BENEFITS, FUNCTIONS, AND PROCEDURES OF SMALL-CLAIMS COURTS

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A SMALL-CLAIMS court is a specialized tribunal created by statute, with specific duties and powers. It is designed to provide a judicial determination of disputes involving small amounts of money. Its procedure is significant for inexpensiveness, speed, and simplicity. Historical precedent for such an organization is to be found in the English market courts, the pie powder courts, and similar agencies.[1]

In the United States, during the past quarter century the movement to establish such courts in urban centers has been a significant part of the general program of remolding a legal system established under frontier conditions, to meet the social and economic changes which have created our present highly industrialized civilization. Much has been written on the subject, largely descriptive of the growth of the idea or explanatory of the operation of particular courts, but less attention has been given by writers to the obstacles confronting a group of persons who may desire to establish such a court in their own community. The present article proposes to consider some of the questions which have been raised and some of the answers given.

Those who may desire to create this sort of judicial machinery will face at least three major tasks: (1) Disposing of certain points of view opposed to the whole idea; (2) determining whether there is need in the particular community for a new court; and (3) deciding the details of establishment, procedure, and administration. The progress of the idea to date proves that these obstacles are by no means insurmountable.

Attitudes Toward Small-Claims Courts

Many earnest and sincere persons may object to the creation of a small-claims court in a particular community because traditionally they are opposed to a court system, or because of religious convictions, or because it may be regarded as encroaching upon something like a vested interest.

The survival of a colonial reaction against the English legal system is a tradition with which modern social engineers should be prepared to cope. The early religious conviction that controversies should be settled out of court finds strong modern support and cannot be ignored. Medieval English statutes against maintenance, cham-

[1] See A History of the English Courts (5th ed.), by A. T. Carter, London, Butterworth & Co., 1927, p. 164; and A Concise History of the Common Law (2d ed.), by T. F. T. Plucknett, London, Butterworth & Co., 1936, p. 590.

perty,[2] fomenting quarrels, and encouraging lawsuits have their counterparts in our criminal law,[3] and a proponent of a plan to make it easier to litigate should be prepared for disagreements.

Perhaps there is no complete answer to such attitudes, but it may be argued that our constitutional guaranties of equal protection of the law must be made good; that quite aside from encouraging unjustified claims there is need to see that no obstacles are placed in the way of those whose claims are meritorious; that unless the great majority of the people in a democracy have confidence in the administration of justice the foundations of the State are insecure. More than in any other way, that confidence is engendered by satisfactory personal contacts by the individual in his own cases. If he knows that the obtaining of justice is inexpensive, speedy, and not too cumbersome, he will be less easily persuaded to seek disorderly methods of changing the present system.

Criticisms of our judicial machinery are so prevalent as to warrant careful thought on the part of those primarily charged with its operation. The records of existing small-claims courts demonstrate that they do provide the individual, irrespective of his means, with a satisfactory device for disposing of small money claims. Some of them, by provisions for conciliation, emphasize the desirability of amicable adjustment of difficulties. The simplicity of access to them appeals to the general public.

These viewpoints call for careful scrutiny, but the major problem may be included in the question, Does a particular community need a small-claims court?

Determining the Need for a Small-Claims Court

If the class of persons which would use the facilities of a small-claims court is so circumscribed as to be negligible, or if the existing court structure is adequate for all reasonable demands made upon it, the proposal to create a new tribunal may be opposed on the grounds of overlapping, expense, and over-organization. These matters call for thorough factual surveys rather than assumptions or conclusions hastily reached upon personal bias or necessarily limited individual opportunities for acquiring information.

Since the court will be available to any person with a small claim, it will probably be well patronized. The records of some of the courts now in existence indicate that one need not fear any lack of business.[4]

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[2] Furnishing of money or service in a lawsuit by a person with no legitimate interest therein, in return for a share of the proceeds of the suit.

[3] See Handbook of Criminal Law, by Justin Miller, St. Paul, West Publishing Co., 1934, p. 458.

