

CIVIL RIGHTS---INDIGENT PREGNANT WOMEN HALT CLOSING OF MATERNITY
HOSPITAL

Wembly v. Hudson County Board of
Chosen Freeholders (Superior Court,
Law Division, Docket No. L 24086-70
P.W., Order entered May 4, 1971) by
Timothy K. Madden, Theodore A. Gardner,
and Cyrus Frank, Hudson County Legal
Services, and Raymond A. Brown, Esq.,
Jersey City.

This suit thwarted an attempt by the Hudson County Board of Chosen Freeholders to close the Margaret Hague Maternity Hospital, where 6,498 infants had been delivered during 1970, 69% of them to parents classified as "medically indigent." Approximately 87 percent of the medically indigent patients were black, Puerto Rican, or Latin American. On March 11 the Freeholders directed that the hospital be closed no later than July 1 "in the interest of economy." The plaintiffs, pregnant women requiring maternity services subsequent to July 1, instituted this action in conjunction with the Jersey City Chapter of the National Association for the Advancement of Colored People. The plaintiffs contended that the closing of the hospital would be arbitrary, capricious, and unreasonable, and would constitute a denial of State and Federal guarantees of equal protection of the laws.

On May 4, 1971, Appellate Division Judge Mark A. Sullivan signed an order temporarily preventing the termination of services at the hospital. Subsequent to the signing of the order, the Freeholders rescinded their March 11 directive and voted to keep the hospital open on a limited service basis.

Synopsis; Complaint; Memorandum of Law; Order.