bankruptcies, and discriminatory underwriting practices. The Keeton-O'Connell proposal, far from stemming the flow of these complaints, will create such tremendous public dissatisfaction as to cause a flood of complaints resulting in almost certain federal regulation of the insurance industry.

The system of justice, under which our nation has existed from its earliest days, requires that when a man is injured and seeks recovery for his injuries from another, he must prove the other person guilty of negligence, he (the claimant) free from contributory negligence and the injuries caused by the defendant.

If he proves these three essential elements, he is entitled to recover for all medical expenses (without any deductions), his loss of earning capacity (without any deductions) and for all his pain and suffering (without any deductions.) If the defendant was not at fault, the claimant is not entitled to recover a penny. This system recognizes the philosophy that a man should not profit from his own wrong.

The Keeton-O'Connell plan would abolish the concepts of negligence and contributory negligence. They would substitute the philosophy that it does not matter how you drive your car, you are still entitled to recover.

The Federal government and private organizations have spent millions and millions of dollars to educate the public that drinking and driving do not mix. But the Keeton-O'Connell plan would eliminate this concept and encourage a disregard for safety-on-the-road principles.

For example, the drunken driver, the criminal who crashes his car while fleeing from the police, the dope addict, the hot-rodder who participates in a drag race on a crowded highway, the man who intentionally runs through a red light or stop sign—all are entitled to recover under the Keeton-O'Connell Plan, even though they may have caused grevious injury to innocent persons as well as to themselves.

OLD PLAN REVISED

It is only fair to ask: How are we to finance payment to those people who now do not recover under our system justice?

The answer is simple: Keeton and O'Connell would take money out of the hands of innocent victims and put it into the pockets of wrongdoers who perpetrated the disaster upon the innocent. To me, this violates the most basic principles of personal responsibility and fair play.

Some have described the Keeton-O'Connell Plan as "new and revolutionary." But, in fact, it is truly a stripped-down version of the Columbia Plan, first proposed in 1932. If the Columbia Plan is, in fact, the basis for the Keeton-O'Connell Plan, one may well wonder, if it is truly so attractive, why not a single American jurisdiction in the ensuing 35 years has seen fit to adopt it?

The answer is: The Columbia Plan and all other plans proposed since then have been vastly more expensive than our present system of liability insurance. Keeton and O'Connell have attempted to eliminate the "expense" objection by removing all the benefits.

The Keeton-O'Connell compulsory accident and health policy requires all claimants to deduct:

1. All amounts actually received, or which they are eligible to receive, from collateral sources (Blue Cross, Blue Shield, union fringe benefits, sick leave, Medicare, Medicaid, wage income protection, etc.).
2. The first $100 of net economic loss (in excess of deductions in 1.).
3. 15% of the actual wage loss in excess of amounts deducted previously in both 1. and 2.
4. All payment for pain and suffering.

It is obvious: You can reduce insurance costs by reducing benefits. A $1,000 life insurance policy sells for a smaller premium than a $10,000 policy.

One can easily see if the same deductions were taken away from the present liability insurance policy, the cost would be almost nothing because there would be virtually no benefits.

The cheapest insurance is no insurance: You pay nothing and you get nothing.

VIRTUALLY NO BENEFITS

The Keeton-O'Connell compulsory insurance plan will be sold for a substantial premium, but will provide most claimants with virtually no benefits.

Professor Keeton argued in Masssachusetts the cost of his compulsory accident and health plan would be 15 to 25% less expensive than the present $5,000/$10,000