAPTER, Marietta College: Andrew D. Agbay, Mark A. Bennett, Shawn P. Cooley, Timothy J. Gallo, Duane Gentilucci, Primo Knight, Tracey Swakchamer, James D. White, and Michael Rodrigues on April 17, 1986.

ALPHA MU CHAPTER, Baldwin-Wallace College: Christopher J. Lentz, Michael D. McCormick, Michael R. Jakupca, Philip H. Payne, Brian K. Hathaway, Erik D. Moore, Patrick F. Janson, and Nathaniel Lanzer on May 4, 1986.

ALPHA TAU CHAPTER, Stevens Institute of Technology: Angel Arroyo, Joseph H. Bauer, John Berger, Alvin Brown, Raymond Walter Burghard, Jr., Richard Dominick Butler, John Charles Conklin, Tomas Ferrandini deMenezes, John Joseph Duddy, Edward Erwin Dorsey, Jr., Earl Alexander Evans, Anthony Joseph Oliva, Michael Henry Pollack, George Harris Pople, Steven J. Rauchbach, Ronald Anthony Swanson, Bob Francis Thoens, Stephen Karl Tom, Jr., John Anthony Trotte, Roger Weissflog, and John Vincent Yannone on March 16, 1986.

BETA PSI CHAPTER, Rensselaer Polytechnic Institute: Frank Steven Fazekas, Thomas Norman Haynes, Michael Neal Kanner, and Stephen Mark Putre on September 25, 1986.

GAMMA LAMBDA CHAPTER, Atlantic Christian College: Randy Reed, and Woody Ferrell on September 29, 1985; Steve W. Hutchins, David Varnell, Richard Millander, Craig Stewart, Jay Moore, Jackson Stancil, and Paul Bullard on February 15, 1986.

DELTA EPSILON CHAPTER, Rio Grande College: Michael David Smith, Colin Evan Orr, John Edward Bostic, Mark Allen Oliver, Tracy Vance Sharp, Trent Ronald Lewis, Joseph H. Bitonte, Andrew Channel Cohen, Michael E. Cummings, Mark A. Davidson, Jerry Lee Funk, Scott Daniel Mets, and Richard Wilson Stoffer on April 23, 1986.

DELTA IOTA CHAPTER, Longwood College: Hampton McClellan and Joseph Miller on September 11, 1986.

The Old Gal Gazette is published every two weeks during the academic year by the National Headquarters. It is distributed to all chapters, colonies, advisors and fraternity volunteers in an effort to keep all informed of their Fraternity's activities, plans and progress.

News items for **The Gazette** can be sent to: Alpha Sigma Phi National Headquarters, 24 West William Street, Delaware, OH 43015.

BROTHERS and ALCOHOL

Alcohol, a drug, is a central nervous system depressant. It is easily made and is the mood-altering ingredient in wine, beer, and liquor. Since it contains calories, it is considered a food, but the calories, in no way, contribute to good nutrition. In fact, even moderate drinkers may need to reduce their drinking to maintain ideal weight.

A 12-ounce bottle of beer contains approximately the same amount of alcohol as 5 ounces of wine, or 1-1/2 ounces of 80 proof liquor.

Physical Effects

Alcohol is absorbed in the blood stream and transmitted to virtually all parts of the body. Several factors influence the effects of alcohol, including the amount of alcohol consumed; the rate at which it is consumed; the presence of food in the stomach during consumptions, and the individual's weight, mood, and previous experience with the drug.

With moderate drinking a person may experience flushing, dizziness, dulling of senses, and impairment of coordination, reflexes, memory and judgment. Taken in larger quantities alcohol may produce staggering, slurred speech, double vision, dulling of senses, sudden mood changes, and unconsciousness. Taken in larger quantities over a long period of time, death may occur due to depression of the parts of the brain that control breathing and heart rate. Alcohol can be very damaging when used in larger amounts or over a long period of time. It can cause damage to the liver, heart, and pancreas. It may lead to malnutrition, stomach irritation, lowered resistance to disease, and irreversible brain or nervous system damage. Drinkers who also smoke are more at risk for developing certain cancers.

Who Should Not Drink Alcohol

Pregnant women, children, alcoholics, those taking contraindicative medications, and those engaged in dangerous recreational activities.

