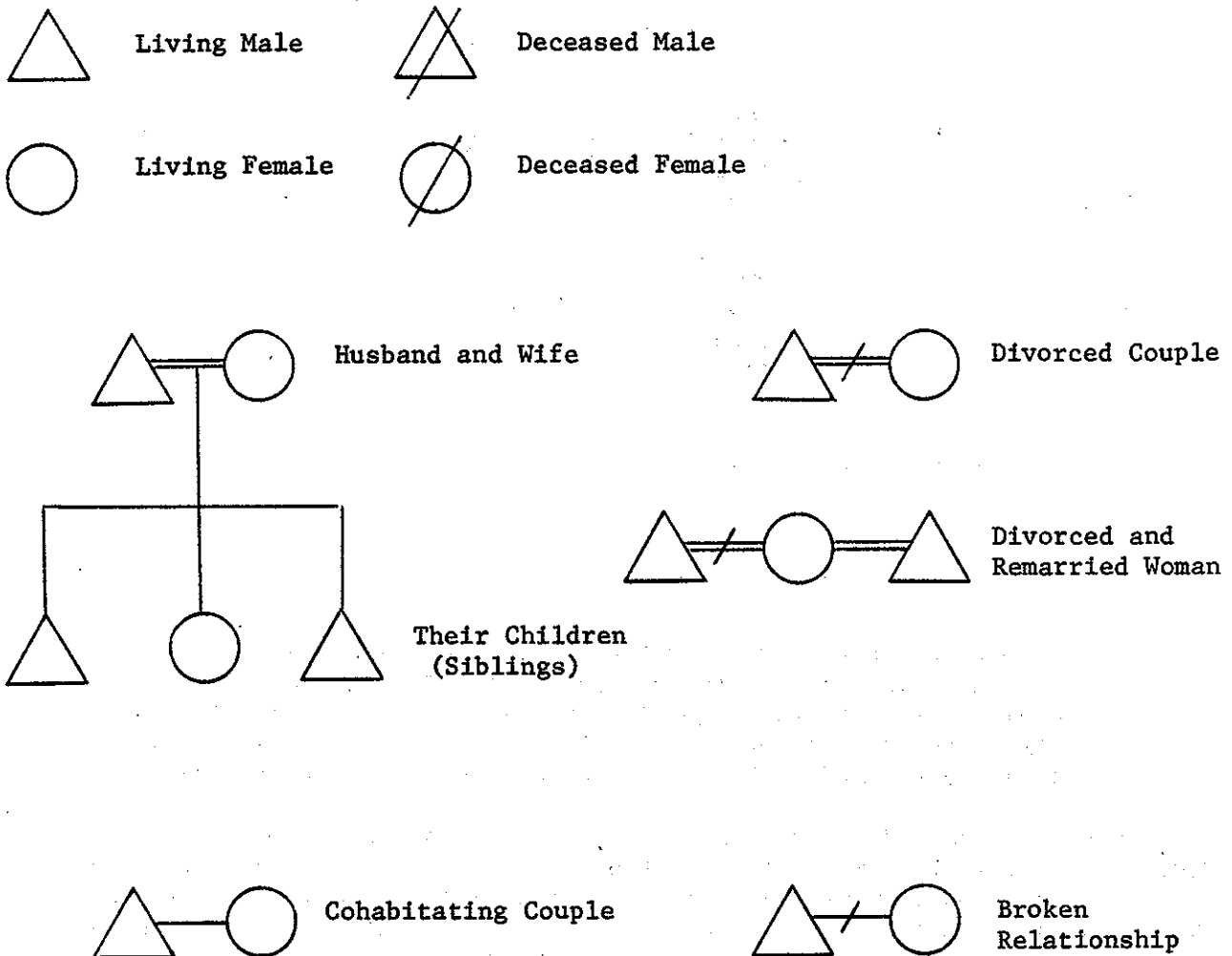


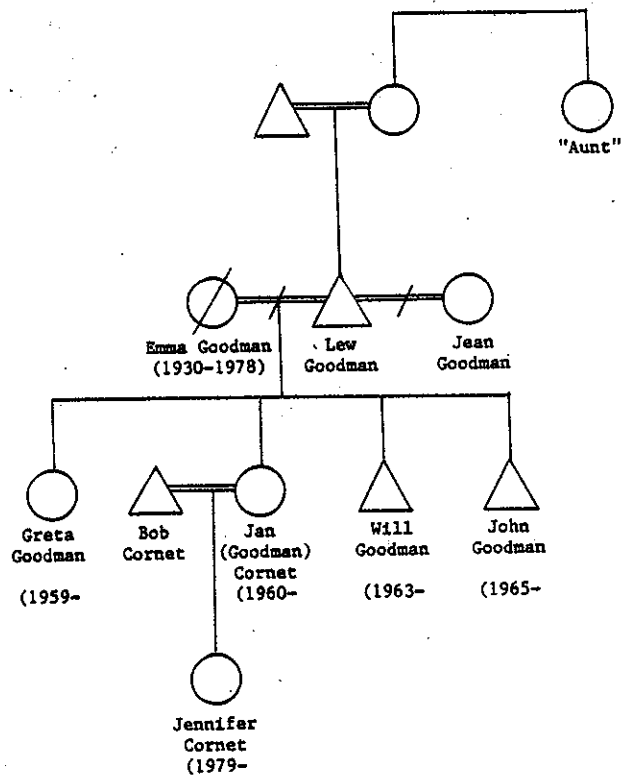
PART II: CASE STUDIES

Because of differences in the number of casualties, individuals interviewed, and social issues involved in the various auto accidents, the case discussions vary in length. Each case description is preceded by a kinship chart, which maps the relationships of the accident victim or victims with other family members. The following key explains the significance of the symbols used in the charts:

KEY FOR READING KINSHIP CHARTS:



CASE #1: GOODMAN FAMILY



Person Interviewed: Jan Cornet

My mother was taking my brother to a friend's house and it was a foggy night--like back in January we had that really bad fog again this year--and a guy in a van was going down one way on a street and she was coming back from the other, and he wanted to pass a car. And he hit her head-on. He didn't see her coming.

Thus Jan Cornet describes the accident that happened to her mother, Emma Goodman, a forty-year-old divorced mother of four, on a foggy night in January 1978. Mrs. Goodman was taken to the hospital and died within a few hours from multiple injuries. Born in Germany, she had met her American husband when he was a soldier in Europe, but the marriage did not work out. Her death shattered her family. Her daughter Jan, now twenty years old, recalls:

Me and my sister, we both worked up at The Steak House at the time. And they called us about seven o'clock at night. They finally told us. My Dad did. He called me. They called him first, I guess. And then we just left right from work--to

the hospital She had been dead long before we even got there. And I think they should have told us right away, rather than keep us sitting around for three hours. And I didn't think they were too personal, but I don't think they could, because they go through this all the time, and I'm sure--people dying, but--as far as everything else--you know, when me and my Dad went to see her, they told us what had happened--that she had a broken foot, broken leg, and a broken arm, and a fractured skull and a whiplash, and she had cuts all over and bruises We couldn't find my brothers We couldn't find them til late that night.

Emma Goodman had had custody of the two boys, aged thirteen and fifteen, but as a result of their mother's death, the brothers went to live with their father. Due to this move, they were changed from a school in the outskirts of a large metropolitan area to inner-city schools, and their life style changed drastically. Their sister states:

My brothers went to live with my Dad. And they had to go to Pantrell schools and they got in with the wrong bunch. They used to be straight A students in school--and in athletics. And, like I said, they got in with the wrong bunch

What kind of trouble did they get into?

Drinking, smoking cigarettes, smoking pot, taking drugs. He'd [the younger brother] go out one night and not come home for three or four days. And skipping school constantly. They had to put him into a school for truant kids.

The father, by this time divorced from his second wife, did not know how to deal with the situation. His solution was to throw the boys out of the house when they didn't behave. Jan relates:

It was like--if they did something wrong, he threw them out. Everything like this. He has no control over children. I don't know why he ever had them. He doesn't want to be bothered with them At first he said he did [want them], but then when everything started going wrong, then he didn't want 'em. And so he up and moved to Florida!

As a result of their trouble and unhappiness at school and at home, both boys dropped out of high school by the tenth grade. The older one, Will, now eighteen, went to live with a relative whom the children refer to as "aunt." She is their "grandfather's wife's sister," and though Jan indicates the aunt has shown some interest in the welfare of the family, her abilities and resources are limited. Will lived with this relative for six months, and then joined the army. John, now sixteen, was made a ward of the county and has been a resident at the County Children's Home for the past year. His future is uncertain, though a German friend of his mother's has indicated she may become his guardian.

Jan feels her own life has not been as disrupted by her mother's death, although she reports there might be changes:

I don't think I'd be married. [Laughs] I might be married, but I know I wouldn't have a baby After I graduated--I graduated in '78 from high school, and my husband and I--we lived together at my mother's house for awhile, for about six months This is after she died. And my sister and her boyfriend, which is not her husband. We all lived there for about six months. And I don't think we'd have lived together after I graduated if she hadn't died.

Jan is the only one of her siblings with a high school diploma. Her sister has moved to California, and they have lost contact. Jan lives in a small apartment in a working-class neighborhood with her husband and daughter, Jennifer. Her small family lives on an income of about \$13,000 per year. Jan works in sales for a few months at Christmas time, while her husband works for a drugstore. And with a fourteen-month-old daughter to raise, Jan often wishes she had a mother to talk to:

It's hard now, you know, with a little one. It's hard not having somebody, you know, a mother to talk to about it I had to go through this thing all by myself.

Emma Goodman's home was eventually sold as a part of the estate settlement, and the sales proceeds and insurance payments were divided among the four children. The other driver's insurance company paid \$20,000 and Mrs. Goodman's insurance company paid \$1,000. Jan feels the other driver should have received a more severe punishment than the six points meted out on his license, and that "he shouldn't be able to drive at all because he has no common sense." Jan liked her lawyer, but feels he was slow:

It took him over a year just to get started on everything. I mean, last year, finally, everything cleared and everything was done.

The lawyer received his share, and the father received back what he had originally put into the house. Since Mrs. Goodman's life insurance policy named the two boys as beneficiaries, they each received about \$40,000, which is under the father's trusteeship until the boys reach the age of 18. The daughters each received around \$10,000 from the sale of the house, and Jan comments, "As usual, inflation ate the whole thing!"

Jan's older brother has not touched his money. "He's in the service, so there really isn't much he can do with it." But Jan worries about her youngest brother's use of his money:

He'll have it blown in two weeks flat A smart person would put a down payment on a piece of land or a house or something. But he'll go out and totally blow it. Sports car, and women and beer--

Would any of this have happened if Emma Goodman had not been killed in an automobile accident? There is every indication that the lives of the two

boys were severely disrupted by the accident that killed Mrs. Goodman. Not only did the brothers have to endure the emotional stress and pain of their mother's death, but they also had to face a new home, a strange neighborhood, a different school, new friends to be made and old ones lost, and a situation where there was no one to take care of them. Mrs. Goodman was a strict and hard-working mother. She had been close to her sons, especially the younger one. Jan says:

He was the little baby of the family And my mother did everything for him. At that age, she was still putting out their clothes for them to wear, and things like that

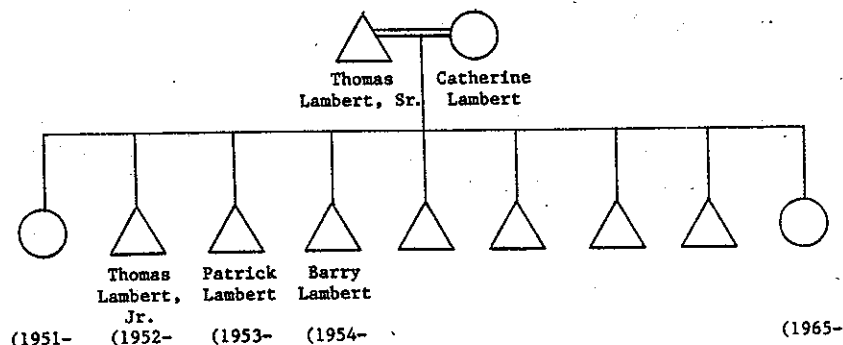
And Jan adds, "She was German. All Germans are--all Europeans are very, very strict."

From such a background the boys were sent to a home where the father, the only caretaker, expected them to handle everything themselves, from buying their own clothes and getting their own rides to the store to handling their stresses and problems themselves. Their former interest in scholarship and athletics, encouraged by their mother, did not flourish in their new environment. The boys felt insecure and abandoned; they were. Without the guidance and support of their mother, they drifted into delinquency. The necessary involvement of the police, the courts, school authorities and the County Children's Home also engendered costs for the wider community.

