

EARL E. WEEKS INTERVIEW

Jusem: I'm Pablo Jusem interviewing Mr. Earl Weeks for the Arizona Bar Foundation Oral History Project. Today is January 30, 1992, about 1:30 p.m. We're just going to chat awhile with Mr. Weeks about his legal career here in Arizona. First of all I'd just like to ask you to tell us a little bit about your background as far as where you were born, your parents and your early life.

Weeks: All right. I was born in Omaha, Nebraska, in June 1923.

I was raised in Omaha, meaning I went through elementary school and graduated from Omaha Technical High School in 1941. Then I started the University of Omaha in the fall of 1941 and as a result of Pearl Harbor and several other changes in my life I found myself in Arizona in January of 1942, never having completed the semester at the University of Omaha.

I was employed by Western Electric in the installation of telephone equipment in the spring of 1942 in Phoenix and remained so employed until the fall of 1942 when I entered Phoenix Junior College. I didn't complete a semester that fall and then I was drafted into the service in January of 1943 and served for three years, basically in the army although part of the time was in the air force.

Then we came back after the service and got married in May of 1946 and decided I should go back to school. So I started back in the fall of 1946 at Phoenix, still it was called Phoenix Junior College at that time. I did spend a full year there before going down to Tucson, where I continued a pre-law education, actually in business school. I got my business degree and then went on to law school, graduating from the U. of A. Law [University of Arizona] in 1952.

Jusem: What prompted you to come to Arizona in 1942?

Weeks: My parents, actually my step-father and mother, my father had died when I was fifteen and when I was eighteen, I guess it was, my mother remarried and my step-father wanted to go into business in Arizona so he selected Phoenix. They were moving down here and I decided I would come along.

Jusem: What kind of business was your step-father in?

Weeks: He opened a franchise operation called a Karmel Krisp and Nut Shop downtown, the central part of Phoenix, in fact on the location of the Valley National Center is now. I worked in the store off and on until I went into the service, when I wasn't working for Western Electric.

Jusem: What did you do for Western Electric and why did you decide to work there?

Weeks: Well, I worked, following graduation from high school in

Iowa for Western Electric. I had been trained in Omaha by Western Electric, went into Iowa, Des Moines and also Cedar Rapids for periods of time. Up there in Iowa I was working in sub-stations where we installed switchboard equipment. That, primarily, is what Western Electric did, the telephone company, is manufacture and install their switchboard equipment. The telephone company has always had their people that go out and install telephones and make repairs like that and work on the lines. But the Western Electric was interested in the switchboard equipment in the main office, not only manufacturing it but installing it.

So what did I actually do? I worked with all those many wires. If you've ever seen wires for a switchboard, especially behind. In the front the operator--they then had operators--and they often were sitting there while we were on the other side with all these many wires and we were soldering and putting them together, hopefully getting the right connections.

Then I came to Phoenix and I started doing the same thing and the then they decided I, because I'd taken some typing in high school, they decided I should go into the office part of it and I sort of became the clerk, I guess. I prepared payroll and did other things. That was just an interim job because I knew I was going to go

back to school. I had decided I needed more education even then.

Jusem: Had your parents and step-father, had they had a college education or a high school education?

Weeks: Mother had had, I think, either one year or two years in Nebraska and had thereafter taught school. My step-father had gone to Michigan, but he too had, I think, had at best either one or two years and then he went to school in Missouri for chiropractory, chiropractors, where they take their training. And then he was--this was all before he married my mother--he was a chiropractor for a number of years, I believe in the Kansas City area. This is sort of background. I know about it, I've been told about it, I don't know the details of it. The other thing I might add, I was an only child, I didn't have any brothers or sisters so that's why I haven't said anything about them or anyone like that.

Jusem: Tell me about your service during the war, in the army.

Weeks: Well, I would qualify my draft, being drafted into the army, by saying that I tried everything from just a few days after Pearl Harbor until they froze enlistments in December of 1942 to get into the service. But I wanted to fly. I had always wanted to fly, so the first thing I did, probably within a couple of days after Pearl Harbor,

is go down to the induction station, both the army and the navy, and try to enlist in a training program that would get me either into what I think was then the air corps or naval aviation and I flunked both of them because of my eyes, I didn't have twenty-twenty. I wore glasses, at that time corrected to about twenty-thirty. They weren't real bad but that was the situation. As a matter of fact, a buddy of mine that had been attending the University of Omaha while I did called me one night because he had the same situation, he wore glasses, same correction, we'd often talked about it and talked of our dreams of flying, and told me that the Royal Canadian Air Force was accepting candidates for their air force and they could wear glasses with that amount of correction. He had decided he'd go to Sioux City, Iowa, and enlist and he was asking me if I wanted to go. I think he was leaving the next day or so. I thought about it, just while I was on the phone, real hard. It was a real temptation, I was about ready to say yes, and then, I don't know. I'll never know for sure why I said no and I've often regretted it. Then I've thought, well I'll probably live to tell about this because I didn't, because I'm sure I'd have gotten the training if I got in and I'm sure I would have qualified. I just feel confident that I would. That was still an

early part of the war, I probably would have gotten quite a bit of action over in Britain. So that was--yes, I was going to explain that.

Then when I came out here to Arizona, starting in the spring, I first went down and tried to enlist in the, I think it was the marines. I thought, well I'm at least going to get into an outfit I like. I don't want to be in the army. They found out I was color blind, which I didn't know. They also found I had high blood pressure, which wasn't true. I went to the family doctor right after I had been up there. I was shocked. He checked me over, he says, "There's nothing wrong." He said, "You were just nervous." So the next time I went back there the marines found that my blood pressure was fine and I was good in every other respect even with, you know I could wear glasses in the marines, but I was color blind and they couldn't accept you if you were color blind. So that was strike two or three.

Then I learned that out at Falcon Field, east of Mesa, they were training Royal Canadian and the British pilots.

So I got in the car and drove out one day and determined, "Well I'm going to enlist. I'm not going to get stuck with ground fighting and all that." So I went out there and went in and there was a British-looking guy with his uniform on came up and said, "May I help you,

sir?" I said, "Yes, I want to enlist in the," I said Royal Canadian Air Force because I was still thinking of that and I knew they trained them out there. He asked me a few questions, who I was, where I lived, I was a citizen and so forth. When he found out I was a citizen he said, "I'd sure love to sign you up, but," he says, "the United States government has frozen all enlistments. They won't allow any Americans to be recruited." So there was the strike three, I guess it was. I even took some treatment of some kind and drank a lot of carrot juice. I was being told I could correct my vision and also overcome my color blindness with, I don't know what it was, studying charts and so forth.

I made several tries at still trying to get into either the marines or the navy. Then I was willing to become just a regular navy slob and by george, that color blindness knocked me out of all that. So the last thing I could have enlisted in, which I didn't, was the reserve for the army. My buddies at Phoenix College were signing up and saying, "You'd better do that because you'll get to go through the war going to school and probably the war will be over by the time you get your degree."

Well, I hemmed and hawed and thought the army is the last resort and I was about ready to do that when I woke up one morning in December, around the fifth of December of

1942 and it said, "All enlistments are frozen." I don't know, well I guess primarily they didn't want anybody else getting in the reserve because they wanted them right in battle and they needed them badly. So within a month, January third, I was inducted here and sent over to Fort McArthur.

Jusem: Where is Fort McArthur?

Weeks: Fort McArthur there out of Los Angeles [California].

Let's see, was there anything that I wanted to mention other than that? Oh, well anyway. Then at Fort McArthur they get you started while they were cutting orders on you to decide where they were going to send you. Well we were told that we might go to Oklahoma for the armored corps or we might go somewhere else for some other, I think signal corps, or we might go to the infantry and that would probably be Camp Roberts. And guess what, I got Camp Roberts.

So I went up to Camp Roberts and went thirteen weeks of training. The funniest thing about the training, I was trained basic infantry, was that about the tenth or eleventh week, I'm out on the parade ground somewhere walking and run into one of my old college chums who had been in the reserve. These guys had finished college. They were only a few weeks behind me, but they were far enough behind, like eight or ten weeks, that I could

really give them--I went over to their barracks where they were then, there were several of them, and just kind of crowed about the fact that at least I'd gotten through all the worst of this infantry training and they were just now getting into it. And I was asking, "What happened to all that reserve?" Well, that didn't amount to anything. They got pulled in too.

So I was qualified for infantry, but the same thing happened to me in the army that did in Western Electric.

The doggoned army picked up the fact--I answer everything honestly, I guess I've never known any better--and I put down that I took typing in high school.

So I'm ready to go overseas and they pulled me out of the shipment in San Francisco and put me into an office there where I start typing. After being there for five weeks they transferred me down to Fort Ord, California, another infantry outfit, put me in the battalion headquarters and I'm there for about ten months until I finally say, "I want to volunteer. I want to go overseas." The commander and all trying to say, "Oh, you don't want to do that. The war's going to be over," and so forth. I said, "I do." So they let me.

In preparing to go overseas we had to do some field maneuvers and I got poison ivy. The day I stood inspection with all the troops to go overseas, the

general's walking up and down, looking at them, you know, and kind of checking on them, and I was covered with white stuff they had put on my face and all over my body.

I'll never forget--another one of those things where you wonder whether you said the right thing--but he said, "What's the matter with you, soldier?" I said, "Poison ivy, sir." "It looks pretty bad." "Yes, sorry." "Are you sure you're fit to go?" "Yes, sir." And that was all he said, and I went overseas.

But overseas they, I thought then I was going to be freed up to be an infantryman. I had this desire, I guess, to help fight the war. In New Guinea they again pulled me out of the waiting area where we were going to be assigned to actual infantry fighting up in Northern New Guinea and put me in battalion headquarters to do some typing and before long I was assigned to a company and I was the company clerk.

Then that battalion that I was in was transferred to the air force. That's why I said I spent part of my time. And from--let's see, I arrived in 1944, June of 1944 in New Guinea, and probably by August of 1944 I was in the air force and I was in the air force until after the war up in Japan. As far as I was concerned when I came home I was in the air force, but the truth of the matter was that about the day we were going to leave they cut

orders, this was way high level, to transfer our battalion back to the infantry and they named this one lieutenant and one non-commissioned person, I don't remember who they were. I've talked to people since and they've never heard of that ever happening, that one department of the army or whatever--of course the army and the air force weren't as distinguished, I don't believe, then as they are now. But anyway transferring a whole battalion of infantry into, and the purpose of it being done was because were a processing stage area, so we processed all the air force crews that went from the States to the South Pacific and back. So I watched an awful lot of pilots go back and forth, until I finally cut my own orders and we got, we didn't get to fly back, we came on a boat, but it was a fast one. It got us back in fourteen days.

But anyway, that's enough of my service career, I think.

Nothing very spectacular. I was under bombardment once and that was because we were by an air field. Tokyo Rose had been saying they were going to come back and bomb Biak Island [Indonesia] and we laughed at her until that night when the bombs went off and then we all dove for cover and realized that she probably meant what she said.

But other than that it was a pretty calm war.

Jusem: At least you were pretty safe most of the time.

Weeks: So I lived to tell about all of this. Oh, the other thing. You asked for it, you're going to get it. While I was in New Guinea I was so desperate to get out of that clerks job, though, in the company, I was company clerk, and "Oh, this is not where I'm going to be." The word got out, they were training paratroopers over there because they couldn't get them from States fast enough. Down the road, and you could see them jumping every day down, you know, a pretty good distance, several miles, but heck, you could see the parachutes. Sometimes you didn't see the parachute open until it was just about down to the top of the palm trees and those were the guys that ended up in the hospital, I'm told.

But anyway, the word was that they needed more recruits from there and so they would take volunteers. Well, further, volunteers had been leaving from this particular camp. Now, we were a battalion but there was an overall camp commander because there were a number of battalions in there. And we in turn, I was in a company and that was in a battalion and then you had the camp commander so he was over the battalion and whatever other battalions and so forth. And they had been allowing them to make a transfer over to the paratroops.

So I applied to my company commander and he sat for a long time and tried to talk me out of it. I said, "No, I

want to do it." Finally he said, "You're crazy, but I'll pass it on to the battalion commander." He makes me come in and sit and listen to a lecture and tell me I'm crazy and you can't do this and you shouldn't do this. But, you know, it was the ordinary process. They at least didn't tell you, "You go back and shut up." They said, "Okay, I'll pass it on." The battalion commander said, "Well, I'm afraid you're going to get your wish because the camp commander has just been processing these and he doesn't pay any attention, he's not going to bother you."

Well that was true, he didn't bother with me, he just sent an order back down to the effect, in nice words, but I think they were rather strong, like "I'll be damned if I'm going to send anymore of my men to be slaughtered over there in training, so no more people will be transferred from this outfit to the paratroopers." That was my last attempt to try to get into action. (laughs)

I thought, "There's something, somebody's trying to tell me that I'm not supposed to get into action."

Jusem: You probably thought long and hard about ever taking those typing classes in high school.

Weeks: Oh, my gosh. Well you're young. I understand why they used to say that the army wanted them young. About seventeen, eighteen, eighteen-year-olds, they wanted them to not know much. And I understand why. You know, we

were naive. We're not like this sophisticated group now, the last few generations, that don't give a hoot about patriotism or anything. We thought that that was the thing we should do. It was the right thing to do and we were willing to give our lives for it. And I was willing to do it in New Guinea when I saw guys shot up.

I saw one guy, I didn't see him do it but I saw the stump he did it on and I know there was no lying about it, the ax was there. He had gone up and put his foot on a stump and cut off his foot with an ax to avoid going into combat. I got sick thinking about that and I thought, "My god, I'll go to combat before I'll do that any day."

But, you know, you were there and people were going out every day. Orders were cut and they were going up into the jungles and going right into warfare. So it wasn't one of those things, you're back in the states and you think it would be glamorous. But there were a lot of people that were there with the full intent of fighting a war, whatever was necessary. Anyway, that's the end of that.

Jusem: When you came back you were enrolled at the same time a lot of other veterans were coming back and there was an accelerated class.

