

New Hearing Ordered In 'Son of Sam' Case On Mental Competency

A new hearing was ordered yesterday to determine if David R. Berkowitz, suspected of being the "Son of Sam" killer, is competent to stand trial for the murder of 20-year-old Stacy Moskowitz last July 31.

Ira Jultak and David Stern, lawyers for the former Postal Service clerk, requested the hearing in a brief appearance before Justice Joseph R. Corso in State Supreme Court in Brooklyn. And Eugene Gold, who was then the Brooklyn District Attorney, said he had no objections. Justice Corso said the hearing would take place.

The two defense lawyers also asked that the hearing be held in camera, excluding both the public and the press.

The District Attorney, noting that the case already had received widespread publicity, But Justice Corso announced that he would hold a hearing on Thursday to give opponents of the secrecy request a chance to be heard.

The slaying of Miss Moskowitz was the last of six that the .44-caliber killer is accused of having committed.

Several Days of Testimony

Mr. Berkowitz had been found incompetent to stand trial by a State Supreme Court justice, John R. Starkey, last Oct. 21 after several days of testimony from experts for the defense and the prosecution.

At those hearings, the defense lawyers had relied on the testimony of a court-appointed psychiatrist, Dr. Daniel Schwartz, the head of forensic psychiatry at Kings County Medical Center. But since then, Dr. Schwartz and his associate, Dr. Richard Wiedenbacher, have issued a new report on the 25-year-old Mr. Berkowitz, saying that he has improved and is now competent to stand trial. A copy of the report was submitted to Justice Corso last week.

Mr. Gold is expected to argue that this report, plus new tests administered by the prosecution psychiatrist, Dr. David Abrahamsen, show that the accused slayer is competent.

The defense lawyers are expected to base their arguments of incompetency on tests administered by a psychiatrist they hired.