Jan's conclusions concerning the effects of her mother's death are somewhat jumbled, but definite:

It affected, I think, my brothers a lot more than it did me and my sister, because we were a lot older. It affected me really bad, but it didn't--. Then, with everything afterward, it kind of--it just made me realize that really, you know, that it really did mess up everybody.

CASE #2: LAMBERT FAMILY



Persons Interviewed: Thomas Lambert
Patrick Lambert

Thomas Lambert cannot remember the accident which left him with marked memory loss and serious physical disabilities. It happened on August 7, 1971, when he was just nineteen years old. He relates what he has been told:

I was going up north with two guys my age that I went to high school with It was midnight, and we were drinking . . . a few beers The car made a real wide turn . . . backwards, forwards . . . the car [flipped] over three times, and I was thrown out . . . on one of the flips . . . I was in the . . . back seat . . . seatbelts [were] optional in a '66 car. Well, I went through the ceiling a little bit.

Patrick Lambert, Thomas' younger brother, claims:

It was about 10:15 on a Saturday night. They were in a Volkswagen . . . going up an incline, which had a sharp left turn to it which was not marked, and the driver turned it too fast, it flipped over, and he got his head bashed pretty much.

Moreover, Patrick opines:

. . . a case of beer, really, over a period of four or five hours . . . some people say, 'Well, that's a lot!' but it wasn't . . . as to what they were accustomed to. It's my feeling that it really had little to do with the accident.

At any rate, Thomas' companions just suffered minor injuries; only he was hurled out of the car. Police cars and an ambulance arrived within a half an hour. The ambulance rushed Thomas to the municipal hospital in Bay Shores, two hundred miles from his home. He was quite unconscious.

Hospital personnel telephoned Mr. and Mrs. Lambert in Oak Ridge to tell them Thomas had been admitted as a patient. Patrick recalls:

. . . the doctor wouldn't say whether he was dead or alive; they just said, 'He's been hurt . . . come up here.'

Tom's parents started by automobile for the distant hospital within hours. Barry, their third son, drove. Patrick explains:

Across the street, our neighbors are really good friends, and they have a cottage . . . a couple of minutes from the hospital. So my folks called them, and they went over and stayed there, spent the night until my folks got there.

These neighbors made their vacation cottage available to the Lamberts as long as necessary. Meanwhile, Tom's prolonged and intensive medical care commenced. Tom says: "I was operated on by a doctor who was up there on vacation They had to [operate] in the area that was bumped right back here . . . and remove it." He remained in the Bay Shores Hospital for almost three months. He was in a coma throughout. Patrick comments that the doctor who operated on Tom did not expect his patient to survive and offers his vivid impressions of his brother's condition shortly after the surgery:

I saw him six days after the accident. He was just lying in bed with his head bandaged up, black eyes. You could tell he already lost some weight. I can't remember right at that point if his muscles started retracting, and eventually his arms went into . . . the fetal position Both arms, and I think both legs . . . where the Achilles tendon at the ankle shortened up It probably started within a week, but it took longer than that for it [to progress]. I have a picture of him . . . sitting in a chair, and he just looks like a skeleton . . . it sends chills to my spine.

In November 1971, just before Thanksgiving, Thomas was moved to a hospital in Okera, near his family's home. Late in the summer of 1972, he was discharged to the care of his parents. Tom relates:

I was transferred by ambulance to [the] hospital down here in Okera. And I was there until the summer, and then I was brought by my parents, my mom, and then I was going to be sent to an old folk's home, and she said, 'No,' I'm not, and so I went along with them. I didn't have anything to say about it.

Tom was still in a coma when he was moved to Okera. Patrick recalls:

I remember going . . . to see him for the first time. His eyes were open, and he was looking around, but he looked like an animal in a trap; he couldn't get loose, and he was very frightened, and he didn't know what was going on. He did recognize my mom and my dad, but he didn't recognize

anyone else at that point. He was still essentially . . . kind of under, in some type of a coma, even though his eyes were open a lot.

Whether Tom actually remembered his parents or they were identified to him by the hospital staff, he readily accepted them as such. Mrs. Lambert stayed in Bay Shores to be near Tom until he was dispatched to Okera, and Mr. Lambert came up every weekend. Thus, Tom saw his parents continually from the beginning of his convalescence. Patrick thinks that Tom became increasingly aware of his surroundings as time passed:

. . . it was . . . a gradual coming out. He was just lying there, not responding to anything, and you never know if he's going to wake up, or if he does wake up, if he's gonna be all right, . . . if he's going to think, or talk, or see, or whatever.

Tom feels he came to consciousness suddenly:

I woke up one day in the afternoon . . . of either January or February of '72, and my accident occurred in August of '71 . . . I was in a coma for all that time . . . I can't recall a thing . . . and I woke up thinking that I'm okay . . . I was thinking, but I couldn't speak. I couldn't speak at all . . . I woke up, and there were people all around me. There were kids, there were my brothers and sisters . . . jabbering away.

Nevertheless, Tom has absolutely no recollections of his life before the accident. He has partially recovered his mental faculties, but gradually, by dint of great effort and motivation:

I went to the Rehab Center in the beginning of March [1972], and I was there until the beginning of August . . . I learned everything all over again, everything! It was bad enough for me, being over twenty, and learning over that [the alphabet] . . . God, it was very bad . . . It took me five years to learn how to speak again.

Tom is satisfied with the medical care he received, but Patrick is more ambivalent about this:

I don't think the Rehab, or the physical therapist did a kind of a number on him . . . he did the best he could . . . I think they were still kind of in the Dark Ages concerning the situation as far as manipulation and other things. Tom's paid the price for that, too.

But Patrick is haunted by knowledge of how Tom was before the accident---a handsome, strapping young man nearly 6 feet tall, with blond hair, clear green eyes, and finely chiseled facial structure. Today, Tom's right side is somewhat withered and useless, but his will to improve himself is strong:

I'm still working to be better I don't care about having my right side . . . broke, but I made up [for it].

Right-handed before the accident, Tom now writes with his left hand, slowly, but legibly. Since 1977 Tom has undergone two separate operations, one on his right leg and ankle, the other on his right hand. Despite his physical handicaps, Tom gets around. He uses a wheelchair or walks laboriously with a cane. He obtained a driver's license in July 1977. He purchased his own car, a standard model Chrysler, except for its left foot accelerator. Encouraged by the Rehabilitation Center Staff to become as self-reliant as possible, Tom moved out of his parents' home in 1980. He now lives in a two-bedroom apartment in a fortress like complex along the Okera lakefront. Tom's parents moved to New Jersey when Mr. Lambert was transferred by his company in the fall of 1980. They urged him to move with them. Tom refused, as he has forged meaningful friendships through his association with social workers at the Rehabilitation Center. Patrick came to live with Tom in March of 1981 and gives the following evaluation of his brother's general health and well being:

. . . physically he's in fine shape [except that] half of his body doesn't work, basically. He eats a good breakfast every day . . . he eats something at night . . . he's got a few foods he likes. He's not starving . . . I think he gets proper nutrition. It's probably the quantity of food more than anything. He's probably out there, saying, 'I'll get fat!'

. . . He's not subjected to illness.

. . . he has a hard time in memory retention . . . sometimes he'll say . . . he just had a flash on something that he thinks might have happened before . . . [yet] he's definitely looking towards the future.

Tom is not preoccupied with what he cannot remember from his past. Patrick's commentary continues:

Thomas has his fits of frustration . . . you've gotta deal with it and deal with him either physically or whatever-- just get him to calm down and think straight You want to lash out . . . when he's upset . . . it doesn't matter who's there, really. Some people do it [fly into a rage] probably more than he does it In most instances, something little usually will trigger it off He'll want a different channel on the TV, or a different light on You must know that . . . victims in this situation, one of the first words to come out of his mouth is an obscenity That's what they [the Rehabilitation staff] told us. It wasn't really that much of a shock Now I think he's got more of a handle on it.

Tom's attitudinal changes as a result of the accident are difficult to assess, as he readily admits: "Before my accident I can't say how I felt, because I can't recall it." He is proud of his Irish heritage on his father's

side and is aware of his Roman Catholic background, but it is not important in his life anymore. Tom's present values are expressed in his volunteer activities at the Rehabilitation Center. He greets newly admitted closed-head injury patients and assists the Center's social workers in their counseling of these patients' relatives. Why?

Because I went through it. I don't know how, but I'll write a book about it Parents who understand what their [injured children's] feelings are [can help them best].

Tom recently has been invited to be a member of the Board of Directors of the State Handicapper Alliance. These involvements give significance to his life and are of paramount importance to him. He receives no monetary compensation from them, just the satisfaction of having aided others who face some of the problems he and his family have experienced. Patrick recognizes the great influence of the Rehabilitation Center's personnel and their philosophy upon his brother:

So maybe his independence that Rehab has offered him, maybe it works in some good ways and in some bad ways It's just that . . . he stays around here because of the Rehab, and he's got friends there I think without my parents' being here . . . it's kind of tough Not really having . . . the support from my folks . . . I feel for him, because I think he's lonely a lot.

Yet Tom has occasional dates. He enjoys taking his new girlfriend to dinner and the movies. Tom says he has seen "every movie;" most local cinemas are equipped to serve people in wheelchairs. Patrick comments: "Women still find him very attractive, [yet] he's obviously hampered . . . his worldly experience is definitely lesser than anyone else his age." Tom has normal sexual urges but is doubtful of his chances of fulfilling them. In exasperation he exclaims: "What can I do? What can I do?"

Thomas' parents participated in a class action suit against the Volkswagen Company shortly after his accident. An out-of-court settlement was reached after three years of litigation. Although Tom's parents were satisfied with the amount of his financial award, Tom himself is not. He explains: ". . . there is no . . . price, no sum of money that they could get to ever pay . . . for the years So much I lost, and there's no way to pay for it." Tom's parents invested his settlement money. The interest provides the bulk of his income today, about one thousand taxable dollars a month. Social Security contributes an additional five hundred, and Medicare gives him adequate health insurance coverage. Tom feels he receives enough money each month to pay for rent (\$410), the electric bill (about \$10), auto insurance, gas for his car, and food. He estimates his food expenditures to be from \$40 to \$50 per month. He eats simple foods which he prepares himself. He does not enjoy eating in restaurants, as he feels they charge too much for what they offer. The remainder of Tom's income is allocated for clothes and various amenities, such as records, or it is simply left in his checking account. Tom's wardrobe is modest, consisting mostly of sturdy jeans, sports shirts, and jackets. He keeps himself clean and well-groomed. He takes great pleasure in his stereo equipment and record collection. His

TV set and furniture are spare pieces from his parents' former residence in a nearby suburb.

Tom is not employed at this time. As a teenager prior to his accident, he worked at local grocery stores as a bagger and clerk after school. The summer after his first year in college he built swimming pools with a crew of four or five other laborers. He lacks the physical stamina to pursue such occupations today. Nevertheless, Tom apparently suffers no sense of inadequacy because he lacks a job. He has enrolled in courses at a local university off and on, and he halfheartedly plans to complete a degree in sociology or social work.

Tom's accident traumatized his parents, and his long recovery affected them and his eight siblings deeply. Tom's father, born of Irish immigrants, is now Director of Marketing at Warner Chemicals. His transfer to New Jersey late in 1980 was greeted with reluctance; he and his wife did not want to leave Tom alone in Okera. Patrick describes the quality of the relationship between Tom and their father before the accident:

He and my dad were always at the opposite ends of the pole . . . he was a typical older son They were always fighting, and I was always breaking them up, it seemed. They would argue about politics, . . . and the length of hair, . . . and drinking.

Patrick digresses:

. . . it got a lot easier [to raise children] as my younger brothers came to that age, because . . . my parents had been through it before, . . . they could deal with it.

Patrick tells how his father and mother reacted to Tom's injuries:

He went through hell . . . when you see your oldest son, who bears your name Hell, he was only nineteen when he got hurt . . . he was just growing up. They could never stand . . . just looking at him. My mom and dad were real broken up He was a burden to them. I mean, he was a willing burden . . . but it still hedged into their lives to a degree at a time when they should have been . . . gaining more and more freedom . . . as it turned out, it was like having a child, though he did make remarkable progress.

Yet Mr. and Mrs. Lambert's devotion to Tom's well being brought them closer together, deepened their religious feelings, and mellowed Mr. Lambert's personality. In Patrick's words:

My parents are religious. My mother made a vow that she would never smoke another cigarette if he survived, and she never has . . . it changed my father from being kind of a short-tempered individual without a whole lot of patience . . . made him a very caring man . . . I think

it changed his plans, too, as far as what was important in his relationship and what wasn't.

