Summation and General Conclusions

HAVING examined the trial courts operating in the Detroit metropolitan area with a view to enumerating those problems which are thought to exist because of the metropolitan nature of the community, it may be useful to summarize here the general purport of some of the material set out at length hereinabove, insofar as the same relates to the precise result sought by this study.

1. Like any metropolitan community, Detroit is confronted with problems of court operation differing from those of other courts by reason of the density and mobility of the population, and the displacement of the stable elements of population. The case loads contain disproportionately large numbers of mental, chronic alcoholic, criminal, traffic, and domestic conflicts cases.¹

2. The greater size of the case loads and the types of cases comprising them necessitates large court staffs, elaborate machinery for handling dockets, and the development of specialized administrative agencies within the courts for handling sociolegal and medicolegal problems. Primarily because of the widespread and growing use of such administrative agencies, the orbit of the court extends in many cases over a long period of time, during investigation and supervision.

3. The multiplicity of governmental units found in the metropolitan community is reflected in the complication of courts operating there. Among the areas of confused jurisdiction due to the creation of coexisting independent courts

¹ Supra pp. 16-30; Chaps. III and IV, passim.
which have developed without comprehensive planning for the locality to be served, are these: the large number of small claims brought in the higher rather than the lower court, lack of authority of juvenile court over cases in which children are alleged to be mentally afflicted, lack of jurisdiction in recorder's court to diagnose and hospitalize chronic alcoholics, the small fringe of criminal jurisdiction retained by the Circuit Court of Wayne County, and the confused situation with regard to wayward minors. The most serious area of duplication and conflict, however, involves domestic cases with family or sex problems, as to many of which any of several courts may exercise jurisdiction.\(^2\)

4. The multi-judge court is a typically metropolitan feature. Such a court calls for the use of an administrative or presiding judge to secure effective court control over its large and highly departmentalized staff. The use of a long-term presiding judge with centralized control of all aspects of the work of the court appears to result in more efficient operation than the rotating of the presiding judgeship at short intervals.\(^3\)

5. The most serious problem of judicial administration encountered in the Detroit area is the lack of co-operation among courts, particularly in handling family cases. Such machinery as does exist for exchange of judicial personnel and for sharing of equipment and facilities is in disuse. With the notable exception of the Friend of the Court at the circuit court, a strong policy of local autonomy pervades each court and each department within each court. Among the most harmful results of the lack of integration of courts operating in the area, the following may be named: the existence of five different systems for obtaining juries despite


\(^3\) *Supra* pp. 75-77; 82-84; 194-203; 205-213; 217-218.
the small number of jury trials taking place; diversity of sources of financial support; the independent existence of three different probation departments and the Friend of the Court, with no means of co-operating, although their family supervision and support case loads contain much overlapping and duplication; the nonexistence of statistical records in some courts and the lack of an integrated plan for keeping records and statistical material. 4

4 Supra pp. 118-129; 234-248.