All people should limit their intake of alcohol if they are going to drive or operate other machinery, especially firearms.

Dependence

Increased tolerance to alcohol may lead to physical dependence. At that point, alcohol becomes part of a person's normal physical functioning. Physical dependence is characterized by the presence of withdrawal symptoms when use is discontinued suddenly.

Alcoholism

According to the American Medical Society, "Alcoholism is a chronic, progressive, and potentially fatal disease. It is characterized by tolerance and physical dependency or pathologic organ changes, or both - all direct or indirect consequences of the alcohol ingested."

Source of the Problem

If you conducted a public health survey, almost all communities would find that alcohol and alcohol-related problems should be on a high-priority list for action. The cost of these problems are conservatively estimated at more than \$50 billion a year.

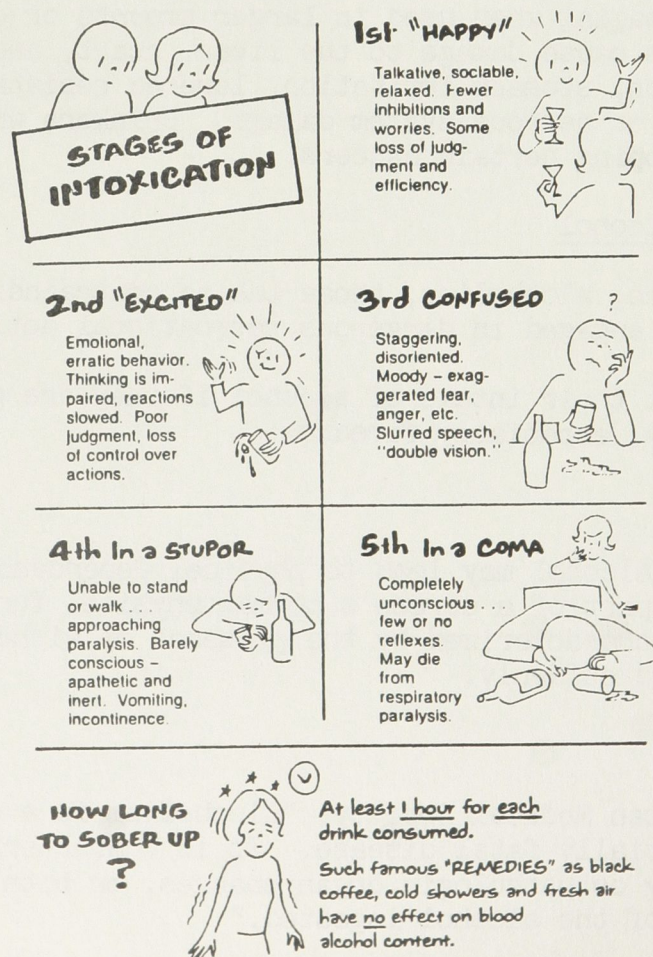
TYPES OF DRINKING PATTERNS

Social Drinking: Drinking that causes no family, social, legal, physical, mental, or financial problems for the individual. Social drinking usually occurs with family and friends in conjunction with a social event and food. Social drinkers usually do not drink on a daily basis and usually do not drink more than 2-4 drinks per occasion.

Careless Drinking: Drinking regardless of frequency or amount, that causes minor life problem. Careless drinkers are usually young and do not repeat the problems that are related to drinking. Careless drinkers may or may not progress into more severe drinking problems.

Problem Drinking: Drinking, regardless of frequency or amount, that causes repeated life problems. Problem drinkers do not have loss of control over their drinking and are not physically addicted, although they may rely on alcohol to help deal with stress. Problem drinking may or may not progress into alcoholism.

Alcoholism: The inability to consistently predict the amount, duration, frequency, and/or effect of drinking. Loss of control when drinking. It is not necessary to be physically addicted to alcohol to be an alcoholic.



TYPES OF ALCOHOLISM

Stereotype Alcoholic

Physically addicted to alcohol. Drinks large amounts everyday. Has lost everything: family, job, home. Skid row type. A drunken bum. 5% of alcoholics.

Maintenance Alcoholic-Nonaddicted

Similar to an addicted maintenance alcoholic, except he is younger, usually doesn't drink in the morning, and is emotionally dependent rather than physically addicted to alcohol.