Tom's accident left its mark on his brothers and sisters. What each one endured in its aftermath has depended upon their status and perceived responsibilities within the family unit, their sex, and their relative ages. Patrick elaborates:

My youngest sister developed a nervous twitch, and she was only six years old My mom was away for three months straight, and it was a very important time for her--she just started kindergarten, or first grade . . . as my youngest sister and brother got older, they should have been able to have more freedom for themselves.

My [oldest] sister dropped out of school . . . to take care of . . . the meals [for] my brothers and sisters. She had finished her second year [of college] I don't even know if she was going to go back I'm sure she would have liked to, but I don't know if the money was there for her to do it in the first place. I don't think it broke her up too much . . . it's tough to say. I haven't really talked to her about it.

Yet after the first three agonizing months, the family was united again, except for Patrick. He first learned of Tom's accident from Barry, who called him at college from Bay Shores the morning afterwards. Patrick remained distant from the grim situation and its surrounding emotional turmoil:

I was just getting ready for finals . . . I was up there for a weekend immediately after . . . and then I was back at school, and then I had a break, and I spent my break up there. When I went back to school, I remember I just would spend lots of time--I play guitar and piano--hours . . . playing and thinking . . . telling myself that everything is going to be back to normal, and he is going to be okay . . . I kind of convinced myself, but obviously I was wrong. I didn't live at home again for another year.

Patrick has ambiguous feelings about "replacing" Tom as the eldest son of the family. He tries to sort out his own emotions:

I didn't have any sort of relationship with my father to speak of Sometimes . . . I thought I was a black sheep . . . I didn't do the traditional things in high school; everyone else in my family did I think I really did need counseling. Whereas he didn't have any older brother . . . and all my other brothers had an older brother except me Well, it's like Thomas is my older brother, but he got hurt, and all of the sudden I'm the oldest, and essentially all I've been for eighteen years is second oldest . . . so I had to deal with losing my older brother and being the oldest son and having to set the example I've had real problems,

Like accepting the fact that he did have problems. There aren't problems accepting now . . . I didn't get any counseling . . . I was basically alone. I guess I developed my own way to deal with the problems, which I think . . . was not necessarily ignoring them, but denying them. I can't help thinking of him as he is.

Patrick feels his life has no direction, and it bothers him:

As far as my priorities go, I think they changed. I dropped out of school the first year and just . . . started traveling some, and working, and really kind of lost sight of any . . . goals I had. Now I've been in school about a year and a half.

He is interested in psychology. Patrick moved in with Tom in March 1981:

It doesn't bother me . . . sharing an apartment with him. I don't like where we live, but I know for him it's very convenient--and it is, it's real nice. I know from when he was living alone before, that this is infinitely better for him; and for however long I'm going to be there, I can handle it. Hopefully, I may be able to help him and work out a few of my problems I've had in dealing with him . . . I don't treat him normally.

. . . there was a time when you've got to physically restrain him. The first time I did that I had to hit him, not hard, . . . but just slap him to calm him down . . . my other brothers have done it. My brother-in-law and I never had, and I felt really bad.

I . . . make meals, I do some running for him, I do his laundry for him sometimes. If I'm going to do mine, I'll take some of his . . . He was going to the theater the other night, . . . he had a date, and he came out, he got dressed, and I suggested that he put on a tie and a little different jacket. So he tried it and . . . he looked better.

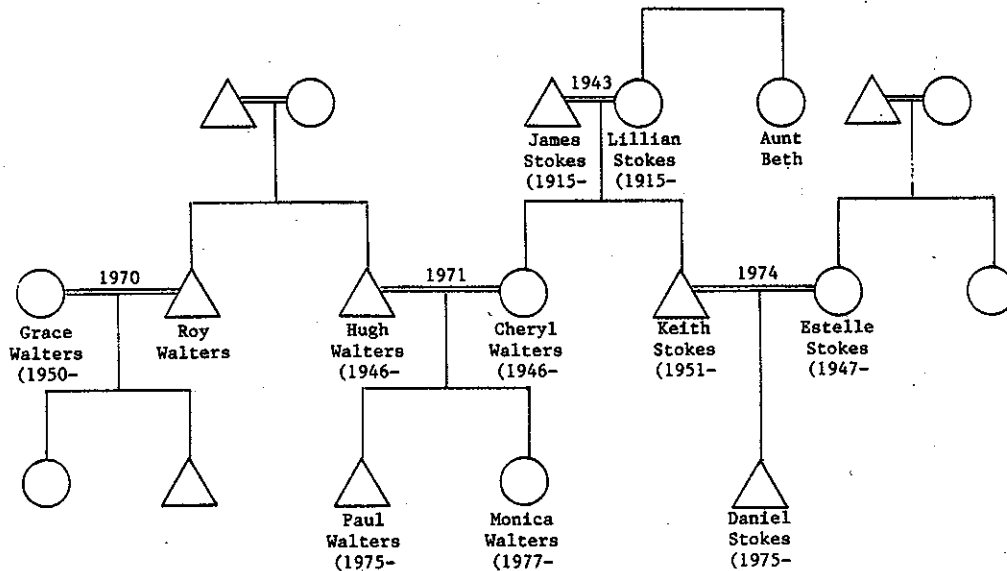
Patrick, of course, will not live with Tom forever. Even now, Patrick says: "I'm in a time of my life where . . . I'm not around too much."

The Lambert family is large enough to form a closed circuit of mutual aid and emotional support, particularly when outsiders seem threatening or intrusive. When Tom finally was brought home to his family from the hospital in Okera, Patrick says:

there were all these stories going around town--it's not a real big town--it is, but we've been there a long time. People knew us, so they would talk that he's going to be a vegetable.

Tom is not a vegetable. With great motivation and the first rate assistance of the Rehabilitation Center professional staff, he has constructed a meaningful life for himself. He minimizes his physical impairments as much as possible through use of appropriate prosthetic devices. Despite his handicaps, he clearly is unafraid to venture wherever he wants to go. He still has trouble remembering things occasionally. Tom is aware he may never marry or be able to express his sexuality fully in a loving relationship, but he enjoys the companionship of a few girlfriends. His dedication to helping families cope with a member with a closed-head injury has heightened his sense of self-esteem and made him a socially valuable person. Tom's accident changed the lives of all members of his family. Some of their responses to his injuries and present condition have been positive, despite the costs of goal adjustments they were forced to make. Finally, the other youths in the car with Tom when the accident occurred have avoided him--a clear sign that they were affected by it. Only one of them ever visited him at home during his convalescence, and he just came once.

CASE #3: WALTERS AND STOKES FAMILY



Family Members Interviewed: Cheryl Walters
Hugh Walters
Estelle Stokes
Keith Stokes
Lillian Stokes
James Stokes
Grace Walters

Other Person Interviewed: Karen Willis, Cheryl's friend

At 3:00 p.m. on January 12, 1980, Cheryl Walters and several members of her family piled into her Dodge stationwagon after having enjoyed a birthday luncheon at her aunt's home in Trenton Township, Okera's southernmost suburb. Cheryl fastened her balky two-year-old daughter, Monica, into her car seat, which was set up between the driver and passenger on the front seat. Then she got behind the wheel and secured her seat belt, slipping her left arm out of the shoulder strap. She was five months pregnant, and a properly placed shoulder strap hampered her use of that arm. Her sister-in-law, Estelle Stokes, sat up front next to Monica, and her brother, Keith Stokes, slipped into the back seat behind Cheryl. Paul Walters and Daniel Stokes, both four years old, clambered into the back seat behind the driver. As Cheryl drove off, Estelle turned around to read the boys a story. Neither the story teller nor her audience had their seat belts fastened. Turning onto Brinton Pike, Cheryl cruised at the 45 mph speed limit. Although the weather was extremely cold, the sun was shining brightly, and the roads were free of ice. Suddenly the two cars in front of Cheryl's stationwagon veered sharply onto the right shoulder, and Cheryl had no time to avoid a head-on collision with a Ford pick up truck coasting toward her at 45 mph in her lane. She has no memory of the moment of impact:

I remember pulling onto the main drag to leave Trenton, and I don't remember anything after that point . . . the accident occurred about fifteen minutes from there There wasn't anything I could do.

Cheryl evidently managed to press the brakes just before the crash and turn the wagon slightly to the right. The force of the collision threw her against the lower half of the steering wheel, which buckled downwards. Still restrained by her seat belt, she crumpled under the wheel, striking her shin on the dashboard. She notes:

I was screaming, because Daniel told his mother that he could hardly hear her scream because Aunt Cheryl was so loud I must have drifted in and out.

Estelle Stokes recalls leaving Trenton Township and reading to the boys, but:

After that I don't remember anything until we were pinned in the car. I remember, oh my God, I remember how much pain I was in, and I was edged under the dashboard, and I couldn't get my leg straightened out . . . I was either in shock, or I kept passing out.

Keith's seat belt may have sprung loose. He speculates:

I think that's why I got some kidney damage . . . because of wearing the belt and being jarred so much. But my son remembers seeing me go through the window.

Monica, safely belted, suffered only minor cuts and bruises, but she was quite terrified by the noise of the crash and the shrieks of her mother and aunt. The boys fell to the floor between the seats, bumping one another's heads. Paul thought his mother failed to stop in time when the vehicle in front of them turned into a driveway. Of course there was no driveway there. The boys did not appreciate the seriousness of the accident, and they remained conscious throughout.

Traffic came to standstill. People from the two cars that swerved off the road in front of Cheryl contacted the police. A priest in the car behind Cheryl's stationwagon stopped to offer his assistance. A woman driving by the scene of the accident pulled over to volunteer her services. Within minutes local and state police arrived. The former ticketed the pick-up truck driver, a middle-aged man who was very intoxicated, as confirmed by evidence taken later at the hospital. They also took several rolls of photos of the gruesome accident scene and got depositions from all witnesses present. Paul and Daniel were removed through the back window and put in the car of the woman who had stopped. They fell asleep in its comfortable warmth. The state police summoned ambulances and the Jaws of Life, for the people in the front of both vehicles were trapped by mangled hardware. Cheryl and Estelle were wedged tightly between the dashboard and the front seat, which was pushed forward. Estelle has vivid, but spotty memories of her rescue:

Whoever was trying to get me out of the car . . . kept pushing me back; I kept yelling at them not to push me, because

they were pushing me against Monica . . . but they couldn't get her out until they got either me or Cheryl out I know they finally sprung the seat so that they could lay the front seat back, so they could push me back to get me out from under the dashboard.

She continues:

I was in the ambulance, and I complained to the driver how cold I was He said 'It will be warmer when we get started.' . . . I remember turning over to the side looking at Cheryl, and I knew it was Cheryl, but yet it didn't look like her When I would roll on the hip that was out of place, I can remember the pain I was in The ambulance driver was saying, 'Okay, only one more turn now'

Cheryl's glasses had fallen off, and her jaws were broken; indeed she did not resemble herself. She has no recollection of being removed from the wreck or of her ambulance ride. Keith was stunned but regained consciousness quickly. He was struck by Cheryl's anguished cries:

I do remember waking up and hearing my sister scream and me telling her that everybody will be all right The kids were all crying But the only thing I really remember of my sister in the car was her screaming It was really loud and painful screaming.

Ironically, Keith was taken to St. Anne's Hospital in the same ambulance that conveyed the pick-up truck driver. The officers followed, taking the children with them. The priest came too. Keith relates:

He stayed with us the whole time of the accident and followed us to the hospital and then visited us afterwards He was from California and since then we received letters from him.

The hospital emergency staff sprang into action as the patients arrived. One of their first tasks was to identify them and contact their closest of kin. Only Keith could help, as Cheryl was in shock, and Estelle was dizzy with pain. James and Lillian Stokes, parents of Cheryl and Keith, were reached first. Lillian was to have gone to her sister's party, but she came down with the flu that morning and decided to stay home. She recalls:

Around four o'clock I got a call from the hospital to come and pick up my grandchildren. I asked what happened. It was an accident, and I wanted to know who was hurt, and she said all of them, but she couldn't give me anything definite [as to] what was wrong--broken bones, that's what she told me I felt terrible, and I went in and told him [her husband], and we got in the car, and we were there in about five minutes It's not far. I think it was a cruel way of telling me. She could have given me more information.

Yet James Stokes feels that:

The girl at the hospital desk was quite helpful. She made different telephone calls to either get in touch with Estelle's father and mother or Hugh [Cheryl's husband].

