

Legal Aid files suit to aid mentally ill

By WILLIAM HUUS

The Staten Island office of the Legal Aid Society has submitted formal papers in Brooklyn Federal Court, seeking a preliminary injunction against the state and Gov. Rockefeller to "prevent irreparable harm to patients and deterioration" at Willowbrook State School.

The action came at a pre-trial conference on a suit filed by the society last March 17. Justice Orrin G. Judd listened to arguments from both sides and scheduled a hearing on the motion for July 21, the date the injunction papers are returnable.

Robert Feldt, the attorney in charge of the society's Island office, said the suit is a class action and is intended primarily to "eliminate the harsh practices of seclusion and constraint" presently being brought upon the patients at the institution for the mentally retarded.

Five areas in which the group

is seeking relief are specifically spelled out in the injunction request. The papers ask the court to order the state and Willowbrook to:

- Institute a comprehensive health program under which the medical needs of each patient would be determined and treated regularly, rather than operating under a once-a-year checkup system.

- Install a screening system to evaluate the total psychological and educational levels of each patient and continue the process at regular intervals for the moderately and severely retarded. Offer a placement program to help those only slightly retarded

function outside the institution.

- Proceed with the speedy hiring of additional staff workers of all kinds and repair all physical facilities which pose a threat to the residents.

- Stop new admissions to reduce over-crowding, and develop a foster care program, which would allow some of the patients to live off the school grounds.

- Stop the planned construction of three new, large state mental facilities in other parts of the state and develop plans to build smaller, more localized institutions.

Attorneys for both sides were instructed by Judd to exchange legal memoranda of their arguments before July 21 and be prepared to argue the five requests specified in the complaint at the hearing next month.

Feldt said that if the court grants any or all of the requests being sought in the preliminary injunction, the society will move to have a permanent injunction brought in those areas.