[4] Data from the annual reports of the New York City courts indicate a continuous increase in the number of summonses (paid and free) year by year, rising from 4,169 in 1934 to 37,371 in 1938; in the same time the total judgments rose from $51,455 to $441,263. For similar data on the development of the small-claims court in the District of Columbia, see Monthly Labor Review, August 1939.

It is a question to be determined in each particular community whether the cheapness, speed, and simplicity of the proposed tribunal will be so much of an advantage over existing facilities that the proponents can succeed either in supplanting some of them or adjusting the new court to the rest. This is to be determined in part by considerations of relative expense and efficiency, but perhaps also upon whether it is proposed to abolish vested interests.

At the present time small money disputes are taken care of in many ways, some of the more obvious being collection agencies, lawyers, justices of the peace, and the regular court system. The collection agencies can and do perform valuable service, but their effectiveness is definitely limited by statutes and decisions in the field of the unauthorized practice of the law.[5] A collection agency may not, without violating the statute, do acts which amount to practice of the law. Since the adjustment of these small money disputes in many instances involves acts amounting to the practice of the law, recent statutes have segregated a class of cases which may require some new remedy.

Lawyers, because they may practice law, handle some of these cases. There are, however, at least two limitations on the effectiveness of the bar in this connection. The first is that unless the case can be adjusted amicably it must be taken to court, involving expense and delay which sometimes are prohibitive. The second is that unless a lawyer can obtain a reasonable return for his labors in handling a particular type of case, it becomes unprofitable.[6] Lawyers are coming to appreciate more and more the value of a cost-accounting system in their offices, because this shows them the types of legal business which they can, and those which they cannot, afford to handle. Here again there are two classes of cases which may need a new remedy.

Traditionally, the justice of the peace has handled small-money collections. The justice of the peace, as an institution, however, is undergoing careful scrutiny.[7] If the criticisms are justified, we may expect changes in the existing machinery. In any event the economy[8] and efficiency of the small-claims-court procedure has much to commend itself to unbiased observers.

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[5] See Unauthorized Practice of Law, by F. C. Hicks and E. R. Katz, Chicago, American Bar Association, 1934, p. 97.

[6] See American Bar Association. Special Committee on the Economic Condition of the Bar. Economics of the Legal Profession. Chicago, 1938, pp. 108 et seq. This is a manual designed primarily for the use of State, local, and junior bar associations, describing the results of the bar surveys made to date; the chief proposals advanced for improving the profession and its economic condition; and the methods and forms used in the several surveys.

[7] For example see North Carolina Bar Association, Report No. 40: Report of Committee on Justices of Peace, Raleigh, 40 Reports North Carolina Bar Association (1938), p. 115.

[8] For data on the cost of a small-claims court, see page 26.

With respect to the question whether the regular court system is an adequate device, it may be urged that the inevitable expense, delay, and complexity tend to discourage the man who has a small claim. It is possible to prove that with our present system of court costs and fees, the litigant with the small claim pays a disproportionate part of the expense of operating the judicial machine.[9] Records indicate that many trial-court calendars are months or even years behind, and that small cases help to clog the wheels.[10] The complexity of the system makes necessary an additional expense, as litigants must be represented by counsel. Since many routine small claims do not involve profound questions of law, it seems wasteful of time and money to require that they be put through an elaborate litigation process. There are at least two alternatives—to provide a lawyer for the litigant without cost to himself, as in the case of legal-aid societies, or to create a new kind of court. Legal-aid societies, which would naturally appear as counsel in many small claims, are on record as favoring the establishment of small-claims courts.[11]

Points for Consideration in Establishing a Small-Claims Court

It is therefore a question to be determined whether the existing machinery in any community is adequate to take care of these small money disputes. If, after investigation in a particular community, it is found that the machinery for any of the reasons indicated above is not adequate, a suitable solution is available in the small-claims court. These agencies have been successful where established, but their success is no matter of chance. Painstakingly, the pioneers in this field have built up, by the trial-and-error method, a system keyed to this particular type of work. One who desires the establishment of a new court may find guidance from inspection of the statutory provisions and rules of court, which have stood the test of actual experience.[12]

STATUTORY PROVISIONS

A committee contemplating the creation of a small-claims court will be concerned with the text of the statute or the rules of court under which the proposed plan is to function. As a guide in this

[9] Social Work Technique (Los Angeles), September–October, 1938, pp. 182–188: On What Basis Should Court Filing Fees be Fixed? by Robert E. Stone.

