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Detroit's New Model Criminal Court

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DETROIT'S NEW MODEL CRIMINAL COURT[1]

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An ambiguous title has been assigned to me. One can read it "Detroit's New *Model Criminal* Court," or "Detroit's *New Model* Criminal Court." I prefer the latter reading. It is a *new model* court; I would not claim for it that it is perfect.

Before telling how the new model differs from the old model it may be well to say something about the administration of criminal justice in Detroit prior to the establishment of the new court. You will easily understand conditions which prevailed because they differed in degree only from conditions common to all American cities. Detroit, like all the others, had one court to deal with the cases carrying comparatively small penalties. In Michigan misdemeanors are punishable with not more than three months' imprisonment in the jail or house of correction, and a fine of not more than $100. This court of inferior jurisdiction was called the Police Court, and it had three judges.

An entirely separate court, known as the Recorder's Court, with two judges, had exclusive jurisdiction to try in cases of felony. It had also original and exclusive jurisdiction in city ordinance cases and in suits brought for the condemnation of land.

Neither the Police Court nor the Recorder's Court possessed any administrative organization. Any judge of either court could at any time handle or refuse to handle any cases coming within his jurisdiction quite regardless of the will of any other judge. There was no supervision of the work of the judges and little chance for orderly classification of causes and the saving of time and energy through specialized work. Each judge possessed independence, in the sense that he was independent of efficient superintendence and the co-operation of his colleagues. Each judge was responsible, but responsible only to the sovereign electorate, which too often means responsible to a gang of disreputable politicians whose interests coincide more or less with the interests of criminals and other violators of law.

While these two courts were distinct and separate there was nevertheless a certain interdependence between them; in fact, a very impor-

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tant and intimate relationship. For the Recorder's Court could not try any felony case which did not originate in the Police Court. The Recorder's Court had nothing to do with originating cases. It merely took what the Police Court turned over to it after preliminary examination, or after arraignment and waiver of examination. Ordinarily considerable time elapsed between the arrest and the arraignment on information in the higher trial court. Some cases should never have been commenced; in others there should have been no holding to the higher court; in most of them there was a lapse of time which gave the defense opportunity to buy off or frighten off the state's witnesses.

So the Recorder's Court could not be held responsible for bad results. It did not authorize prosecutions nor condition them up to the moment of trial. And the Police Court could not be held responsible for felony cases for it did not follow these cases through. It could finally dispose of thousands of cases of the greatest social and civic consequence, but if the penalty in a case exceeded a fine of $100 or imprisonment to the extent of ninety days, this mere technicality prevented it from doing more than to conduct a preliminary examination. The lower court could conduct the examination preliminary to trial on the theory that this was an unimportant function, within the range of a police justice's capacity. But in reality, the preliminary examination, if one is called for at all, is one of the most important steps in a case. If badly done no efficiency on the part of the higher court can repair the damage; from the state's standpoint, the case is ruined utterly.

The mere delay caused by splitting a prosecution into two parts in two separate courts was enough to account for a considerable share of the failures to convict the guilty, and especially those experienced criminals who deliberately seek out the weak spots in our civic ramparts. Fortunately Michigan is free from that pernicious contrivance known to the criminal law as the grand jury—except once in a blue moon. But the splitting up of criminal trials served also to split up the process of prosecution. The assistant prosecuting attorney who appeared at the examination never went further, and a new assistant, strange to the case, took it some weeks or months later in the higher court. The grand jury has disappeared in Michigan except for such occasions when it can serve some affirmative end. It looks now as if the preliminary examination is to go the same way—preserved for an occasional real use, but dispensed with as an ordinary step in prosecution.