Weeks: That's right.

Jusem: Did you enroll in that accelerated law school?

Weeks: Yes, they did. I don't know whether we were the first class but they did combine the degrees to the extent that you could--it wasn't a big deal though. I want to be careful about this. It seems to me I didn't even have to have a bachelor's degree to go into law school. I know that it had been the case that if you had at least two years--I know it was at one time--two years of undergraduate you could go into law school. Then I think they moved it up to three years and it seems to me that at that time that's the way it was. But anyway, what I'm saying, you could carry a certain number of, you could use some of your hours in the first year of law school to complete your business degree, which I did. I had gotten all but six hours already, so it was only six hours of my law subjects that were credited to my business degree and I got my business degree in 1950 and I had entered law school the fall of 1949, which means at that time I had completed all the business I was going to take. So you see, I had to wait until I got my grades, which by the way, my grades were such that it pulled my degree down. I was an honor student in business but I didn't graduate with honors because of those six units. I think I had a little better than a "C" average in the first semester of law school. So it wasn't all that stream-lined. But in a way I guess it was. I guess it was with the summer

school combined. I'm trying to think, because I started in 1946 and graduated in 1952. Now wouldn't that be six years of school? Whereas it's normally seven years, four year undergraduate, three years of the other.

Jusem: I think you're right. I remember hearing that you could combine your first year of law school and your last year of college.

Weeks: Let's see, 1949, 1949-50, 1950-51, 1951-52. So I actually was in school six years. Got both degrees.

Jusem: What I was curious about, I remember hearing other people that went through law school, they had been either interrupted, they had done one year or were just about to start law school but when they came back after the war they had an accelerated course or courses where you could go to summer school and get your degree more quickly, like in two years. That's what I was curious about. Do you remember that?

Weeks: There were members of my class, I started in the fall of 1949 in law school, and there were members of my class that the following summer of 1950 went and took whatever hours they could in the, there was two sessions, and then they took two sessions in the summer of 1951 and they graduated mid-year 1952. Walter Cheifetz is one of them here that did that. I think Bob [Robert A.] Huffman, who went back to Oklahoma, did that. There are probably some

others I can't think of but Walter Cheifetz comes to mind because I remember him.

Jusem: What other classmates do you remember from your classes?

Weeks: Well those that are still alive, Walter Cheifetz, John [F.] Mills, Ralph [B.] Sievwright, there's more than that. It's funny, I have a hard time thinking right now.

I was going to say Dave [David J.] Perry. He's deceased. He was a judge until three or four years ago, five years ago maybe. Oh, well, I'm sorry. John [H.] Killingsworth, John [H.] Westover, both of O'Connor Cavanagh, are classmates of mine.

We weren't a big class. We were a total class of around forty-two or forty-four and I think that included the few that graduated in January. Because we had a class reunion I sort of helped put on, after twenty-five years, and at that time we determined how many there were of us.

I think two had died in the meantime and I think it was something like forty-five. Either we had forty-five then or we had a total of forty-five. I'm sure the classes are much bigger. We started out, though, with a hundred and five or so. Our professors told us to look on either side of us because one of us wasn't going to be there the end of the semester, and they weren't kidding. So we had a big casualty at the end of the first semester. So my "C" average looked pretty good. (laughs)

Jusem: Tell me what it was like that first year of law school. I mean, you got a "C" average. Were classes that much harder or . . .

Weeks: Oh, yes.

Jusem: It was?

Weeks: Yes. Yes, it was. It was a different type of studying:

case method. You'd read the cases and the professor would want you to stand up if he chose you and discuss the case, what were the facts and what were the issues, what were the rulings, what did the court hold. It wasn't, never was that easy. We found that out even after we got to practicing law, trying to put those things together, sometimes it's kind of difficult.

I felt that I put in all the time that I needed to. I wasn't working outside at that time. Yes, 1949, I was giving full time to going to law school. Yet, with all of that, my grades improved, but I don't think I ever got a "B" average overall. I think I was just under a "B" average for the three years. So I didn't make any great record on that.

But I guess one thing that might help explain the problem I had was I had taken an aptitude test at the end of the first semester of Phoenix College and at that time they told me to switch from pre-engineering, I was hoping to become an architect, to law school because I'd make a

much better lawyer. They were so persuasive I did. When I got down there, the summer that I had finished business school, so it was just before enrolling, starting in the fall of 1949, I decided to take another aptitude test . . . (dog interrupts conversation) I decided to take another aptitude test. I think it was sort I just wanted to verify that I was on the right track. I felt I was, I didn't really have any doubts raised, but. . . . I took the test and sure enough they said, "Oh, yes, you're on the right track." But one thing, I'm not sure that had, I was thinking that had something to do with this next with this next thing I was going to tell you, I'm not sure. I guess it was at the same time. I'm sorting looking at myself with every angle.

I thought, you know, I've always been kind of a slow reader so I heard that they had a speed reading or something and I went in wherever you had to and they'd give you a test. So they gave me a test. And I will never forget the woman who talked to me after the test. She said, "Now what grade are you in here in the university?" I said, "Well I just graduated from business school." She looked at me and she said, "I don't believe it." I said, "Why?" She said, "Sure a poor reader." Then she proceeded to tell me and she told

me what is the average and what is this and I was way below that so that I realized in talking with her, and she realized too when I told her, that it took me so much longer. I was just a slow reader. I think once I read it and understood it I was all right and that's why I was able to have, you know, a grade average.

As I say, well, they've reversed all the grades. It seems to me we used to start with one as an "A" and two as a "B" so that I had a one point five or better when I was entered into, inducted into the honor society of the business, so that I was carrying honors right up until the time and--if I had taken six units of almost anything I would have had two more "A's" and that would assured me of graduating with honors instead of two "C's" which just pulled me down that much.

But I think that had a bearing on law school because, first of all, I found it harder and I think most everybody did. Why else would half of us flunk out, and literally, a hundred and five, we dropped down to that fifty figure, maybe fifty to sixty figure at the end of the semester. In fact, they assured us in the second semester, "You shouldn't flunk out now. If you do it's your own fault because we do our cleansing or whatever that first semester." But I spent long hours reading all my cases and preparing and that sort of thing. And with

all of that I just couldn't pull myself up to be an "A" student or even an "A", "B" student type of thing with law school.

Of course I was married, we had a child. There were a few distractions and that probably had a bearing. But I didn't have any full time job at that time that I could say interfered.

Jusem: Did you have a part-time job?

Weeks: Well, I was trying to think. In law school, I know in business school I was a janitor for the church right there that is just about two blocks west of the main entrance of the university. I think the building was still standing the last I heard but maybe they've torn it down. It was a Methodist church and I was the caretaker and janitor and I cleaned up and that sort of thing for them. And what else did I do? I did that while I was going to school. In summertime I had full-time jobs all, well, 1949 and 1950 and 1951 I can remember having full-time jobs during the summer which kept me busy. Of course I wasn't studying. So that's about it.

Jusem: What about during the school year? I mean, how did you pay the rent and pay for school?

Weeks: Well my wife was working and that helped and we lived pretty economically in what they called Polo Village at that time. It was quonset huts that the army had used at

one time and they had moved onto the polo field down there. We had a quonset hut and that was half of what a total length quonset hut was. I forget the dimensions. I remember this, though, it was furnished. You could rent them furnished or unfurnished. Unfurnished was like eighteen dollars a month and furnished was twenty-four dollars a month and that was everything, utilities and all. So you didn't need a lot of income. But my wife worked as a secretary.

Jusem: Was she a legal secretary?

Weeks: No, she had not been, however when she got to Tucson she did get a job with a law firm only because the senior partner, Cleon T. Knapp, his secretary had broken her arm, so my wife was his substitute secretary for a matter of weeks, I don't remember how many weeks, maybe several months before the secretary got back. That was the only exposure to law. But the interesting thing was that as a result of that job, Cleon T. Knapp was the head of the board of regents and they were selecting a football coach at the University of Arizona so he proceeded, and I've heard this from several sources at that time and since, to select the coach he wanted from Southern California, bring him over here and get him settled and everything including he selected his secretary and guess who? It was my wife. He said, "Coach Winslow, here is your

secretary." So my wife became the coach's secretary and was for three years, which would probably be the three years, basically, that I was in law school.

So that made it convenient. She was working on the campus, I was on the campus and we had a quonset just off the campus over there on Cherry, I think it is, whatever street it was. West Street? West or, no. Boy am I turned around. Where the medical building is now, north of Speedway a few blocks.

Jusem: Tell us a little bit about your wife. I guess we should include that if we're going to do a history of your life.

You got married right after you got back from the army?

Weeks: Yes. Well briefly, we were married twenty-two years and then we got divorced. She worked until I was established and then she became a homemaker, I guess they call them now, for the last whatever number of years it was. 1952 to 1968 anyway, so I guess about sixteen years.

Jusem: What was her name?

Weeks: Betty, originally Betty Lassie. Betty Weeks.

Jusem: Did you meet her before you went into the service?

Weeks: No. I met her through a church affiliation after I had gotten out of the service. I went to church, not only for a regular service, but in the evening for what they called a young adults, I think they called it, get-together on Sunday nights and that's where I met her.

Jusem: Tell us something about some of your professors that stand out in your mind.

Weeks: Well the one that stands out the most is Chester [H.] Smith.

Jusem: And why is that?

Weeks: Oh, because he was the greatest professor that I'd ever had, law school or anywhere. He was just tremendous at getting you to understand the law that he was teaching and remember it. He would come up with these gems, I think most of them were gems but I think he had another term too. He would make a statement, he'd say, "Now that's a gem. Make a note of that." So you'd write in the margin G-E-M in big capital letters because you knew that was probably going to be on the test. But I don't know, he was just very personable, very easy to know, very friendly, but considered a very excellent professor. And then he also taught the bar review course.

Jusem: Did you take that?

Weeks: I took the bar review course from Professor Smith. That was conducted in the summer in the heat of Tucson in his back yard. Part of it was in his house, but that was during the day and he'd have evaporative coolers on. Remember we were talking about evaporative coolers then.

Jusem: Yes.

Weeks: In the evening it would be in the back yard because

presumably it would be a little cooler at that time. You'd have these folding chairs, I can remember setting them up in the back yard, all of us, and we'd sit there and he'd lecture to us and during the day we'd be in his house. There would be quite a number of us. Boy, I don't know how many of us took this, but I think there were a hundred and some of us that took the bar exam that year in the summer, late July I guess it was, and most of those people had taken the bar review. It seems to me, now that I think about it, that he divided us up so that he had two groups and we met at different times in order to handle the whole group. I don't think we ever had that many. I don't know how he could have handled it in his house. So I think if you ask some of the others they'll agree that probably he divided us up into two groups and handled his sessions that way.

Jusem: What did you do between the morning and the evening sessions?

Weeks: Probably go back and study. Yes, there was a break in there. I don't remember just whether it went into the afternoon. It seemed to me it would be a morning session, probably not the afternoon because it was the heat of the day, and then they would start about seven o'clock in the evening and go for another two or three hours. And you did that, well you started the first week

of June and you did that right up to probably the week before. He wouldn't take you right up to the weekend or something of the three-day endurance contest, they called it. But he'd finish his course about one week and then he'd say I'd suggest you study during that too, kind of review.

He had a high percentage of success, very high percentage of those that took his course graduated. And boy, if you didn't take his course it really could have an effect on you. There was a guy down in Tucson, I'm not sure I can give you his name right now, but he was in the class before me. Golly, he was one of the top students, but he didn't have time to take Professor Smith's course because he was working out at Grand Central I think they called it, that aircraft manufacturer in South Tucson, and he flunked. And boy, we were all stunned. In fact we were scared to death. If this guy flunked it what was going to happen to the rest of us? Well, it seemed that--of course he took it the next time which would have been in January of our year, 1952, and passed it but I recall that he also took Smith's bar review.

Smith did the same thing in the bar review. We always said he had an inside track, he seemed to know what the questions were. He would never say, now this is going to be a question, as though I've seen the exam. He'd just

say, "They've had this a number of times, so mark this as a gem." (laughter) Boy, those came back to us as we were taking the exam, yes, he's right, there it was. Maybe the facts weren't exactly the same but, boy, the issues and everything else were so much the same that you thanked him for getting you through.

I got through in good style too. As I recall, my grade on the bar exam was much greater than would have been my position in the class. I wasn't one of the one, two or three, I don't mean to suggest that, but I did better, I guess, as did one of my cohorts, John Mills. He and I were about the same grades up through the three years, but it was funny because I think John began dating, I think, the one girl in our class, Nancy [Lee] Fulbright, the last year and they studied for the bar exam. What was so funny was, they were the two top ones, or practically. Nancy led the class and John was up there so close to her, if he wasn't number two he was very close and we always said, "Boy did John benefit by that relationship because he did real well."

Jusem: When did you find out that, how long was it before you found out that you had passed?

Weeks: Late September. It used to take--we'd take the test about the last week of July and it would be the last week of September or the first week of October. It was the

longest period you ever spent in your life.

Tape 1, Side 2

Jusem: So that was the longest period of time?

Weeks: Well it was for me. I don't say it was any different for anybody else. But I had the good fortune, I told you this before, but to put it on the record, I got out law school, I mean took the bar in July I should say, got out of law school, finished that, took the bar, came up to Phoenix and started walking the streets, as every lawyer did in those days, to the different law firms to see if anybody needed a lawyer.

I wasn't doing too well until my good friend Walter Cheifetz who had graduated in January and had joined the firm of Louis and Roca pointed me in the right direction.

He said, "I understand Judge R.C. Stanford on the [Arizona] Supreme Court is looking for a law clerk." He said, "Why don't you go out and talk to him." I said, "I'll do that." So I went out and Judge Stanford hired me right on the spot.

