

# Bench docket expands

## 47th District Court's small claims cases increase dramatically

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— Michael Hand,  
District Judge



By Casey Hane  
staff writer

**J**UDGE JOSEPH Wagner has never heard a case in Farmington's 47th District Court.

But his nationally syndicated People's Court television program has brought law and justice into the American home, and is one of several things encouraging use of the small claims court, local judges contend.

Not only are consumers today more informed about the legal system, but they can sue for more money in small claims court as of Jan. 1. An increase in the civil small claims dollar limit in January, 1985 took the ceiling from \$500 to \$1,000.

With another increase last week, consumers can now sue for \$1,500 maximum per small claims case. This compares with the original small claims ceiling of \$500 imposed with the creation of the district court system in 1968.

The 1985 dollar increase resulted in a 58-percent increase in small claims cases filed in 47th District Court during the past year, Judge Margaret Schaeffer said. Both district judges expect caseload increases again in 1986.

"The increase is going to be dramatic," Judge Michael Hand predicted.

**BUSINESS USE** of the small claims system is on the rise, Hand added. "Where cases were once referred to company attorneys, companies are handling it (lawsuits) themselves. The net result is a great increase (in cases)."

Chief Civil Clerk Marilyn Dewar said an increase in contractual-related cases and those related to quality of workmanship have been noticed.

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photos by RANDY BORST/staff photographer

The 1985 ceiling increase resulted in a 58-percent increase in small claims cases filed in 47th District Court during the past year, said Judge Margaret Schaeffer (above).

The increased use of small claims creates "more work for the clerks" and the cases take "longer to try," according to Judge Schaeffer.

"The clerks have to help the people file the cases," and sometimes "non-pertinent" information is given during trial which takes more time, she added.

ONE CLERK spends most of an eight-hour day handling small claims cases in the court's civil division, Dewar said. It now takes 60 days for a case to be placed on the docket once filed.

The 47th District Court currently schedules small claims cases two Mon-

days each month from 1-4:30 p.m., which Dewar said may have to be increased as dictated by caseload.

Other solutions are under way to help court workers as caseloads increase. Additional computer space and terminals were recently approved by Farmington and Farmington Hills city councils.

The automation will allow clerks more time helping the public, and less time doing recordkeeping, Judge Schaeffer said. Without the computer enhancements, an additional 2-3 clerks would have been needed, she said.

LOCAL ATTORNEYS volunteer

time to help with the small claims deluge as well. Acting as mediators, they attempt to settle cases before they are heard by judges.

"Many times, nobody has talked," Schaeffer said of the plaintiff and defendant. The mediation process was started two years ago, and has helped relieve the court dockets, Schaeffer added.

Persons with a legal cause of action, or who live in or do business in Farmington or Farmington Hills, can bring a small claims action in 47th District Court, according to Dewar.

A small claims action for libel, slander or fraud, and in some cases

against municipalities, cannot be brought. If a suit is filed against a municipality, a judge decides the immunity issue, she added.

Small claims filing fees for the plaintiff are \$10 for claims up to \$600 and \$20 for claims from \$601-\$1,500. A \$3 certified mail fee is charged for serving papers on the defendant. An additional fee is charged for personally served papers if the defendant cannot be reached by certified mail, Dewar said.

A small claims decision is final and cannot be appealed, Schaeffer said. A defendant has the option, however, of moving the case to district court.

## obituaries

### PHILLIP B. NANCE

Phillip Nance, 9 months old, of Southfield died Dec. 30 in Children's Hospital of Michigan.

Survivors include his parents, Randy and Debi Nance; grandparents, William and Martha Clifford and Florence Nance; four aunts and three uncles.

Services were Jan. 4 at the Glen Eden Park Cemetery Chapel. Memorials may be made to Ronald McDonald House or Children's Hospital, 3901 Beaubien Blvd., Detroit 48201.

Arrangements were made by the Thayer Rock Funeral Home, Farmington.

### PAUL W. CUSTER

Mr. Custer, 79, of Farmington Hills died Dec. 31 in Botsford Hospital, Farmington Hills.

Born in Pennsylvania, Mr. Custer was a retired bank manager for Bank of the Commonwealth.

Surviving is his wife, Ethel. Services were Jan. 4 at the McCabe Funeral Home, Farmington Hills, with Dr. Joseph L. Baker officiating. Burial was in Oakland Hills Cemetery, Novi.