The ruining of felony cases, however, was not the only fundamental

defect arising from the old system of courts. There was an equally serious loss in respect to misdemeanor cases. Here, one might think, was definite responsibility in a single tribunal. But this was not the case, for a person convicted of a misdemeanor could readily appeal to the upper court, where he would have a second chance, after a considerable lapse of time, to avoid conviction. In Detroit practically all of the tough guys—the fellows who fattened up the shyster lawyers—took appeals when convicted in the Police Court. There were hundreds, possibly thousands, of these appeals in the course of a year. So many that they could not be tried promptly in the Recorder's Court. Some were lost forever. One dip, who had appealed after conviction and filed his bond for appearance, was four times arrested on the charge of snatching pocketbooks while awaiting his turn in court. On the other hand, an innocent and helpless victim of this devilish system got lost in the jail, having no lawyer and no bondsman, and was kept there for nearly a year.

Of course the percentage of acquittals was high in the appealed cases. It was a careless or unlucky shyster who permitted his client to go to trial until he was reasonably sure that the people's witneses were fixed or scared. If it had not been for the easy conviction of a lot of harmless folk and defectives this silly system would have stood revealed as ninety-five per cent inefficient. With all these judges and clerks and prosecutors, an imposing machine outwardly, there was yet nobody who was responsible for the due administration of justice. It was piece-work without a boss.

But we have not touched on one of the greatest evils—the evil of the straw bail bond and the bond shark. There's no need for details. An adult American who does not know about straw bail, through which the state is swindled, and bond sharks, through which delinquents and unfortunate innocents are swindled, knows very little about his country's actual institutions. The bond sharks had become rich and impudent in Detroit. At the time the new court was projected at least one judge worked in collusion with these filthy wretches, visiting the lock-up late every evening to sign bonds for those who could pay the outrageous prices charged.

Detroit was probably neither better nor worse than many other cities in respect to the shyster lawyers who hung around the jail and the courthouse. These obscene creatures, as much as any one factor, helped to create the impression that criminal law administration was necessarily noisome. They smeared the noble profession of defending the accused, who sometimes is the innocent and helpless victim of

oppression or conspiracy or misunderstanding, so that decent lawyers shrank from entering a criminal court. We can dismiss both shyster and bond shark with these brief descriptive phrases because they ceased to exist when the new model court came into operation. They scuttled into obscurity just as vermin do when the light is turned on in a filthy passage.

The whole system all the way through was perfectly adapted to soak the casual offender, the weak, the frightened, the poor and the defenseless—just that element that can be redeemed for good citizenship if given a helping hand for a time—and to serve the ends of the dips and burglars and yeggmen and hold-up men and confidence men and pimps and cadets and professional plug-uglies and gun-men and bond sharks and shyster lawyers. And that in the name of administering justice! And alongside of it campaigns for Americanizing the benighted foreigner who does not rightly understand the guarantees of liberty in our state and national institutions.

Detroit was not by any means the worst city in this respect; but it was on its way. The decent people of Detroit, led by the Citizens' League, had within a few years freed the town from a wicked political system—a board of estimates of forty-seven members which controlled and polluted the election boards of practically every precinct in the city, and a city council composed of forty-two members of the usual small caliber. They had gone on and reformed an inefficient school board. A fortunate appointment to the office of police commissioner had given the city an honest and efficient police force. The time was coming for a struggle with the criminal court situation.

The Citizens' League made a study of the field, having the benefit of guidance by its own competent attorney, and decided upon a unification of criminal jurisdiction so that responsibility could be fixed in a single group of judges. It was decided to create a unified court with a presiding judge with power to classify business and assign associate judges to special calendars, so that a single administrative head could be held accountable for the court's work.

This was the most advanced plan which was offered. There were some advocates of an inferior municipal court of both civil and criminal jurisdiction. The Citizens' League opposed this plan for two reasons: first, because there was practically no complaint concerning the inferior civil justices, but chiefly because such a scheme would continue the separation of misdemeanor and felony jurisdictions. But most proposals looked only to an increase in the number of judges in the exist-

ing courts. This would satisfy the politicians, ordinarily the most powerful group in any community.

