

erred in finding widespread violations of the 1975 consent decree.

Chris Hansen, one of the New York Civil Liberties Union attorneys who brought the suit charging widespread violations of the consent decree, said he was "delighted" with Magnone's appointment.

"I look forward to working with him," Hansen said. "I'm pleased that the judge has made an appointment and I have no reason to believe that Dr. Magnone won't be of marvelous assistance to New York in implementing the consent decree."

Hansen said the judge's instructions make it clear that the master is being appointed as a monitor only, not to "substitute himself for the director of Staten Island Developmental Center or the commissioner of mental retardation."

"That was a concern of some state officials, but his directive shows that it wasn't a valid concern," Hansen said.

Some state officials see Magnone's appointment as a replacement for the Willowbrook Review Panel, a group that had

monitored compliance of the consent decree for six years before losing its \$350,000 a year in state funding because of legislative complaints about some of its recommendations.

Hansen said both Magnone and the panel have similar mandates, but noted that Magnone will have a significantly smaller staff.

Magnone is limited to a budget of \$169,000, which is to include two full-time staff members, a secretary and money for expenses including transportation to and from Ohio, where he is to remain director of the state's retardation agency.

Bartels said he considers the \$169,000 to be the "costs" of the legal action brought by the Civil Liberties Union and other groups and therefore "no specific application to the Legislature will be necessary."

Senate Mental Health Committee Chairman Frank Padavan, R-Queens, who had lobbied to cut off funding for the Review Panel, could not be reached for comment on whether he agrees with the judge's assessment. In the past, he charged the judge had overstepped his authority into areas within the jurisdiction of the state Legislature.

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