

State \$\$ for Willowbrook called 'certainty'

By TERENCE J. KIVLAN

The State Legislature is "virtually certain" to appropriate the money that Gov. Carey needs this year to implement the consent judgment against Willowbrook Developmental Center, a spokesman for Senate Finance Committee Chairman John J. Marchi said yesterday.

"There seems to be little doubt that the funds will be provided," added Gerald McLaughin of the Staten Island senator's borough office.

When the out-of-court agreement was announced Monday, some observers expressed skepticism about Carey's chances of extracting the money from the Legislature, which recently pared \$10.5 million from a special \$16.7 million fund that the governor had requested to pay for the imminent legal settlement.

But, McLaughin pointed out yesterday, at the time of the cut, the Assembly Ways and Means Committee and the Senate Finance Committee had explained in a joint report that "the appropriation requested to meet all the requirements of the Willowbrook court decision are deducted without prejudice pending resolution of the litigation."

"This was done so that if a settlement was reached they could appropriate the additional money in the supplemental budget," McLaughin said.

The supplemental budget is passed by the Legislature at the end of its spring session. It provides funding for items that the Legislature has reconsidered or had pledged to support in the original budget if certain conditions were met.

The Legislature normally completes work in May. But this year, with major differences remaining to be re-

solved, between the Republican-dominated Senate and the first Democratic administration in Albany for years, the session could drag on well into June.

Meanwhile, Judge Orrin G. Judd will hold a hearing Wednesday at 2 p.m. in Brooklyn Federal Court to discuss the advisability of approving the proposed consent judgment in the three-year-old federal lawsuit against the Staten Island mental institution.

According to lawyers involved in the case, the judge will probably make his final determination in the suit at the hearing. If Judd approves the judgment, the state will be under a federal court order to carry out sweeping reforms at Willowbrook and eventually phase it down to a 250-bed institution open only to Staten Islanders.

In another Willowbrook development this week, Carey made a specific exception for consent judgment funding when he threatened to veto all legislative appropriations that were not accompanied by bills to correspondingly increase taxes.

The governor explained that he had a "moral obligation" to abide by the settlement that he agreed to last Saturday.

According to Carey's estimates, the consent judgment will cost the state \$16 million this year and \$10 million and \$14 million respectively in 1976 and 1977.

A copy of the proposed consent judgment is on display for parents and other interested persons on the bulletin board of Building 1 at Willowbrook. Another document is available in the Staten Island office of the Legal Aid Society at 42 Richmond Terr., St. George.