[10] Brown, Esther Lucile: Lawyers and the Promotion of Justice. New York, Russell Sage Foundation, 1938, p. 198.

[11] See Public Administration Service Bulletin No. 47 (1935), quoting Ideal No. 3, adopted by the National Association of Legal Aid Organizations.

[12] Much material relating to the statutes is also contained in the following: Columbia Law Review, vol. 34 (1934), p. 932; University of Pennsylvania Law Review, November 1936; St. John's Law Review, vol. 9 (1934), p. 247; and Yale Law Journal, vol. 42 (1933), p. 561.

direction a discussion of the provisions of various statutes [13] and rules of court,[14] grouped under appropriate headings for the purpose of comparison, may be useful.

The dissimilarities among the laws stand out at once. In some States the legislators have created a court, in others a conciliation procedure. Sometimes both have been used. The distinction between a court and a method of solving problems according to law should be kept in mind. Again, a few States are not content with a single act. Thus, Oregon has one act for the justices' courts and another for the district courts. Connecticut has a general act and, in addition, one for Hartford and one for Stamford. Methods of procedure differ, names of officials vary. One State makes elaborate provisions for an appeal, whereas another eliminates appeals in certain cases. It would appear that no model or uniform law is possible, but that a sponsoring group, after studying local conditions and determining upon the skeleton outline of a plan, may save time and effort by being able to refer to a comparative discussion of the language used in the different jurisdictions in which such courts or procedure are already in operation.

Establishment of the Court

Obviously, the first question relates to the establishment of the court. The problem here relates to tieing the new piece of machinery into an existing system. As the system differs in each State and often from one county to another in the same State, the general situations which must be met may be indicated. One plan establishes a new court, a second creates a new department of an existing court, another empowers an existing court to make rules, and still another authorizes the Board of County Commissioners or similar governing body to create the court.

One cannot, without knowledge of needs in a particular community, say which is the best device. The majority of laws make the small-

[13] These laws are as follows: *California* Code of Civ. Procedure (Deering's Supp. 1933), sec. 117; *Colorado* Comp. Laws (Supp. 1932), ch. 135, sec. VI, and 6219.1-9; *Connecticut*, Spec. Acts, chs. 187 and 319, and Gen. Stat. 1930, sec. 5360; *District of Columbia* Code (Supp. 1938), title 18, ch. 5-A; *Idaho* Code, 1932, vol. I, title 1, ch. 15, secs. 1-1501 to 1-1514; *Iowa* Code, 1935, ch. 478, sec. 10820-24; *Kansas* Gen. Stat., 1935, ch. 20, art. 13, secs. 20-1301 to 20-1312; *Maryland* Pub. Laws, 1939, ch. 137, sec. 716-C-K; *Massachusetts* Ann. Laws, 1935, vol. 7, ch. 218, secs. 21-25; *Michigan* Comp. Laws (Mason's Supp. 1935), ch. 271½, secs. 16517-47 to 16517-61; *Minnesota* Stat. (Mason 1927), ch. IX, secs. 1377-1382; *Nevada* Comp. Laws, 1929, vol. IV, secs. 9364-9377; *New Jersey* Rev. Stats., 1937, vol. I, art. 2, secs. 2:9-14 to 2:9-26; *New York* Laws, 1934, ch. 598, title X, secs. 179-187; *North Dakota* Comp. Laws (Supp. 1925), sec. 9192a1-9192a15 and Justices Code, ch. 8, secs. 9192a1 to 9192a14; *Oregon Code*, 1930, vol. II, title 28, ch. 12, secs. 28-1209 to 28-1216, and ch. 14, secs. 28-1401 to 28-1414; *Rhode Island* Gen. Laws, 1938, ch. 592, secs. 1-16; *South Dakota* Comp. Laws, 1929, vol. II, title 6, part 3, ch. 3, sec. 5228-A. E; *Utah* Laws, 1933, ch. 16, secs. 1-16; *Vermont* Pub. Laws, 1933, title 9, ch. 61, secs. 1481-1485; and *Washington* Rev. Stats. (Remington's 1932), vol. IV, title 12, ch. 2, secs. 1777-1 to 1777-12.

