

Willowbrook panel wins in high court

Advance Washington Bureau

WASHINGTON — The Supreme Court yesterday let stand a lower-court decision ordering state officials to provide additional staff for a consumer panel that monitors the Staten Island Developmental Center, Willowbrook.

The justices declined to hear arguments by attorneys for the state Office of Mental Retardation and Developmental Disabilities, who had said the state should not be required to reimburse panel members for expenses.

The case stems from a suit filed in 1972 that charged the facility, formerly called Willowbrook, was 65 percent over capacity, the buildings were inadequate and the environment so dehumanizing that many residents had deteriorated since their arrival.

In a detailed 1975 judgment, the state was ordered to hire additional staff and reduce the institution's mentally retarded population to 250 residents by May 1981. Under the judgment, the Willowbrook Review Panel and two other panels were set up to oversee enforcement of the decree.

State officials, in appealing a lower tribunal ruling involving one of those panels, the Consumer Advisory Board, said that the board already had seven members and that an additional \$130,000 funding went beyond what the 1975 judgment required.

The Willowbrook Review Panel had asked that state officials provide the consumer board, comprised of parents and relatives of the institution's residents, with four professional staff members and a secretary.

Brooklyn Federal Judge John Bartels agreed, saying the consumer members were unable to perform their assigned functions without additional staff.

On appeal, state officials told the Supreme Court justices that the lower tribunal had "written a blank check" to those bringing the suit.