One of the five judges of the two criminal courts, Judge William E. Heston, lined up with the Citizens' League. Later the league had the good fortune to defeat the worst judge of the Police Court, putting Judge William M. Cotter, a supporter of the new act, in his place. The official oposition was thus narrowed down to the two judges of the Recorder's Court. The fight in the Michigan legislature was long and bitter. The faint-hearted reformers with half-way measures virtually helped the representatives of crooks and crooked politicians.

The bill took the form of wiping out the Police Court and increasing the Recorder's Court from two to seven judges, giving it all criminal jurisdiction. The intention was to remove any good cause for opposition on the part of the two judges of the Recorder's Court, but they fought the dreaded efficiency just as hard as they could have fought political extinction. Success in the legislature was finally purchased at the cost of delay, for a section had to be accepted providing for a referendum vote, after submission of the bill by action of the Detroit city council. This blocked progress for nearly a year. The Citizens' League mustered over 30,000 names on its petition to the council; the vote was taken on April 5, 1920, and the count showed nearly three to one of the ballots were for the act. It remained then for the governor to appoint the five new members of the Recorder's Court. As previously agreed, he appointed the three judges of the Police Court, which had been renovated at the last election. He appointed also the two leading champions of the new court, Harry Keiden, formerly first assistant prosecutor, and Pliny W. Marsh, counsel for the Citizens' League.

Fifteen days after election the court was organized and the judges chose Harry Keiden to be chief justice for the first year. The business of the court was classified and the several judges assigned to special branches. Judges Keiden and Heston took over the trial of felony cases; Judge Marsh was assigned to traffic cases; Judge Cotter was placed at the gateway to superintend the issuing of warrants, to sort out all the cases on first arraignment and to try domestic relations cases. Judge Stein devotes part of his time to preliminary examinations but the greater part goes to trials of misdemeanor cases. Judge Jeffries, one of the old judges who fought the new court, is encysted in a branch where land condemnation proceedings are heard. His former colleague, Judge Wilkins, has been in hospital since the new court began to operate.

Detroit furnishes a model courthouse for criminal court business. It is located close to the jail and the municipal hospital. There are no branches at outlying police stations, so the sorting of prisoners for specialized branches is entirely feasible and the entire body of judges is always available for any special assignments, or to relieve each other. The full benefits of a flexible organization with administrative direction from day to day and from hour to hour are available. There are no outposts of criminal justice to be wheedled or browbeaten by political bulldozers. There's only one place in Detroit where criminal justice is administered. That place is a citadel.

In estimating the success of the unified court it must be remembered that the new court began with dockets long in arrears. Let me quote a few facts from the bulletin of the Citizens' League published a few weeks before:

"Four hundred men and women are jammed into the corridors and cell blocks of the county jail, which was designed to care for less than two hundred prisoners.

"The Recorder's Court is approximately 1,200 cases behind its docket, with the result that the average case cannot be tried from four months to a year after the crime is committed.

"This long delay causes great hardship in many instances, to witnesses as well as persons charged with crime. Three girls, all less than seventeen years old, have been detained in the Juvenile Detention Home from four to six months while the men charged with the offense against them have been permitted to roam at large on bail.

"Harold Gardner and John Papricola were held as witnesses, in the case of People vs. James Burns and Gerald Witte, from October 7, 1919, to December 19, 1919. After this long confinement, the defendants were discharged and an order entered for the release of the witnesses named.

"Besides the loss of their liberty and the mental, moral and physical deterioration from such long confinement of these unfortunate persons held as witnesses, the cost to the taxpayers for their keep amounts to a considerable sum. Space does not permit a multiplication of these instances, but the above illustrations will suffice.

"The total number of cases disposed of during the September term was 472, with 677 cases bound over from police court.

"Since the May criminal Recorder's Court docket was published, the total number of criminal cases on the docket has jumped from 677 to 1,215."

The new court found the docket of felony trials several months in arrears. By concentrating upon the weak spots the new organization, using very little more judge power, if any, than the former courts possessed, succeeded in cleaning up all the arrearage, while new business was disposed of as it came in. Of course this involved some desperately long days and hard work for the judges. But they realized that progres would be cumulative, just as slackness had been cumulative in the old regime. Promptness makes for less crime; delay augments the volume.