[14] Rules of Court: Municipal Court of the City of New York, Assignment of Justices and Rules of Practice, 1939, pp. 70, 76-80; Massachusetts Rules for Small Claims Procedure (in U. S. Bureau of Labor Statistics Bulletin No. 607, p. 182); The Municipal Court of Cleveland, Laws and Rules, revised to July 1, 1936, pp. 57-59; Municipal Court of the City of Des Moines, Iowa, Rules for Conciliation (typewritten); Information Concerning the Small Claims Court of Portland, Oreg. (typewritten).

claims court a part of an existing court—either justice of the peace, city court, or district court. This plan probably has the advantage of economy and efficiency.

Naming the Court

The name, "small-claims court," would seem to be most characteristic and adequately descriptive. But an inspection of the usage indicates a wide variety of titles, each one prompted perhaps by a situation which may have brought about the establishment of the agency in the first place. Thus we find "The Wage Claims Court," "Small Claims Department of the Municipal Court," "Small Claims and Conciliation Branch of the Municipal Court," "Conciliation Division of the Municipal Court," "The Small Claims Department of the Justices Court," "The Small Cause Court," "The Small Debtors' Court." If it seems desirable to adopt one title it would seem that "The Small Claims Court" is the most popular. It has already acquired a definite meaning to the lay public.

Jurisdiction of Court

Exclusive or alternative jurisdiction.—Where the matter is referred to in the act, in practically every instance the jurisdiction of the court is made alternative. The exception is the District of Columbia in which the word "exclusive" is used. It would seem that, in theory at least, there would be no reason for duplication and that by requiring litigants to bring their small claims to the specialized tribunal congestion in other courts could be avoided. Of course, constitutional questions of due process, trial by jury, and right of appeal must not be overlooked.

Geographical jurisdiction.—The place in which the action must be brought is the subject of considerable attention. In the greater number of laws this must be done in the county in which the defendant resides. Some laws add that it must be the county in which the defendant has his usual place of business. Others merely refer to the jurisdiction of the court of which the small-claims court is a part. It might be argued that since the main object of the court is the speedy and inexpensive collection of small money claims, the convenience of the plaintiff should be consulted as well as that of the defendant.

Upper limit of financial jurisdiction.—The upper limit in the amount of claims which may be brought in a small-claims court varies from $20 to $200; the most common figure seems to be $50. It is necessary to agree upon some limit, because as the size of the claim increases it becomes more and more worth while to the parties to see that it is litigated in the regular trial courts. Above a certain amount, the problems belong more properly in a municipal court or a county court with technical pleadings and formal rules of evidence.

In some instances the lawmakers have found it expedient to explain the upper limit by indicating that, in calculating it, items such as interest or attorneys fees are not included.

Procedure when defendant's counterclaim exceeds upper limit.—Several of the States anticipate that even though the plaintiff asks for a sum within the jurisdiction of the small-claims court the defendant may enter a counterclaim for a larger sum. The accepted method is to declare that the case is no longer within the limited jurisdiction of the first tribunal and to arrange to have it transferred to another court for adjudication. Some provision on this subject would seem to be necessary.