Hugh Walters could not be reached immediately. He was in his CPA review class, but no one knew exactly in which building his class was held. Hoping to learn this, the hospital placed a call to Hugh's brother, Roy, whose wife, Grace, answered. In her words:

They called here to . . . get ahold of Hugh, They wouldn't tell us if she [Cheryl] was alive or dead . . . just that she's been in an accident . . . I was in panic, confused. We didn't know where the kids were Then if Cheryl can't answer, why can't Cheryl answer? And they wouldn't tell us over the phone, how is Cheryl? We're picturing her dead already That was very traumatic . . . not knowing anything . . .

Grace decided to call Cheryl's best friend, Karen Willis, hoping that her husband, a CPA, might know the building where Hugh's class met. The line was busy, so Grace had the operator break in for an emergency call. Unfortunately Karen could not provide the information requested. Grace and Karen both left for the hospital after their conversation. Over two hours had elapsed since the accident. Hugh was not reached until another had gone by. He complains:

By the time they notified me . . . I think they would have had a better understanding of the accident They could have said at least . . . 'She's hurt, but she's not in a dangerous or serious condition.'

He first learned that Cheryl was still alive from Grace and Roy, who already had been to the hospital to find out what had happened. Just as Hugh was pulling into his driveway, they drove up, and the three of them went to the hospital together. Estelle's parents were finally notified about midnight. When they checked at the hospital desk, they were told that all the accident victims had been released and were advised to look for them at another hospital. They went there and could not find their injured relatives, so they returned to St. Anne's. Worried and angry, they argued with the receptionist, who looked through the records and finally located the accident victims' rooms.

All that night concerned relatives and a close friend of the patients milled about the emergency room. Their impressions of the general disorder are in close agreement. Karen Willis recollects:

I saw Cheryl and everybody right there She had just been checked in and . . . was out in the hallway. They [Cheryl's parents] . . . thought Cheryl looked so horrible They were scared when they saw her. I saw all three children and took care of them while we were waiting . . . Monica was very . . . upset She wanted her mama, and she was confused She didn't see her . . . because she looked so bad.

Lillian Stokes elaborates:

I was so nervous and upset . . . I couldn't really tell you who told me what or when . . . Monica was scared stiff . . . Her forehead was bumped, and it looked like she was banged up . . . The nurse said that she would have to be X-rayed . . .

Karen doubts that the accident was anything but an adventure to Paul at that time in the emergency room. Lillian says: "Paul was all right, talking up a storm." Grace asked Paul about the crash, because:

He was the only one who saw the accident . . . Paul just saw the car in front of them swerve . . . He said, like, 'Mom ran into the car in front of me.' . . . It was hard to understand him at times . . . We were trying to make heads or tails out of it, and Cheryl couldn't talk to us, she had no idea of what happened.

According to Karen, Daniel was "more confused and concerned" than Paul at the hospital. It was the adults, however, who sustained the major injuries. They had to remain in the hospital for treatment, but the children were discharged that night. Karen took all three of them to Grace Walter's house and then went home herself.

Everyone agrees that Cheryl was in a frantic state when she came to the hospital. Lillian Stokes' memories of the night of the accident haunt her:

When I saw Cheryl, I almost fainted . . . She had blood around her . . . that one eye, I thought sure she was going to lose it, because she must have hit the steering wheel with it . . . This jaw was hanging down. She was just black right down from her [her eyes]; you couldn't find a white spot on her . . . While I was with her, she couldn't move. She was just one mass of hurt. She was conscious, she was talking . . . more babbling . . . She would say, 'Mamma do this, mamma tell me that,' and she didn't remember what she would tell me . . . Her mind wasn't functioning . . . She kept remembering that she had a thyroid, and she was going to another hospital to have that thyroid taken care of . . . She kept . . . crying that it was her fault. She was sorry, and did everybody hate her?

Grace Walters, who is a nurse, comments: "Her face was very bruised, very edematous." Cheryl's father sums up his impression succinctly: "Oh, she was a mess!"

Cheryl remembers virtually nothing of six of her nine full days in the hospital. Initially in shock, she was under heavy sedation throughout her stay. She relates:

I was all bruised in the chest area, my face from the eyes down . . . I broke a bottom jaw and a top jaw, and then

I had contusions, I had a concussion I was pretty dazed I slept a lot One gynecologist who assisted me in my two C-sections said that I woke him out of a sound sleep one night screaming my head off He rushed out in the hall and . . . said, 'God, who is screaming?' And the nurse said, 'It's your patient,' and he said, 'Sedate her!' The next thing I remember [after her departure from her aunt's party] was holding on to my mother's hand as she was walking down the corridor with me I was telling her that I had left all my jewelry to her, and that I wanted my daughter to have it That was six days later. The guy that did the stitching in the emergency room was really good, because you can't see the one [scar] underneath my eyebrow They waited six days to make sure that it was going to be worthwhile to do the jaw work I was pretty swollen, and they had to wait for the swelling to go down Then they took me down and wired both my top and bottom jaw I remember them giving me a shot in my mouth . . . I blanked out again.

But Cheryl's real tragedy was the loss of the baby she was expecting:

They knew I was pregnant in the ambulance So when they got me in, they did get a fetal heartbeat, and during the night it stopped The next morning they couldn't find anything, and they tried probably for a solid week after that On the following Monday they said that he had died Dr. Curtis was the one that had to tell me He is a very warm person He told me the nicest possible way that he could. I was so shocked I don't even think I cried You know, you just don't want to accept it.

Cheryl was discharged on Tuesday despite her physical discomfort and deep sorrow.

Either that Friday or Saturday . . . two nurses came in and got me up, one on each side, and we walked to the bathroom, and I got a Charley horse in my leg They were very sympathetic They did call a doctor who had worked on me in emergency, and he came up and took my heating pad away They would have probably released me from the hospital on Sunday, even though I could hardly fend for myself They just push you right out But the doctor ordered another scope to check the size of the baby, and that was on a Monday, and that was why I wasn't released until Tuesday.

Estelle suffered a traumatic dislocation of her hip and hard knocks to her ankle, shin, and kneecaps. Her legs were all cut up. She describes her experience in the hospital:

I do not remember getting out of the ambulance. I can remem-

ber being in the hall . . . them trying to get me on the X-ray table I was in so much pain there was no way I was going to get off that stretcher.

They brought in the forms for me to sign I was really sorry for the hospital, because where do they draw the line between being in your right mind to sign these forms I can remember my mother-in-law telling me later on the way up to the operating room I started telling her, 'Don't let them cut me, don't let them cut me!' Hospitals . . . have to have some kind of authority to do these things.

I had to wait, because they had to call an orthopedic surgeon He was at a party In the meantime they had given me a pain killer, which wasn't helping He [the doctor] was working There was just no way that hip was going to go back in under a local, because I couldn't relax enough [Finally] the pain killer they had given me, plus the local . . . plus they had me on my stomach . . . I was a lot more comfortable than I had been lying on my back I . . . drifted in and out of sleep Fortunately when they did put me out, the hip did go back in.

Lillian accompanied Estelle:

Estelle was moaning quite a lot She was really screaming. They came and tried to set her, but she was in so much pain they couldn't do anything about it. So they took her upstairs; she asked me to go with her They were either going to have to set it under anesthetic or operate on her.

Lillian waited in the hall outside the operating room, and she heard the pop when Estelle's hip snapped back into place. Estelle continues:

When I came to . . . I felt so relieved . . . because the pain was gone.

There is a great lack of communication between the doctor and the hospital The first day I was in there, I was feeling pretty good. They brought me . . . breakfast . . . I was sitting up in bed Shortly after that, the doctor came in and said, 'Oh, this is all wrong You can't be sitting up!' So down went the bed But then . . . he also put me on a 900 calorie diet. It was a terrible diet!

Estelle is admittedly overweight, but she enjoys being on the go. She found her prescribed inactivity rather trying:

I spent two weeks . . . in traction, and they didn't let me out until the second week Then it was just a

matter of putting me on the stretcher taking me down to physical therapy and teaching me how to walk on crutches The first day I went down, I passed out. I would come right back from physical therapy, and they would put me right back in traction, and there I laid.

The worst thing about the accident was going for two weeks without being able to take a shower or wash [my] hair and go to the bathroom. You're laying in the bed day after day, and your hair gets in knots. I had not had any experience using bed pans Invariably after they left they would have to change the sheets, they'd have to change me, and I felt sorry for those nurses I was so grateful to her [an older nurse] for telling me that little bit of information [the proper technique of using a bed pan]. The morning I was due to leave, they let me get up and use the bathroom I still couldn't walk, so they would bring in a wheelchair The nurse came in to help me I want to tell you, after two weeks with a bed pan, it was a terrific feeling to be able to go to the bathroom again The nurse left me there, and I manipulated myself around on the toilet, I finished, I got up and . . . pivoted around on my good leg to wash my hands . . . my head started spinning. So I sat back down in the wheelchair The little gal came back She looked at me and said, 'Are you all right?' She wheeled me back . . . put me in the room, and I went out just like a light. So the next thing I knew there were about fifteen nurses all gathered around me putting cold compresses on my head.

The doctors concluded that Estelle fainted because of a rise in her blood pressure attending the exertion of going to the bathroom after nearly three weeks of physical inactivity. Her doctor agreed to release her after he verified that she was not prone to fainting spells, providing she see him for a check up in a week. Estelle was discharged from the hospital three weeks after she was admitted.

Keith Stokes was the least injured of the three adults, but, as his mother recalls: "He had quite a big gash on his arm, and his head was all bloody." Keith adds:

I just laid there and people took care of me I was pretty much messed up in the face I was scarred . . . under the left eye, and back of my ear I was all torn up My arm must have got torn on glass or metal I remember looking over and seeing the doctor sew up my arm About halfway through he asked, 'Does it hurt?' I said, 'No,' and back under I went I had a lot of back problems . . . hurting. I kept telling all the nurses and doctors that I had to--a fancy word--defecate Finally they . . . brought me a bed pan and a big jug for the urinal, and the urine was full of blood, because I can remember when I was putting the cap on it . . . the

blood was just floating around in it. So I had kidney damage They were considering putting me into surgery for my kidneys, but, knock on wood, I didn't have to go. They just watched me closely, hooking me up to an I.V.

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Nevertheless, Keith was released four days later. According to his father:

My son came home from the hospital; he came here the first night When he crashed his head, he had a spot . . . where it got bruised I got digging around, and there was some glass in there. I took him back to the hospital . . . emergency room, and the . . . emergency doctor looked at it and got a piece of glass out of there and threw it in the waste can. Threw the evidence away . . . but I figure the doctor is only human. Doctors do make mistakes.

Keith wonders: "Why it didn't work out loose in the hospital when I was there, I don't know. It . . . was the size of an eraser head." He continues:

My parents insisted that I go home with them, because there was no one to take care of me I sat on the floor, because I kept scratching my scalp all the time, and my mom looked at my head. There was something shiny there, and they took a picture of it Sure enough you could see the glass reflect the light.

Keith was readmitted to the hospital and stayed there one and a half weeks longer. He was exasperated by certain aspects of his care:

Dr. Mildner, him and I didn't get along too well. He didn't see me as often as I liked I would have someone wheel me down to see him, and he would miss me, and I would miss him, but he never looked at my forehead while I was in the hospital . . . and I wanted to see my family.

Because of the different nature of their injuries, husband and wife and brother and sister were assigned to different wards, and they were isolated from one another as a result. Lillian comments:

That was the worst part We started at the top, hit that floor and stayed there awhile; then we would go down to the next one and visit that one, and then go down to the next one.

While the adult accident victims were hospitalized, their relatives had much to do. According to Estelle:

My dad also works at Farnsworth, Inc., and he got the insurance for us to put us on a leave of absence. Another friend of ours who works there brought our paychecks . . . to my dad . . . for us in the hospital.

Grace Walters took care of all the children for twelve days. She tried to help them understand why their parents were in the hospital, and she took pains to answer their questions truthfully, but reassuringly. She describes their worries:

[Daniel] was teary-eyed; he cried, and of course both . . . his mother and dad . . . were in the hospital. And then to come over, he had seen us before, but then he really didn't know us that much, but I think having Paul and Monica together . . . helped. He would cry at night a little before he went to sleep He wanted to talk to his mom . . . and his dad on the phone, so when he . . . would get off, he would always say, 'I'm going to go home!'

[Paul] was a little bleary-eyed at night, wondering how mom was, but we told him she would have to stay in the hospital It was very traumatic for Paul when he saw his mother for the first time

[Monica] the first night . . . did cry out She didn't talk about it. You could see the fright in her eyes; she was shy, very withdrawn.