So I clerked for Judge Stanford from the summer of 1952 to about the end of May 1953, because in those years you always clerked, at most, for one year because they'd take on a new clerk. It was just the practice. Besides,

you'd had enough time. You didn't want to spend your career clerking, you wanted to get out and practice. But anyway, during that time, I started working for him either late July or early August and I can remember another classmate of mine, Eldon [R.] Clawson who went to California, he's over there now, but he also clerked for Levi [S.] Udall. We'd get together, you know, for lunch or something and talk about the test, "Well how do you think you did?" and "How did you do?" "When do we get the results?" Then some of the judges would ask us, "Well have you heard?" "Oh, no, we haven't heard." And the pressure really built up because we both felt this way, "Look, we're clerking for the Supreme Court justice. Can you imagine one of us not passing the test?" I mean it was just, it would be unheard of and yet both of us thought well that's a possibility.

So needless to say, they had influence on the Supreme Court and I know that our grades were the first ones that were given to anybody. There was a woman that was the clerk of the court, Supreme Court, Eugenia Davis, and I know she got hold of the woman, I can't remember her name, who took care of the office of the State Bar and she ran it with a tight fist, and she got the grades and then somebody, I don't know whether our judges told us or somebody told us that we had passed the bar. Boy was

that a big day. And all the judges were congratulating us as though it was the greatest thing that ever happened. (laughs) I guess it is for everybody that passes the bar. They think boy, that's the greatest thing that happened to me.

Jusem: I've got a bunch of questions that I just thought of. I'm really curious. First of all, why Phoenix? Did you try in Tucson first to look for a job there?

Weeks: No, no. I had lived here, my folks were still here and it was always my intention to come back to Phoenix. My wife's folks lived here in Phoenix too and you see, like I mentioned, working those summers, and it would have been two summers in law school, the summer after the first year and the summer after the second year and then you're out. You didn't clerk for a law firm like they do now. It would have been unheard of. I'm not saying you couldn't have walked into a law firm and said, "Well, would you like to have me do anything in the library or help you in any way." I don't remember one of my classmates doing that. I wouldn't want to swear on a stack of Bibles that somebody didn't, but it just wasn't customary. So you just thought, well you get a job doing anything you can to make money and get the best paying job and I did pretty successfully do that those years. I worked for a contractor and got paid well and worked for

a bottling company over in California and got paid well. But you didn't have that opportunity because law firms, they were not recruiting, they weren't looking ahead. I've told you this, I had more than one law firm, I mean partners within it, tell me that the typical way they hired was they'd be working hard all of them and they'd get together periodically to talk about the billing and how things were going. Then one of them would say, "Well I'm loaded," and then somebody else would say, "I'm loaded." "Well maybe we ought to get another attorney."

And that's the way it would come up. So they would say, "Okay, we'll do that." And they'd probably tell one person, well you look after that, and they didn't tell that person, now you go down to the law school or anything. It was in effect, you hire the next guy--primarily guys, too, but there was a few women--that walks in the door that, you know, you consider qualified.

So they didn't advertise in the paper. I'm sure all this is true. You just walked in. Because I had some of them tell me, "Well if you'd have come in last week I needed somebody and I hired so-and-so." It was that sort of thing.

Because I interviewed in my own law firm in 1952 and they didn't need anybody. It was Kramer, Roche and Perry at that time, which it was when I joined them five years

later. I was good enough in five years to do it, I think I was good enough when I graduated to join them but they just didn't need anybody. And that was the way that they were hired.

Jusem: Tell me about meeting Stanford for that first meeting that you had with him. Do you remember that?

Weeks: Real well, yes. Because it would have been like all my meetings with him every day I ever worked for him. He was the kindest, nicest gentleman I ever knew. I couldn't put anybody above him for being, where those words would apply more.

First of all, when I was brought in there--and there was a fellow that I knew that had been down at the law school, George Welch who was finishing up, you know, and he was going to be leaving because he had served his year with the judge. So George took me in to see Judge Stanford. If I hadn't heard it then I heard it later but, you know, this guy was really something.

He'd served on the superior court bench way back to, well not Territorial, but into the teens, he was serving as a superior court judge. He had served as a governor of the State of Arizona and there aren't too many, [Ernest W.] McFarland's one of them, that have served as governor and Supreme Court justice. I can't think of any others right now.

But anyway, with all of that, he was just, you know, a big, big man, stood about six-foot two or three, I guess, and big overall. Kind face and just, you know, soft-spoken manner. Shake your hand and ask about you and take great interest in you, really focus in on you. So there wasn't any big quiz or anything. He wasn't really scrutinizing me that I could tell or anything. "Well you're going to be fine. We're going to get along real good." So that was it, I was hired and started practically the next day or the following week, started on a Monday or whatever. But he was just that way. There was no formality. I had an office separate from his, of course, a very small office and he had his bigger office. I had no trouble just walking in and out when I wanted to.

I think the judges each had a--well I'm sure they did too--they had a secretary in addition to their clerk, because some judges chose not to get law clerks even though, apparently, it had been funded. Otherwise, I know the judges weren't paying it out of their pocket so I knew it was funded.

But [Arthur T.] La Prade did not have a law clerk while I was there and I don't think he ever did while he was on the Supreme Court. Who else? I don't believe [Marlin T.] Phelps did to begin with when I was there, but I

think he did get a clerk while I was there.

The ones that had clerks were [Evo] DeConcini. He had, when I joined the court he had Dan [Daniel] Cracchiolo as the law clerk. And then, as I mentioned to you, Levi Udall hired this classmate of mine, Eldon Clawson.

But anyway, I would walk in and I think I told you that the way my judge used me was a little different from the others, I know it was different from Levi, in that a case would be assigned to him by the presiding judge after they'd had conference to decide how they felt they should rule on it. So they'd say, "Well we think we ought to approve this," or "We ought to reverse this case." Then it would be assigned to Judge so-and-so and he was to write an opinion which was to be presented later to the group and they'd hash it over and either accept it or make changes and that. So a case was assigned to the judge.

Levi would usually go over the case with his clerk and say, "Okay, I want you to take these issues or this aspect of the law on these particular issues, and I'll work on this." Then actually his clerk would come back and they'd pull it together and the judge appeared to be the one that primarily wrote the opinion. I don't know beyond that, Dan Cracchiolo. I never heard that DeConcini ever just said, here, Dan, you go ahead and

write the opinion.

But my judge was different in that he would give me cases to start with. I don't know that he did that on all cases; he might have been taking some himself where there were more coming in, and I would be working on one, he'd be working on another. But my experience was, I never worked on a partial case. I was given the case, meaning I was given the briefs, I was to read it, even though I was told, "Now we are going to approve this," or something. So I knew generally what kind of a conclusion, but I still had to put something together that was persuasive that the court would be willing to consider accepting or even my judge would consider accepting, which meant get the facts, set up the issues, and then go on and write the holding. And that's the way it would go.

Then I would take that in to the judge, he'd look it over, we'd discuss it, make some changes, then copies of what we called our final draft would then be distributed to the other four justices. Then once a week the justices would meet in conference and go over these. Clerks were not asked to just sit in there the whole time, but if a judge wanted to he could call his clerk in and say, "Well now, Mr. Weeks or Mr. Cracchiolo or Mr. Clawson has worked on this and I want them to be here

because they may assist in my answering your questions or giving you a different point of view." So I got to do that and so did the others and that was a great benefit because there you sat with five justices of the Supreme Court listening to them talk about a case. They'd all read it too and they'd throw in different things and it was very interesting.

But that was basically the way he used me and as a result I felt that, for myself, I got a lot of benefit because when you have to write the case that you're going to present to justices of the Supreme Court, you naturally are going to do as good a job as you possibly can because they're going to put their name to that someday and it depends on how much it's changed. Well I'm sure from when I started out there probably were a lot of changes, I'm sure he made a lot. But I'm proud to say there were times. . . .

I told you but I'll tell you again about the case that my judge assigned to me to do in the same fashion. The court had decided on the way they wanted it to come out.

My judge, as I recall, had agreed with that conclusion.

I researched it and concluded that it should not be, it should be just the opposite. Now I don't know whether that meant a reversal or whether it meant no, we should approve it whereas they had decided they wanted to

reverse it. So I wrote up the opinion just the way that I thought it should be and I handed it to my judge. He looked it over, in fact he read it, and then probably called me back in, I don't think I always waited for him but maybe sometimes I did while he'd read it. This is where it shows the true character of the man, he didn't say well now Mr. Weeks you obviously didn't come to the conclusion we wanted and you're going to have to go back and do this over . . . (sound of telephone ringing, tape turned off then turned back on)

Jusem: Okay, we're back and we're going to pick up where we left off.

Weeks: Where he was discussing with me this particular decision.

I had already said that it was obvious to me that he didn't think I had come to the right conclusion but instead of telling me, you go back and do some more work on this, or else, you let me handle it and you do something else, he told me, "Why don't you, Mr. Weeks, make copies of that and distribute it to the other judges." He said, "We'll see what they have to say before the next conference." Because I think he thought probably it would never go to the conference, it was probably they'll come back and say, no that isn't satisfactory.

So I did just what he said, circulated them and the

judges, I'm sure this happened before the next weekly conference, sent notes back saying, "This looks pretty good." So then it did go into conference and the discussion was such that the other four judges thought, "Yes, this is the conclusion we want to come to." They had some suggested changes which I made notes on and told me that if I changed that it would be fine.

Well, at that time my judge announced that he didn't feel that we were coming to the right conclusion. He would have to dissent. So they said, "Well, fine." So another judge, I don't remember who it was, was assigned to be the judge that hands down the decision. You always had one judge whose name is listed as the member of the court that renders the decision and the others join either concurring with him or they dissent. They selected one of the other judges, it might have been Levi Udall. I don't remember right now.

So I went back to work working on making those changes, which were minor but necessary to satisfy them, to get it ready in final form. Then when it was they'd sign it. There wouldn't be any further review of it because they were accepting it. So I did that and I got it back to Judge So-and-so, whoever it was, and that part was okay. But while I was actually working on my part of just polishing it up, my judge called me in. He was working

on his dissent and he wanted me to listen to it to see how it sounded. I didn't say anything to him. I mean he was such a good man I wouldn't, you know. I sort of a chuckled to myself, but here's the judge asking me to evaluate his dissent and see if I could help him polish it up in any way when in fact I had worked on the opinion that went the other way. But that's just the way he was.

He never wanted to hurt anybody in his life.

The story I heard about him being governor and why he only ran one time, he wouldn't even run the second term, was that he had such strong feelings that he, as governor, had not been able to help more people, because he was governor, I believe it was the years 1936-1938. It might have been 1934-1936. But it seems to me it was only a two-year period in those years. Even if it was a four-year, it was right in the heart of the depression and people have told me that knew him, said that it really hit him hard. He just couldn't do anything. His hands were tied, but he wanted to do so much to help the poor people that he just didn't have the heart for running another term.

They said there was no doubt he would have been elected because he was so popular, so very popular with the citizenry. Never did anything wrong. He was always too good and too kind to everybody. That isn't really a--I

don't mean to say too good, he was just that kind of person that everybody thought, well if you were a young person that was your grandfather, you know and the greatest person that ever lived and things like that. So that was the interesting experience, one of the interesting ones I had on the Court was that.

The other one that I might mention is that as a clerk you did, I would call it pulling duty. That goes back to the army slang. A clerk was assigned one week to sit in when they had arguments. As I recall I guess they might have them several times a week at that time, not every day, but I think they did more than once. Then the next week it would be another clerk, and rotate and when there was only three of us we each pulled it about every three weeks.

What I found fascinating--you were there to assist the judges, if they wanted you to go get something or do something or help an attorney in whatever he was doing, you were there--was to sit there and watch these attorneys come to argue these cases. You'd see them in the hall beforehand and then you'd see them preparing in courtroom and then you'd see them presenting the argument, and what really impressed me was some of the, what I thought then were the senior partners--I don't mean that they were necessarily what we call big law

firms or very prominent, but they were older senior citizens as far as I was concerned which I suppose then was anybody over forty--how nervous they'd be about presenting argument. I sat there thinking, "Gee, these guys, they don't have to be nervous, they understand." You know, that sort of thing.

That was an experience and it put me in good stead later on because when I went to the attorney general's office they almost right away wanted me to start handling appeals because I had clerked in the Supreme Court and they soon realized that I was very comfortable to go back up there and argue before the same judges I had served under, and I was. And I did go up and argue cases, criminal cases, I can remember several criminal cases and one case involving the Highway Department itself on the Financial Responsibility Act. I don't know, I never counted how many I handled. But I would recommend it to a graduating person now that it wouldn't do them any harm to spend a year clerking for a judge because you get a lot of insight into how those judges think and how they analyze the cases and after all, once you become an attorney you're certainly anxious to come up with the right analysis of matters when you present a case before a superior court judge, let alone a Supreme Court judge.

Jusem: And you had already proved you were analytical skills to

them.

Weeks: Yes, because you were doing that for ten or eleven months day after day. That's all you were doing were working on opinions. You were in their library researching. You really weren't doing original research, you were checking the briefs and the authorities given by the attorneys in their briefs. Normally you and the judges would accept that, but sometimes a judge or, I found that to be true when I was reading, I felt there was something didn't ring true about this and I'd go do some original research, meaning getting into it at a different angle, and come up with--that's why maybe I would decide that the case should go the other way or the judges might decide that.

We often found that the attorneys were not doing a good job. But, you know, that's to be expected. There's all qualities of attorneys like there are all qualities of doctors and business people and so forth.

Some do an excellent job and when you read their brief and if you did a little bit of checking on it, boy, everything was analyzed properly. If they just quoted part of a case, you read that case and they didn't take it out of context, they did a good job on it and you knew that was well researched.

Others didn't do a good job at all. I remember one case,

I can't give you the name of it either, but I said to myself afterwards, "This guy won the case in spite of himself." He did such a poor job on his brief that he conceivably could have lost. It was a fairly close question. But when I did more research into it I found good law that he had missed that really supported his case. So I always referred to that as the guy that won in spite of himself, because he really was a handicap to his client in that regard. (laughs) So I think it was good training.