Jurisdiction as to type of case.—The question whether a small-claims court should accept every type of case as long as the upper financial limit is not exceeded, or whether it should handle only a single type such as wage claims or small debts, has interested the legislators. Often the statute expresses the matter affirmatively by describing what the jurisdiction includes. In other cases it specifies that the jurisdiction shall not include an enumerated list, such as actions for the recovery of real estate, or rent, and slander and libel. All statutes limit the work to civil cases. It would seem that any reasons which prompt the creation of such a court for wage claims would apply with equal force to other small money claims either in tort or contract. Perhaps other specialized courts may be created for claims as to real or personal property.

Who may be plaintiff?—Not everyone may be plaintiff in these courts. The problem seems to be to keep the machinery free for the use of the poor man or the individual who may have an occasional claim, but to discourage too much litigation by collection agencies. Therefore in some instances assignees and corporations are excluded. The number of cases which any one person may bring in the court during a given period of time is also limited.

Beginning Action

The statutes often outline the steps in instituting action in a small-claims court. In some instances the applicant must first qualify by showing either that he is a poor person or that he has made a bona fide effort to conciliate the case. Generally all he needs to do is to step up to the clerk of court, tell his story, sign an affidavit, and pay the filing fee. Significant are provisions requiring the clerk and sometimes the judge to assist the applicant.

Method of Service Upon Defendant

The customary methods of service by constable or other officer are likely to be expensive and, for small claims, cumbersome. Service by mail is therefore a favorite device. Sometimes this is the only method provided. In other cases several alternative procedures are

available. Again, some provisions are quite elaborate as to the way in which such notices shall be sent. Some statutes go so far as to include service by telephone or personal contact by the judge.

One matter to be considered, however, is the point beyond which informality may become inefficiency. Another question revolves about registered or unregistered letters, and return receipt cards bearing the signature of the defendant.

Methods of Procedure of Small-Claims Courts

Informality of proceedings.—Simplicity and informality of procedure are essential in a small-claims court if it is to appeal to the average citizen as a place to which to bring his legal problems. The manner of declaring a policy on this point varies considerably from statute to statute. The provisions include references to the pleadings or the rules of evidence, or general statements of policy, and some statutes rest in the court the discretion to handle specific matters. Other regulations designed to further this purpose will be found in various provisions such as those covering the filing of claim, entry of judgment, discretionary assessment of costs, and prescribed forms.

Representation by counsel.—If only one party in a proceeding in the small-claims court is represented by counsel, the other, whatever the real facts of the case may be, may feel that he needs a lawyer and believe that without one he is at a disadvantage. To overcome such an attitude two extreme alternatives are possible: (1) The unrepresented litigant may be provided with a lawyer; a legal-aid society, in cities where one exists, may be available for the poor man. (2) Lawyers may be excluded from participation. Several statutes contain provisions excluding the bar. In one State the possibility that court officials may attempt to profit at the expense of the litigant is considered and provided against.

The docket.—Several of the statutes specifically require that a docket be kept, and indicate in some detail the necessary information for the record. In the conciliation phase of the proceedings, it is not unusual to find only a meager record of the results.

Forms used.—In general two forms are prescribed for use in small-claims courts—the statement of the plaintiff's claim, and the order or summons served upon the defendant to inform him of the pendency of the action. Perhaps as important as either of these are the instructions to the defendant sometimes appearing on the lower portion of the order. The simplicity of these forms and the conciseness of the instructions indicate an intention to keep the court process within the limits of understanding of the layman.

Court Hearings

Setting time for hearing.—Enough time should elapse between the sending and serving of the notice and the time of the hearing to enable

the defendant to make reasonable preparations for his defense. But speed is essential. In an effort to provide for both speed and fairness the statutes have decreed a fairly flexible system. In some cases the law specifies both a minimum and maximum period between notice and hearing. Authority to continue the hearing to meet the convenience of the parties is granted.