In a few weeks the apparent need for a new jail disappeared for the jail population was placed below normal, instead of away above that figure. Early in July there were but 122 jail inmates. The judges were working long hours and besides had instituted a night session, partly to increase the output and partly to prevent the need for so many bail bonds. And having brought the court to the point where it was trying all offenders within a few days from arraignment, it may be in order to refer again to the bond sharks and the shysters. I have said that these two sets of rogues simply faded away. That is literally true. They could see that the men in the new court would not compromise with them. They had fought the reform in the legislature and in the city election. They were down and out. Bail bonds were greatly reduced in number so that it was easier to scrutinize sureties. No doubtful bonds were approved. Of course the bond sharks could not afford to jeopardize valuable property by pledging it for the appearance of professional crooks. It required only a little ordinary vigilance to put the bond sharks entirely out of the running. A bail bond in Detroit now means just what it says. The experienced crook probably does not get bail, but, on the other hand, he does not have to wait for the prompt trial which the constitution guarantees him. On the other hand, hundreds of casual misdemeanants, who would not flee the jurisdiction anyway, are released over night on a small cash bail or on their own agreement to appear for trial.

The shyster did not last any longer than the bond shark. The solicitation of business in the courthouse corridors was easily stopped by stationing an officer of police for this purpose. But the business of the shyster was itself done away with largely by prompt and business-like methods. The crook usually employs counsel because he is given to understand that this lawyer, or that one, has a special "drag" with the judge; or that the manipulation of witnesses and the maneuvering for continuances makes an adroit lawyer necessary. In Detroit everybody knows that there is no such thing as influencing the judge. Most

crooks can see no object in employing lawyers unless they have pretty good cases. The lawyers appointed to try the cases of the poor are chosen from the ranks of decent lawyers. The old gang of criminal court shysters is picking up a living in some other way now. The few who get into court occasionally on retainers do not do the least harm.

In Detroit no warrant for arrest can be obtained except through the judge designated to guard this important function. If there should ever be any abuse of this power the judges and the public would immediately know whom to blame. Of course Judge Cotter does not personally talk with all the people who think they have justifiable complaints. The power must be delegated, but it is not loosely delegated to assistant prosecutors or other irresponsible persons who may have political debts to pay or political grudges to avenge.

Every request for a warrant goes first to Mrs. McGill, a keen-eyed little woman of long experience, who has her desk between Judge Cotter's courtroom and a room occupied by an officer of the police detective bureau and his two assistants. Mrs. McGill is able to compose a good many quarrels and others are settled by police officers after personal investigation. A good many clothesline cases which would make business for magistrates on a fee basis are brought to conciliation.

Suppose that a warrant has issued, or an arrest on sight has been made, in a misdemeanor case. The respondent, if in a condition to attend court, will be arraigned that evening in night court, or on the following morning. If arraigned in the forenoon and the plea is not guilty, trial will be had in the afternoon of the same day, unless the prisoner is found to be genuinely in need of a continuance to get evidence. Continuances, when granted, are for reasonable periods, such as two or three days, instead of two or three weeks. The case is not allowed to get stale. But in the majority of cases there is a plea of guilty and sufficient facts are at hand to permit of final disposition immediately after arraignment.

Arraignment is had in the same way in felony cases, but the respondent is asked if he wants a preliminary examination. If he says yes, the examination will be held on the afternoon of the same day unless a genuine reason for delay is shown. But very few respondents want an examination and the prosecuting attorney has found the examination unnecessary from the state's position. The preliminary examination is a relic of pioneer conditions. It serves but a limited purpose in a unified court which provides a trial speedily. This purpose is served when an innocent person is under accusation,

and can prove his innocence, thus avoiding the humiliation of a formal trial.