Jusem: Also while you were a clerk you got to size up a lot of the attorneys who would come in and argue. Did you ever say, were you ever impressed enough by someone that you said to yourself, "I want to work with him when I get out of here"?

Weeks: I can't remember that happening, but I certainly was impressed by some of the attorneys.

Jusem: Do you remember some of the ones that really impressed you?

Weeks: Well Elias [M.] Romley always impressed me. I guess that was also in my practice. But as I recall, Elias was one that was up before the court.

Probably Mark [B.] Wilmer, the senior [Charles L., Senior] Strouss, at that time, the older Strouss I want to say. Some of those attorneys. [Fred L.] Struckmeyer.

It's kind of hard to remember now who they all were.

Jusem: A lot of these names come up again and again in these interviews because they really made an impression on people. What is it that makes them so good? Why did they make an impression?

Weeks: Well, if I were to say, I would say that first of all they were very hard working. If you got to know them more than just casually you found that to be true. They worked long hours, very dedicated to their practice. Also, an aspect of that respect is not only for their knowledge but the overall person. It used to be said, and I remember when I joined the fraternity, let's say when I was admitted and actually started practicing, got out of the attorney general's office, got into private practice, it was more of a gentleman's game. When I say the term game I don't mean to act like we were just playing a game, but you settled more cases on a handshake. You didn't draw up sixty-page documents to settle something. You didn't take an unfair advantage of another attorney. It was not uncommon, it was rather common that if you had sued someone and you didn't get an answer but you knew that that defendant had been negotiating to settle through a certain attorney, you'd call that attorney and say, "Well are you going to file an answer?" Long after that why people just began

entering defaults, bang, bang, as soon as they could do it and never think of that courtesy. So I think that the attorneys that I respected I respected that as much as I did their knowledge of the law and demeanor and so forth, was they were very honest, they didn't want to take unfair advantage of anybody.

Joe [Joseph S.] Jenckes is the one that I'm pretty sure said this because people quoted him on it. They said he said to an attorney one day he was having a difficult time with, he said, "It's tough enough to practice law without being a son-of-a-bitch." I think we recognized in those days, and I'm talking about in the early fifties or through the fifties, that your brother attorney didn't try to give you a bad time. He held you to a, you know, you really had to fight for your case. It wasn't so gentlemanly that they didn't go at it.

But they also could go out of the courtroom and go down to the Flame or on Washington there was a place there, a hangout for the judges and the attorneys and have a drink or just sit and talk. People did not get so out of line that there were hard feelings and things like that. So many cases were settled in those places and also in Donofrio's on North Central, which is right there where the Security Building is now, were settled after work, at lunch, and so forth in a very reasonable fashion.

I've talked to lawyers who were of my vintage in years past, but since that, and that's one of the things they regret. They say, "Boy, it's changed. You can't do that with a lawyer anymore. You can't have an agreement, 'Well look, I'll get answer in. It may take me awhile. If you need one sooner, let me know,' type of thing that's all verbal." They said, "By god, I'd better have it down in writing. I've got sixty days or something because, wham, they're going to get me if they can." "In fact," they'd say, "I don't trust a lot of attorneys. Even though they'd say, 'Oh go ahead, take your time,' I always put it in writing because I've been stung too many times." So there've been a lot of changes, good or bad.

Jusem: We'll move on to the attorney general's office. You went on to the attorney general's office. As an assistant attorney general or assistant to the attorney general?

Weeks: We were called assistants. Assistant attorney general. You were an assistant attorney general. You signed letters that way.

Jusem: How did that come about that you went to the attorney general's office?

Weeks: Well, I think in our earlier conversation, before this taping, I had said that I realized then but I realize more as I'm in retirement and even approaching retirement how many people had directly or indirectly influenced my

life. I mentioned that Walter Cheifetz, a classmate, had mentioned to me, first of all when I was walking the streets he saw me one day and, "How are you doing?" "Well I haven't found a job yet." "Well," he said, "why don't you go up and see Paul [M.] Roca," who was in the law firm that he was associated with. He says, "I think he needs somebody to do some research but," he said, "that's all it would be. You wouldn't be getting a full-time job." I said, "Sounds good to me," and I went up and sure enough Paul Roca said, "Okay, you can work in the library." He gave me the work to do and I did it. So there was the first. You know, somebody gives you a helping hand. I wouldn't have known except for Walter mentioning it.

Well then Walter comes into that same library and said, "I hear that Judge Stanford needs a law clerk." So I go out and interview and sure enough I get hired.

Well, as I'm approaching the time when clerks leave, which are in late spring, because new ones are graduating and they would want to hire them, I had become good friends, and I think all the clerks did, with the woman who was called the clerk of the court, Eugenia Davis, a lovely old lady and she just kind of assumed the role of mother of the clerks and was always asking about us or our family and things like that.

One day I was just going in to maybe give her some papers, coming by to say hello or something, I don't remember why, and she said, "You're going to leaving," or something to that effect, I'm sure. "Yes, I've got to be looking for a job," or maybe I told her I'd been looking.

She said she'd talked to Ross [F.] Jones, who was the attorney general. Of course my ears pricked up. I thought, "Gee, she's been talking to Ross Jones." She said, "He's going to need somebody, he was telling me," and she said, "I told him you'd be a good prospect. Why don't you go down and talk to him." I said, "Gee, I'll be happy to."

So I went down and Ross said, I remember him saying something referring to Eugenia that Eugenia says you're pretty good. So we talked awhile and Ross Jones hired me. And it was just a matter of upstairs downstairs. The attorney general's was on the first floor of the old capitol building and the Supreme Court was on the second floor. So I just went downstairs, as I said, to my next job.

He hired me but immediately sent me over to the other building on Jackson Street where the Highway Department was because my first assignment was to work in that department under a fellow named Thad [Thaddeus G.] Baker.

Thad, who now is in Yuma and I understand he's retired,

I think he was the one that was there--two fellows I worked with in the Highway Department, Thad Baker and Jim [James E.] Hunter, that's why I'm getting that Jim in there. Jim Hunter's still practicing up here in Phoenix. So I spent about a year in the Highway Department as counsel for the Highway Department, advising the highway commissioners, advising the executive director, I believe is his title, the chief engineer or anybody, any other department. They'd have requests for opinions or they'd want to consult with something or you sat in on the commission hearings and the meetings and so forth, there to answer questions. That was very interesting work.

Jusem: Did you have a lot of condemnation work?

Weeks: Not a great deal. I can remember one time going to Florence before Judge--who was the old judge who had been there for so many years? Pinal County.

Jusem: McBryde's there right now. Before [E.D.] McBryde?

Weeks: Oh, yes, way before. Oh this guy hasn't been there in thirty, thirty-five years I guess. He was old at the time. [W.C. Truman or E.L. Green] Anyway went down for the initial hearing to set the bond. It was one of my first times to ever do it. I took along an appraiser, who was a very seasoned one, his name was Les Hansen, and he coached me on the way down. Instead of the attorney coaching the client he was coaching me on the questions I

should ask and how I should approach this.

But I never had any trials of condemnations. It seemed to that, well they weren't doing that much condemnation at that time. We didn't have big highways going through, so didn't have big need for it, so it was only periodically here and there. And I think most of them were settled before they ever got to trial.

Then after the Highway Department I went back into what I call the main office because a lot of the assistants had offices in the main office of the attorney general but they still represented other departments around that weren't located in the capitol. For instance, I did work for the Corporation Commission, I did work for the Liquor Department. I can remember sitting on hearings there, going down when they'd have a hearing, representing the state, maybe against an applicant or whatever that was trying to get a liquor license, or we were trying to remove a liquor license from somebody. What other departments?

Jusem: What kind of things did you do for the Corporation Commission?

Weeks: Primarily write opinions, confer, go over and confer. They were over on Monroe I believe it was.

Jusem: Then you went to the main building?

Weeks: But I was in the, my office was in the main Capitol

Building. The Liquor Department was in the capitol building. I was not industrial. In fact they had their own counsel, the Industrial Commission.

Land Department, Bob [ Robert W.] Pickrell was assistant attorney general, later became a judge and retired just recently. He was counsel for the Land Department and I think he officed over there.

See, some departments had bigger demand for attorneys than the others. There were a number of us assistants that sat in there and. . . . Also then, we were sort of a team. If they needed us on something else why we worked together.

It was a team effort on that Short Creek raid. There were a number of attorneys involved in the planning of it.

I was in on an interesting research problem while I was there at the main office. The way I heard it was that Howard Pyle, who was the governor, called Ross Jones and said, "Ross, come up here, I want to talk to you. It's urgent." So of course Ross went right up to the second floor in another part of the capitol. Howard said, "We've just received word that Carl [T.] Hayden dropped dead in the halls of Congress."

You know of Carl Hayden, I'm sure. A long time congressman, senator, first a representative and then a

senator.

I guess he wanted Ross to know that because there would be the question of having to replace him and what was the procedure, what would you do? We've lost one of our senators. Then I guess Howard Pyle also, either had conferred with some of his close cohorts or something and decided that he'd like to be appointed, and that could be done, he would like to be appointed senator. So they discussed it and said, "Well I'm the governor. I can't very well appoint myself."

So it was proposed and some of us got in on researching whether this could be done, that the governor--by the way, the governor was Republican, Ross Jones was Republican, but Wes Boland the secretary of state who was second in command was Democrat. Well you had to know Wes Boland to know that he was probably as much of a Republican as any of us because he was conservative. But he was a Democrat. He was a nice guy, I really liked Wes Boland.

So the question was, well I guess somebody had to have talked to Wes Boland, I know that, because the way we got the facts was, "What if the governor leaves the state, he's gone, so then the second in command. Well then what if Wes leaves the state, then Ross Jones is in command. Ross Jones makes the appointment of Howard Pyle and he is

the new senator. It's all legal because Wes would have been the one to do it except he was not there." And we were researching. Before we could get an opinion out there was another phone call and they said, "No. They just discovered that Carl Hayden was there and he was looking very healthy. Forget it." (laughs)

Now if you need verification ask John [M.] McGowan, ask Irwin Cantor who--Irwin's retired now, too, from the bench. Those two were there, I know. Bob Pickrell was there. There were so many who would know, that would have heard of that too and knew that that happened.

Jusem: How long did this conference go on? Was it a couple of days or what?

Weeks: It could have been a day or a day and a half. It wasn't very long because obviously, you know, somebody else would spot Carl Hayden and say, what are you talking about? It was just somebody said they saw that he had died. Well he probably, at worst he might have fainted or something. So Pyle was going to be appointed senator, but he never got to be appointed senator.

Tape 2, Side 1

Jusem: I want to ask you about the clerk of the court, to back up a little bit. Eugenia Davis, I wrote her name down.

We never get to talk in these interviews much about clerks of the court, be it Supreme Court or superior court. What do you remember about her? what can you tell me about her? Then we'll go back to the attorney general's.

Weeks: She ran the court. Now, what do I mean by that? I don't mean that she told them how to rule or anything. I just meant that, boy, the judges had the greatest respect for her. She had been there it seemed to me, I think I'm right, longer than any of the judges had. She had served for a number of years before she finally retired. Of course the clerk of the court's duties were to keep all the files, keep all the records, keep all the appointments, although each judge might have. . . . The calendar she prepared. People filed papers they filed it with her. And she only had a few people. Everything's grown out of proportion now. I'm sure that it takes a large group of people out there at the Supreme Court now to receive all the filings and to do all the processing and you've got all the clerks and then you've got attorneys. I understand you have attorneys that they call attorneys, as distinguished from the law clerks, that also advises the court. So it's all changed. But she knew her business. I never heard anybody ever say that that woman didn't do a fine job as the clerk of

the court.

(tape turned off then turned back on.)

Jusem: You were telling me about Eugenia Davis.

Weeks: So she knew all the attorneys. She probably could say that she knew all the attorneys that were admitted in the state of Arizona. That would be an exaggeration in that many of them had never appeared before the Supreme Court, however if you take into account that all people admitted to the State Bar had to be admitted to the Supreme Court and she saw every name, if you understand what I mean. And this woman, and we're not talking about a lot of people. I was number, I still am, six hundred and thirty-six or something admitted since the beginning. I've still got my card, I'm still paying the Bar. So it was less than a thousand attorneys is what I'm trying to say, say in 1952. So she knew an awful lot of them, and boy, that's what I say, when you talk to them they all talked in terms of endearment. But it was respect too. It wasn't, well she's a nice old lady. They had high respect for her the way she ran things. Yet she wasn't dominating or anything like that. Sometimes you run into that kind of a person and, boy, watch your step with her. That wasn't the case. She was very pleasant but very business like.

Jusem: Tell me about getting together. Did you ever get

together with other law clerks or the justices either for lunch or after the business day at the local hangout or anything like that?

Weeks: I would say probably no to after work. I can recall that maybe occasionally I would--I don't recall ever going to lunch with my judge, but I do recall there was a restaurant right there at the corner of Jefferson and Seventeenth Avenue, in that vicinity, that had Mexican food, and I think it was Judge Udall and another judge that loved to go there so we'd go over there. So whether we walked together or met over there, we'd probably sit together. They were all very friendly. It wasn't a case where you're the clerk and don't bother us or the judges just stay by themselves. They were all very friendly and very good. I just couldn't say enough about how they treated us as clerks. Judge La Prade who was very kind, he had an office right up in the corner with my judge so the door entrance to each of theirs was just like a little corner there and he went in one or the other and I've gone in. And as I say, you had that opportunity to go in and talk to other judges because they might call, and they'd probably call me in knowing that I'd worked on something and say, "Earl, can you come in. I want to talk to you about this." And they're looking at something that Judge Stanford supposedly had submitted to

them. So you knew that real well.

Judge Phelps. Judge DeConcini I always thought of as a very fine gentleman. I don't want to distract from the others but some of them were more kindly like my judge. La Prade was nice but he was more formal. Phelps was more formal. DeConcini was very warm. Judge Udall, Levi Udall was just a fine gentleman, just the nicest guy in the world.

