

Doctor loses out in 2 court battles

By Pamela Zekman
and Karen Koshner

Dr. Arnold Bickham, who is challenging the state's authority to regulate his abortion business, lost two court battles Wednesday.

In one, a Circuit Court judge temporarily prohibited abortions at Bickham's South Side medical clinic.

Judge Francis T. Delaney issued the temporary restraining

order prohibiting Bickham, or any other doctor, from performing abortions at his Summit Medical Center, 850 W. 103d, which has been operating without a license



MEANWHILE, U.S. District Court Judge John Power Crowley refused Bickham's request to continue a restraining order that had prevented the Illinois Department of Public Health from enforcing state regulations at his second clinic, Water Tower Reproductive Center Ltd., 840 N. Michigan.

Assistant Atty. Gen. Terry Troy said this allows the state to move against the Water Tower clinic, which has not been inspected by the health department since November, 1977.

These actions followed disclosures by The Sun-Times and Better Government Assn. of Bickham's success in avoiding state regulations at both clinics while dangerous medical practices routinely occur at the Water Tower facility.

The Circuit Court order is effective until Nov. 27, when attorneys for the state will return to court to ask for a permanent injunction or until the clinic's attorneys can persuade a federal court judge to overturn the action

of the clinics named in the Sun-Times' Abortion Profiteers series, inspectors were denied admittance to Summit, which has had an application pending with the health department since July. Although it had not yet been inspected for final approval, the clinic was accepting appointments for abortions and, according to at least one employee, has been routinely performing them.

The state revoked Water Tower Reproductive's license on Sept. 25 because Bickham had refused to admit inspectors since November, 1977.

Troy said the state went to court seeking an order permitting inspectors to enter the clinic, but during the hearings the clinic's lawyers said inspectors would be admitted.

Troy said the his office did not act sooner because the state suspected that abortions were being performed at Summit, but inspectors were not allowed inside to find out. He said his office discovered evidence Tuesday that confirmed the state's suspicions.

He submitted an affidavit signed by BGA investigator Mindy Trossman. Working undercover at the Water Tower clinic, Trossman said a doctor there told her he also performed abortions at Summit.

THE CLINIC'S attorneys did not challenge the state's contention that Summit is performing abortions.

Arguing for the clinic, Aldus Mitchell said a federal court order that prevented the state

from enforcing state regulations at the Water Tower clinic also would apply to Summit because the two were "alter egos" of Bickham.

Mitchell maintained that the federal court order permitted Bickham to continue to practice medicine—including performing abortions—at the clinic while the other court cases are being decided. Troy replied that allowing Summit to continue performing abortions would be "a ridiculous result" of the federal court order.

"According to that logic, Bickham could perform abortions in the middle of Michigan Av.," Troy said.

Delaney said that as long as Bickham

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DURING SURPRISE inspections Tuesday

Doctor loses in court battles over 2 abortion clinics

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could perform abortions at the Water Tower clinic, his rights were not being denied. Meanwhile, state investigators are trying

to find out if abortion clinics named in the Sun-Times series have failed to report complications from abortions, as required by law.

That is among the possible approaches a government task force is considering as it attempts to crack down on abuses being disclosed in the series on the Abortion, Profiteers.

UNDER STATE LAW, abortion clinics must report instances of infection, hemorrhaging, perforations and other complications listed on a state form they send to the Department of Public Health.

During an investigation of dangerous medical practices in four Michigan Av. abortion clinics, undercover reporters and investigators found that at two of the clinics, the Michigan Avenue Medical Center, 30 S.

Michigan, and Biogenetics Ltd., 520 N. Michigan, the state forms were filled out before the abortions even took place.

Employees automatically checked off "no complications" even though an alarming number of patients phoned or revisited the clinics with complaints of serious complications. Some of them required hospitalization for treatment of infections, incomplete abortions, lacerations and punctures of the womb.

At Water Tower Reproductive Center staffers filled out the state forms reporting "no complications" after abortions, but without even looking at the patients' files.

Tall convict stoops to invoke the law

CLARKSBURG, W. Va. (UPI)—A gangly West Virginia prisoner who is 4 inches

taller than his cell is long has accused state penal authorities in a U.S. District Court petition of cruel and unusual punishment.

Nicholas Ira Arthur of Ritchie County, serving a 1-to-10-year sentence for grand larceny, is 7 feet 4 inches tall and weighs 335 pounds.

He has been held since March 7, 1977, in a 7-foot cell at the West Virginia Penitentiary in Moundsville and sleeps in a 6-foot metal bed.

The petition, filed in Clarksburg, said Arthur wants prop-

er clothing and more spacious quarters. It also said that since April he has needed size 15½ shoes.

"What do you do," one prison official said with a shrug, "when a guy is 7-foot-4½-inches tall and you've got a 7-foot cell?"

NU gets \$500,000 grant from IBM Corp.

The IBM Corp. has given \$500,000 to Northwestern University to establish two research chairs in the Graduate School of Management.

The grant will finance research in the fields of management information systems and of regulation and competitive practice.

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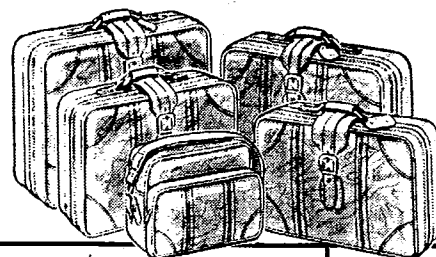
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