Maintenance Alcoholic-Addicted

Physically addicted to alcohol. Maintains steady BAL of .08%. Seldom looks drunk. Usually is employed, is responsible and a hard worker. Will usually have withdrawals if he quits drinking. Drinks daily, large amounts. 15 - 20% of alcoholics.

Weekend Alcoholic

Not physically addicted. Drinks little during the week, but drinks to drunkenness on weekends. Has loss of control when he does drink. Usually employed, proud of his work, and is a responsible hard worker. Also drinks heavily during vacations and holidays.

5:00 PM Alcoholic

Not physically addicted. Does not drink in the morning or while at work, but when he/she gets off work, drinks large amounts of alcohol. Usually drinks every night and heavily on weekends and holidays. Usually employed and a responsible worker. Is emotionally dependent on alcohol and drinks to "relax" after a hard day.

Binge Alcoholic

Periods of sobriety followed by periods of heavy drinking which may last for several days, weeks, or months. Severe loss of control when drinking. Binges may result in rapid increase in tolerance and may reactivate an addiction which has been in remission.

ALCOHOL: MEN'S SPECIAL CURSE

The emerging view of alcoholism is that there are actually two types: one that runs in families and one that doesn't. The inherited form, it appears, is a demon with a special affinity for men. Studies have shown that at least 25 percent of male relatives of alcoholics, but only 5 to 10 percent of female relatives, become alcoholic. Father-to-son transmission seems to be especially common.

Now a Scottish research psychiatrist, reporting in the "British Journal of Psychiatry", has clarified this accursed pattern a bit further. In a study of 190 male and 47 female Scottish and English alcoholics, R. W. Latham found that inherited or "familial alcoholism" was measurably different than noninherited alcoholism -- but only among the men.

Men with a family history of alcoholism tended to be younger when their own alcoholism appeared. They drank more heavily and were more alcohol dependent. And they tended to be more antisocial (supported by convictions and prison sentences) than those who had no family history of drinking problems.

STAGES OF ALCOHOLIC RECOVERY

- DENIAL: Outright denial of a problem ---- "not me."
- ADMIT: Lip service only.
- Saying that you have to in order to get someone else (wife, boss, judge, probation officer) off your back.
- Saying what you think we want to hear just so you can get a license recommendation. B.S.ing.
- ACCEPT: "Yes, I know I have a problem, but----"
- You know you have a problem, but you still think you can handle it yourself.
- SURRENDER: The willingness to do whatever it takes to get the problem handled.
- Commitment to sobriety and a program for sobriety.
- Staying sober is the most important thing in your life, because without sobriety nothing else really matters.
- No more excuses, lies, rationalizations, or yes, buts...
Surrender is an on-going process that must continue for the rest of your life if you are to remain sober.

LAWSUITS, LAWSUTTS, LAWSUTTS

Unfortunately, the abuse of alcohol by groups, often most noticeably in the press by fraternities, has generated a flood of lawsuits that have resulted in phenomenal awards.

"I do not know of one national fraternity that has not had a lawsuit in the past five years."

Ed Pease
Attorney, Pi Kappa Alpha
Indiana State Senator

\$21 MILLION AWARDED IN TEXAS LAWSUIT

Rusty Combs, a University of Texas student and member of Kappa Alpha Order Fraternity, was awarded an out of court settlement of \$21 million in the fall of 1985. In April, 1983, Combs suffered irreparable neurological injuries as a result of a car accident during a fraternity function at which members had been served alcohol. The local chapter and national fraternity's insurance policies participated in the settlement. However, the largest portion is being paid by an insurance policy of the parents of the member operating the vehicle.

LAWSUITS, LAWSUITS, LAWSUITS (Continued)

PARAPLEGIC AWARDED \$500,000

A Columbus, Ohio court has found Beta Theta Pi at Ohio State and the Columbus Sheraton Hotel negligent in the injury of a young woman as a result of a Homecoming party held at the hotel. The fraternity paid for an Open Bar during the party. A minor, a fraternity pledge, was served alcohol to the point of intoxication and as a result wrecked his car on the way home, making his date, also a minor, a paraplegic for life. The hotel paid \$350,000 of the claim for serving the alcohol, but the fraternity was also found at fault because members knew a minor was being served and as a sponsor did nothing to prevent it.