I remember the one thing I, you know you occasionally had occasion and there's things that somebody said to you that stick in your mind. I remember that I had gone in there maybe to talk to him. I knew he was running for re-election and he said something about well he was going to have to do this and that, you know, in connection with his re-election. I said, "Oh, Judge, you don't have to worry. You're going to get elected." Everybody had said he would. He said, "Son, let me tell you something. I always run scared." That's just what he said. And here's a guy that, you know, he was the chief justice at that time. Everybody respected him. I think they probably, you'd almost say they loved him but they probably didn't know him that well. They respected him.

Pillar of not only the community but the state. And yet he was humble enough to say, "I don't take anything for granted." And that's just what he said, "I always run

scared." I've never forgotten that. That's probably darned good advice, don't ever take your constituents for granted whether you're a congressman or what. Don't assume anything, and that's just what he was saying. But we didn't socialize. There were never any, well let's have a party. I don't even remember there was anything special when we left. I'm sure you go around and shake hands but there wasn't any, we'll have a little party here. At least I can't remember. Maybe Eugenia Davis and her crew had some cake and punch or something but it wasn't any big deal. I mean, clerks came, clerks went. Judges came. . . .

One thing I think I've told you before, I keep referring to our earlier meeting, but I think for the record I'd like to say something about Judge [Dudley W.] Windes. Judge Windes was on the superior court bench for many years and he enjoyed or didn't enjoy a reputation of being a very strict, very tough judge. I had heard this from many lawyers, very seasoned older lawyers, that "Boy, was he tough to get along with." He just always seemed to snap at people. He was very, sort of bitter. So then I heard that, while I was there, not only heard but I guess I learned in the papers such that he had--I guess that's when DeConcini went off the bench--that he, Windes, was elected to the Supreme Court. So of course I

thought, "Gee, what kind of a guy is this? It'll be interesting to meet him."

Well it was before the time he officially came on. I know that because he was up like for a visit. He came in. My office was right outside the judge's but it was somewhere in relation to the secretary's. I remember he came through there, "Hello. Hi. How's everybody." In.

And of course the judge's door was always open, and "How are you, Judge" and he went into judges's chambers and it sounded like old home week. They were greeting each other and just having a time.

Then my judge called me in and said, "I want you to meet Judge Windes. I've known him many, many years." And either my judge said it or else Windes said it, the fact that my judge had married Judge Windes to his wife. And you know, sometimes something like that really ties two together. So Judge Windes just shook my hand, he was real friendly and glad to meet me.

So then within a week or two why he came on the court. And he was always that way. You know, in the conferences and all he was so nice to everybody and so friendly. I thought, "This is the guy that they said. . . ."

(laughs)

But when you saw him up there on the bench he was all seriousness. Now I never saw him do anything that I

thought was harsh or really unfriendly towards attorneys but I could see that maybe he was still carrying on, that there was two personalities there, that he could be very strict and sort of severe and yet if you knew him why he was just a friendly old guy that you enjoyed being around.

Jusem: I suppose you also got to meet a lot of superior court judges who would sit in occasionally.

Weeks: Yes. You know, I can't tell you one of them either. You might say, well gee you'd think you would have. Yes, you always had that case where a judge had to step down. Maybe he might be sick but more likely he just stepped down because he disqualified himself and they'd call in a superior court judge. Who those judges would be is kind of hard to remember. The judges, let's see how many I can remember.

Jusem: Well what I was curious about really, would the clerk of the judge who stepped down work for that judge or would that, stepping in would he do all the work himself?

Weeks: That would be up to the judge. I'm sure that was the way that would work. He would decide whether he wanted any help.

Jusem: But you don't remember helping anybody that stepped in?

Weeks: No. I don't remember my judge ever being absent or having to disqualify himself, to tell you the truth and I

think I would have known that. I mean I think I would have remembered, let alone know. I know I knew it at the time but I think I would have remembered something like that.

Jusem: Let's go back to the attorney general's office. You said Ross Jones was a Republican just like the governor. Were you involved in politics in any way? Did the fact that he was a Republican affect your being hired, et cetera?

Weeks: No.

Jusem: Were you a Republican as well or a Democrat?

Weeks: I had voted for [Franklin Delano] Roosevelt while I was in the service in 1944, however I voted for [Thomas E.] Dewey against [Harry S.] Truman and I guess that was the first time I switched. So probably I would say I was a Republican at the time that I was hired. But I can say that Ross Jones never asked me what I was. Ross Jones could care less because he had Democrats on there. He was truly one of those people that was not so politically oriented that, I want to know who you are and, you know, that you're going to do more for me than just work for me, you're going to get out and really politic or something like that. So I never felt that was any factor.

And whereas Ross Jones was very well liked and lost to somebody that I thought was totally ill-equipped to serve

as attorney general, he did lose the battle. And I think maybe it was because he just didn't work hard enough, he didn't run scared and that's what you have to do.

Jusem: Were you involved in any Young Republicans, Young Democrats, that type of political activity?

Weeks: Not at that point.

Jusem: But later on you were?

Weeks: Yes, later on I was somewhat involved.

Jusem: You said also that when you were in the attorney general's office you got to argue a few times before the Supreme Court?

Weeks: Yes.

Jusem: Tell me about those instances and how often they'd come up.

Weeks: Well two of them--do you want to know the specifics of the case?

Jusem: Well in general, I guess.

Weeks: There's a couple that come to mind. One, as I said, had to do with the Financial Responsibility Act which was an act which was passed, I think, in 1952, that required people to have evidence of insurance and if they were in an accident and did not have evidence of insurance they could have their license taken away. Well only one state at the time we passed that had had it and they'd had it in effect for awhile. That was Massachusetts. We

adopted that. Naturally a lot of people didn't like it.

"You can't tell me I have to carry insurance." And, "You can't take my license away from me. That's my livelihood and that's my right," and da da da.

So it was bound that somebody would challenge the constitutionality of it even though normally speaking why there were ways that you could get around that or that you could comply. If you didn't have insurance but if you could either get a statement from the other party that they had no claim against you or that you had settled with them, then of course you got your license back. They just wanted to see that the person injured had a remedy against your insurance if there was any claim. Also you could put up a bond and do certain other things. So there wasn't just a clamor for cases to go up. Because it was costly to take it clear up to the Supreme Court and you knew when you started in the lower court that it would go up to the Supreme Court for a final decision.

Well a case did come up. It was before the superior court. I had nothing to do with it because I was in the attorney general's office. But when it came up to the Supreme Court they--in those days I think it was rather common that the county attorney would refer to the attorney general to argue the case. Now that may be

still the case, I don't really know that, or whether the county attorney now argues cases that they've tried. But I was assigned the case to argue it. It was the first time it had been attacked in Arizona. The other side was arguing that it was unconstitutional, it takes away a right of somebody and there was, I think the only cases could have been in Massachusetts that had held that driving is not a right but it's a privilege granted by the state. You are granted a privilege or granted a license but it isn't something that's inherent. So anyway I based my argument on that and we were successful in sustaining it. And that case stood then and always has stood for the constitutionality of the financial responsibility and it's very much alive today. I think there's some more teeth in it because I heard recently they're making it stronger, either the amount of insurance or certain other aspects of it.

Jusem: Yes, we just passed a law regarding it.

Weeks: But what was funny about it was that while I was involved in it, getting ready for it, there was a guy named Turnbull that was a reporter for the Republic, I guess it was then the Republic and Gazette, and his beat was the capitol. Well it was his, like, his nephew whose license had been taken away and who was involved in this case. So he was trying to influence me and the attorney

general's office and all.

Jusem: In what way?

Weeks: Well by his writing primarily. He was writing editorials about this and how unfair and all that. I remember that.

And then he would be out there in the office, you know, and his presence and so forth. He didn't use anything like money or bribes or any of that sort of thing, but he was trying to, because he had been a long-time reporter and you know, we all, you learned, even as a young assistant attorney, that you don't alienate reporters if you can help that. The attorney general's office was very conscious of that. They wanted to please the press but they wanted to do their job at the same time.

I just say that as a sidelight because I learned that there are things that people try to influence you when you're in public office. They don't want anybody to know it. This wasn't something, he didn't want somebody to know this, but he would write in the paper his opinion that this was an unconstitutional act, da da da, and it was a terrible thing and an injustice, and all that. But he carried it further than that. It wasn't something you could charge him with a crime and say, well hey, we caught him doing this. He had a right to complain to us too.

Then the other case was, well one of the other

cases--I've forgotten how many I had--was a criminal case. The guy had been tried, let's see, yes, I guess convicted of murdering his wife. It went up on appeal and they asked me to handle the appeal. The other side was claiming that it would--no, I'm sorry. It was just the reverse. The wife had killed her husband, shot him.

That's right. The basis for it in the lower court and then on appeal was it was self-defense.

The facts were they had left Phoenix to go to Las Vegas [Nevada] or somewhere and he had stopped somewhere up in the Kingman area and while there gone in and bought himself a gun. I don't believe up to that time he owned a gun. He put it in the glove compartment and told his wife, "Well we need something like this to protect ourselves."

They'd gone to Las Vegas and then they were coming back and again out of Kingman somewhere they got in an argument and he pulled over the road very mad--this is her testimony now--he pulled over--and of course she's the only one that could testify, he never had a chance to. She's saying he bought the gun, he put it in there and she became fearful because of some things he said that she thought maybe he intended to do something but she didn't know, she had no reason to be really alarmed so she didn't complain to the police or anybody.

But they were on the way back and pulled over to the side because they got into an argument and I forget what that was about. He tried to reach into the glove compartment and she was convinced he was going to pull the gun out and shoot her because he was so angry, she said. So she pushed her knees, I guess, against the glove compartment. Well he couldn't get it open, he couldn't seem to move, budge her, so he got out of the car and came around the back. In the meantime she reaches into the glove compartment, gets the gun, opens the door, stands up and as he comes around fires five shots at him and hit him five times. And that with the different facts that were, the distance and, oh, other factors, and claimed she had never handled a gun, I forget what else. It just, it didn't ring true at all.

However I argued the case, and we lost it because they did reverse it, I think sent it back for more facts or something else. But I never forgot that because there was a joke about the defendant, who said, "Oh, Your Honor, I didn't stab him. He just ran around the corner and ran into my knife seventeen times." (laughter) Well she'd got him five times and I thought, "Here's a woman who doesn't know how to handle a gun. Admittedly it was not a great distance but here's a woman that I would think would be shaking and not knowing and boy, she hit

him five times." He was dead as a door nail. That was just an interesting one.

But there were other cases, too, that I worked on the brief and argued or--there might have been a couple that were submitted on briefs. I'm not sure. It seemed to me that you could do that also if you--I think it's up to the party that's pursuing the appeal to ask for oral argument, however if you don't the other side always has that privilege also. But it seemed to me sometimes the appeal never went to an argument but you still worked on the brief.

Once you were assigned to appeal you handled it, you researched all of the briefs prepared below and whatever else, and then you prepared the appellee brief and submitted it under the name of the attorney general. But you usually showed the county attorney as of counsel or something like that just because they were the ones that originally tried it in the lower court.

Jusem: Can you tell me again about this roast, about the roast that you held annually?

Weeks: Oh, yes. Okay. Well sometime before I went to the attorney general's office, I don't know how many years before, it had been the custom here in Phoenix to have an annual roast put on by the newspapers. At least that's my recollection. They seemed to be the prime mover in

these roasts. I think it's very similar to the one they have had in the past in Washington, D.C., where I understand it is also the media or the newspapers that put on a dinner at which they invite dignitaries to it and right away turn around and roast them in a, almost a vaudeville atmosphere. Fun and have fun but take pokes at the president and the cabinet and the Supreme Court. Well Phoenix was doing the same thing and when I became aware of it was just about the first year that I was at the attorney general's office, which had to be, I started in June of 1953 so 1953, 1954, somewhere in that time they would have had this particular roast you're referring to, I told you about.

What preceded it and what really made the basis for the roast that year was the Short Creek raid that was conducted by the state of Arizona on a small community up in Northern Arizona called Short Creek. There were a number of Mormons living up there and it was believed, with good cause, that they were living in polygamy, meaning that husbands had many wives. This was a violation of the law of Arizona so, although this had been going on for years and years and years, maybe not a century but way back before the turn of this century, somebody in righteous indignation decided we had to break that sort of thing up and not allow it to happen.

So the attorney general was told to sort of spearhead it.

I don't know exactly why. I guess it was because nobody in the county up north would have had anything to do with it. They probably were Mormon themselves. So the attorney general was to handle it. It was more a question of organizing the officers of the law to go up there and make arrests. There probably was some research involved.

Since I wasn't directly involved I can't speak on that, but I do know that a lot of things were happening in the attorney general's office about that time because I heard about it, getting ready for the Short Creek raid, which was what happened. They had state highway patrolmen, I don't think they used anybody from the county sheriff's because again, probably most of them were Mormon and would not want to participate. So in effect we were excusing the law enforcement officers in the particular county, and I think it was Coconino County if I'm not mistaken, from participating. We were not, the county attorney was not involved to my knowledge. As far as who did participate actively, my recollection was the most active of the assistant attorney generals was Paul [W.] La Prade who's now the city's. . . . But John [M.] McGowan was the chief assistant. He would know about this. Bob Pickrell was there, the Highway Department,

Irwin Cantor was there. They very well might have participated in it.

The raid consisted of highway patrolmen and I'm pretty sure national guard. They went up in the cover of night.

They surrounded the, practically nothing more than a village. When they had done that and went into the community they discovered that there was hardly any men left, there might have been just a few, out of many that had been there. The rest of them had learned some way that there was going to be such a raid and they had headed for the border of Utah where they'd be free from that. So there were women and children.

All the women and children were taken by the officers and brought here to Phoenix. I don't know where they were housed. I do not think they were incarcerated in a jail, but the uproar was because they had been taken away from their homes and moved down to Phoenix. They were tried, many of them came up before the court. I believe there were some trials, but it failed miserably. The population just didn't think that was a fair thing, I guess, and it didn't set well and it was clearly something that the governor knew about and therefore they felt actively participated. It did not reflect good on the attorney general, who was Ross Jones. It was something that the sooner they could forget about the

better.