The new court has the advantage of being in a state which is free from the humbuggery of the grand jury. A grand jury can be called at any time by a Michigan judge, but the need of one is felt not oftener than once in a decade in the entire state. So in the new court there is no grand jury hurdle for felony prosecutions to get over between the first arraignment and the appearance in the trial courtroom.

So in the cases in which examination are waived in the morning there is arraignment on information late in the afternoon before Chief Justice Keiden. If the respondent pleads not guilty his trial will be set within a few days, usually within a week. A lawyer will be appointed to defend him if he is a man of small means. He does not need to be entirely "broke." The new court is a money-making institution and can afford to give a capable and honest lawyer without cost to those who could ill afford to hire a lawyer. (Just between you and me, I think the court actually saves money by hiring a respectable lawyer. But the main point is that the need for the public defender seems to be met in an unexpected way.)

But if the respondent pleads guilty he is warned of the consequences. Judge Keiden carefully explains the meaning of the information. He tells the respondent what the maximum and minimum penalties are and asks him if he has been advised or influenced in any way to plead guilty, or if any promise has been held out to him.

If the respondent answers that the officer told him that he might get off easier by pleading guilty, Judge Keiden enters a plea of not guilty, assigns counsel, and sets the case for trial before a jury.

If the respondent says that he thought he might get a lighter penalty by pleading guilty he is made to understand that the court does not rely on intimidation for convictions.

In any case of willingness to plead guilty, Judge Keiden does not stop with that, but questions the respondent and does not actually find him guilty until he is satisfied that all the technical and legal elements of guilt are established—that the respondent did at the time and place charged commit the precise technical offense complained of. Occasionally at that late stage, when the respondent is at the very threshold of the penitentiary, it appears that he should have been charged with a crime of lesser degree, in which case he goes back for a new arraignment, and possibly a sentence to the workhouse instead of the state prison. And in every case of confession the judge gets as far as

possible all the related facts and incidents for their bearing on the choice of sentence.

Is there any other criminal court so tender of the rights of the guilty?

The Detroit new model court can afford to be sure that no mistake is made. It does not need to strive for a record of convictions. Its *promptness* and the *elimination* of *shyster lawyers* has made convictions relatively easy. It can well afford to see that no mistakes are made.

At any rate, the undoubtedly guilty criminals charged with felonious acts are under commitment to prison within a few hours of the time of arraignment, and the others are tried within a week or ten days.

We have seen how careful the court is to see that its process is not abused and that innocent persons are not punished, and that the law is not strained to reach the guilty. Let us also see how well it succeeds in meting out punishment to the genuinely guilty.

Crime of all kinds was common in Detroit, but there was no kind probably which better illustrated the breakdown of civic institutions than the hold-ups. Last winter there were four on the average every night. Merchants were held up in lighted stores, automobile parties were held up on the streets and even homes were invaded by these daring rogues. The police did some clever work in catching hold-up men, but they wriggled through the meshes of the law like eels, and crime increased.

Under the Michigan statute this crime is defined as robbery while armed with a deadly weapon with intent to kill if resisted. This makes it a difficult charge to prove. When the crime trust had full swing in Detroit, only a few months ago, and the shyster lawyers were working the alibi game in full blast, it was very difficult to get a conviction.

Chief Justice Keiden took these cases himself. Eighteen were tried and every one was convicted. The jury had doubts in the nineteenth case so they merely found the respondent guilty of carrying concealed weapons, for which he received a sentence of two years. Then the series of convictions was continued without a break until about July 4 the number had reached thirty-four. All but two were given a minimum of fifteen years, and in those cases the minimum was ten years. Since that time the convictions have reached an even fifty in this one class of cases—the murderous hold-up man, armed with a deadly weapon.

Was ever such a record made before—fifty convictions for robbery with a deadly weapon in four months?

At the end of June the Detroit News published a news article from which these paragraphs are taken:

"Two months ago today, Judge Keiden, presiding in the new municipal court, imposed his first sentence of fifteen years on a bandit convicted of holding up a pedestrian.

"That sentence marked the beginning of a new order in Detroit.