Hugh expands on his daughter's behavior at the hospital:

Monica did not want to come and see Cheryl, or wouldn't stay there. She cried, carried on--she was two at the time, so she went back with my sister-in-law.

Nevertheless, Grace opines:

I'm glad the hospital did allow the kids to go up there It's bad enough being in the hospital to begin with, and then to be forbidden to see your kids The kids didn't know what to expect--are we telling them the truth, is our mother really alive? The last they saw her she was being pulled out of a car . . . unconscious and screaming.

Estelle was glad to see Daniel while she was in the hospital, but their face-to-face visit was unofficial:

When Keith got out he would . . . bring Daniel down to the hospital St. Anne's has got the camera in the lobby So he'd hold Daniel up All I'd have to do is turn on my TV set . . . and I could see Daniel. So then I'd spend about two hours crying up there One of the happiest days when I was in there my mom and dad ended up with Daniel My dad . . . snuck Daniel back in the room. At that particular time I didn't have a roommate.

Every day relatives and friends visited the hospitalized accident victims.

Every day they took care of pressing matters the victims could not handle themselves. Family members occasionally got their signals crossed. Once James Stokes and Hugh Walters went to the hospital together, separated to visit on different floors, and lost one another. Hugh finally drove off to look for his father-in-law. James had walked home in the bitter cold night. He never thought of taking a taxi. The accident victims continued to need assistance while they recuperated at home. The relatives divided up the tasks and arranged their own schedules accordingly. They all reside in the same vicinity. The elder Stokes' home is five and a half miles from their son's and a little over four miles from their daughter's. Grace Walters lives within five miles of Cheryl and Keith and their parents. The long-term effects of the accident upon each conjugal unit within this expansive kindred will now be detailed separately, and then the legal issues which currently absorb their attention will be considered.

KEITH AND ESTELLE STOKES:

Keith and Estelle Stokes were married in 1974. He was twenty-four, and she was twenty-seven. Keith's family moved from Canada to the United States in the late 1940s, before he was born. His parents are both of English origin. Estelle was born near Okera. She considers herself a typical American. Keith is Episcopalian, and Estelle is Methodist, but they are not active church-goers today. Estelle earned a diploma in business administration at a local community college in 1969 and has worked for Farnsworth as a secretary ever since. Her present salary is in the \$10,000-\$15,000 per year range. Keith earned a B.A. in physical education at Central State. He once taught at a Baptist school, but took a more lucrative job at the Farnsworth assembly line in 1978. He started out at an hourly wage, but soon advanced to a salaried position in quality control. He made about \$15,000 per year. The day after his accident, Keith was notified that he would be laid off within a month due to a plant closing. The central office, where Estelle works, is still in operation. At the time of the interview, Keith's unemployment compensation was about to end, and he was depressed. Nevertheless, he was still employed at Farnsworth on the day the accident occurred, so he had his own health insurance coverage. He is now covered under Estelle's policy. Thus, the medical care necessitated by the accident, according to Estelle, "Really hasn't cost us anything--it cost the insurance company." Keith estimates that their hospital expenses and doctors' bills must exceed \$8,000. Their automobile and homeowners insurance covered many of their other accident-related expenses. The former provided an allowance for housekeeping and child care while Estelle was in the hospital. Keith hired two girls to wash dishes, clean, and do the laundry while he was home alone. Estelle feels the insurance coverage for child care was inadequate:

The insurance company . . . would allow Grace . . . \$15 or \$10 a day. It was very low She had Daniel twenty-four hours a day When we were working, we were paying a lady a dollar an hour, which was, we thought, a cheap rate I argued with them . . . and did get her paid more.

Furthermore, all the children came down with the flu while they stayed in Grace's house. In order to recoup some of their losses from damaged cloth-

ing, Keith had to submit photographic documentation. He notes:

We had winter coats on; she [Estelle] had blood on hers
. . . . I had my coat sliced up and blood on it. My son
lost his coat Her sister gave me a Levi shirt
[for Christmas], and I priced them . . . \$20 a shirt
. . . . I'd worn it once . . . and they depreciated that.

Estelle feels that the time lost from her job as a result of the accident will not interfere with her possible advancement. She explains:

Farnsworth has their promotional policy, and I am sure that
if a job opportunity came up that I could consider . . .
they would consider me My injuries would not have
anything to do with it, because they would look solely at
the qualifications.

Keith, on the other hand, thinks his time lost from work precipitated his permanent lay off. Yet a previous on-the-job injury did not impede his first promotion. He was absent for a month after the surgical removal of a cyst on his wrist. Shortly after his return, he got his salaried position. He explains:

In the department they had to work a lot of overtime to cover
my job. So that was held against me I eventually got
back to work . . . for about a month, and then the whole de-
partment went for a review of promoting and increase of
wages Because of the accident . . . I was denied
. . . it was the absence If he had just said, 'You
weren't here long enough in the department' He gave
me an excellent review and letter of recommendation I have
been using since the plant closure.

Job loss on top of the accident has affected Keith's present outlook strongly, as shall be made clear below.

The physical injuries Keith and Estelle sustained in the accident have become lingering ailments and may develop into permanent handicapping conditions. Keith's physical problems are less severe than Estelle's. He complains of:

Bad days if the weather's . . . not right, my back hurts
. . . . I'm an avid jogger now, and I do go through
quite a bit of discomfort in my hip.

He regards the 6" gash on his arm as disfiguring. Estelle's kneecaps are not healing properly. She worries:

Both are still bad. I'm still going to the orthopedic sur-
geon There is no lubrication in my kneecap any
more If I do a great deal of walking . . . or
standing, my knees will actually start to burn He
[the surgeon] told me there's no cure for it; once that
lubrication is gone, that's it.

Estelle's knee bones may have to be removed. As Lillian Stokes put it:

They didn't realize . . . she was hurt as bad as she was Her ankle and shinbone . . . were all just masses of cuts and bruises. But she injured her kneecaps which she eventually might lose. The last time she went to the doctor he said that they were deteriorating.

Nevertheless, Grace thinks Estelle's suffering: "Isn't on the same dimension as what Cheryl's is. Hers is more of a physical, it's not more of an emotional type." Grace by no means thinks Estelle's physical injuries are insignificant. She feels Estelle is coping with her problems very well.

Estelle and Keith were both bundles of aches and pains during their first days home from the hospital. Estelle's parents did their grocery shopping, and friends brought them warm dinners. Keith was especially grateful for the meals. As he recalls, his wife "was on crutches, and she burned herself with grease one time trying to cook, and of course, me, a typical man, I couldn't cook that well." Daniel was deprived of his parents' usual expression of affection. In Keith's words: "We had to sit him down and say, 'Listen, mommy and daddy can't hold you, can't squeeze you, can't carry you to bed.'" Estelle had trouble looking after her own personal needs for a time. She greatly appreciated Keith's solicitude. Keith notes:

It was weeks after she was home, and I was still putting her socks on for her, because she couldn't I was no good to get down on my knees either.

Sexual relations were curtailed by their physical incapacity. Estelle muses:

It was funny when we would get in bed, because he'd roll away, and we would both moan; I would roll the other way, and we'd both moan. It was terrible the first couple of weeks being home.

Keith comments:

When she got home, because of her leg, she could not move her hips, so that prevented it from happening . . . and I don't think either one of us felt really up to it.

Keith and Estelle derived their greatest emotional support from one another after the accident. Keith declares: "It's brought us closer."

The unpleasant emotional residues of the accident experience are gradually being dissipated, but not without difficulty and pain. For a time, riding in cars evoked visions of the accident and anxieties about the possibility of another one. Lillian Stokes says: "Keith didn't want to ride all together When we went up to see my sister again, the kids were all in the car, and Estelle was wanting to refuse to go." Hugh confirms that Estelle "was trying to find any excuse . . . not to take that trip to Trenton the second time." Estelle, however, claims she usually is nervous in a car if someone else is driving. She says:

When Keith first picked me up from the hospital the day I was released . . . he says to me, 'Are you worried about riding?' . . . I looked at him, and I said that I never have been too crazy about your driving to begin with! I feel more secure . . . when I'm driving myself, because I feel like I have control over the situation . . . No, I haven't been any more apprehensive about being in a car.

Today Estelle can get into a car to go somewhere with the whole family without hesitation. Keith states that he too is no longer afraid to go anywhere with all the relatives in the same vehicle. Feelings of anger and hostility toward the driver responsible for the accident have abated more in Estelle than in Keith. Estelle seems philosophical as she discloses:

If I had seen that guy I probably would have killed him. My attitudes have changed. I feel he was just an individual who was caught in an unfortunate circumstance. All of us at one time or another . . . we've had too much to drink, and yet we're still driving. Fortunately enough, most of us get home without anything ever happening . . . He was not able to get home . . . He caused an accident.

Yet she refused to go to any of the court proceedings against him "because I don't want to know who he is, what he looks like, or anything more about him." Keith's rancor, however, often surfaces. He declares:

My justice would be to say to go out in the back of the barn, and him and I would fight until each of us dropped; and when I crawled away from fighting him, that would be my satisfaction.

He had some informal counseling about coping with his feelings while he was hospitalized. It helped him intellectualize his anger, but not get rid of it.

Keith channels his anger and energy into the lawsuit against the culpable driver. Keith describes his intentions:

I want to gather up all . . . information, and . . . I'm going after the bucks . . . No one forced him to drink, so I think he opened himself up for me to go after him legally, his business, anything we can get . . . The law tells me I can't go and punch him in the nose . . . From our lawyer . . . his insurance company . . . they are hinting he did his drinking at a . . . private home, and our lawyer's telling us that homes are exempt [from responsibility] . . . A homeowner can be sued for not cutting someone off [alluding to an article from the Okera Sun Times].

Estelle moderates:

Keith is probably much more money-conscious . . . I just put myself in that homeowner's position . . . I am not so sure I would tell somebody how to drink . . . I'm not sure where my boundaries would end . . . I don't think

we've ever left anybody go home from our house . . . drunk
. . . . We would say, 'Stay here for a while.' . . . You
can't tell friends they've had too much; you'll offend them.

Keith's recent layoff may have sharpened his desire to "go for the bucks." He remarks:

I don't want to see my family get hungry, and thank God we've got all our bills paid to date, but I can see it helping us out Maybe it was Fate--it was supposed to happen this way

Estelle concurs in part:

For us there is nothing else left, besides the money aspect of it. We've already gone through . . . the mental strain . . . the pain . . . and there's no other compensation as far as we are concerned, because nothing is ever going to erase that accident and erase what we went through.

The meaning of the accident to Keith and Estelle is different from its significance to Cheryl and Hugh. This has resulted in each couple's filing separate lawsuits against the driver who caused their shared accident and a delicate avoidance of the subject when the family gets together. Keith expounds upon this aspect of the accident's aftermath:

We did obtain a second lawyer, and he was telling us the advantage of going with him, and we acted to decline Like we would sue the driver and then turn around and sue Cheryl, for being the driver of [our] car. I said, 'No way, I would never sue my sister!' But he was saying that if I continued on with the original lawyer, I wouldn't have that option. But talking to the family members, we know that down the road there is going to be a dollar for us somewhere, and we have come to the feeling that whatever settlement we get, that's her business and mine; it's not my mother's and father's and sister's, because we saw my sister being--and we can't blame her--very emotional because of the loss of the baby She's better now One time she said . . . [that] out of this pile of money that would come to all of us, she thought she would get the bigger portion, and, boy, money can divide families, like my sister lost a child--a horrible thing. She can still conceive and have another, whereas the doctors were saying her [Estelle's] knees . . . have to be removed We just don't want an argument to erupt between the family members

CHERYL AND HUGH WALTERS:

Hugh and Cheryl Walters were married in 1971, when they were both twenty-five. Like her brother, Cheryl is of Anglo-Canadian background, and she is an Episcopalian. Hugh is Roman Catholic but occasionally accompanies his wife and children to an Episcopalian church on Sundays. Upon his graduation from

Okera High in 1965, Hugh enlisted in the U.S. Air Force. He served as a cargo master during the Vietnam War. He earned a B.A. in business administration in 1977 and shortly afterwards secured his present position in the accounting department of a major tractor-producing corporation. Cheryl earned a B.A. in elementary education in 1969. Her undergraduate training was subsidized by the state rehabilitation agency, as she had polio at the age of six. Cheryl taught fifth and sixth grades until Paul was born in 1975, took a one-year leave of absence, and returned to work in 1976. When Monica was born in 1977, she decided not to return to work. In her words:

I wanted to be with my children until they were in school.
I think it's important that a mother be there--not for
anybody else--for me.