Well then comes the roast and of course the whole thing was based on the Short Creek raid. It was, I called it sort of a vaudeville because they had actors that were playing the parts of Howard Pyle, there was somebody that looked somewhat like him and talked like him. There was somebody that looked like Ross Jones. There was somebody that looked the superintendent or the head of the Highway Department. Probably some of the other assistant attorney generals maybe were participated in this roast.

By that I mean actors did. And they really had fun with it. And the newspapers had a lot of fun, not only about the raid itself but the roast and such as that. It was a time when you didn't speak too loudly about being an assistant attorney general. You'd just as soon forget the whole thing. I think that's about it without going into the specifics of what was on the stage and that sort of thing. It was wild and a lot of belly laughs you might say. Everybody was in stitches over it.

Jusem: Can we take a short break?

Weeks: Yes, yes.

Tape 3, Side 1

Jusem: My name is Pablo Jusem for the Arizona Historical

Society, Arizona Bar Foundation Legal History Project.

We are in Mr. Earl Weeks' home. It's about ten thirty, eleven o'clock.

Weeks: It's ten thirty-four.

Jusem: Ten thirty-four on May 8, 1992. Last time I was here we finished up talking about your stint in the attorney general's office, the Highway Department and the other activities that you were involved in. What did you do after the attorney general's office? After you worked there?

Weeks: All right. I may have mentioned this before, but I'll go back and pick it up. The reason I left the attorney general's office was that the attorney general, Ross Jones, ran for re-election in the fall of 1954 and lost the election and that meant that not only he left office but that all the assistants likewise did, unless they were specifically asked to stay on with the new attorney general. And to my recollection I can't really remember anybody that stayed on.

So I then, I got a job, you might say, in the offices of the law firm of Stockton and Karam who were long time practitioners in Phoenix. Actually I merely got an office to share. I did not become associated with them as such although part of the arrangement was I didn't pay any rent on the office and I would assist them in

research and in any other way for which they would pay me an hourly rate and then I was free to practice if I wanted to.

I might add, because this is a little historical note, that I moved into the office of Warren [L.] McCarthy who was elected to the superior court of Maricopa County effective January 1st, 1955. So supposedly I was to take over Warren McCarthy's practice. I don't think Warren will mind my saying he had very little practice left to take over. I think he had spent months if not a year or so running for election to the court.

Anyway, going on, I started in there and within the first month I wasn't, people weren't rushing to come into my office and I needed more business than what Stockton and Karam were giving me. So I did what most attorneys did at that time, I went over to the court and I started receiving criminal appointments. I think, as I recall now, that the most you could probably ever, get unless you went to trial on a matter, was fifty dollars. Now that included the appearance at the arraignment and advising them and then you were to counsel with them afterwards in the jail cell or wherever and prepare a defense and so forth, assuming you entered a not guilty plea and that almost always was a given. So I did that. There wasn't much of that. Warren McCarthy, fortunately,

as the judge, one of his duties was to preside over matters involving inmates of the state hospital out on Van Buren. About that time they were undertaking to perform hysterectomies on women who were out there to prevent them from becoming pregnant because there had been a rash, I guess, of pregnancies. I'm talking about women who had been declared incompetent. So they needed to have an attorney represent them at the hearing where there was a determination made as to whether that operation should be performed. And then presumably all their rights had been protected. I was present at these hearings, for which I got paid a sum of money. Warren would always manage to pass those over to me. I think I got most of those.

So that and the criminal appointments, I can tell you from the first three months I averaged a hundred dollars a month and I was thinking about the end of three months that I wasn't going to stay in practice unless something happened. Fortunately I made a loan with a local banker who became my lifetime friend. He saved me from probably even dropping out of the practice of law. Then things picked up.

So I was with Stockton, Karam in that arrangement for one year, 1955. Beginning January 1956 I had built up enough of what I'd call a collection practice that I had to move

down the hall and undertake my own office.

Jusem: Could you talk a little bit more about these insanity cases, the hysterectomy cases? How many did you take? Maybe a little more detail about them.

Weeks: Well, how many? It's very difficult to say. It probably totaled a dozen, but I'd say it's definitely more than six and probably closer to a dozen. I think I probably, at a given time--these hearings were only held, I would guess once or twice a month. They weren't an everyday occurrence. They grouped them together. What I don't recall is, I'm not sure that I was always the only attorney representing the people. But I was always expected to go out and interview my client. Well to tell you the truth I tried to and these women not only couldn't tell me their name, they didn't understand who I was or why I was there. So to me I formed an opinion quite quickly in each instance that they just weren't with it. You couldn't communicate with them. So then comes the day of the hearing and they sit there looking around. You couldn't ask them a question and get any kind of a response of any intelligence. So the proceeding goes something like this, as I recall I believe the judge himself presided unless he had appointed some special master and I don't remember that for sure. But it was in a room where there was a table

and it was fairly informal. They would always have the doctor there, I think it was one of the doctors on staff of the hospital, to give an opinion that he had examined the woman and such things as the fact that she was of child-bearing years, would be capable of bearing a child, also expressed the opinion that in his opinion she was incompetent, maybe even using the term insane, and that there was little or no likelihood that her condition would ever change and that in his opinion that in that condition she would be capable of conceiving and that that would be a detriment, I guess to the community, to herself, she wouldn't be able to take care of a child and such. So those facts had to be established.

I was given the opportunity to examine the doctor in any way I wanted to, to get further information and I would attempt to do that, but I'll tell you very candidly, it was rather difficult to figure out what to ask them. I felt first of all that he covered the essentials and I pretty well knew when I started this, I'd educated myself to know what was their burden of proof, because there was an established, I believe it was statutory, procedure for doing this. So they had certain burdens of proof and I did make sure that they met that.

As far as saying, well you'd cross examine and you'd try and see if you can't bring out something different, we

were not given any money or opportunity to bring in an independent doctor. But more importantly, I, in examining the client, the patient, tried to determine for myself if this woman could help me in any way to understand what was happening so that she could express her wishes and such. Time after time, always, I could say always, it was the same situation. They were people that just didn't know anything that was going on. They might identify with the caretaker, we'll say somebody that was with them also that was brought along and sat with them, because they work with them all the time. They might respond to them, but not by a conversation that made any sense. But they'd look at me like who are you and I've have said several times who I was and I was representing them. That gives you some idea of that. It happened over a period of time and then I understand that it was abandoned. I don't think they do that anymore, but I could be mistaken.

Jusem: So you opened up your own office?

Weeks: Yes, all right. So it's about January . . .

Jusem: Getting back to where we were.

Weeks: Right. Picking up where we were. One of my main clients was Medical and Dental Finance, I think it is, meaning that they were an agency that represented doctors and dentists and they tried their best to collect these

accounts in the usual method of demand letters, phone calls, all that. But when they couldn't get anything then they turned it over to me to file suit. In those days the suit usually included, if the people were employed, an immediate writ of garnishment, by the posting of a bond and an affidavit, none of the protections you have nowadays. Most of the matters were either settled or quickly disposed of in a judgement. Then you had the slow process, sometimes, of collecting out of the wages or in any other way you could. So it was a collection practice and that was the main client. I began to pick up some other clients doing other types of work entirely. I formed a couple of small corporations, drew some leases, drew some wills, probably did a couple of probates. In that day and age, I'm sure you've heard it said before by attorneys, anything that walked in the door you were prepared to do your best and you really didn't give much thought to associating with another attorney except that down the hall were these attorneys I'd worked with, so when I needed advice or if I felt I needed to associate they would be the ones that I would.

Jusem: Stockton and. . . .

Weeks: And Karam. So I kept that on and I was doing pretty well. I was finally beginning to, I was making--I should

say even starting in January of 1956 I was making a decent living for my wife and son, two sons by that time.

That's right. I'd be able to buy a home and things like that.

So I really didn't look much beyond that, about, "Well, did I want to continue to do this?" I knew I was tied down much like, I think of the farmer with the dairy herd, never can take a vacation because they've got to milked twice a day. It seemed that way with my practice, that if I wasn't there, sure I had a secretary, but the clients wanted action and they wanted me there and then there were the defendants I had sued who were willing to pay money or something of that nature, or I needed to deal with. That might have been a drawback. But I had not looked beyond the fact that I was doing pretty well.

And frankly, at the end of 1956 I had made the grand amount, and I call it gross because in those days I don't think I was so refined that I got down to what the net was, of ten thousand dollars. That was a pretty good amount of money. As a matter of fact, when I went to work for the law firm I took a drop, I think of three thousand dollars the first year.

Anyway, it was either toward the very end of 1956, like maybe December, that I got a call from my former boss Ross Jones, the attorney general, saying that he had been

talking to Walter Roche, a very well-respected attorney in the community, just within a day or so, and Walter said he was now looking for a new young attorney to come to their firm, that they needed more help.

I will footnote that by saying that in those days there was no such thing as going out and recruiting graduating seniors from law school or even recruiting lawyers. I won't say that there isn't an exception where they decided they wanted somebody and maybe looked around to try and find somebody that's already in practice that did that, but the truth of the matter was there was no such thing as a specialty to speak of. I can name a few people that probably did that sort of thing, if I can think of their name.

One fellow that practiced probate law exclusively. Now you'd say, there's a specialist, or we'll say at least estate planning, wills and probate law and that was it. But in law firms, even those practicing together, for the most part practiced on their own. They'd get together and compare notes on a matter that one attorney was handling and he'd have the benefit of advice. But I saw it evolve, when I joined the firm after a few years, that we started referring the trial matters to one or two attorneys as trial attorneys. And we gave them enough business that they could get away from doing probates and

everything else that they had done also and take the time to become really skilled. So anyhow, that was sort of a footnote.

So really what had happened, I had interviewed with Kramer, Roche and Perry in 1952--I probably said that earlier--for a job, when I was looking for a job, before I went to the Supreme Court, and a very nice interview with Walter Roche but, no, they didn't need anybody. And either he or many other attorneys I interviewed with said the same thing, "We don't just hire unless we need somebody and when we do why the last person, maybe, that we interviewed we call up and say, 'Would you still like to go to work for us?'" Or they may ask somebody that they know in the practice and say, "Do you know anybody that's been looking for work that you are impressed with?" So that was it.

So Ross must have said something about me because he felt comfortable in saying that he would recommend I go talk to Walter. I told him, I told Ross I was doing quite well, I was very comfortable. He asked about that. I said I liked what I was doing. But he said, "Well it wouldn't do any harm." I said, "That's right. I've always respected Walter Roche and the firm is well known, so I'll go over." So I went over some time in January and Walter interviewed me and to the best of my

recollection--I don't know, he may have introduced me to some of the other, only about four or five other lawyers in the whole office. But I didn't have any other interviews with anybody else and he hired me.

I accepted on the spot because when I heard about it, what they were offering, even though maybe the monthly salary didn't sound as much as what I was making on an annual basis I felt it was a great opportunity. So I went to work for them. I brought along my collection practice and I kept it for about a year but then they felt that they had more important things that produced more money. So eventually I dropped that one main client and maybe some other small clients and went to work for Kramer Roche.

When Walter interviewed me he said, "You will be working for First National Bank." He said, "Principally that will be your main client, but we may have some other work for you." So I understood that and as soon as I started, probably the first day, with the help of Harvey [E.] Streich who was already there and doing a lot of work for the bank--of course he was happy to see me come aboard and take over some of that load.

(Tape turned off then turned back on.)

So I think I said that Harvey was glad to have me come. I was given the job of working, I can remember from the

beginning, with a department known as the loan adjustment department. Now what that meant was that the bank made many loans, and I'm talking about, the majority of the loans I'm talking about were to individuals and they were not big loans. But of course in that day and age when you talked about loans they weren't big anyway. We weren't talking about hundreds of thousands of dollars as a rule.

So I dealt with two people in that department. There were only two men and one secretary. One of the men whose name was Henry Schmidt, worked in the department all the time and basically used the phone and he worked with the banker who had made the loan and tried to collect it in any method that he could. Then he'd work with me in starting lawsuits.

The other one was a guy named Glen Miller. He was in and out of the office. A lot of the time he was around the state knocking on doors, literally, to either get some money or to like pick up their automobile if they had given that with a chattel mortgage or their truck or their plow or whatever you want. I'm just showing you what a kind of a simple procedure it was then.

That department today would probably have forty or fifty people doing the same job. I know that's no exaggeration. Not only that, it isn't the only

department in the bank, of First Interstate, and we're talking about just here locally, that would handle loans. Also, immediately, I was sort of the attorney for every branch manager, every loan officer, not only for these loans that they were following up, you know, "What are you doing on my loan? Are you collecting?" Because they had to turn in reports and they didn't like to turn in reports showing they had loans that were not earning. They took them off of earning, so to speak. But these same officers from the branches would call me about things like writs of garnishment served on them, levies by IRS [U.S. Internal Revenue Service], cars that had been seized by the narcotics people or the U.S. Customs people because of violations of narcotics. On and on and on, in other words. And I fielded their questions. I consulted sometimes with Harvey and Walter but basically I didn't have anybody to turn it over to, so I became pretty much the principal, I'll say, attorney for the bank by sheer numbers of matters that came up and the number of people I met. And they only had six or eight branches then. They have well over a hundred, maybe approaching two hundred branches today.

Jusem: So you were not only doing collection type of work for the loan adjustment department but also anything that came up for the branch managers?

Weeks: That's right. That's true. Could even involve, probably, a problem he had with the people working under him. And I've listed these other things that could have to do with negotiations under way to make a loan to somebody, advice on putting together a loan documentation, to some extent. Usually they used standard forms and they were, in that day and age, chattel mortgages, and then we had the so-called conditional sale contract but the conditional sale contract was used by a dealer of implements or cars and so forth who would then sell the paper to the bank. So the bank would end up with the conditional sale contract and that would be one thing that I would sue on.

