

Custody war rages but overlooks child

In cases of adoption, as in all cases of child custody, after all has been said and done, only one thing truly matters: the welfare of the child.

Although the parties concerned understandably expect custody determinations be made based on questions of their own perceived notions of fairness, the child's welfare, both physical and psychological, must be appropriately weighed.

In a case in which the child has reached the age of 10 and can form an intelligent opinion on her own behalf, someone should undoubtedly listen.

No one is listening in the case of Kimberly Michelle Mays of Sarasota, Florida, who celebrated her 10th birthday on Tuesday.

No doubt the case is a tragedy of the first order.

All was well during the first 10 years of Kimberly's life, a time spent with Robert Mays, the man she thought to be her biological father.

But then Arlena Twigg died from heart disease. Arlena was the only other white girl born in the same hospital as Kimberly on that fateful night 10 years ago in Florida. After her death, genetic tests proved that Arlena was not related to Regina and Ernest Twigg, her supposed parents.

The Twiggs initiated a \$100 million lawsuit against the hospital, and tracked down Kimberly.

Now the Twiggs — a large family accustomed to financial hardship — want Kimberly.

They believe they have every right to demand their biological daughter, provided they can prove that point, and in the narrowest legal point of view, perhaps they are right. But only if all common sense is thrown to the wind.

Mays — whose wife died giving birth to either Kimberly or Arlena — has refused to allow Kimberly to undergo genetic testing. He wants to know if the Twiggs will try for custody before he agrees to anything.

Clearly, this is a case in which the child's welfare needs to be considered if there ever was one.

Kimberly has no desire to leave the man who raised her. Why should she have to suffer such a traumatic move?

Unless the hospital can be shown to have conspired with Mays to arrange the baby swap, we can see no reason to disturb a healthy relationship and replace it with a dubious one.

We believe that even if the Twiggs establish proof that they are Kimberly's biological parents, Mays would have every right to pursue his own claim to custody. And in light of the child's welfare, Mays would have the better case.

The only case the Twiggs should pursue is the one against the hospital. Kimberly should be allowed to pursue a normal childhood with the father she has come to know and love.

Agency's report misses as nursing home guide

While the Department of Health and Human Services may be heading in the right direction with its recently released report on the state of the nation's 15,000 nursing homes, the current document has its problems.

First of all, the report, which was meant to serve as a consumer guide of sorts, was poorly conceived.

The failure of the report rests in its generalities. Whenever the report gives a facility a black mark in a given area, it neglects to mention why. It simply reports that the facility did not make the grade.

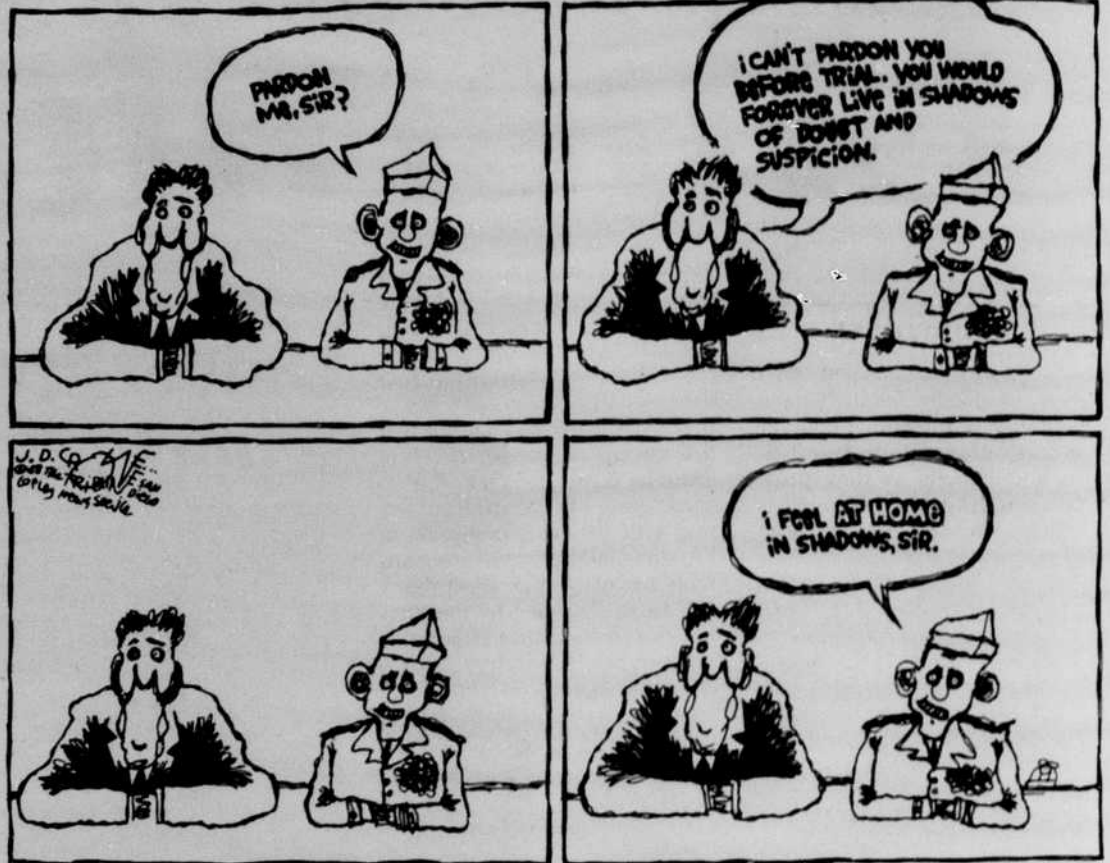
Nursing home owners have expressed rightful dissatisfaction with the report. And complaints have come from both those who failed and those who passed with flying colors. No one is happy with the format.

