

Michigan Law Review

Volume 61 | Issue 5

1963

Virtue: Survey of Metropolitan Courts, Final Report

Paul L. Adams

Associate Justice-elect of the Michigan Supreme Court

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Recommended Citation

Paul L. Adams, *Virtue: Survey of Metropolitan Courts, Final Report*, 61 MICH. L. REV. 1024 (1963).

Available at: <https://repository.law.umich.edu/mlr/vol61/iss5/15>

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SURVEY OF METROPOLITAN COURTS, FINAL REPORT. By *Maxine B. Virtue*. Ann Arbor: The University of Michigan Press. 1962. Pp. xxv, 523. \$10.

Maxine Boord Virtue's *Survey of Metropolitan Courts, Final Report* contains a wealth of material for anyone interested in the problems of such courts. The book is the culmination of earlier studies made by Mrs. Virtue in Detroit, New York City, Chicago, San Francisco and London. Personal knowledge is supplemented by research in the available literature, by Professor James C. Holbrook's study of Los Angeles courts published in 1957 and by materials gathered by means of a lengthy metropolitan court survey questionnaire.

Mrs. Virtue opens with an excellent presentation of the modern metrop-

olis—the nature of its press, traffic, in-and-out flow of people, population density, growth patterns, mores and economic life. Present-day metropolitan court conditions are next presented in terms of multiplicity of courts, case loads, the pressure to deal with criminal, traffic, alcoholic, mental and domestic relations cases and the social maladjustments that come to full bloom in the multi-problem family.

A survey of the available literature, studies, surveys and basic references from 1635 to the present, with special emphasis on Roscoe Pound's *The Causes of Popular Dissatisfaction with the Administration of Justice*,¹ follows. The concluding section of chapter IV, Basic References, contains an exhaustive listing of metropolitan court problems for anyone interested in a checklist of this field and provides an enumeration of the matters dealt with in the balance of the book.

Mrs. Virtue is at her best when her presentation is straightforward and unencumbered by an attempt to incorporate the findings and opinions elicited by the survey questionnaire. Her attempts to collate and incorporate the highlights of responses to the questionnaires are less successful. In fairness, it must be said that this is an almost inevitable result of the questionnaire method—no matter how carefully the questions may have been phrased—since the response is bound to be of varying quality, particularly when many of the questions posed call for judgments as to whether or not due process is being achieved in a particular area, or the value of some specialty, such as family counseling, in relation to the work of the court, or the basic function of a trial judge.

From chapter V to the end of the work, where Mrs. Virtue speaks from personal knowledge, the analysis is frequently penetrating and illuminating. Multiplicity of courts, jurisdictional problems, judicial power, specialized courts such as small claims, conciliation, traffic, criminal, juvenile and family courts and specialized judges all come in for appraisal. The lawyer, juries and jury selection, the mechanics of handling dockets and case loads are considered. Pre-trial, court administrators, problems of due process in divorce, child-support, criminal and juvenile cases, where there is an increasing impingement on the work of the courts by other specialists—the social worker, the psychologist, the marriage counselor, the probation and parole officer—are reviewed.

A survey of remedies—county, state and interstate consolidation of courts, elimination of fee-paid justices of the peace, improvement and marshalling of court personnel from judge to non-legal professional staff, steps to safeguard due process—concludes the book. Copious appendices follow: a reprinting of Bulletin 1, American Judicature Society, January 6, 1914—*Causes for Dissatisfaction with the Administration of Justice in Metropolitan Districts*, Model Metropolitan Court Acts, the Questionnaire for the Study and a Bibliography.

¹ Address before the annual convention of the American Bar Association in St. Paul, Minnesota, Aug. 29, 1906.

Mrs. Virtue has surveyed a broad field. The student will not lack for areas for further study after a perusal of this book. The reformer will not lack for areas that cry out for reform, although the way to achieve better administration of justice may not always be clear. Finally, one must conclude that, in the exciting, whirling chaos and ferment of metropolitan attempts to deal out justice, more and more complicated and intricate methods of meeting the problem are continually evolving. For better or for worse, it is in these courts that the patterns for the administration of justice in the future are being shaped today. It behooves the legal profession to maintain its ultimate supremacy in this evolution while at the same time reaching out to utilize fully the new techniques from the social and medical sciences for handling the problems of people and the new mechanical aids for processing, docketing, compiling and amassing records of court activity for the further evolutions yet to come.

*Paul L. Adams,
Associate Justice-elect of the
Michigan Supreme Court*