The note and chattel mortgage would be another thing I would sue on.

I did not handle notes and realty mortgages, foreclosures. Harvey did that at that time. He was the one that did the real estate foreclosures.

Jusem: Was Harvey Streich also working with the bank as much as you were? I mean, you came in to help, did both of you work on that full time?

Weeks: Yes. I'd say Harvey would probably say that he spent an awful lot of his time with the bank in the area that he did. And I don't doubt that there were officers of the bank who called upon him for some of these matters that I

mentioned, but I do remember that Harvey would come in and ask me questions and get my advice on a lot of those things because he wasn't getting as much of it. Do you follow me?

Jusem: Yes.

Weeks: Somebody would call him and say, "Well IRS walked in the door and such and such," and Harvey would come in and say, "What should they do about it?" because I had had to dig in. It's one of those things, you know, it was the day and age when you didn't get that in law school and I didn't get it in any previous practice and so I had to go to the books and find out what IRS could and couldn't do and how the bank should respond, that sort of thing. The same way with writs of garnishment. I became the authority in the firm. Everybody, every lawyer would come to me on writs of garnishment because I had learned them, I had issued a lot of them before I went to the firm. So if you issue them you also get the feeling of what to do in case they're served on you, what is expected, when do you answer that, what defenses do you have against even answering it, what is proper service, et cetera, et cetera.

So I would say that at that time, if you want to say that, I sort of was the specialist only because it fell on me to handle it, writs of garnishment served on the

bank, writs of garnishment I issued to collect money for the bank, writs of attachment on personal property, replevin actions.

You had the old replevin action to get property back under certain circumstances. We used that in conditional sales contracts because there we were saying, we're entitled to that property, so we didn't want go with a writ of attachment. That would in effect say, "It's your property but we're going to seize it for a debt." If we wanted the property itself back we'd issue a writ of replevin. So when you do all that, as I say, you'd better get knowledgeable with it, and I did.

Also I became the principal one to represent the firm on a multitude of things before the court. You could call it a runner, but I was more than a runner. I had to go over and get things done rather than just deliver papers, because I was a practicing attorney. In fact, I had more time practicing than Harvey did and probably as much experience as any of the attorneys had in the firm. As I said, there were only about five or six of us.

Jusem: Harvey Streich came in in 1957, right? At the same time you did?

Weeks: No, no. Harvey Streich was hired by the firm in June of 1954.

Jusem: Okay, 1954. Was he hired also specifically to work on

the bank?

Weeks: I think he has told me that or let's put it this way, I'm sure as soon as he started working there that he started working for the bank. You know, we're talking about clients. Harvey's told me he didn't bring hardly any practice in with him. He said what he was doing was matters that this Marvin Johnson gave him. He worked with Marvin and he said just barely eking out a living, as I remember Harvey saying it. So when he came there he was kind of available to do anything and do it well so he got in with doing the bank. We represented Western Savings. I know Harvey did work for them. I did very little work for Western Savings over the years. My specialty was going after property and certain types of suits and things. Harvey or Tom [Thomas J.] Lang later would refer Western, have them call me direct. Or IRS levies. It seems to me I'd get calls from Western Savings because I had become somewhat of an expert in that area.

Jusem: What about the partners Kramer, Roche and Perry? What kind of things would they work on?

Weeks: Well first of all, [R. William] Kramer was and had been retired and was for a number of years when I joined the firm. In fact Walter Roche said Kramer retired probably in either 1942 or 1944. But he still came to the office,

not to stay there or do any practice, just to look around and see what was going on.

Walter Roche did a variety of things. He was an excellent attorney. He represented, he was the key person to the clients First National Bank, Western Savings, First Federal Savings, we represented at the same time, and a multitude of other, I would say rather sizeable clients. At one time, although we didn't represent them when I went to work, we had represented the old Central Arizona Light and Power which later became Arizona Public Service. We had represented O'Malley and maybe still did, O'Malley Companies, construction and so forth. Walter represented an airlines, it was principally located in California, and had for years.

(Tape turned off then turned back on.)

Jusem: We're back on.

Weeks: I think you were asking about what the partners did in the law firm at that time. I've identified William Kramer, who was retired. Walter Roche, who came with the firm back in the thirties as I recall, and who was unquestionably the lead attorney if you talk in terms of who had the responsibility to run the firm, he was the managing partner, and who also was the one that everybody looked up to for sort of general leadership and also had,

I think, the most responsible clients.

Other partners were Allan Perry. Allan K. Perry was the partner. I mention that because Allan R. Perry, his son, was practicing with the law firm when I joined, as an associate. Had not been made a partner, he'd only been out of law school I'd say a couple or three or four years.

So the three partners were Kramer, Roche and Perry. The associates were Allan R. Perry, Frank Haze Burch, Ray [Raymond] Huffsteter and Harvey Streich. That was the make up of the firm when I was hired.

Interestingly enough, the day that I went to work I discovered that they had hired, I thought they had hired another attorney. I wonder if I can remember his name. Anyway, it turned out he was just going to share office space. He was a specialist in mining law. He stayed with the firm for a year or two. But what was really interesting was, he took the last office that had an outside window, so the office I ended up with was right off the reception room and it had no windows in it. It was a very small little room. I'd always look at that one that this other fellow was in and think, "Gee whiz, if I had gotten in a week earlier or something I might have had that office instead of him." He's still alive too, last I heard. Well, anyway.

Allan Perry, I used to know better what his specialty was. Bankruptcy, that's right, and I think some other things. But I think he was the bankruptcy specialist. By that I mean that was principally his area. I think his son did quite a bit of that also.

As far as the associates, they did what they were told. Haze Burch, however, at the time I joined, was doing an awful lot of zoning because he had been in the county attorney's office and had been assigned to the zoning commission and had picked up a lot of knowledge. So he did the zoning and even then he had enjoyed quite a good reputation. In 1957 and certainly in the subsequent years he became known as the premier specialist in Phoenix on zoning.

Jusem: How often did you go to trial in those years?

Weeks: I went, not too many trials right away. The reason for that is the nature of collection matters. You didn't get to trial. What you did, you filed suit, yes. They'd maybe file an answer, got some attorney to file an answer, but you filed what was called a motion for summary judgment. They didn't have a good defense. You'd file a couple of affidavits. They couldn't file anything to controvert that and you'd get your judgment. But still, I went to trial. Sometimes they were even trials in the justice courts. I can remember when I

started that [Harry E.] Westfall, who was known to everybody in those days, was the j.p. [justice of the peace] in the East Precinct--we only had two precincts in all of Phoenix. The other one was Al Flood and he was the j.p. in the West Phoenix precinct. They both had their offices downtown in the old courthouse and they divided up--you know, the precincts went way out there, I don't know where they ended. I'm sure they ended out around Buckeye because I think there was a j.p. there and Wickenburg and so forth. I practiced before them.

Then Westfall died; he was not real old but I think he was probably up in his late fifties or early sixties, and his wife succeeded him. Now that's just an interesting story. It's a historical thing, I think, and I always get a kick out of thinking about it. She had no idea what the job was. I had become well acquainted with the clerks in both those courts.

A lot of attorneys just didn't think much of j.p. court.

I observed this when I was over there sometimes. Some attorneys would be so snappy and abrupt with these clerks, "I want to see the j.p." or "I want this done," or "You can't do that."

Well my approach was a little different. I began to win them over and I think it was on some advice I got from somebody in our office, one of the women . . . (Sound of

telephone ringing. (Tape turned off for a moment and then turned back on.)

So I had some suggestion from somebody in our office, I think it was one of the women, that, get to know these clerks and you really get a lot more done. So I did. Well, Ida [Westfall] came into office--and really their offices at that time, I can picture this now, was in the Ford Building which is on the north side of Washington Street and it was probably at the corner of either Second Avenue and Washington or Third Avenue and Washington. It was the Ford Building. The East Precinct was on the ground floor and the West Precinct was on the second floor. So I know Ida spent a lot of time going up there and talking to Al Flood, who was a very experienced j.p., about her duties and what she should do. But obviously there was a limit to that. She couldn't, every time somebody came in or she sat on a matter and said I'll take it under advisement, she couldn't just keep running up there.

So I would come in with a matter and maybe just to file something or to see about getting a hearing set, and I'd very often hear--her door was usually open--"Earl, could you come in a minute?" I'd end up sitting down and she'd present a problem that she was confronted with and ask my advice, so I would advise her. So I know I was one of

her counsels or consultants on how she should handle and rule on it, because she had no background, legal experience at all. But she was a lovely lady and at least she was willing to learn.

I also got well acquainted with Al Flood and, for what that's worth, got along fine with him. And I knew, as I say, that he was helping Ida. But that's just a little interesting thing.

She did a very fine job the years that she served and then she finally stepped down. She did not die in office, she stepped down, retired. I think she could have gone until she died because people liked her so well. She did a good job because basically she learned as she went along and then she was willing to talk to people when she needed to to get advice on how to make a ruling.

So, I said I have my hearings or trials before j.p. court. I had trials in the superior court. I don't remember anything in the federal court. It seems to me, though, I may have been appointed to do some work for the--you were subject to being appointed to represent an indigent prisoner or defendant in the federal court and I may have taken my share of that but not very much. Oh, I suppose when I think about it I probably had at least a couple of trials a month in those years.

What was kind of interesting that you don't see today and haven't seen for many years was I would try my own case.

Even though Haze Burch was very good at trying cases and in 1958 Dan [Daniel] Cracchiolo joined us who was a very good trial attorney and continued to be, but they had enough of their own practice and some of the so-called bigger cases, that I tried my own.

There were cases of sufficient magnitude that if we lost or if the defendant lost there was an appeal. I handled the appeal. And of course you have to remember, in those early days there was only the Supreme Court you appealed to. There was no court of appeals. So as somebody has said, they've noticed that I've been, my name's been on an awful lot of appeals in those early days. And as one young man said, probably trying to butter me up, he says, "Did you ever lose one?" Well I'm proud to say that there are very few losses in all of the appeals that I took to the Supreme Court.

I guess the thing that I kind of look back on with a lot of satisfaction is you started with the client. You took it through the lower court, you took it to the higher court and you finished it. Then there came a time when all this specialty, we got Bill [William S. II] Hawgood with our office and some others that are specialists in appellate work. I worked with Bill on some and then

finally I would just turn it over and say, "It's yours, Bill. I don't even want to bother with it. I'm busy enough with what I'm doing." And then that's where you lose complete--and then by that time we had a trial section. So all I did was file suits and handle motions, things of that nature. But if it ever got to where it had to go to trial why it went to another section.

Jusem: I'm very interested in that transition, how it happened.

Weeks: That's right, it is a transition. And how it happened?

Jusem: Yes. I mean, can you pinpoint a time? Was it gradual, was it. . . .

Weeks: Well let me show you. As I may have already said, the transition of our firm. Our firm, and I now call it our firm, Kramer, Roche, Perry, and then I became a partner in 1960, January 1, 1960. So then I can say it's our firm. I was a partner. In the years 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, we would hire when we needed somebody. We too were so busy working that we didn't have time to begin to think, "Well we'll probably need another attorney or a couple of attorneys so maybe we ought to hire some out of law school and begin to train them ourselves."

But in 1965 is the date I remember, and I think Harvey would agree, was probably the first year that--Walter Roche had died in 1962 and then the managing partners,

you might say, or the group was Harvey Streich, Haze Burch, Dan Cracchiolo and myself. Harvey was the mover of this. He felt we should start recruiting, so he convinced the rest of us that it was worth the expense, for him, and he was the one that started out going, back into the Midwest. He may have just gone to the Midwest the first time, because I remember he recruited in that first class of people that I can remember being recruited, Preston [J.] Steenhoek and Jim [James K.] LeValley off of the University of Iowa campus where they graduated in law. Bill Hawgood off of the campus of Michigan. Ed [Edwin V.] Matney off of the campus of Illinois. Who else was in that group? Well Bob [Robert L.] Milam, and I think Milam was the University of Michigan although he was from Alabama. Therefore I hesitate to say well maybe it was the University of Alabama. I don't think so. I don't think Harvey recruited in Alabama, though, that first year. I think it was Midwest.

Tape 3, Side 2

Weeks: . . . at that time.

Jusem: On one recruiting trip. Is this in 1965?

Weeks: I think it might have all been almost on one recruiting

trip. I think he probably didn't visit more than a half a dozen law schools.

Jusem: So he hired about five people at the same time?

Weeks: Right. That's correct. And that would, you can trace the history of our recruiting back to that year. They joined us because they were then third-year students, and I'm sure this was in the fall or winter of 1965, they joined us in, started in May and June, July of 1966 and passed the bar and so forth. Of course, of those, Jim LeValley, Hawgood and Pres Steenhoek are still there. I mentioned Ed Matney, he was with us for many years, was a partner and then left the firm. Bob Milam, who was in that group, left us as an associate, went back to Alabama. He'd only been with us two or three years I guess. Which would have been, before 1970 he had left. So that was the beginning. The next year, 1966, 1967, so forth, I don't think there was ever a year we missed. The recruiting was always headed by Harvey, but I think maybe the next year he added somebody to go with him. He developed the concept that we should always recruit in teams, even in the state of Arizona. We'd send two people down to the U. of A. [University of Arizona] or two people out to ASU [Arizona State University]. We always would go on the campus. Like AMU, we wouldn't expect people to come into our office, we would recruit.

Now I don't know, I never compared with any other law firm, but we were always of the opinion, because you know, you're aware of what's going on in other law firms, there weren't that many in 1965 in the city, and I believe we were the first law firm that actually went national in recruiting. There might be some that would say, well we recruited so and so off of some particular campus. But recruiting--what I'm saying is we'd pick, probably the next year we went to maybe ten law schools.

When we got into the swing of it, and we got into the swing of it certainly by 1970, we were going coast to coast, all up and down the East Coast, all through the Midwest, clear down, Florida to Texas, clear out and probably in 1966, I don't think he did it in 1965, but 1966 and so forth, out on the West Coast, Colorado, Utah, BYU [Brigham Young University]. So that it became big business.