PARENTS AWARDED \$180,000

The parents of an Alpha Kappa Lambda fraternity member at Northeast Michigan State University who died as the result of the over consumption of alcohol at a fraternity party were awarded \$180,000 in damages from the local chapter and national fraternity by a Kirksville, Missouri court. The fraternity was found negligent and responsible even though brothers had taken alcohol away from the member earlier in the evening -- only to have it wrestled back away from them.

JURY AWARDS \$250,000

A Richland County, South Carolina jury has awarded \$250,000 to the parents of a University of South Carolina student who died after a Sigma Nu fraternity party on January 25, 1980. According to the Richland County Coroner, the student's blood-alcohol level was extremely high, and he probably died from strangling on his own vomit. Participants at the party, however, said that the student was never forced to drink. The parents of the student said their son was "forced....to consume enormous quantities of alcoholic beverages and then pushed to the limits of his physical endurance by a series of vigorous exercises."





John C. Quinn
Editor

"USA TODAY hopes to serve as a forum for better understanding and unity to help make the USA truly one nation."
—Allen H. Neuhardt
Chairman and Founder
Sept. 15, 1982

John Seigenthaler
Editorial Director

OPINION

The Debate: LAWSUIT MANIA

Today's debate includes our opinion that limits on legal fees and awards are necessary to solve the liability insurance crunch, an opposing view from Kentucky, other views from Georgia, New York, and Washington, and voices from across the USA.

Hold down awards to ease this crisis

On the pillow of a motel in Albany, N.Y., where guests usually find a tasty bedtime chocolate, there appeared instead this unappealing message: "Room rates up \$5 due to higher liability insurance premiums."

At the Irving, Texas, headquarters of the Boy Scouts of America, a decision has been made to charge every troop and pack in the USA \$20 to raise \$2.5 million to pay for higher insurance premiums.

And in several colleges in the land, the traditional rite of hazing has been canceled. Why? Sky-high insurance costs. The insurance crunch has become a crisis. The National League of Cities warns many towns will cut essential services if this upward spiral of costs continues. One insurance firm, Utica Mutual of New York, will quit offering municipal coverage next August, affecting more than 300 cities in 13 states. Other companies are considering similar action.

That is serious, and it is also stupid. Everybody in the USA suddenly seems to want to sue anybody with liability insurance coverage. The explosion of litigation has choked court dockets. And too few lawyers tell potential clients that some cases are a waste of time.

After all, lawyers get up to 50 percent of judgments. In a recent asbestos liability settlement, the attorney collected a \$1 million fee. And six lawyers in a case involving Agent Orange shared \$4.5 million in fees.

And too few juries look reasonably, responsibly, and with restraint at claims from so-called victims who ask for money to pay for their "pain and suffering."

From 1980 to 1984, jury awards of more than \$1 million increased by nearly 200 percent.

That's phenomenal. It's also frightening. In many of those cases, those huge awards, and the enormous legal fees on both sides, hurt taxpayers and consumers. When a city is hit with a giant judgment and the town's insurance premium jumps as a result, it's the taxpayer who foots the bill. When a manufacturer suffers a punishing judgment, the cost is passed along to consumers.

Nobody wants to stand in the way of real victims receiving real value for real injury. But litigants with minimal complaints, hoping for huge judgments for pain and suffering, are too willing to pay enormous contingency fees to lawyers who routinely shoot craps with the justice system.

And some profiteering insurance companies have been willing players in the crap game.

The greed has gone too far. It has to stop. Many states are trying to stop it. From New York to California, from Florida to Montana, legislatures and voters are looking at laws to limit pain and suffering awards. The National League of Cities wants federal action.

Laws are part of the answer. It also would help if more courts would assess costs against plaintiffs who bring clearly frivolous suits. And lawyers who file such cases on behalf of fake victims should be reprimanded and fined.

The greed has turned the temple of justice, long a hallowed place, into a pigsty. The time has come to clean it up.