Provisions relating to the defense.—Not all the statutes make special provision for the defendant. In general the intent appears that the procedure for raising a defense shall be as simple as that for filing a claim. The problem of the counterclaim or set-off may receive attention in the law, but in the absence of special limitations all the defendant need do is to come into court and tell his story. The court may continue the case if additional time is needed.

Witnesses and evidence.—Although witnesses are permitted at the hearings, there is often a clause indicating that it is not necessary to summon them. Provisions appear in some statutes authorizing the judge to consult with them informally.

Manner of conducting the hearing.—Requirements on the methods of conducting a hearing seem to be designed to secure substantial justice. Some of them prescribe an effort at conciliation by the trial judge. There is no complete agreement as to whether rules of practice, procedure, pleading, or evidence shall be waived, but it is not unusual to see a statement that the rules of substantive law shall govern.

Fee and Cost Provisions

The term "fee" when used in connection with court expenses is usually applied to those payments which a litigant must deposit to start the suit. The term "costs" is used in connection with other payments which must be made to carry on the case. A definite fee may be prescribed in the law but costs vary with the length and nature of each proceeding. The statutes do not always preserve the distinction, but the language shows which is meant. The filing fee is designed to cover the expense of carrying the case to judgment. An additional fee is often prescribed for service of process by mail or registered mail. In some jurisdictions discretion is vested in the court to waive payment of a fee, presumably in favor of the poor person who may appear with a legally meritorious case, but is without sufficient funds. In one jurisdiction special sections of the act forbid the court officers from taking additional sums from litigants.

Some statutes declare that no costs shall be assessed. Others vest discretion in the court to waive them. Still others distinguish between costs and "actual disbursements." Where costs may be assessed the court sometimes has discretion to impose them upon the loser.

Judgments, Appeals, Transfers

Entry of judgment.—Provisions for the entry of judgment and for orders requiring the losing party to pay it are quite elaborate. A favorite device is the payment upon such terms and conditions as the judge may order. This flexibility would seem to be highly desirable in promoting collection of the judgment in a class of cases in which the losing party may have little or no funds.

Transferring of judgment to another court.—In some jurisdictions the procedure calls for a transfer of the judgment to another court prior to execution. The statutes prescribe the forms by which such transfer is to be recorded.

Appeal or transfer to another court.—It is generally contemplated, to avoid constitutional difficulties, that an appeal may be taken or the case transferred to another court. The decision of the small-claims court is frequently declared to be final and conclusive as to the plaintiff. Although the defendant is not so strictly limited, certain obstacles are placed in his way if he insists upon pursuing the matter farther. These sometimes include the payment of an attorney's fee to the plaintiff if the plaintiff finally wins, and a bond to cover costs of appeal.

Jury Trial

Provisions relating to trial by jury do not lend themselves readily to a systematic classification. It does seem not unreasonable to provide that the plaintiff, by electing to bring his suit in this particular court, has waived his right to trial by jury, nor to require the defendant, if he wishes this extra and expensive addition to a court hearing, to post bond or prepay the cost of summoning a jury. The records indicate that comparatively few of the litigants do demand this.

Execution

Here again it is difficult to classify the material in the statutes beyond the initial division into: (1) Statutes which provide the method of issuing execution, and (2) those extra provisions allowing certain process such as attachment or garnishment to issue as an aid to the simpler procedure.

Special Rules as to Conciliation

Since the statutes include much material on conciliation, it seems well to insert it here. It may be argued that any judge has authority to encourage litigants who appear before him to adjust their difficulties without trial. Pretrial procedure, where it has been tried, makes use of conciliation. Whether or not it is desirable to require a certificate of conciliation before permitting a litigant to come into the court depends in large measure upon local conditions.

Power to Make Rules

The wisdom of allowing a small-claims court to make and modify rules for its governance cannot be doubted. The main question is as to how far the legislature should attempt to formulate administrative provisions which necessarily are somewhat experimental and which may be more difficult to change than a rule of court.