"Today twenty-nine convicted Detroit bandits are in prison at Jackson or Marquette for terms of from ten to twenty-five years. Today hold-ups and armed robberies have decreased fifty per cent from the total in April and forty-five per cent from the total in May. In April 118 armed hold-ups were reported; in May, 108.

"In the first twenty-eight days of June there were only 58.

"The sentences imposed by the new court have had a good effect in decreasing other crimes also. The number of larcencies from the person reported dropped from 57 in May to 38 in June, murders dropped from 13 to 5, and breaking and entering business places from 118 to 92.

"Two months ago hold-ups and armed robberies were averaging four a night in Detroit, with anywhere from eight to a dozen being reported some nights."

In the last week of the old court the traffic cases yielded $400 in fines. This was probably about twenty cents each for the total number of offenders summoned by the police in that week. Such trifling fines were not deterrent. Only the unlucky got stung in the speeders' court. The result naturally was general indifference to the traffic rules and a large number of accidents. In May, for instance, there were thirty fatal accidents in Detroit's streets, twenty-two of which were attributed to automobiles.

The new court began with a levy of $3,500 in fines in the traffic branch the first week, and since then has averaged about the same. Most auto cases fit into a few general classes. Fines appropriate to these offenses are pretty well standardized and they are imposed with machine-like regularity regardless of personality. Persons convicted of driving cars while intoxicated are sentenced to thirty days in the house of correction without option of a fine. The Traffic Court will collect nearly half a million dollars a year in fines. Bootleggers are also required to help out the city's finances, $500 being the usual fine in such cases.

One of the arguments most relied upon by opponents of unification was that in the hasty disposition of misdemeanor cases there would be occasional mistakes, or prejudice on the part of the judge, which should entitle the respondent to a new trial. Hence, these objectors said, "You should not unify these two courts, for that will force the poor devil who has been soaked for infraction of a city ordinance to appeal to the Supreme Court, and there will be no record to appeal on. Most such cases are tried without a jury. Either the respondents will be in danger of despotic injustice from the judges or they will demand juries so commonly as to tie up the whole court. You can't afford to give them two or three hundred jury trials a day. The only alternative is to keep the two courts separate, so there can be appeal and retrial as a necessary safeguard."

That looked like a powerful argument. But the friends of unification knew that very few persons benefited from the right to appeal except the professional crooks, and that in their cases appeal regularly prevented justice from being administered.

So they wrote into the act this provision: that any person tried for a misdemeanor without a jury, if dissatisfied with the court's judgment after finding out what the sentence would be, could within fifteen days demand retrial with a jury. This gave all the protection of the old system, and more, to deserving persons. Of course one who is tried on a misdemeanor charge *by a jury* is no more entitled to a second trial than is a convicted felon. Finally, it should be noted, this provision has worked ideally for there has been no increase of jury demands and the demands for retrial under this provision have averaged only about one to 300 cases.

The visitor to Detroit's new model court will find a remarkable example of expedition without hurry. In most courts so much time is squandered in useless motions that it appears necessary to rush the little cases through at one a minute or faster. But in this court the elimination of needless continuances, the saving of time formerly consumed by blatant criminal defenders and the longer hours of work permit of giving deliberate attention to the numerous minor cases, mostly misdemeanors, some of which are defended and some not defended. These cases are no longer treated as inconsequential. The new court looks ahead. A few minutes devoted to a small case today may prevent a more serious case and save a whole day a few months hence.

In other words, the new court has begun to assume the true function of criminal law machinery—the prevention of crime—and it

is the first criminal court in the United States which has ever been able to attempt this function. No other court has ever had entire and undivided responsibility.

Under the old regime there was little effort to develop modern criminological aids. The probation system in a city of a million comprised a total of fourteen workers. It takes some time to expand this tenfold to meet needs, but the plans have been made and in a few weeks will be in force. There will be several hundred volunteer probation workers, each limited to one case at a time.

