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TRAFFIC COURTS. By George Warren. Boston: Little, Brown and Company, 1942.
Pp. xxvii, 280.

This is the fourth volume in the Judicial Administration Series and is published under the joint auspices of the National Conference of Judicial Councils and National Committee on Traffic Law Enforcement. It follows in both content and arrangement the 57 recommendations which the author made in his 1940 report to these organizations and which also have the approval of several other national bodies interested in law enforcement. Hence, it becomes the quasi-official handbook on the subject of improvement of traffic courts, in addition to being a careful and thorough fact study of the problem.

As the author says, there is practically no other phase of American judicial administration of greater practical importance. The stupendous losses which we suffer in life, limb and property due to automobile accidents cry for an improved traffic system, and this of course demands efficient judicial administration of traffic laws. To mention but one more factor, millions of people have no contact with courts except in connection with traffic laws. If the enforcement of the latter is corrupt, inefficient or undignified the conclusion may prevail that this is true of courts generally and the resulting lack of public confidence in the judicial branch may well be a forerunner of distrust of democratic government generally.

It is possible to mention only a few of Mr. Warren's conclusions. He favors the adoption of the Uniform Motor Vehicle Code and Model Traffic Ordinances and urges that in any event traffic rules should be generally uniform throughout each state with only local matters, such as parking, covered by local ordinances. He further contends that the traffic court system should be statewide instead of being tied to local governments. In any event he recommends separate traffic courts, staffed with judges trained in the facts and science of traffic as well as the law, though it is admitted that this may not be feasible in sparsely populated areas. Many evils are found in violations bureaus, where a violator can pay a fine without court appearance, and the author believes that these bureaus should exist only where the courts otherwise cannot dispose of the volume of cases properly. He sees no reason why the violator's convenience should be the ruling factor in determining the manner of enforcement.

The imposition of costs is disfavored in traffic cases, especially where these benefit the judge or other officials. The unscientific and absurd practices of penalization in many localities are pointed out. Penalties should be imposed so as to teach a lesson rather than to impose retribution, and distinction should be made according to the relative seriousness of offenses and the attitude of the violators. Excessive fines are a mistake but serious traffic offenses such as hit and run should not be penalized less severely than fish and game offenses as is now the case in some jurisdictions.

Due attention is given to the administration of traffic cases in and out of courts, matters of personnel, and the accounting system. There is an interesting exposé of "the fix." The use of the traffic board as a visual aid in depicting the situation at the trial is fully described. Finally the appendix contains forms for a combined traffic ticket and complaint, a daily traffic court report and a design for a traffic court room.

This book is not the product of mere armchair reflection; it is the work of an investigator who unearths the facts and figures, and then proceeds to sound conclusions. Occasionally the quantitative method may have been overdone (pp. 36-38, 179) and some of the recommendations are probably not feasible in many parts of the country. Still, Mr. Warren always gives us worthwhile ideas. The book should be required reading for state legislators and all those whose duties bring them in touch with the larger aspects of traffic law enforcement. While gasoline rationing and lower speed limits may have brought some immediate respite in the traffic problem, we should not neglect it now. To use the language of the life insurance people, at 35 (m.p.h.) prepare for 60.

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