Cost of a Small-Claims Court

The expense of operating a small-claims court is not easily arrived at, because of a number of factors. Some idea about the matter may be obtained from the following scattered data. A letter from the Hon. Pelham St. George Bissell, president judge of the New York City Municipal Court, reads in part as follows:

In connection with the cost of operation of the court, let me say that when the small-claims parts of the municipal court were established in New York City no provision whatsoever was made for extra employees or judges, and none has been made since, except that upon my request, the legislature passed an act permitting the president justice to assign our official referees to sit in the small claims. At the present time the salary of our official referees is $4,878 a year. These referees are appointed by the appellate division from those who have served as justices of the municipal court for a term of 10 years or more, and are, therefore, particularly competent men. You will note that we have a small-claims court established in each one of the five boroughs of the city, and that the services of five judges are, therefore, needed continuously for this work.

Enclosed is a statement showing the actual salaries paid the present employees of the small-claims part of our court. Under old provisions made for political purposes, a certain number of assistant clerks were provided for the court. These assistant clerks draw a fixed salary and their services must be utilized where most beneficial. You will note that in Brooklyn four such assistant clerks are used and that in the Bronx two such assistant clerks are used. In an ideal adjustment one clerk in charge of small claims would be adequate with the other assistant clerks converted into docket clerks. However, an additional typist is necessary in Manhattan, Bronx, Brooklyn and Queens, and I am hoping that the budget director will permit us to have these four additional employees, at a salary which would be about $1,200 apiece. As you will note, the work in Richmond is slight.

For an ideal adjustment in New York I would say that each borough, with the exception of Richmond, should have one clerk at $3,000, 4 docket clerks at a salary ranging between $1,740 and $2,340, and a court attendant at a salary ranging between $1,800 and $2,280, and a typist at a salary of $1,200 per annum. That would make a charge per borough of approximately $12,360, to which must be added the salary of the referee or justice.

The establishment of the small-claims parts draws away a certain amount of work from the regular portions of the court, and so liberates for this work a certain number of employees. That is the reason that we have been able to function in New York without adding any additional help for the small-claims parts of our court.

The statement showing the actual salaries paid employees of the small-claims part of the court follows:

Total	$51,540
Manhattan	10,740
Clerk	2,700
Docket clerk	2,340
Do	2,160
Do	1,740
Court attendant	1,800
Bronx	13,140
Assistant clerks (2)	6,000
Docket clerk	2,160
Interpreter	2,280
Court attendant	2,700
Brooklyn	$16,440
Assistant clerks (4)	12,000
Docket clerk	2,160
Court attendant	2,280
Queens	9,060
Assistant clerk	3,000
Docket clerk	2,160
Do	1,740
Court attendant	2,160
Richmond: Court attendant	2,160

A letter from Cleveland states:

As to the cost of operation, it is difficult to give you an accurate figure. The bailiff who handles summons and executions receives $3,300 per year. The clerks or conciliators receive in salaries $16,100 per year, for a total of $19,400. This figure, bear in mind, is represented entirely by salaries paid and does not include any costs for stationery, printing, etc., figures for which are not available. If you care to, you might add to this figure the salary of the judge who sits in this court, which is $9,000, $6,000 of which is paid by the City of Cleveland and $3,000 of which is paid by the County of Cuyahoga. It would not, however, be fair to charge the total judge's salary to the Conciliation Branch, as this same judge spends approximately half of his time on other types of cases.

The annual cost of operating this court could probably be figured at approximately $24,000 by allocating a portion of the judge's salary to the cost, as well as estimating the cost of stationery, printing, etc.

Conclusion

The foregoing material discusses certain problems to be expected by those persons who are planning to start a movement for a small-claims court. Two points are made: The need for a fact-finding survey to determine the probable number of small claimants who might be expected to seek the aid of such a court, and the value of referring to statutes and rules of court in communities where this type of machinery has already been set up and is in operation. The enterprise should challenge the interest of many persons who desire to do their part in keeping the machinery for the administration of justice abreast of the social and economic needs of the community.