### MAJKEN L. ELLEFSON

A memorial service for Majken L. Ellefson of Livonia will be at 2:30 p.m. Saturday, Jan. 18, at New Life Community Church on Cowan Road in Westland, with the Rev. Yvonne Karl officiating.

Mrs. Ellefson, 78, died Jan. 1 in the Hendry Convalescent Center in Plymouth Township. Burial was in Memorial Park Cemetery, St. Petersburg, Fla. Arrangements were by the Harry J. Will Funeral Home.

Mrs. Ellefson was born in Sweden, and formerly lived in New York and Florida.

Survivors are her son and daughter-in-law, William and Dorothy of Livonia; grandchildren, Roger and Eileen of Livonia; brother, Goesta Lindstrom of Sweden; nieces, Berit of Sweden and Sunja of New York; and nephews, Leif of Sweden and Robert of New York.

Contributions may be made to the New Life Community Church or to the Swedish Club of Detroit.

### STANLEY ARCHIBALD

Mr. Archibald, 64, of Fowlerville, MI died Jan. 1.

Born in Canada, Mr. Archibald was a machinist for a tool and die company.

Survivors include his wife, Rosemarie; sons, Stanley, Daniel, Timothy and Raymond; daughters, Kathleen Burrill and Elaine Carter; sisters, Clara Stock, Jean Hines, and Dorothy Smith; five grandchildren.

Services were Jan. 4 at the Heene-Sundquist Funeral Home, Farmington, with the Rev. Joseph Stowell of Highland Park Baptist Church officiating. Burial was in Parkview Cemetery, Livonia.

### JAMES R. HUTTON

Mr. Hutton, 61, of Farmington Hills died Jan. 1 in Botsford Hospital, Farmington Hills.

Born in Illinois, Mr. Hutton was a project engineer.

Survivors include his wife, Vera; son, James; daughters, Diane and Linda; mother, Wanda Hutton; four grandchildren.

Services were Jan. 5 at the McCabe Funeral Home, Farmington Hills, with the Rev. James Brincy officiating. Cremation was in Evergreen Crematory, Detroit.

### EDWARD C. AHO

Mr. Aho, 59, of Southfield died Jan. 3 in Botsford Hospital, Farmington Hills.

Born in Waukegan, Ill., Mr. Aho worked for Montgomery Ward in Allen Park. He was a World War II Army veteran.

Survivors include his wife, Shirley; sons, Kenneth and James; daughters, Deborah Hunsaker; mother, Aili Aho; sisters, Edna Engstrom and Marlene Moore; brother, Leslie; two grandchildren.

Services were Jan. 8 at the Thayer-Rock Funeral Home, Farmington, with the Rev. Glenn Kopper of Hosanna-Tabor Lutheran Church officiating. Interment of cremains were at Roseland Park Cemetery, Royal Oak.

### FREDERICK N. HUMPHREY

Mr. Humphrey, 62, of Redford Twp., formerly of Farmington, died Jan. 3 in St. Mary's Hospital, Livonia.

Born in Pt. St. Anne, Mich., Mr. Humphrey was a retired Sears maintenance worker. He was a member of Farmington Lodge 151 and a World War II Army veteran.

Survivors include his wife, Barbara; son, Frederick; daughters, Sandra Robinson and Jane Gargis; sister, June Gafno; five grandchildren.

Services were Jan. 7 at the Thayer-

Rock Funeral Home, Farmington, with Dr. James Tuttle of Clarenceville United Methodist Church officiating. Burial was in White Chapel Cemetery, Troy. Memorials may be made to the American Lung Association or Hospice of S.E. Michigan.

### WILLIAM JOSEPH MILLER

Mr. Miller, 58, of Farmington Hills died Jan. 4 in McLaren Hospital, Flint.

Mr. Miller was a sales representative and account manager for BSAF-Inmont Corp. He served in the U.S. Navy 1944-1946 and received the World War II Victory Medal, Philippine Liberation Ribbon with two Bronze Stars, the American Campaign Ribbon and the Asiatic Pacific Campaign Ribbon with six Bronze Stars. He graduated from the University of Detroit in 1964.