The old courts sneered at the suggestion of a psychopathic laboratory. The founders of the new court wrote that detail into the law and the judges are now looking for a competent director of the psychopathic laboratory, which will be opened as soon as the personnel is secured. The new judges are fully aware of the influence of mental disease and abnormality on conduct and will welcome scientific assistance. They are already planning to have a farm colony where defectives can be given that protective environment which can never be achieved in a large city, however well governed.

The new court must pass through a critical period early in its career, for the new judges, five out of seven, were appointed to serve only until the next general election. A primary election was held a few days ago. There was a free-for-all non-partisan ballot and the ten candiates receiving the highest number of votes are candidates on a non-partisan ballot to be voted in November. Of course it was to be expected that a city which had experienced such a veritable deliverance, as dramatic almost as though it had been relieved after a long siege, should register gratitude. The nearest estimate of the total number of votes cast for all candidates at the primary is obtained by footing up the votes cast for three candidates for the office of city council member, which is a very conspicuous office. All of the candidates for this office together received 51,000 votes. Judge Keiden headed the list of judicial candidates with over 48,000 votes. Probably there were a few who did not vote for him, but not many. Most of his enemies are behind the bars. And the five highest of the ten certified to the November election are the five sitting judges. So probably they will be elected. But the defeat of just one of them might make infinite trouble for the faithful judges who have blazed this trail to judicial efficiency. That is one of the reasons why I would not call this a model court.

The city's appreciation is shown, however, by the fact that the newly elected judges after November will enjoy an increase of salary

from $7,000 to $11,500. This puts them on a par with the civil judges sitting in Detroit. The increase was voted by the city council without any request by the judges.

From this time on, providing improper candidates for judgeships are not elected, every month will witness an improvement in Detroit. The city already has an excellent Juvenile Court, presided over by Judge Hulburt. With its psychopathic laboratory and model detention home it will co-operate with the criminal court. Detroit has the best metropolitan police of any city in the country. In November a staunch and talented lawyer, one of the best friends of the new court, will be elected prosecutor. Detroit will not only have the first real criminal court in the country, and the best, but will have prosecutors and police on an equally high plane, and all co-operating to the end of preventing every kind of crime and delinquency.

If the court stays decent the city can never have a relapse. To get one hundred per cent efficiency there must also be honest police and capable prosecutors. But the court can do very well if it has to with indifferent prosecutors, for it can discipline them. And it will not permit the police to become corrupt as long as it is itself sound. From this time there will be few sources of corruption. The prophylactic campaign is on. Safety will come from stamping out every pocket of infection as soon as it is discovered.

A better system of selecting judges, which in recent years, and until the people became thoroughly frightened, resulted badly in Detroit, is needed as a guarantee against the future disintegration of this court. But there is another need. Criminal justice is not all of justice. It is essential for a socially healthy city to have equally efficient civil courts. There still remains, after unifying the criminal jurisdiction, a separation of allied functions between separate and independent tribunals. The Juvenile Court is to the criminal court what the high school is to the college. The domestic relations branch of the criminal court, probably the most important part of the court after crass crime and traffic offenses have been curbed, is intended to straighten out family troubles, but it has no jurisdiction over the children's conduct, and the divorce jurisdiction of the Circuit Court is sadly needed for dealing with the parents.

The future then holds in store one more great step, and when it is taken Detroit will indeed have a model court. It will be when the Circuit Court and Recorder's Court and Justices Court and Probate Court and Juvenile Court are all made departments in a single metropolitan court, of which every judge will have complete civil and

criminal trial jurisdiction. Then the Domestic Relations and Divorce and Juvenile and Probate branches will be parts of a single division of the unified court, with a single presiding justice, and equipped with every kind of trial jurisdiction so that every exigency can be promptly coped with. And this organization will obviate the need for such excessive work on the part of judges as to wear them out and deprive them of reasonable opportunity for recreation. The opportunity for transfer of judges from one division of the court to another will permit of two things which are necessary to successful administration; one being, to put the best men in the places where they can be of the greatest value; and the other, to put the least useful judges in the branches where they will do the least harm.