QUOTELINES

"I want my fellow citizens healthy, and, if they are injured and hurt, to be paid adequately in compensation so that their health, as nearly as possible, can be regained."
—Melvin M. Bell, Sr., San Francisco lawyer

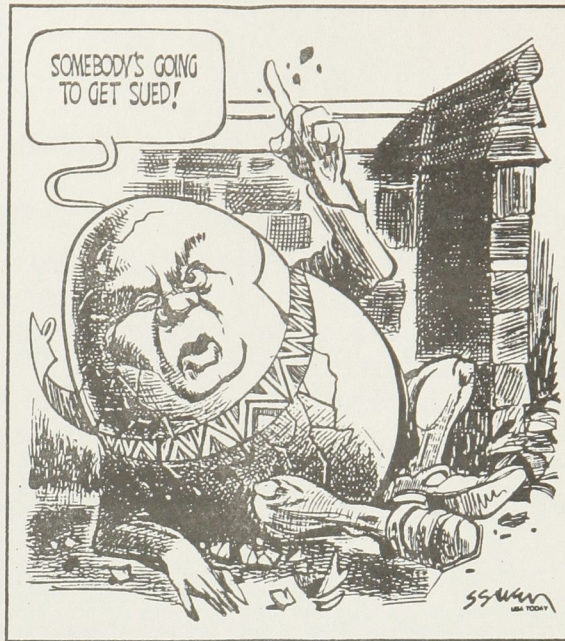
"Hundreds of businesses are complaining about 200 to 300 percent increases (in liability insurance)."
—Malcolm Baldrige, Secretary of Commerce

"When (consumers) sue the 'deep pockets' who can afford to pay, they're picking their own pockets."
—Victor Schwartz, Washington, D.C. lawyer

"We'll go broke if we pay the premiums. If we go bare, we risk product liability lawsuits shutting us down. We're just sitting here bleeding to death."
—Maynard Weaver, head of an Omaha crane company

ONE LINE ON THE NEWS

■Clint Eastwood, the new Carmel, Calif., mayor, fired four planning commissioners who had opposed the movie stars' plans to build an elite complex.
He turned them every which way and loose.



By David Saverly, USA TODAY

SUSAN PERCY

Guest columnist

Remembering the rites of summer

ATLANTA — If you get to our local swimming pool early enough, you can stake an all-day claim to one of the umbrella tables in the mothers' corner, where you can pile your towels, sunscreen, paperbacks, plastic toys, and Smurf life preservers and have an unobstructed view of the children's pool.

It still feels a bit strange to sit there watching my youngest daughter dive for pennies and to chat idly with the other mothers as we scan the length of the pool to make sure the right little ponytail bobs back up to the surface when and where it is supposed to.

Periodically, I look over toward the edge of the lap pool and see the young teenagers splashing and circling each other, as my classmates and I used to do 25 years ago at this

very same pool. The only real change is that today's life-guards don't coat their noses with zinc oxide as the bronzed gods of my era did.

There's a lot of history here. My first job was in the bathhouse, checking clothes in and out for 50 cents an hour. I would cast an occasional sympathetic eye in the direction of the mothers' corner, wondering what it would be like to have one's life over with — or at least the interesting parts.

I recall an early swimming party date, an excruciating church youth group dinner in the ramshackle red hall, and the money chlorine smell that never left your bathing suit.

It was to this pool that I made a bee-line on the day I got my driver's license, wearing that season's uniform of clean white Bermuda shorts and

Susan Percy is a freelance writer.

dirty white tennis shoes, juggling a new set of car keys as an announcement to the world that I had arrived.

I don't recall at what point going to the pool became a chore that involved troublesome logistics and endless wet towels rather than an exhilarating rite of summertime. But I suspect that if I could pinpoint it, it would mark the exact summer I crossed from childhood to adulthood.

So these days, while I am keeping my eyes peeled for a certain ponytail from my seat in the mothers' corner, it's pleasant to catch up with life at the lap pool. I don't care to live there any more, but it's nice to visit occasionally — and to smell the chlorine.

DERRICK CRANDALL

Guest columnist

The fun we like is not risk-free

SEATTLE — As we prepare for a summer of fun, we can expect to find evidence of the liability crisis virtually everywhere we go to play.

Slides in Chicago's parks have been dismantled.

High diving boards are being removed from community pools everywhere.

Search as you may, you'll probably not find a livery rental horse by the hour. Stables in Michigan's state parks are closed — and the pattern is repeated across the country. In Maryland, a therapeutic horseriding program for handicapped children has closed.

