

Ruling likely to support restrictions

By **RAYMOND A. WITTEK**

Supreme Court Justice John A. Garbarino yesterday reportedly leaned toward support of the state's new parent "gag rule" at Willowbrook State School.

The judge officially reserved decision following a conference in his chambers on new guidelines governing the relationship of Willowbrook staff members and parents' groups.

However, attorneys for both sides agreed when interviewed later that the judge believes the new guidelines submitted by the state are "reasonable" and necessary to effective operation of the institution.

The new guidelines contain the controversial key provision that parent groups may meet with staff members on the in-

stitution's grounds only, with the knowledge and approval of Dr. Jack Hammond, school director.

Robert L. Feldt, attorney in charge of the Legal Aid Society's Staten Island Neighborhood Office, called the new guidelines "new wine in an old bottle."

He said the new guidelines are "just couched in more palatable terms" than Dr. Hammond's Dec. 3 memorandum in which he forbade staff parent groups on school grounds without authorization, either during work hours or during off-hours.

As a result of the memorandum, Feldt, acting on behalf of the parents of four children at the school, went into Supreme Court last month to have the memorandum rescinded.

NEW GUIDELINE

Last Jan. 20, the state voluntarily agreed to rescind the memorandum but was given permission by Garbarino to draw up a new set of guidelines, which were submitted Jan. 28.

The guidelines studied yesterday reportedly are the same that were submitted Jan. 28, except for the deletion of one paragraph that was considered extraneous.

Dr. Hammond reportedly issued the controversial memorandum in the wake of reports of child neglect and mistreatment which the Advance disclosed in a series of articles in mid November.

Dr. Hammond was said to have blamed Dr. Michael Wilkins, a medical practitioner, and Mrs. Elizabeth Lee, a social worker, for making information available to the press. Both were dismissed Jan. 5.

Feldt said yesterday that Dr. Wilkins and Mrs. Lee, represented by other counsel, are expected to seek reinstatement in an action to be initiated soon in Brooklyn Federal Court.

Feldt also disclosed that he intends to initiate in the same

enabling them, as they said in court papers, to "become involved in the treatment of our children" and "to learn how we could contribute to their care."

Feldt viewed the guideline struggle as a "confrontation of parents of patients and bureaucratic inertia."

Replying to Feldt's statement that the new guidelines are "new wine in an old bottle," Deputy Assistant Attorney General David Spiegel said he considered the guidelines "revitalized wine in an old bottle."

Spiegel indicated that while the judge considered the new guidelines "reasonable" he believed that Feldt was "dealing with situations that haven't happened."

Feldt agreed that Dr. Hammond has a statutory responsibility for the "orderly conduct of business and the safeguard of health" at the institution, but he felt the new guidelines "invite an abuse of power" by permitting the director to "unreasonably withhold meetings." He said he believed that this would constitute a violation of the constitutional rights of parents to free speech.

court a "right-to-treatment" action, in which it will be claimed that children at the school are being denied "effective treatment."

The new guidelines, it was reported, will give Dr. Hammond the right to know and presumably exercise meetings at the school.

Both Dr. Wilkins and Mrs. Lee had participated in group meetings, which parents represented by Feldt believed filled a gap at the school.