Cheryl has accumulated fifteen credit hours towards a master's degree in education. She intends to return to teaching when both children are in school all day. Hugh has taken post graduate courses at Delta Tech, with corporation support, in hopes of getting into management. He is conscientious, reliable, and eager to advance himself at work.

Cheryl could not look after her own needs when she first came home from the hospital, let alone keep house, cook, and tend Paul and Monica. She says:

When I first came home, I had to have someone here all the
time . . . I just could not fend for myself . . . I needed
my naps . . . I was on pain pills, and you can't handle
two young children when you're on pain pills.

Hugh continued to work until his wife was released. He notes:

I didn't take off that time when she was in the hospital
. . . because there would be no advantage, and I knew she
would need more help when she came home. I was off that
week . . . four or five days, and then the following
weeks we had somebody else coming over--her folks or
mine.

Lillian Stokes remembers:

We did a little cooking . . . Cheryl mostly had soup
because of her jaw--it was wired by that time . . .
chauffering her to the doctors . . . Hugh went to
work, and she couldn't go herself, so I would stay with
the kids, and James would take her to the doctors.

James comments: "We ate there a couple of weeks." Hugh's parents came to relieve the elder Stokes occasionally and did grocery shopping for Hugh and Cheryl. When Cheryl went to Grant Hospital to deliver her stillborn baby, Grace took care of Paul and Monica once more. Cheryl truly appreciates all the support she received:

My friends were really great, Hugh was there, my parents
. . . . Hugh had to work . . . my mother had the time
. . . my mother-in-law was supportive I got

cards People came over, and the girl across the street sent soup over, because she figured that's all I could eat My friends listened They went through all my bruises I've got a friend [Karen Willis] that would do anything for you She really cares, and she shows it.

Slowly, nurtured by relatives and friends, Cheryl began to regain her health.

Cheryl's health always has been somewhat fragile. Her childhood bout with polio, in her words: "Affected my left side, and that's why I had C-sections, because my pelvis is deformed. It would never allow the baby to pass through." It complicated her recovery from some of the injuries she received in the accident. Grace Walters elucidates: "Now she can't do as much, and she was always tired out before She's in weak health, but [has] a strong will." At first Cheryl's knees were very bruised and swollen, wires still held her jaws together, and she still carried her dead baby within her. She has been treated by fourteen different doctors for her accident-related injuries. Some strength has been restored to Cheryl's legs. She recalls that initially:

My knee was very swollen I went to . . . my family doctor . . . and he gave me water pills I was in a walker I couldn't scrub floors . . . kneel. Getting in and out of the bathrubs the first couple of weeks was difficult. I had to be lifted in and out, and Hugh had to do that for me.

Cheryl continues:

I took two bad spills this summer and just racked the hell out of my knee I took a fall . . . in August I had gravel in the bottom of my shoe, and down I went, and boy did that hurt my knee! My knee really kicked up again I can remember turning my ankle I was sitting down with my feet planted due south in the shrubbery After that I very, very gingerly went around.

Cheryl has given up horseback riding, which she used to enjoy sometimes. She once again can clean, cook, and shop for her family. Hugh helps out by doing the lawn in summer, shoveling snow in winter, preparing breakfast once in the while, and, according to Grace, washing the floors, because kneeling still strains Cheryl. Cheryl explains: "I can get down and kneel now, but I cannot sit back on my heels." Hugh thinks Cheryl, with her bad left leg and weak right one, eventually will need a handicapped-parking permit.

Cheryl's jaws healed perfectly, and her teeth are intact. When the wire bands holding her teeth in place were to be removed, the surgeon suggested that someone drive her to his office and then back home, hinting that she would be a "basket case" after her ordeal. Cheryl remembers:

He asked me if I wanted twelve shots in my mouth, and I didn't know how bad it was going to be I thought, 'I'll try it without,' and I should have tried it with They

have to clip those wires, and they're bent for your teeth, and I have very close teeth. I have a bridge in my mouth that they had to work around, and by the time I got out of there, the girl [a nurse] looked at me and asked if I was going to faint. It was very painful I think it bothered him [the surgeon] quite a bit, because you do moan All my gums were ripped up--top and bottom.

A few facial scars were removed by a plastic surgeon. Cheryl explains:

I had a scar . . . on my face near my nose and under my eyebrow I had abrasive surgery to remove that one [near her nose] I had it done because every time I looked in the mirror I would see the whole thing again I think he did a good job.

Cheryl is pleased that she bears no disfiguring scars from the crash. As she says: "I was really lucky."

Cheryl's unborn baby presented a serious medical problem, for she did not lose him spontaneously. She elaborates:

They [the doctors] would rather have nature take its course, and nobody thought I would be sealed up for a month [The doctors felt] I would start losing him naturally. I didn't There was no one in the area that would handle it They would recommend a specialist in Maple Grove We waited, and along about the third week . . . I had to go to Grant Hospital to lose the baby. That was one of the few hospitals the specialist went to He wanted immediately to put me in the hospital The doctor was so concerned about it being a month.

Hugh took that Friday in February off from work to rush his wife to the hospital. She finally delivered a stillborn baby boy.

In contrast to the toll on Cheryl's physical health and emotional well being, financial losses from the accident have been minimal. Hugh's salary is in the \$18,000-\$22,000 range, plus benefits. He is well insured. His policies have covered everything but the full cost of replacing their smashed stationwagon with a comparable vehicle. Hugh explains:

Our car was a '76, and it had only 36,000 miles on it The car was in perfect running order, good shape It would have lasted us four or five years easily.

He purchased a new van about two weeks after the accident, paying the difference between its price and the amount his auto insurance policy allowed on the stationwagon. The same insurance also covered the child care and house-keeping services Cheryl needed because of her accident-inflicted injuries. Hugh relates:

The insurance company did allow us money to pay them [the

\$20 maximum per day] So while the kids were at her sister-in-law's house, we gave them the money for caring for them after the accident, all the time she was in the hospital, even when she was at home. So when the kids came back, when her folks were here, we'd give them the money, and when my folks were here, they would get the money It was just a matter of trying to pay them for their services and driving over

Although hospital expenses and doctors' bills have been or will be paid through Hugh's group health insurance plan at work, the paperwork and required advance payment for medical treatment was often a nuisance. Hugh is convinced that the hospital received too much money for minimal services. He airs his complaints:

It was very difficult to get ahold of them. I would have thought they would at least make a bit more effort to contact me or make themselves available I would have to call them several times. They would not so much as call me back. The doctor in the emergency room . . . submitted a bill for \$1,300 The man did the stitching on the face He came up to see her in her room once . . . or twice. She never went to visit his office Here this fellow is in there for less than half a day.

Hugh's insurance company paid less than \$400 of the \$1,300. As the physician is a participating M.D. with the company, he had to accept the amount he received. The obstetrician who delivered Cheryl's stillborn baby, on the other hand, considers his expertise worth much more than any insurance company allows. His bill was \$500. Hugh's policy paid only \$350 for the type of service he rendered; the balance was paid by Hugh's auto insurance company, as Cheryl's miscarriage was precipitated by the accident. Hugh declares:

What we found strange was . . . that he came into the hospital one time in the morning and that was all we saw of him We had the resident doctor as far as the rest of the time was concerned We didn't feel that he did anything substantial to earn his money.

Cheryl recalls her experience with horror and disgust:

When I gave birth to the baby I labored nine hours My husband scooted down the hall to get a nurse I pushed . . . and then the girl came in . . . , she slipped a sheet, the blood-speckled sheet over my face and wouldn't let me see the [baby's] body.

She felt the obstetrician was arrogant and curt. Nevertheless, she and Hugh never challenged his bill, perhaps because it was covered by insurance, after all. Some doctors required payment by cash or check before treatment in their office. The insurance company then reimbursed the Walters. Other doctors simply collected their fees directly from the insurance company. Cheryl comments and gives examples:

The doctors that I knew personally never pressed me for

money. The new doctors that I had to see, I was told point-blank on the phone: we charge \$30 for the first visit; make sure you have the cash in hand.

When I saw the plastic surgeon [who did the skin abrasion near her nose], his nurse asked me to write the check before I saw the doctor, which I thought was . . . gall. [In fact] he quoted me a very low price . . . and when he came back to me, he said, 'Oh, my girl just told me I shouldn't have quoted you \$100--I should have said more!'

The guy [orthosurgeon] who did my jaw was just fantastic His office never bugged me about money . . . and he was very reasonable when he submitted his bill.

The intangible costs of the accident have been profound. Hugh dropped his course, in order to be with his convalescing wife in the evenings. Lillian Stokes noticed that the accident "was hard on Hugh He was going to school, and he finally dropped that. Going to work and then running to the hospital and taking care of Cheryl at night" Thus, Hugh as well as Cheryl had to give up some of his usual activities, but, of course, not to the same extent. In addition, both of them were plagued with depression over the loss of their child, fears that Cheryl might stumble and injure her legs permanently, anger at the driver who caused the accident, and outrage and frustration over the legal aspects of their total accident-related experience.

Cheryl's miscarriage still throws her into deep sorrow whenever she ponders it. Consider her own statements:

I hated myself. When I went out to the doctor's office, everybody smiled, 'Oh, nice pregnant lady.' Nice pregnant lady didn't have a baby any more, and it was very deceptive. I felt like I was deceiving people. I shouldn't have been wearing maternity clothes I was not happy about it.

I cried a lot the first five or six months, because we wanted . . . him alive. I just prefer to cry alone . . . not bother him [Hugh].

You can't cry all the time, and you can't cry in front of people you don't know. I've only broken down in front of my family members, and . . . when I talked to my minister, and we have a very good friend . . . a state patrolman

Hugh was spared the self-hate and intense grief Cheryl went through. He says philosophically:

The only redeeming factor was that neither of us had . . . gotten to know the baby If it had been one of the other two children that had been killed, it would have been a different story altogether.

Grace feels he may not grasp the depths of Cheryl's emotions. She speculates:

I think a lot of suppression is going on there
Hugh's not a talker We are trying to help them
talk and express their feelings I don't think
he's taken on that feeling [of Cheryl's] I
think he can try . . . in his mind, but I don't know if
they're doing the comparing, like my feeling is this, and
your feeling is . . . to try to compare if you ever had
that feeling together.

The funeral service Cheryl and Hugh held for their deceased son gave expression to their shared bereavement, although arranging its details was a bureaucratic mess. Cheryl explains that at the hospital where she delivered Jeffrey:

Hugh had to sign a form right there that said the baby was going to be cremated. And he tried to explain to everybody that the baby's body was going to be picked up for an autopsy to . . . be used against the man [who caused the accident] in court. Nobody seemed to understand. He still had to sign all the forms regardless He wasn't cremated for a month after I lost him.

Hugh continues: "The county coroner still picked up the body and did the autopsy, and we had to make arrangements with the funeral home through the county." Hugh and Cheryl regarded their dead baby as a person. Their Episcopalian minister led the service, which many relatives and friends attended.

Cheryl is more afraid of falling down while on foot than of another accident while in a car. As she says:

Now I didn't have any fear of getting in the car, and I didn't have any fear of driving, which amazed a lot of people, but I didn't remember anything to be scared of.

However, by her own admission she now hugs the right edge of the road when driving to compensate for oncoming traffic. Hugh thinks she overdoes it. Cheryl confesses: "It makes my husband very nervous, because it looks like you're going over the edge."

The Walters have become more aware of auto accidents involving friends and neighbors as well as strangers since their own accident. They stress the element of driver responsibility as much as auto safety features in their ideas about accident prevention. They realize that the size of their stationwagon, its safety glass, and the fact that Cheryl, Keith, and Monica wore seat belts reduced the injuries sustained by those people inside. However, they place full blame for the occurrence of the accident upon the legally intoxicated man driving the pick-up truck down the wrong lane, straight towards Cheryl's stationwagon. Hugh asserts:

The fact that the guy had been drinking, this was the actual cause. If he had not been drinking, he would not have been over in that lane, a two lane road The sun was behind him; he couldn't say the sun was in his eyes.

Cheryl and Hugh are resolving their feelings of hostility towards the man who caused the accident by transforming them into advocacy for stricter penalties against intoxicated drivers. The summary manner in which the Brinton County Court dispensed with the criminal case against the offending driver, to be discussed below, undermined the entire family's belief in justice and fueled their anger against him. Grace reminisces:

Like Hugh said one time . . . you can run somebody down and get off scott-free, whereas if you take a gun and shoot somebody, you go to jail He meant . . . if you ever wanted to get rid of somebody around town, rather than use any other kinds of means [use a car], You can go through the courts, and who's going to say that you had it in your mind to run him down?