Groups relying on volunteers from the Boy Scouts to the American Water Ski Association, and themselves caught between two terrible alternatives: pay sharply higher insurance premiums or expose their volunteers to personal liability. Products and services from skis to RVs to hotel rooms bear

higher price tags because of liability costs. One biplane kit manufacturer says 30 percent of his cost is insurance.

Hunters and bikers will find more private land closed, especially land owned by large corporations. State laws limiting landowner liability don't stop the filing of suits or eliminate the costs of defending yourself.

At our wonderful public lands, we'll hear stories of lawsuits filed against park and forest rangers. And the companies that provide park services such as food and overnight lodging must increase prices to cover higher insurance costs.

The marina operator at Glen Canyon, Ariz., paid \$600,000 more for insurance this year. Because insurance was unavailable, the park service revised its insurance requirements for white-water raft trips through the Grand Canyon.

The attention to liability in recreation will have some posi-

Derrick Crandall, a member of the President's Commission on Americans Outdoors, is president of the American Recreation Coalition.

tive outgrowths. Alerted to potential problems with dozens of wooden playgrounds built by FTA volunteers, Fairfax, Va., schools embarked on a standardization and reconstruction program. The playgrounds are reopened — and are safer.

And risk management and self-regulation are frequently discussed and practiced by groups as diverse as summer camp directors and guides.

But many recreational activities can't be made risk-free. In fact, risk is part of the appeal for many sports. Tort reform and better insurance regulation are needed, but we also need to end our penchant for seeking compensation for injuries arising from risks we consciously choose to take.

PETER PERLMAN

An opposing view

Don't restrict awards; this crisis is phony

LEXINGTON, Ky. — Threats from the fat and sassy insurance companies reportedly are scaring some of our cities and towns into closing down our kids' ball fields, day camps, and swimming pools.

Not satisfied with this, the industry — already swimming in profits — is trying to scare our lawmakers into taking away the legal rights of persons injured by drunk drivers, faulty products, and careless, negligent professionals. Instead of blaming themselves, they fault a fictitious "lawsuit crisis."

There is a crisis all right, but it has nothing to do with lawsuits. Summer recreational institutions like swimming pools and ball fields are only the latest victims. Most of them have never had a claim lodged against them, much less lost a lawsuit. So why are their insurance rates skyrocketing and policies being canceled?

The industry has embarked on a \$6.5 million advertising campaign to convince the world it's going broke. It is lobbying Congress and state legislators to change the way our legal system works. Instead of protecting people, as they are supposed to, the insurers want a system that protects profits.

And if you look at recent financial reports, they have a lot of profits to protect. They say they're losing money, and that is why they must have huge rate increases. To bolster their claim, they report "underwriting losses," which are not really losses but represent invested, tax-free, interest-earning money retained to pay estimated future claims.

But even with these phony "losses," the claim that the industry is losing money simply doesn't hold water. Just last

Peter Perlman is president of The Association of Trial Lawyers of America.

week, the industry gave us its first-quarter earnings report. While the insurers have been crying out for relief, canceling policies right and left, increasing premiums up to 1,000 percent, their net worth has leaped 8.5 percent, or \$6.5 billion, in just three months.

Net income soared to \$2.28 billion, up from \$172 million a year earlier — an increase of more than 1,300 percent. Premiums increased 25 percent to \$37.7 billion; capital gains rose 59 percent to \$1.59 billion; investment income rose 14 percent to \$5.23 billion; operating profit was \$474 million.

This last term means investment income minus "underwriting losses" and other expenses. This means that even with their screwy arithmetic and strange definition of the word "loss," their investment income alone exceeded social security's \$474 million in the first three months of 1985.

For an industry so obviously swimming in profits to be seeking radical changes in our laws that protect victims' rights is an outrage. But to use the innocent policyholders as pawns in their fight is a scandal. It isn't lawsuits or lawyers or jury awards keeping you from enjoying summer recreation this year — it is an industry that just doesn't seem to be satisfied with a \$75 billion surplus.

These are the choices our legislators face — protect insurance profits or protect our jury system and the rights of victims to be compensated for the harm done to them. Is that such a painful choice?

