

Will Court Take Over Budget?



A showdown over the question of court intrusion of legislative powers looms between the Wayne County Board of Commissioners and the courts in Wayne County.

Commissioners face a contempt of court proceeding at 4 p.m. Thursday, March 8, if they do not obey a court order to fund a court-negotiated labor contract.

Commissioners charge that Circuit Court and Detroit Recorder's Court usurped legislative powers in negotiating the contract, and that Circuit Court is attempting further usurpation in ordering the board to fund the pacts.

The Board of Commissioners is the elected county legislative body.

"The basic constitutional question of the separation of powers is involved here," Fitzpatrick declared after the hearing date was set by Presiding Circuit Judge Joseph A. Sullivan.

"The principle is what we are really concerned about. If we let the courts legislate, as well as adjudicate, there is no need for legislative, representative government in this nation any longer," said FitzPatrick.

"I think the citizens should take alarm at the fact that constitutional representative government is in very real jeopardy in Michigan."

"It is our right and duty, as the duly elected legislative body, to review the total budget and the monies that are gathered in Wayne County through tax allocations. It is our right to look at the total context of

county government in terms of the needs of various departments. It is our right and duty, as the legislative body, to appropriate funds on that basis."

The judiciary now has said that they come first; that regardless of the ramifications of costs in the total budget, they will get what they demand. If all departments had the same right, there would be no purpose for a legislative branch of government in the United States."

On Feb. 28 Judge Sullivan adjourned the contempt proceeding until 4 p.m. March 8. He said this would give the county legislators the

opportunity to decide at a board meeting, scheduled for two hours earlier, whether they would obey the court order.

The stage was set for the showdown when the Michigan Supreme Court, by a vote of 4 to 3, Feb. 28 turned down the commissioners' request that the high court decide the issues involved in the two contracts.

However, the contempt-of-court proceedings involve only the contract covering 42 Circuit Court probation officers.

At the request of the probation officers' local union, Circuit Judge Neal Fitzgerald Jan. 6 issued a writ of mandamus ordering commissioners to fund the Circuit Court contract.

Legislators throughout Michigan are watching the situation closely because it represents the first showdown between the courts and county legislators since a 1971 Michigan Supreme Court ruling which favored the courts.

The Supreme Court ruled that courts have "inherent

powers" to compel the expenditure of public funds by the legislative branch when the expenditure is "reasonable and necessary" to the functioning of the courts.

That decision involved a case in which the Wayne County Board refused to appropriate salaries for staff hired by the Circuit Court without board approval. The commissioners appealed to the United States Supreme

Court; but the court did not accept the case.

FitzPatrick said he believed there are additional factors in the present case which would warrant another appeal to the federal high court.

The probation officers are represented by Local 1905 of the American Federation of State, County and Municipal Employees, AFL-CIO.

SCHOOLCRAFT COLLEGE was given a \$25,000 check from the estate of Mrs. Louise Thayer Bryan. Schoolcraft Board Chairman John La Rue (left) accepted the check from Philip Ogilvie, Northville attorney and executor of Mrs. Bryan's estate. Mrs. Bryan requested that the money be spent as a permanent memorial to her and her late husband, Karl.

LWV Launches Drive For Funds

The Northville-Plymouth League of Women Voters is being assisted in its current fund drive by businessmen in the two communities.

Mrs. Ross Seymore is chairman of the drive which began this week.

Serving on a finance advisory committee are Thomas Healy Jr., Fred Hill, James Jabara, Dr. Clifford McCumpha, A.R. Clarke, R. H. Amerigan, Phillip Ogilvie and Nelson C. Schrader III.

The committee has personalized letters to be mailed to non-members in the two communities requesting contributions to the league.

The league asks these and other interested citizens to help finance its work because it is a community service organization. It works to promote political responsibility on the part of all citizens in the community.

The league is non-partisan and is zealous in guarding its non-partisanship in order to maintain its credibility. It finances its activities from membership dues and contributions outside the membership.

Locally, league members have provided their communities with a variety of voter service and program activities, including voter registration, get-acquainted meetings with the candidates and the distribution of information to schools and libraries.

League membership is open to all women citizens 18 years and older. Interested persons should call Mrs. Charles Ayers, 518 Morgan Circle, Northville, or Mrs. Donald Stacy, 9069 Rocker, Plymouth.



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- Wayne County: GARDEN CITY (2123 Ford Road, Grosse Pointe), HAWTHORNE (2003 Michigan Ave. Grosse Pointe), BELLEVILLE (39 Main Street, Belle Isle), FORD-WAYNE ROAD (5000 Ford Road, Westland), WARREN-SILVERLY LANE (2620 W. Warren, Dearborn Heights), WAYNE ROAD-FARMER (677 S. Wayne Road, Westland), WAYNE ROAD-COWAN (730 N. Wayne Road, Westland), PLYMOUTH-DEERING (7900 Plymouth Road, Livonia), GRAND RIVERA MILE ROAD (2747 Grand River, Livonia), WACK-HORROX ROAD (250 Livonia, Grosse Pointe Farms), VERVIER-HARPER (3975 Verrier Road, Harper Woods), N. TERRITORIAL-ELDON (215 Sheldon Road, Plymouth)
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