

# Willowbrook care suit seeks city intervention

By DAN DOLGIN

The attorney for the Richmond County Society for the Prevention of Cruelty to Children filed a motion before Family Court Judge Ralph Cory yesterday in an attempt to force the city to intervene into the health care crisis at Willowbrook State School.

Judge Cory agreed to hear a motion turning the case into a class action suit, in the name of all mentally retarded residents of Willowbrook under the age of 21.

The judge will also consider adding New York City and the state Department of Education to the list of defendants, which already includes New York

State and the Department of Mental Hygiene.

The case has been adjourned to July 27, when the court will listen to arguments of the attorney for the society as well as those for the defendants.

The Richmond County Society for the Prevention of Cruelty to Children officially disbanded less than a month ago, due to lack of support and funding, but is completing the Willowbrook court case, which was started before the group's dissolution.

The society held hearings and investigations into the problems of health and education at Willowbrook last winter and spring.

The present petition names a specific Willowbrook resident

and his parents as plaintiffs in the court action.

"According to Section 232 of the Family Court Act," stated Ira Raab, attorney for the society, "the court has jurisdiction over all the state's mentally retarded under age 21. We now want the Family Court to make a determination of neglect.

"If the court does so, then the judge can take the children and place them under the jurisdiction of the city Department of Social Services."

The Department of Social Services is largely federally funded and would be responsible for overseeing the welfare of each child referred to it, if the court action is successful.

"Since 75 per cent of the Social Services" money is federal money, this would mean the involvement of the city and federal governments both financially and administratively in the operation of the school," Raab commented.

The conditions at Willowbrook are also under legal assault in the U.S. District Court in a class action filed against several state and school officials by the New York Civil Liberties Union.

The District Court suit demands that immediate emergency relief be provided for adequate health care of Willowbrook residents. The suit contains argument that Willowbrook is too large to provide minimum health standards to the patients and recommends transferring residents to smaller homes.

The Family Court suit urges the court to force greater quantities of money and aid into the Willowbrook facility, rather than cutting down on the facility's resident population.

Raab quoted former Willowbrook director Dr. Jack Hammond as saying that the school needed "at least \$30,000,000 more a year" to operate satisfactorily. Willowbrook's present annual budget is approximately \$28,000,000.