Also, AIPLU has not invested in editing and graphics unlike other information systems textbook publishers.

Doing Away With Personal Injury Law by Stephen D. Sugarman, (Quorum Books, Greenwood Press, 1989).

Reviewer: John F. Pearce, Ph.D. CLU, Callaway Professor of Economics, North Georgia College.

Doing Away With Personal Injury Law plunges its reader into one of the most hotly debated social, legal, and insurance issues of today. The author sets his premise when he states, "I favor doing away with personal injury law and replacing it with both new compensation arrangements for accident victims and new mechanisms for controlling unreasonably dangerous conduct." His focus deals with appropriate financial compensation for lost earnings, medical and other expenses, pain and suffering, and punitive damages, representing a package of alternatives to current tort law in personal injury cases.

Parts I and II comprise a comprehensive literature search that reflects popular support for personal injury law and the shortcomings of current reform ideas juxtaposed by detailed author comments. This portion of the book is important for teachers who desire background in tort law as applied to liability insurance and social issues that are discussed only briefly in most introductory insurance texts. The researcher will benefit by gaining an overview of tort law literature in personal injury applications so that research in more specific areas can be undertaken.

In addition, the political lobbyists and action organizations will readily see the foundations upon which tort reform can be built. The legal profession, economic expert witnesses, and insurers will be interested in the perceived shortcomings of personal injury law: in preventing injuries by deterring unreasonable conduct; in compensating victims adequately and efficiently; and in providing a just system for punishment of wrongdoers and for satisfactory cost incidence.

The question of who will benefit from tort reform continues to engage academicians, the American Bar Association, Congress, State Legislatures and others. Will no-fault plans covering specific types of accidents replace pieces of the tort system or will a more comprehensive accident compensation scheme be adopted? Sugarman takes the comprehensive approach.

The author proposes temporary disability insurance for up to six months "in cases of disabilities arising from both off- and on-the-job injuries and illnesses." Benefits, funded through employers, would approximate two-thirds of pretax earnings up to a maximum of twice the state average weekly wage. The program would be subject to a one week waiting period before benefits begin and would be funded by accumulated sick leave. Thus, the short-term income replacement function of tort law and workers' compensation would become obsolete.

Medical expenses would be paid via employer health care plans funded by employer and employee contributions. Those not covered in the work environment would look to Medicare or Medicaid for medical compensation. Workers' compensation and the tort system would serve as a backup for otherwise unreimbursed medical expenses. A few short term (less than six months) serious injury victims (serious disfigurement or impairment) could utilize the tort system for pain and suffering compensation up to a $150,000 ceiling (annually adjusted for inflation).

Long term disability (beyond six months) would continue to be covered by workers' compensation and tort systems. Social Security disability income would be expanded and funded by employees and employers. Punitive damages would be reserved primarily for deliberate injury cases and be awarded only by judges. Successful plaintiffs would be awarded reasonable fees on a sliding scale basis. Contributory negligence would not affect plaintiffs' recovery. Enhanced government regulations would replace tort law when dealing with safety of conduct and products.

Sugarman concludes that current personal injury law is incomplete, wastes resources, is a doubtful promoter of safety and the probably cause of significant undesirable conduct, and serves unsuccessfully as a mechanism for providing justice between wrongdoers and victims.

Doing Away With Personal Injury Law is demanding in detail but not difficult to read. However, lack of cost simulations for the comprehensive plan is a major weakness. Political support is apprehensive until cost estimates (savings) are reasonably explicit and cost incidence is detailed. International product injury needs careful study in any proposal for tort reform.

It is refreshing to see the detailed support for a well-conceived, timely approach to an important social, legal, and insurance issue.