Hugh told the interviewer, partly in jest: "Put him in the middle of the lake and swim back!" Cheryl too has wrestled with anger, sought counsel from her minister, and listened to the advice of friends and acquaintances. She says:

I talked to the minister I didn't feel like I could go to church and take Communion and be in charity with my neighbors when I didn't feel very charitable with some of the members in our community He just said I was being too hard on myself This man hadn't asked me to forgive him The minister said it wasn't my problem This was his problem, and I was to go on We hope he's suffered as much mental anguish as we have.

Grace tells of the current effort of Hugh and Cheryl to discourage people from driving while under the influence of alcohol:

She's looking for a means of . . . involvement in community things so far as getting drunk drivers off the road I know her spirit of community has changed a lot She has given of herself . . . that others can benefit and don't have to go through what she is going through.

They have taken an active part by writing to the Trenton Township Monitor, the Brinton Daily, and the Okeru Sun Times, and calling up the prosecutor's office, and so on When you feel that maybe as a result of what you went through, you can make some sort of change for the good, it's very . . . therapeutic.

Experiencing the consequences of the accident together and sharing opinions about the legal issues surrounding it have reinforced the already strong conjugal bond between Hugh and Cheryl. Cheryl avers:

Hugh's been really a super supporter We've had our fights during the year, but I think that it's normal I think it brought me closer to my husband When I came home, he would just hold me in his arms and say . . . he was so glad I didn't die.

The accident will continue to intrude upon Cheryl and Hugh Walters' lives during the coming years. Their suit for damages has just been filed in civil court. Hugh discusses its status:

His [the other driver's] insurance company is just now getting around to talking to our lawyer He [the Walters' lawyer] has written three times, Normally they [the insurance companies involved] will contact one another almost immediately as soon as they are aware of the fact..

Cheryl speculates: "It will take between four and six years before it [their suit] ever comes up in front of the judge."

THE LARGER KINDRED:

Shock waves from the accident have spread beyond the immediate families of the injured persons into the larger web of relatives. James and Lillian Stokes were acutely shaken by the near loss of all their descendants in one sweeping catastrophe. Lillian describes her feelings and those of her sister, who gave the birthday party the day the accident happened:

I felt guilty myself, because I should have been in that car, but I was sick, and I didn't go, and then Keith wouldn't have been hurt My sister felt guilty when I called up and told her the kids were in the hospital; she said, 'Oh my God, I wished I never had my birthday!' I think I lost about ten years of my life!

James Stokes' faith in his daughter's capabilities is as firm as ever. He declares: "Since the accident I've driven with her, and Lillian has driven with her. I don't feel nothing, not scared She wasn't responsible."

The accident has wrought subtle shifts in the relationships of the separate families within the larger kindred. Both Cheryl and Hugh enjoy strengthened bonds with their respective in-laws. Cheryl admits: "My mother-in-law and I didn't get along too well in the beginning, but we are getting along now." Lillian Stokes has grown even more fond of her exemplary son-in-law:

Hugh is a very reliable man The week after Keith got out of the hospital, my husband developed cramps during the night I can't drive at night, I can't see too well. I called Hugh [Keith was at work], and I asked him 'I hate to do this to you, but I have got to take James to the hospital.'

Hugh willingly did as requested and stayed with her while James was treated. Lillian exclaims: "Now he calls me 'Lillian' all the time To have somebody stand by you, boy, that's really something!" Cheryl is closer than ever to her mother, who has seen her through polio, two Caesarian sections, and now this accident. However, a slight reticence between Cheryl and Keith has been occasioned by minor differences in their estimation of the damages

the accident caused them. Yet in the long run, the distance between them may be less emotional than geographical, for Keith and Estelle just moved to another state, where Keith has found work.

LEGAL ISSUES:

The legal process and results of the case against the driver who perpetrated the accident deeply disappointed its innocent victims and their family. They deplore the postponed court dates, negligence of the county prosecutor's office in notifying them of court dates, rejection of relevant evidence because of legal technicalities, plea bargaining leading to a reduced charge against the defendant, and the attitude of the judge.

The case against the offending driver was not heard until the third successive date it was on the judge's docket. Cheryl explains:

I signed a warrant for this gentleman, and the prosecutor's office handled that, and they had the two dismissals. The first one the judge dismissed for the whole day; he had some sort of family problems And the second time . . . his lawyer had not requested all the paperwork, and the prosecutor's office had not sent it out. So the judge gave them a continuance That should have been two . . . four weeks. We had to wait from September to December.

Lillian Stokes complains:

It's a good thing we went there that day [the third date] . . . or the case would have been thrown out of court They notified her [Cheryl] the first time, but the second time they didn't call her . . . both Hugh and Cheryl called to verify it.

Cheryl protests:

Now they talk about apathy! We showed up at court every time, even though I was told continually on the phone by the office girls that it wasn't necessary for me to appear. It's no wonder they think people don't do anything!

But the defendant felt no compunction to go to court on each hearing date. Keith says: "I was at all three, even though he attended only one--he had his lawyer attend the others." Hugh concludes: "They want to hold out as long as possible, hoping that people will . . . just get tired of it."

The man who crashed into Cheryl's stationwagon obviously was driving under the influence of alcohol. Yet the police could not ticket him for this at the accident scene, as they did not witness his condition before the collision. He was ticketed instead for driving on the wrong side of a double yellow line. Cheryl signed the warrant against him for driving under the influence of intoxicating liquor in April 1980, after the autopsy report on

her stillborn baby was issued. Direct objective evidence that he had been drinking was available. According to Hugh:

They did take a blood test of him at the hospital. They asked the doctor to do it, and on one of the rare cases, the doctor was more than willing to do it. It posted a 1.5 on the scale . . . I think [the minimum] is .10 . . . but 1.5 is more than adequate.

Nevertheless, it was not admitted as evidence in court, for the defendant's lawyer invoked the question of voluntary consent. Hugh argues in exasperation:

What is consent, as far as taking the man's blood sample? Does the man have to be sober to take the blood sample? In that case, why do you bother to take the blood sample? It's foolishness! The man said yes. What more do they want?

He wrote to the prosecutor's office about his dissatisfaction with this ruling:

[The] answer to us . . . in one statement, 'The people had questionable proofs as to the consent of blood sample and defendant had no prior traffic or other criminal record. In our opinion, substantial justice had been done, and the defendant now has a drinking-driving violation on his record.'

The defendant actually had a prior record of traffic violations, but they were "erased" under permissive provisions in the law.

Witnesses and the police officers at the accident scene were well aware of the driver's lack of sobriety. Lillian Stokes recalls that at the hospital:

I asked the policeman about him, and he said he was drunk The one policeman told me that they didn't even have to give him anesthetic when they brought him in--he was that drunk His foot was completely twisted.

Cheryl confirms and augments her mother's statements:

The two men [officers] . . . at the scene of the accident . . . were very nice to my parents, and they came here after I came home, and we got the impression from them that they wanted this gentleman off the highway and would appreciate any help we could give them He [one of the officers] said that he would be willing to appear in court, and the people from the ambulance squad and the people who came from the Jaws of Life . . . and the state police would be more than willing to appear in court for us.

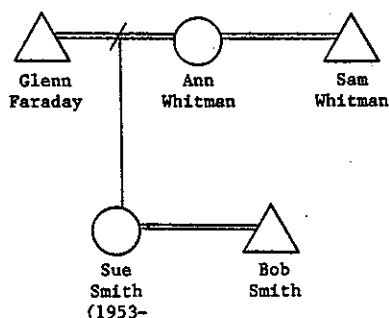
Yet at the first actual court hearing, in Hugh's words: "His lawyer wanted

it [the case] dismissed, because there were no witnesses!" Clearly many witnesses were willing to come forward. Moreover, the adult accident victims had no opportunity to say anything at the hearing. Grace Walters laments:

They didn't even get to say anything in the court either.
Nobody even mentioned that the baby was killed, nobody
even mentioned . . . what actually happened to the people.

The defendant apparently deceived his own lawyer, who was unaware that a fetus had died as a result of the accident. Grace observes: "The lawyer thought, one, two, three we'll get this over with, and the policeman talked to him and told him what happened. The lawyer didn't know." No one's testimony was required. The defendant was allowed to plead guilty to driving while impaired, a lesser charge than driving under the influence of intoxicating liquor. Lillian Stokes says with disgust: "I doubt that the judge . . . even looked at the papers . . . because he was too quick." Furthermore, Cheryl adds: "The judge even congratulated his lawyer . . . on having him plead guilty and taking care of it." At the sentencing in December 1980, the defendant received four points against his driver's license, a fine of \$100, and responsibility for court costs of \$150.

CASE #4: SMITH FAMILY



Family Members Interviewed: Sue Smith
Bob Smith

Other Persons Interviewed: Jane Walker, neighbor and friend
Nora Draheim, neighbor and friend
Joe Kline, lawyer and friend
Dee Blackstone, nurse and friend
Jennifer McFall, clinical social worker
Dr. J. Richardson, orthopedic surgeon

At nine o'clock on a Monday morning in March 1970, twenty-six-year-old Sue Smith was driving her new company car, to see a customer as part of her sales job for a computer firm. As she stopped for a red light and began to go forward on the green, she was hit broadside by a ten-year-old Plymouth. The nineteen-year-old driver claimed his brakes failed as he was trying to make the yellow.

Sue has no memory of the accident nor, in fact, of the two days before the accident. She did not awaken from her coma until several weeks later. Her most serious injuries were a fracture of her left humerus with radial nerve injury, a collarbone separation of her left side, an undisplaced fracture of her left pelvis, and a closed-head injury with unconsciousness. One of her doctors reports that she was not expected to live. He states: "For the first ten days, it was all the considered expert opinion she was going to die"

For two weeks, Sue was placed in the intensive care unit. She was then sent to recovery where she met a nurse named Dee Blackstone, who later became a friend. Dee relates:

When we got her, she had come from intensive care. And we got her in our unit, which is like a step down. She was still in a coma, but she was stabilized. And we had her for--oh, I think it was about two months we had her on our floor So I saw her from the time she was in a coma throughout the whole confusing reentry into our world. She was very confused and she had a hard time coping with

reality She doesn't remember a lot of the hospitalization. And when we tell her about it, she just can't believe that she could say things like that or do things like that, but it's very common that with serious head injuries, people are like that.

Both Sue and her husband Bob feel the hospital and medical personnel were helpful, competent, and supportive. Sue states that Bob "was there all the time, and they totally ignored visiting hours and let him come and go because they knew him so well." After about two months, Sue was discharged from the hospital. Bob relates:

When she came home, she was in a wheelchair, could not move her arms, couldn't use crutches, 'cause her arms--but my people, at my work, were very understanding. And the nature of my job--I'm a sales person and my hours were pretty flexible. We were able to manage without having someone come in I wanted her home. We wanted to try it. They did have visiting nurses that were available for us. And we had neighbors here who would come and check on her. I wasn't worried about that. She couldn't get up anyhow.

After several more weeks, Sue graduated to special crutches with an arm rest on them because of the radial nerve damage which made her left arm useless. These crutches were used for four months when Sue was able to manage with a cane, which she still occasionally uses.

Sue's left leg will continue to cause her disability for years to come. About twenty days after the accident, because of the spasticity related to the closed-head injury, her pelvis had migrated, resulting in her left leg's becoming shorter than her right. Sue comments:

I have to have a lift on my shoes--an inch and a half. The first thing they did was send me to an orthopedic shoe store for those orthopedic shoes or whatever. And I said, 'There's nothing wrong with my feet.' I mean, after I went to one and looked at how awful--I mean, yeah, they were awful. You just want to be somewhat stylish. I guess that's something you feel like you lose or something. So I said, 'There's nothing wrong with my feet. I don't really need shoes like that.' And I found somebody that would just put a lift on my shoes.

Future surgery for this condition has been advised and Sue knows that she will have an arthroplasty operation sometime in the years to come. She has already had several operations. One was performed on her arm while she was still in the hospital. Two operations were done to repair her clavicle injury, and last July she also had an eye operation to repair damage to the nerves which control the eye muscle.

Sue also had several months of physical therapy. She says that after she came home:

. . . every day I was going for physical therapy. I had

started physical therapy in the hospital. My understanding was that they took me to it initially, but then realized that I had trouble with the pelvis . . . and so they cancelled it out 'til the very end. And then I started going to physical therapy, but in a wheelchair. Then I went every day for two or three months.

Getting to and from her physical therapy appointments was a problem for Sue. Bob had to get back to his work routine and could not do all the necessary driving. Several neighbors helped out considerably, but there were times when they were also busy. Sue finally found a volunteer group that was willing to drive her when no one else was available, but she feels transportation services for the handicapped are inadequate.

