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## New Method of Notification Between Landlords, Tenants Is Described

Area Rent Director William C. Haines this week described a streamlined method by which landlords and tenants will serve notice on each other whenever one seeks a rent office action that will affect the other adversely.

Haines emphasized that the serving of notices is a necessary part of any action which his office takes in behalf of a landlord or tenant. The law requires that interested parties in any proceeding before the rent office receive proper notice.

Previously, the rent office gave notice to the opposing party after it had received the request. The new method saves time by allowing notice to be given before a request is filed, rather than after filing.

**How It Works**

To show how the new method works, the rent director outlined the steps to be taken by a landlord in applying for a rent increase. When the landlord obtains the petition form at the rent office, he will also get instructions and necessary forms to be used in serving notice on the tenants who are affected.

After preparing his petition, the landlord must serve by mail his petition and any other evidence relating to the petition, on his tenant personally or by mailing. After doing this he can file two copies of the petition and original documents at the rent

office, together with proof that he has notified the tenant. **Can File Answer**

If the tenant wants to oppose the landlord's petition, he can file an answer within seven days. In this case, the tenant will mail or personally deliver to the landlord first, before filing the original and another copy of his answer at the rent office, together with proof that he has given a copy of his answer to the landlord.

Another method of giving notice is permitted when the action affects five or more tenants. Haines pointed out, instead of delivering a copy of his petition personally to each tenant, the landlord can post a copy in a public place on the premises, such as a common entrance.

The rent office will give him forms to use in notifying the tenants of the posting, which must remain up for 15 days. The tenants, however, must file their answers to the landlord's petition within seven days of the landlord's notice and serve a copy of the answer on the landlord personally or by mailing.

The same procedure is followed when a tenant applies for a rent reduction, or the landlord seeks an eviction certificate or decontrol of a living unit created by a conversion.

**Southfield Township Closed to Hunting Again This Year**

Southfield township is still closed to hunting of any kind this year in accordance with the state law permitting local option, township officials reminded hunters this week.

It will be also unlawful to train dogs in the township except on a leash not over six feet in length, in accordance with a recently enacted ordinance, dogs are not permitted to run at large. Any dog found running at large will be impounded, they said.

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## Legislative Amendments to One-Man Grand Jury Law Became Effective Friday

**EDITOR'S NOTE:** This is the fourth in a series of articles on laws which were passed at the 1949 session of the Michigan Legislature. They affect you and every resident of Michigan. The entire series is prepared as a public service of the State Bar of Michigan under the direction of Russell A. Searl, Lansing, Chairman of the State Bar Committee on Legislation and Law Reform. The articles objective is to assure you do not attempt to comment on the relative worth of the legislative enactments, but rather to present the most important facts and alert you to the changes these laws represent as they become effective on September 23, 1949.

While the 1949 Michigan legislature passed several acts which carried criminal penalties for their violation, the act which attracted most attention was one in respect to law enforcement was not an act defining a crime but an act amending the law governing the operation of one-man grand juries.

While the one-man grand jury law was originally enacted in 1917 and from time to time other grand juries have been in the public spotlight, particularly those which were held in Macomb and Ingham Counties.

These became the subject of considerable dispute, not only among members of the bar but also among the general public. Their accomplishments in bringing offenders, particularly those in high public office, to trial were questioned, until the holding of the Ferguson grand jury in Wayne County some ten years ago. Since that time other grand juries have been in the public spotlight, particularly those which were held in Macomb and Ingham Counties.

It is not the present purpose to evaluate or weigh those accomplishments or criticisms but, instead, to report the changes made by the last legislature in the law under which the one-man grand jury system existed.

Under the new law, instead of one circuit judge or justice of the peace conducting a grand jury, it will be conducted by three circuit judges. All testimony must be taken before the three judges, either in the court room or in some convenient public building, and witnesses subpoenaed for it are entitled to have their testimony taken without delay.

This was done with the idea of eliminating any possibility of the use of methods which, whether used or not, have produced criticism in the past of the grand jury system.

Another change of considerable moment is the removal of the provision authorizing the judge to grant a witness immunity. Under this provision witnesses who testified before the grand jury could not be prosecuted for their part in the commission of such a crime.

Those who were opposed to this provision in the bill contended that the right to grant immunity was the main weapon which the grand jury could use to obtain evidence of the commission of a crime, and that the removal of this provision for all practical purposes repealed the grand jury law by so greatly weakening it that it could not be effective.

On the other hand, the critics of this provision contended that there was no justification for allowing one offender, perhaps the worst, because he saw fit to testify before the grand jury, to entirely escape punishment for his part in the commission of the crime.

Recent examples of poor memory or even outright refusal of such persons to testify upon prosecutions after being granted immunity were pointed to effectively before the legislature, by a narrow margin, adopted the change.

**Heard in Open Court**

Changes were also made in the provisions which authorized the court to hold witnesses guilty of contempt. Previously the judge could jail witnesses for a period of 60 days who refused to answer material questions. Now such witnesses must first be accorded a public hearing in an open court.

The new law placed further limitation upon this power of the court by declaring that communication between reporters and their informants, attorneys and clients, physicians and patients, and clergymen and members of their respective congregations, were privileged and confidential.

Accordingly, the court will no longer be permitted to insist that the witness testify regarding the subject matter of such communications. The extent of such privilege had previously been the subject of litigation. Now the legislature has specifically written it into law.

The act also disqualifies special grand jury prosecutors from reappointment in that position for a period of three years. It further disqualifies both the judge and prosecutor of grand juries, which continue in existence more than 30 days, from election or appointment for another office for a two-year period.

This provision was inserted to prevent the use of a grand jury office with its resulting publicity as a stepping stone to another political office. Limitation is also placed upon salaries paid to such prosecutors.

The next article in the series will deal with veterans legislation such as the Michigan Veterans Trust Fund, Veterans Bonus Act, etc.

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