Another problem with the report is that the agency only looked at 32 indicators, such as each facility's compliance with a doctor's directions in administering drugs, and therefore overlooked many other problem areas.

Such a sampling, coupled with the simplistic grading system used by the report, can only hope to mislead consumers looking for a quality nursing home.

The most obvious problem with the report is its failure to distinguish between a facility's serious, continuing deficiencies and another facility's first-time, minor infractions. Already the report has suffered attacks from both consumer advocates and outraged nursing home owners. But the bottom line is that the whole process was erroneous. Several nursing homes that stand on the precipice of decertification for blatant and disturbing faults scored highly on the agency's generalized scoring system.

Now we are told that the agency plans a survey to formulate a guide on the nation's doctors. A wonderful idea. We can only hope that it receives more intelligent attention.



Letters

Stereotypes

In reference to Michael Dawson's letter (ODE, 12/5):

Mr. Dawson, it is amazing to me that you as a sociology major could make such a narrow-minded stereotypical judgment. I don't know who it was that made the statements you referred to, but if you feel that the comments of one individual are indicative of the attitude held by my whole fraternity or the entire Greek system, you are lost. I say one individual because in your letter you stated one of the two involved was on our property (which I might add does not necessarily make them a member).

After playing four years of high school basketball on a team which consisted of players from four different races, I would say that I established stronger friendships with those players than I did with members of my own race. I continue to play basketball three times a week at Esslinger gym with many different minorities and have developed many new friendships over there. Why not use my attitude on racism to support your ill-informed stereotypes?

Your letter makes about as much sense to me as saying "I heard one sociology major call someone 'nigger,' therefore all sociology majors are racists." I admit that racism does exist within the Greek system, but we are not the sole cause and do not deserve to be singled out. Mr. Dawson, I think you would do well to educate yourself to the fact that there are

many minorities that play an active role in the Greek system, before making another one of your grossly unfair sweeping generalizations.

Mike Barrett
Member, Sigma Alpha Epsilon

Plea for help

I know you will be surprised to receive a letter from an invalid leper from this isolated island of unfortunate people, but praying for your kindness and understanding, I took the courage to write to request you to please print in your newspaper an article about my desperate plea for help.

I am a widow with seven malnourished children. It breaks my heart to see my children cry because they are hungry. Their few clothes are already worn out. I cannot provide for my children anymore because my sickness has deformed me severely and I am already bedridden. What keeps us alive is only the food ration our government gives for patients like me, but this food ration is hardly enough for us.

I just hope to find someone who may want to share with us some of his or her graces and send us some food and old clothes he or she doesn't like to wear anymore and I promise to be very, very grateful.

I know this is a shameful thing to ask but my children are sickly and starving, so I've got to find help somehow, even only this Christmas. So I am begging you with all my heart,

please help me with my request.

Mrs. Guadalupe Berdon
Patient no. 01708
Culion Leper Colony
Culion, Palawan 5315
Philippines

Not tarnished

Racism, indeed discrimination of any kind, is wrong and must not be tolerated. Michael Dawson addresses this issue in his letter (ODE, 12/5). Apparently, Mr. Dawson does not realize that he is committing the very offense that he condemns in his letter.

Discrimination is the singling out of any distinguishable group, and that includes the fraternities and sororities of this campus. Mr. Dawson labels the Greek system the same way a racist labels blacks or an anti-Semite labels Jewish people. The actions of a few members are, according to Mr. Dawson, indicative of the beliefs of the whole group. Each member of each house on this campus has his or her own opinions, and if a few members of one house (if they are, in fact, members of that house — there is no clear proof that they are) are racists it does not mean the whole Greek system is racist. I can assure you that our brotherhood is not tarnished by racism, and, Mr. Dawson, we do not appreciate being discriminated against.

Brendan Mulligan
Phi Kappa Psi

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