Mr. Miller was a member of Alpha Kappa Psi, Knights of Columbus, St. Francis Club and Our Lady of Sorrows Catholic Church.

Survivors include his wife, Olga; sons, Christopher and William; daughters, Peggy and Patricia; brother, Harry; sisters, Susan Marie Cooper and Mary Elizabeth Bendick; five grandchildren.

Services were Jan. 7 at the Heene-Sundquist Funeral Home, Farmington. Mass was celebrated at Our Lady of Sorrows Catholic Church with the Rev. Arthur Jacob officiating. Burial was in Holy Sepulchre Cemetery, Southfield. Memorials may be made to St. Paul's of the Cross Retreat Center.

### GRACE K. CROUT

Mrs. Crout, 75, of Livonia died Jan. 7 in Providence Hospital, Southfield.

Born in New York, Mrs. Crout worked for the Board of Education before retiring.

Survivors include her daughter, Elaine Omar; many nieces and nephews.

Services were Jan. 9 at the Heene-Sundquist Funeral Home, Farmington, with the Rev. Charles Beynon officiating. Burial was in Oakland Hills Cemetery, Novi. Memorials may be made to St. Jude's Hospital.

### JOHANNA H. VANEYS

Mrs. VanEys, 97, of Farmington died Jan. 8 in Oak Hill Care Center.

Born in Holland, Mrs. VanEys was a homemaker.

Survivors include her two grandchildren, Lorraine Burton and Deborah

Boyd; four great-grandchildren, James and Robert Burton and Jessica and Cheryl Boyd.

Cremation was in Evergreen Crematory, Detroit. Interment of cremains was in Glen Eden Cemetery, Livonia. Arrangements were made by the Thayer-Rock Funeral Home, Farmington.

### DIANE H. LAHR

Mrs. Lahr, 55, of Livonia died Jan. 8 in Providence Hospital, Southfield.

Mrs. Lahr was a supervisor for Westinghouse Corp.

Survivors include her daughter, Linda Sorin; a son, Michael; mother, Anita McCracken; sister, June Vase; brother, Harland Hoesey; two grandchildren.

Services were Jan. 10 at the Thayer-Rock Funeral Home, Farmington, with the Rev. Elmer Limatta of Apostolic Lutheran Church officiating. Burial was in Parkview Cemetery, Livonia. Arrangements were made by the Pottl Funeral Directors. Memorials may be made to the Michigan Cancer Foundation.

### LEONARD A. MONETTE

Mr. Monette, 82, of Howell, MI died Jan. 8 in North Fort Myers, Fla.

Mr. Monette worked for the automotive industry.

Survivors include his sons, Alvin, Dale and Ronald; a daughter, Mary Jane Neldhart; 15 grandchildren and 13 great-grandchildren.

Services were Jan. 11 at the Heene-Sundquist Funeral Home, Farmington. Mass was celebrated at St. Alexander's Catholic Church with the Rev. James Wright officiating. Burial was in Holy Sepulchre Cemetery, Southfield.

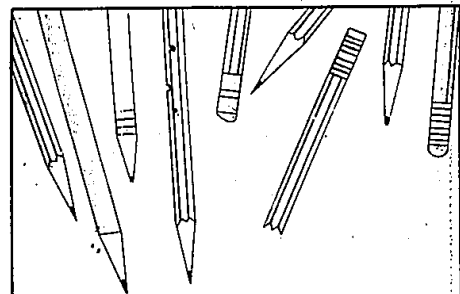
### VIDA MARGARET OSTIC

Mrs. Ostic, 75, of Farmington died Jan. 9.

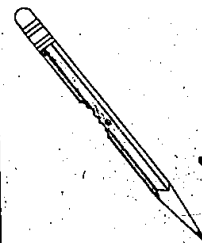
Born in New Mexico, Mrs. Ostic was a homemaker.

Survivors include her sons, Howard and Richard; a daughter, Mary Lee; eight grandchildren and three great-grandchildren.

Services were Jan. 11 at the Heene-Sundquist Funeral Home, Farmington, with the Rev. Douglas Lee Klein officiating. Burial was in Glen Eden Cemetery, Livonia.



we will be  
**CLOSED**  
TUESDAY,  
January 21 for  
our annual inventory  
**OPEN**  
WEDNESDAY,  
January 22 during  
our regular hours



**Jacobson's**