MECHLIN D. MOORE

Guest columnist

Reform civil justice to ease lawsuit crisis

NEW YORK — Just as ski resort operators and skating rinks had to scramble last winter to get insurance coverage, now golf courses, swim clubs, marinas, and amusement parks are getting a firsthand lesson in the lawsuit crisis.

Look at some of the leisure-time activities affected, and it becomes clear that the lawsuit crisis has become a national problem, affecting school sports, recreation departments, riding stables, bowling alleys, and tour-bus operators. Cities and towns are cutting back on fireworks displays, removing playground equipment, padlocking roller rinks, even banning surfing.

Lawsuits and the threat of them have fostered an atmosphere of fear. Cities that should be spending money on police, firefighters, teachers, street repairs, and transportation are spending their funds on lawsuits.

In addition, courts are reinterpreting and redefining the language in insurance contracts, making them cover things they never intended to cover and for which no premiums were ever collected.

Thus, insurers are unable to predict what the policy will produce in claims and costs, and this has a direct effect on insurers' ability to provide coverage. Without this predictability, insurers can't properly price policies and hence are

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reluctant to sell them.

Legal experts at the National Symposium on Civil Justice Issues April 30-May 1 agreed there is no quick fix for the problems affecting the civil justice system. But they did outline measures that would help our judicial system work faster, fairer, and at less cost.

Here's what they said:

- Find ways to reduce the cost of the legal system.
- Modify or abolish the cost-practice of punitive damages.
- Support stronger stands by judges in their instructions to juries.
- Encourage the use of alternative dispute resolutions such as mediation, arbitration, and mini-trials.
- Structure settlements over time to assure that payments will be available when needed.
- Restrict lawyers' contingency fees.
- Reduce the time and expense related to the process of introducing or "discovering" evidence. And penalize those who abuse this practice.
- As another vacation season begins, people across the USA are finding they can't escape the impact of the lawsuit crisis. It involves all of us, and that's what it will take — all of us — to end it.

VOICES FROM ACROSS THE USA/Who is to blame for the liability insurance crisis?



AMY BURSTEN, 27
Salesperson
San Rafael, Calif.

Cities are taking away so many public services because they are afraid of being sued if someone gets hurt. Every time you turn around, someone is suing someone else for something. I blame the public, and there is no simple solution to the problem. Perhaps a re-evaluation of the judicial system is in store.



MIKE MONROE, 33
Shipping clerk
Atlanta, Ga.

I blame the cities for the liability insurance crisis. The insurance companies could lower their rates, but every town should have liability insurance, regardless of the cost. Whenever you have a community that offers a variety of activities, it should be mandatory for that community to have liability insurance.



BARBARA CRONK, 59
Retired
Kalamazoo, Mich.

Most of the time, attorneys cause the price of liability insurance to increase sky-high. They seem to entice people to sue. They see an opportunity for a lawsuit, and they jump on it. If a lawsuit is legitimate and cities are to blame, that's OK. But people are suing for ridiculous things now, and attorneys are always right there.



DON COOKE, 58
Security guard
Denver, Colo.

I blame the public and the insurance companies for the liability crisis. People are suing for such large amounts of money that insurance companies are forced to boost their rates. A lake here in Denver almost closed down because it had no liability insurance. Insurance companies are taking people for too much money.



MARY ASHLEY, 76
Homemaker
Tilton, Ill.

I blame the public for always wanting to sue someone. There have been so many instances of people suing that it's almost impossible for cities and towns to carry insurance. Some businesses can hardly afford to carry it either. Cities should take a stance against high insurance rates. It's all getting out of hand.



CHARLES ORENDRER, 33
Electrical contractor
Jackson, Ohio

Cities and the public should be blamed for the crisis. Whenever something happens, the public is ready to sue, and most of the time it's because of their own negligence. Cities should be blamed for not having strict safety rules for the services they offer. If they're going to pay high liability rates, they should have better safety rules.



AMADOR LAPUT, 49
Psychiatrist
Middletown, N.Y.

No one is blameless in the liability crisis. It's all about greed and, unfortunately, innocent people eventually suffer because of it. You must blame the litigious public, lawyers, who often initiate the problem through ambulance chasing and juries, for the outrageous amounts of money they award in lawsuits.