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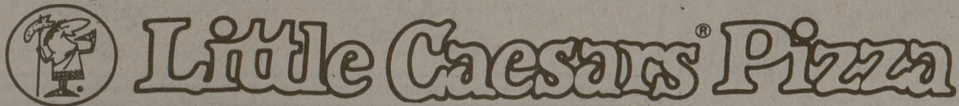
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Money speaks in court races

THE ASSOCIATED PRESS

AUSTIN — Consumer groups, citing a new study they said shows special interests contributing millions to Texas Supreme Court candidates, called Tuesday for reform of judicial campaign finances.

"The overwhelming concern is ... money talks, and the amount of money that is being contributed is obscene," said Tom Smith of the group Public Citizen.

Austin consumer lawyer David Bragg, who financed the study with other trial lawyers, said more than 87 percent of the \$11 million spent on Supreme Court races in 1988 and 1990 came from special interests. Those included lawyers, doctors and business interests, he said.

For 1992 races so far, Bragg said, 79 percent of the \$3.26 million in contributions have come from special interests.

"The Supreme Court conducts all of its deliberations in secret ... When secret deliberations and large contributions are combined, an appearance of impropriety is created," said Bragg, who was

Gov. Ann Richards' citizen advocate on nursing homes.

Smith said a large amount of campaign spending goes unnoticed. When a political action committee pays for ads to help a slate of candidates, the individual candidates don't report that money.

Self-imposed limits on individual contributions are deceiving, Bragg said. He said the practice of "bundling" allows many members of a single large law firm to give money separately to one candidate.

Bragg said he doesn't believe candidates should be blamed for what he called a flawed system.

"If we had the power to indict, we would indict the system," he said. "You cannot run a successful campaign for the Supreme Court without huge amounts of money."

Smith advocated a ban on private contributions, saying judicial elections should be financed by adding \$10 to the cost of filing a lawsuit.

Karl Bayer of the Texas Consumer Association, an unsuccessful Supreme Court candidate in 1988, suggested that a special tax

on lawyers be considered.

The study said that short of public financing, some immediate changes could make the process more open.

The report recommended requiring law firms that "bundle" contributions to disclose the firm's total donation; requiring lawyers to reveal whether they have cases pending with the court; and disclosing the occupation and employer of all contributors.

Texas Supreme Court Chief Justice Tom Phillips agreed that change is needed. But he said the study "has an ax to grind" and that his record wasn't presented fairly.

The study said Phillips, a Republican who ran in 1988 and 1990, accepted the most money from political action committees among successful Supreme Court candidates during those campaigns. It said all those candidates accepted PAC money.

The only justice who ran in both elections, after being appointed to a partial term, Phillips accepted \$429,958 in PAC money, the study said.

Error in toxicology report

Lawyer argues for murder retrial

THE ASSOCIATED PRESS

LUBBOCK — An attorney for a convicted murderer says his client deserves a new trial because of discrepancies in a toxicology report, but indicted pathologist Ralph Erdmann has refused to take the blame.

"Never have I falsified anything," Erdmann said Monday. "That I'm human and can do errors, yes. But intentionally? Never."

Erdmann testified Monday during the first day of a hearing to determine whether Richard Jaxson, convicted in the murder of Lubbock waitress Tammy A. Everett, is entitled to a new trial based on the discrepancy.

The evidence from the courtroom testimony, which ended Tuesday, and depositions will be presented by state District Judge Cecil Puryear to an appeals court.

Dan Hurley, an attorney for Jaxson, says his client's right to due process was violated by perjury from Erdmann and the withholding of a second toxicology report on Ms. Everett.

That report, requested by Peace Justice Melvin Powers, indicated that the victim had smoked mari-

juana and had a blood-alcohol content nearly three times the legal limit.

An earlier report found no trace of alcohol or drugs.

Erdmann said the toxicology reports were performed by an employee.

He acknowledged during cross-examination by Assistant Criminal District Attorney Mike West, however, that he had assumed responsibility for the reports when he signed them.

Hurley also charged that Erdmann failed to testify at Jaxson's trial because he knew the toxicology report had been falsified. Erdmann, however, said he couldn't appear at the trial because of obligations in the military reserves.

Erdmann has been indicted on charges of falsifying autopsies in Dickens and Hockley counties. He has since been accused by colleagues and police of losing body parts and faking autopsies for prosecutors.

He was subpoenaed Monday for his records in the 1991 autopsy of 1-year-old Christopher Chapa, whose death was ruled as an accidental drowning.

Erdmann has repeatedly said he never intentionally did anything wrong.

Doctors boost medical costs

THE ASSOCIATED PRESS

CHICAGO — The number of physician specialties has soared in the past five years, threatening to splinter medical care and boost already spiraling costs, says a report in The Journal of the American Medical Association.

Twenty-five physician specialties and 56 subspecialties now have accredited U.S. training programs, with 35 of the subspecialties recognized in just the past five years, the report said.

While internal medicine, plastic surgery and urology have been established for decades, new specialties include such offshoots as aerospace medicine, hand surgery and pediatric urology, said the report in Wednesday's journal. And more are on the way, said the report by Dr. Carlos J.M. Martini, vice president of medical education for the AMA, the nation's largest organization for doctors. In addition, 123 self-appointed medical boards certify physicians

in areas ranging from addiction treatment to circus medicine without having passed the muster of the American Board of Medical Specialties or the Accreditation Council on Graduate Medical Education, Martini said.

A spokesman for specialists called the report "sort of a hysterical response" to the trend. "We can't hold medicine back. We can't use social needs to redirect advancements in medical science," said Dr. J. Lee Dockery, executive vice president of the American Board of Medical Specialties in suburban Evanston.

Dr. Marc L. Rivo, director of medicine for the Bureau of Health Professions in the Department of Health and Human Services, said the proliferation of specialists and subspecialists is a serious problem.

"Despite a doubling of the physician supply in the last 25 years, from 300,000 to 600,000, we still have large parts of the country that have no doctors," he said from Rockville, Md.

"In many parts of the country, including large cities, there are not enough generalist physicians to provide basic access to care," he said.

The rapid growth has prompted the curriculum-accrediting council to declare a moratorium until June on new subspecialty education programs, Martini said.

The federal government spends \$5 billion a year on physician training and is considering ways to increase the number of doctors in family practice or general internal medicine or pediatrics, Rivo said.

Only about one-third of U.S. physicians are generalists, compared with two-thirds in Britain and more than half in Canada and Australia, Rivo said.

U.S. generalists are paid less and work longer and more inconvenient hours than specialists, a fact not lost on medical students, said Dr. Robert H. Waldman, vice president for medical student and resident education at the Association of American Medical Colleges.

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