Tests have indicated residual brain damage. Sue's doctor says there have been definite changes in her EEG pattern, EEG's which show some scarring in her brain and indicating some degree of abnormal neurological processes. One result has been memory problems. Sue had extreme memory problems while in the hospital. She didn't know she was married or who Bob was:

When I first woke up in the hospital, there was sitting on the night stand a picture--a wedding picture of us--because I guess I didn't know who he was at all. And so, yes, we were married--there's the picture to prove it! But we were only married a little over a year when I had the accident--not very long.

Sue continues:

I would see people--this is what people would tell me-- that I would say, 'Hi, so and so,' and I would know their name and everything, and then they would leave, and I wouldn't know who they were.

Gradually her memory of people and places returned, but Bob states:

She still has trouble with certain memory things. She has to write things down because she can't remember. It was explained to us that she's going to have problems with new things that happen--short-term things. She's going to have trouble remembering them.

Sue has just recently gone back to work, after an absence of almost two years. Instead of a traveling sales job, Sue now is in telephone sales, and she worries concerning her ability to handle the job, and whether the company will keep her. A friend relates:

Since she has gone back to work, she has called and she was depressed a couple of days . . . about the work, and the things that she had sent into the major office that were wrong. It seems like when she's hurried, that's when she makes a lot of mistakes. She's got to have a lot of time to make out an order or whatever she's gotta do. She said she was really hurried that one day, trying

to get everything in by the end of the day, and she made a lot of mistakes. She said they were really nice about it, but they told her that--about the mistakes, and that really bothered her. Sue's a perfectionist. She wants everything to be right.

Although Sue is unable to resume her old job and she worries about her new job, Sue's friends and neighbors agree that she has made a remarkable recovery from her serious injuries. Many commented on her determination to resume physical activities and to recover her former lifestyle to the maximum extent possible. But her disabilities have limited many of her former activities. Bob comments:

The physical activities are somewhat limited. We used to play racquetball together. She was a pretty good racquetball player. She could even beat me a few times.

Because of her accident, Sue cannot spread her legs, so this not only curtails former sporting activities such as motorcycle riding or horseback riding, it also limits her sexual activities and even her housework. Her husband says:

She can't bend over, because of her legs. Doing something like to get on the floor--if she wanted to scrub a floor by hand, she just can't get on her knees like that for very long.

And Sue adds:

It's getting better, but even vacuuming, you're on a little bit of a tilt and that starts to hurt, so you get to vacuuming faster. And I can't do anything that's real high. You basically can't get on your toes I have a little stool that I use, and I have a chair that I sit on I needed the chair initially just to sit and do dishes or to clean or peel potatoes.

A friend mentioned that the unequal division of housework had been a source of some resentment for Bob, who had assumed most of the cooking and cleaning during Sue's long recovery. But both now feel that the division of household labor has returned to normal, and that Sue has again taken up her equal share of work. This again is part of Sue's desire to have a normal life. An attractive young woman of twenty-eight, she had gained weight during her months of immobility, and successfully went to Weight Watchers for several months. She also now goes to an exercise class rather than physical therapy. Because her surgeon said that such exercise was needed for her recovery, Sue was able to get her insurance company to pay for the exercise program.

Financially, the auto accident had little impact upon the Smiths. Insurance companies have covered most of the medical bills, and Sue has received workers compensation to make up for her lost salary. Sue's yearly income is about \$15,000, and her husband's is presently \$35,000 per year, so they have resources to fall back on. But Sue is determined that they will not pay financially for the problems caused by the accident, and she argues for her payments from insurance companies:

This accident was not my fault. I don't want to have to pay one--anything, and so I send in everything and I'm always fighting them.

Their lawyer, who is also a friend, sued the other driver's insurance company. The coverage was limited to \$25,000, which the company readily paid since their driver was clearly at fault and the injuries to Sue were so serious. But a problem developed when Sue's workers compensation carrier claimed this payment as reimbursement for payments they had made for wage losses and medical fees. The Smiths' lawyer worked out a settlement with this insurance company whereby the Smiths received \$16,000 from the lawsuit.

The social and psychological costs of the accident have been more severe. For over a year Sue has been seeing a counselor, a clinical social worker, who states that Sue's physical disabilities caused "a tremendous adjustment for her." She further states:

Sue is a person who had always been a very ambitious girl. Hardworking--a little perfectionistic in trying to obtain goals for herself. And everything was fine for her, and working well, until the accident She loved her work. She was good at her work, and there's no saying what would have happened had the accident not occurred.

And one of the Smiths' friends further comments:

Her whole lifestyle was changed. Prior to the accident she was working, she didn't want kids, and she had just taken on a new job, and she was doing well for herself And, then, all of a sudden, she's now a handicapped person, and will be for the rest of her life. I don't know whether, you know, she'll ever get back to the level she was in her mental status. I don't know if she'll ever be able to handle the same job she had before the accident. So I think part of the brain damage problem affects her in that she's never quite sure of herself anymore It has, I think, affected her personality in terms of total confidence.

And one of her doctors elaborates:

Sue, in my opinion, and not knowing her before her accident, but knowing her all through the post-accident period, has become a very dependent personality Before the accident, it appears to me that she was a very independent and aggressive type of personality I think she's going to be a dependent personality from now on out--forever. I don't think that's ever going to change. I don't think that she should ever be pushed into a situation where she has to be an aggressive, independent personality type.

And he further emphasizes:

There's no question that she suffered an immeasurable amount of emotional stress and loss, which I don't think you can quantitate.

Others have been affected also. Sue's mother and stepfather, who live and work in a city over 300 miles away, flew in to see Sue immediately after being notified of the accident. Her mother took a leave of absence from her job and stayed at the Smiths' house for five weeks while Sue was in the hospital, visiting Sue every day. Sue's biological father, whom she had not seen since early childhood, was notified of the accident and, in the words of a friend, was "wandering the halls of the hospital for a couple of days . . . wants to go in and see his daughter, who . . . doesn't know . . . who he is." Neighbors organized and prepared meals for Sue's husband and mother, took care of the dog, drove Sue's mother to the hospital every day, and later often drove Sue for her physical therapy sessions. Bob took several weeks off from work, but had to return before Sue was able to care for herself. Several neighbors again tried to help:

I'd go down and just visit and talk to her She was in a wheelchair when she came home, so we'd push her around the block in the wheelchair Bob's hours weren't real regular, and if he was gone in the evening, we'd maybe take dinner down.

But this support was not enough to prevent various psychological stresses for Sue and thus for those around her. A friend comments:

I have to say Sue is a very determined person. In many ways, physically she came right through it. She was determined she was not going to let it get her down. I think she probably recovered much faster than the doctors or anybody had expected her to. She really tried hard. She didn't like being handicapped, though, and it did get her down, and she began to feel--she became eventually, I think, bitter, and I think she felt people were making fun of her and talking about her behind her back and laughing at her, and that really wasn't true. But she was used to working and not being home, and sitting in the house, she had a lot of time on her hands, and her mind, I think, worked overtime. She did become bitter. But she was--she had head injuries, too, and that helped quite a bit, I think, plus just sitting with time on your hands.

Various friends commented on Sue's supersensitivity, her tendency to "cry at the drop of a hat," and to "take everything very personally" during this period. Sue related her feelings in an anguished monologue:

Well, the way I look at it is that the neighbors, they were really nice. Initially. From my understanding, they had Bob and my mother . . . over for dinner, and they made sure that my mother had a ride to the hospital every day; and they made sure that things were taken care of around here and did all that kind of stuff. And so, as far as the

neighbors themselves look at themselves, they'd say, 'What more could we have done? I mean, we were good people and everything.' But the way I see it is that here I don't know that I'm even in a hospital until a week before I'm coming home. And then I come home and then I have a few neighbors, a few who predominately are the ones who picked me up. But there was nothing. I mean, they would never call; they would never invite me to go anywhere. Initially, I was in the wheelchair, and I knew it was a problem, and so I didn't expect it. But after a couple weeks I was on crutches and so I was just dying to do something. You know, I was an active person and here I was just sitting here. I couldn't go anywhere; I had no car; I couldn't drive if I did. And nobody would call me, just to talk or just to say come on over and have lunch or something like that. And so I felt total neglect and rejection and I was really hurt by it I was really hurt by it. I feel affected by it now. I don't know--it still bothers me. And I feel like--they're of course in a situation where they think, 'We did all we could,' and they did a lot of things for my mother; they did a lot of things for Bob, and then I came home--nothing Is it that bad? I'm not deformed. I'm not an idiot. You know, you're not so wiped out from the accident that you can't carry on a conversation. I was really, really hurt.

Bob says he thinks the neighbors felt that Sue probably needed her rest and they didn't want to disturb her. And that later they fell into their old pattern of not thinking of calling Sue because they were used to her being at work. One neighbor relates:

I helped her quite a bit for quite a while, and my husband was getting upset. You know, he wanted me to help her, and be a friend, and do what I could, but I was--my daughter had places to go, and I was telling her, 'Well, you can't because we have to take Sue here or there.' So my family was getting mad at me too, in a way. So I had to say, 'Well, I can do it sometimes, but I can't drive you back and forth as much as I was.' And I think she didn't understand--she couldn't understand, I think, why I had to say this. She felt that maybe I didn't like her anymore, or was embarrassed, maybe, to be with her because she was handicapped, and that's not the way the situation was at all. It's just that my kids had activities that they had to go to and there were just conflicts I think she felt about most of the neighbors . . . as she felt toward me. But I think she felt more strongly toward me because we were close friends And that's why, maybe, the bitterness was directed more toward me.

Sue's anger and pain culminated in an angry outburst at this neighbor. As a result, one cost of Sue's accident was their friendship. The neighbor com-

ments: "I don't see her much anymore. I feel bad about that. I felt bad, you know, when all this happened." Perhaps because of Sue's own intense anguish at this time, she also did not realize that these women, all of whom had several children, were not calling other people either. Those who have never had a child cannot realize the tremendous amount of time, energy and labor involved in the raising and caring for small children.

Did Sue's heightened emotional stress also cause problems for her marriage? Comments from friends indicate there were periods during her greatest sensitivity that this was true. They recalled that Sue once commented that she wasn't sure she wanted to remain married to Bob, and that another time she expressed fear that Bob would leave her now that she was handicapped. "I think she felt that she was a burden to Bob." And one of their friends does wonder about their future:

There's kind of a chain reaction effect There's some brain damage and slight personality change, which produces then some frustrations in Sue. There's also the physical injuries that she has in her leg, which is probably the predominant thing, I think, because it limits her physical activities and she feels self-conscious about it, as anyone would, although I think she's done a really good job. So we've got a situation where I think Sue's going to be frustrated with herself. And trying to live with anyone who's frustrated with themselves is difficult. And you know, Bob doesn't have the same wife he married either. He's got someone who has limitations now. And I don't know to what extent it's affected them sexually. I have to believe it has some limitations. What that will produce, I don't know.

But all those interviewed said Bob had been remarkably supportive and helpful to Sue during the two years since her accident. Sue states that Bob helped her more than anyone and that she feels closer to him now than she did before the accident. She says: "The whole reason you come through it all [is] because he was so supportive." Most friends characterize Bob as an easy-going person, although one friend feels he has become more subdued and serious since his wife's injury.

Sue would like more attention from Bob, and this is something new in their relationship. Sue's social worker comments:

One of the issues that's come up with them is she likes to spend more time with him And her husband likes to come home and work on his computer and he can get real involved in that and it's really enough for him to know that Sue is there. But for her, it isn't really enough to know that he's there. She really would like more interaction with him Before she was active in her work. So she wasn't around all the time and she didn't notice it as much. But now she's not traveling at all. She's home a great deal of the time, and her needs are a little bit more. I think she needs a little bit more

support than maybe she had before, so that it's hard for him to understand that.

This need for interaction is probably one reason Sue feels she would now like to have a child. Bob and Sue are not in agreement on this issue. She states:

When we got married, I knew he really didn't want children. It was no big deal to me at that point. But I guess it's become a bigger deal.

And Bob explains:

Before she was working. She was traveling a lot. She had a lot to do So naturally when she came home from the hospital, she was here for almost two years What she could do is limited. The people she sees is limited. And she starts getting a different outlook. And a couple times lately, she just wanted to have someone there in case something happens to me. You know, she has a very serious accident and she says, 'Well, what happens if something happens to you? Who am I going to have?' That's part of it. And then, the fact that she's completely changed her lifestyle. And that [a baby] would be something she could do and could have, and would be a reason for being here. In other words, if you don't go to work, there was no reason for being here She's gone back to work now. My attitude is, I'd like to see how work goes and see what happens six months from now.