It soon was nothing--you know, when you started out you weren't spending very much money. Soon you were spending hundreds of thousands dollars. And every firm will tell you that too. I mean, you not only go back and see them, then you invite them to come out. Well they sometimes want to bring their spouses, it used to be the men wanted to. Well then we recruited women and then they had spouses and they'd just come out for a visit. Well

sometimes all they wanted to do was see Arizona. So not everybody signed up that come out. But we didn't bring them out unless we thought they were caliber that we were pretty sure that we would want to hire.

But then having them out, the other partners that didn't get to go and the associates would get to interview. So we'd have them there for two or three days, probably, minimum always, meaning there was a couple of nights that you could have group dinners and do interviewing. You had opportunities for other lawyers to go to lunch with them. You got to know the people pretty well and we wanted them to know us because we wanted to know whether they'd be comfortable in joining us. And some would say, "No, thank you," we'd later hear from them, a letter or something, "I've decided to go with a small law firm," or, "I've decided to do this or that." So it wasn't for everybody, which was to our benefit to know that and not spend some money, as we did on some people, where we had them for a year or two and either they weren't satisfied with us or we weren't satisfied with them.

So I'm kind of in a nutshell telling you what recruiting was like and how it started. And why it started was simply that the four of us, when we had to talk about it, realized that we had more work than we could handle and so, "Well who are we going to hire?" Well, I really

believe it was Harvey that was the first one that said, "I think we should begin to look ahead. It's all right if we need somebody right now, we'll go hire somebody. But I think we need to look ahead to hire students out of law schools and train them so that they'll do things the way we want it done."

That was another key thing. We did start a program, and I don't think anybody has ever been able to exceed us in the quality of training. We've gone to great expense to put on seminars in-house and go out and spend money at the mansion in the Biltmore Estates. I don't know how many times I was out there to either lecture or to only serve as a witness. They'd have mock trials. And we've had mock trials over in the superior court where we actually got one of the judges to sit. So that our young lawyers that were training for trial work could get the actual experience. And we'd get people to volunteer to be jurors. So we went through a regular process.

Now I'm not saying other law firms haven't done that either. I'm just saying what we did. My observation was that other law firms were always asking me about our recruiting and asked me about this and that, which lead me to believe that they were taking note that we were moving ahead and progressive. And that's one of the explanations of why we grew from a very small law firm

to, our largest number is around a hundred and sixty-five. We've dropped somewhat off now, just as other law firms for the most part did too in these two or three past years. Economics and such. We're down to, I think, a hundred and thirty-five or so.

But you wonder how does that happen? Well it happens if you're looking ahead. We didn't just hire people that walked in off the street. We recruited, we trained, we spent a lot of money in our training. We rotated our associates so they could get into several different areas of the law to see how they worked with us in that area and to be sure they were pretty satisfied when they were selected to be in a particular area as a permanent basis. And we always strived to make every associate a partner.

We did not want any permanent associates. In fact when they couldn't make partner and we'd voted them down, we'd just politely suggest they look somewhere else because we didn't want any senior associates that just stayed on. And we've never done that to my knowledge.

Jusem: How long would it be before they were voted to be a partner?

Weeks: We started out about, had to have about six years, we thought, under their belt, six years with the law firm, for us to properly evaluate them and make them a partner.

The last I heard I think they were down to five-and-a-

half and I think some maybe even five years. But I doubt if they've dropped below that. I think you need five years of experience in order to determine if they're going to be a partner.

Jusem: It's outstanding, the literally geometrical growth that you've gone in less than twenty years.

Weeks: Well, for instance, in 1970 when we had a split with some of our partners, there were sixteen of us that formed Streich, Lang, Weeks, Cardon and French. That was the long name then. January first 1970 there were sixteen of us. So by 1990, well by 1987, 1988, 1988 maybe, I'd say we reached probably our highest point which was about a hundred and sixty-five lawyers. So that's less than twenty years.

Also the other thing was, we didn't just branch out with a lot of branches that justified that, but by nineteen, in the early eighties, we went down to Tucson and successfully established a branch where other law firms had failed that went down from Phoenix, as a matter of fact. It seemed to be that you got hometown treatment and you just weren't successful. But we had several factors going for us. First National Bank, was still called First National, and Western Savings both wanted us down there and they were big clients. So we were assured that they had a lot of business to give us. They also

introduced us into the community through their officers who were in charge down there. And then we quickly managed to recruit a couple of very good lawyers from some of their law firms. And all of a sudden, why we were a force to reckon with even though we started out with only about four lawyers, three or four lawyers, to begin with. Today I don't know how many we've got down there, but we're well entrenched now. We don't have any problem having all the business we can handle down there. Now we're very--we may have, by now we've opened our third office and that's in Las Vegas. I was thinking, "Was it Reno?" No, it's Las Vegas. John [J.] Dawson, our bankruptcy expert, is the one that pushed the hardest for that. He's got so much business up in that area.

Jusem: Do you think the growth is in reaction to the city's growth? Do you think in reaction to the litigation?

Weeks: In reaction to our clients.

Jusem: Do you sometimes feel that maybe the growth is in reaction to, the firm's growth, that you create lawsuits? Is that a possibility or what?

Weeks: Maybe I misunderstood you.

Jusem: You're saying the growth has been in reaction to your clients.

Weeks: Yes. What I meant was that we have acquired clients. In addition to keeping most of the clients that we've had

over a number of years, and that's an indication that you've been doing satisfactory work, we've acquired clients.

One of them I think of that we started scratch with them was America West. Well now they're undergoing financial difficulty, but believe me, they needed a lot of advice in the early days of financing, of qualifying as an airline, of financing these big planes, making decisions.

Jock Patton was our partner that was principally responsible, but soon he had a staff of attorneys working with him and they were just, if you've read much about America West, they just shot up like a meteor and grew tremendously. Our attorneys were going to Europe to negotiate deals and so forth. This was a client that very much wanted their attorneys right with them, so Jock was always travelling to Europe and some of the other attorneys with him.

I'm just trying to say, it was a lot of business. Well you've got to have attorneys to do that. The attorneys were primarily in our corporate department. And when they were concentrating on that we had other corporate attorneys, so you had to bring in more attorneys. So we got to where in the eighties, probably by, it's hard to tell, maybe even in the early eighties, we recruited as high as--what was the highest year--twenty or twenty-two

lawyers coming in from graduation. It was nothing to average fifteen and sixteen lawyers a year.

But that's a good-sized firm for a lot of firms in Phoenix. I mean, we've got the big firms and then you drop down and you've got a few thirty, and then, at that time, at that time sixteen lawyers would have looked like a doggoned good-size law firm, because I'm talking about the mid-eighties, not today.

It almost sounds like I'm really bragging too much about the firm, but at least this is history and you know, other firms will interview with you and tell their story and I'm just saying what happened. It's factual. I'm not trying to build it up beyond that.

It was always something that I just stood back at times and looked at and said, "I can't believe it." And Harvey said the same thing to me too. I mean, here we were when it was a small firm and we couldn't believe it and yet we were a part of it and very proud to have been a part of it.

Jusem: Let's go back to the time you became a partner. I guess that was 1960. Then in 1965 you started recruiting. How did your--let's go to the time you became a partner. Did your duties change?

Weeks: No.

Jusem: Okay. You remained with First National . . .

Weeks: No, they liked what I was doing, that's why they made me partner, and I just kept doing that. And of course, yes, I continued to represent First National but I represented, following that in those early years, oh, a lot of clients I can't remember. But I picked up clients in the sixties like General Electric Credit Corporation, General Electric Realty Corporation, so I still had a variety.

For instance, in General Electric Realty Corporation, the fellow who was in charge of that back in Schnectady, New York, he bought homes from employees that had to be transferred on behalf of General Electric Realty and then he would have to sell those homes. Now they did that to help the employee, the employee who was all of a sudden told, "You're moving from Phoenix, Arizona, to somewhere in Virginia." "My god, I've got to sell my house. I've got to buy another house."

Well G.E. was one of those companies, I think one of the advanced companies, in thinking we've got to help them. So they would always tell the employee, "You go ahead and try and sell your house, but we're going to have it appraised by our people and we're going to give you an offer. That is a standing offer. If you can't do any better then you can always take that offer and we'll buy your house." And they were very fair, I know. A lot of

people hardly waited at all, they just went ahead and took it. Others said, well, I'll try it. But most always they'd end up accepting the offer. Then G.E. had to sell it.

Well that's where I came into the picture was not so much when they bought it. But they wanted me, because he was back there, to be responsible for those homes. So I'd have to say to them that there were repairs, that they had maintenance and so forth, and then I'd handle the transaction of the sale. It was funny, it was a little business that they paid me well for doing it. It was probably more business management than it was law. But after all, I was able to deal with General Electric.

I was also dealing with General Electric Credit on legal matters. It was collections on a bigger scale and involved financing mobile home dealers, for instance, of hundreds of thousands of dollars and financing other things. Well then General Electric Realty--no, wait a minute, let's see. Which one was it? General Electric Credit was it? Yes. They got into a new kind of financing, they financed secondary homes, vacation homes.

And they had yet another guy that they had picked up somewhere that had been doing that sort of thing and they gave him, oh, I forget how many million dollar to go out.

So he had been referred to me by other General Electric

people.

So then I accompanied him to Utah, Nevada, Colorado and in Arizona. We dealt with developers who had developed a subdivision of vacation homes and we would buy the contracts after they had sold the homes and or mortgages.

It seems to me, though, that a lot of them were on some kind of a contract. But anyway, to negotiate these, we didn't just buy them one at a time. They would have sold a whole bunch of homes and they'd want to turn over a package of hundreds of thousands.

So we'd literally go into, I remember going into Las Vegas into the Dunes, which was one of the resorts and meeting the head guy who ran the whole thing. His office had nothing on one wall but TV screen so that he, and he had one screen or one camera focused on every one of the cashiers. He could watch the money going through and everything. That's beside the point. But anyway, he was chief attorney for the Teamster's Union for years and he'd borrowed a lot of money, his name came up in connection with sort of improper things in Reader's Digest and so forth. But I remember sitting at a big fancy table and we negotiated a deal for property out around Reno, Nevada. Well then we had to go out to Reno, Nevada, and do some negotiating later on that.

We were up in Colorado, a ski resort type of thing, to

negotiate. We met in Denver but it was vacation property in and around ski resorts and so forth. We moved around Arizona, Northern Arizona over on the Colorado River and I represented them.

So out of that--you see, you kind of build and clients like that will refer others and I got Westinghouse and Johns-Manville was a client of mine. And then I would get banks from back east that would call me and say, I talked to so and so in your First National Bank and they said call Weeks. So I would represent Mellon National Bank of Pittsburgh and Chase Manhattan and various banks.

Not on big deals, but they had deals out here that they were, somebody had probably got to them and come out here or were in business out here and so I'd represent them, file suits and so forth.

Jusem: Did you have any kind of staff working with you? Any other lawyers?

Weeks: Yes. That was the other thing I guess I should mention, is that starting right as soon as those attorneys came on board in 1966 I had two of them. Oh, that's right. One of them is now senior member of another law firm. Gosh, I have to shift gears so fast here.

Jim LeValley and this one other fellow came to work for me--no, two of them did. Jim LeValley was working for me and then Ron [Ronald E.] Warnicke is the attorney and

he's in the law firm of Treon, Warnicke and Dann I think it was last time I knew. Ron Warnicke came and Bob [Robert A.] Ritchie, who's now working, I think, out in the juvenile court, were two associates who worked under me. So then I began to develop a department instead of just a sole operator. I had at least two attorneys and I had a number of women.

Then I was one of the first lawyers to start using what now is called paralegals. In 1970 I decided, with Harvey's approval, that I was going to train women that we had in there and any that came with us to become paralegals trained to handle files in the collection area where they could relieve the attorney of a lot of details. We used form complaints, form a lot of things.

They were knowledgeable on a lot of things. They never could give an opinion of law but they knew what the facts were, they knew what was happening, they could get back to the client with the advice I passed on or they could get back and give them factual information that the people had been served, that we now had a judgment, things like that. Nobody was doing that in Phoenix at that time. And that helped me handle a much bigger, we'll say, caseload of clients. Because the bank continued to grow too and their demands were that much greater. There were that many more branches and more

departments that wanted my specialty.

My specialty was always getting people their money or working out loan deals and that sort of thing. It was creative in some regards because you helped refinance and work things out short of a lawsuit and then you were prepared to go in and battle for them to get their money.

Jusem: You say you created a department. What did you call this department?

Weeks: Creditors Rights Department.

Jusem: Was it the first one in the firm?

Weeks: I would say, well, that's hard to say what you mean by a department. There were people, we had what we called our Mortgage Foreclosure Department and we had certain attorneys that worked in that, basically under Harvey Streich but Tom Lang had some supervision because a lot of those mortgages were out of Western Savings. We had what we called a trial section. These preceded--excuse me, I had my department, you could still call it the Creditors Rights Department, but none of those other departments were using anybody that was trained like a paralegal.

When I say trained like a paralegal, they were not a secretary. I always said, "They are not a secretary. You don't sit and dictate things to them. They learn to do things under your supervision, even preparing

complaints so that you look at it and you are responsible but they have prepared the complaint, all the other documents, they've made contact with the court to set up things. They do things that have enabled us to be competitive and not just keep raising our fees. If I, and this is true of any other attorney that's had to turn to that, if you had to continue to dictate your complaints and you had to do all of those things, my god, the money your clients would have spent would have been outrageous. We charged for paralegals but we charged a very nominal rate compared to what the lawyers were. And then we used associates and that was cheaper than the partner. So I got my associates acquainted with certain clients so the clients would feel comfortable to work with an associate. That's the way you leverage the thing and the way you have to leverage. You only finally deal with the bigger matters and more important matters.

Jusem: So you're kind of shifting from the very every day, day to day matters . . .

Weeks: You took everything, you did everything that came in the doorway . . .

Jusem: . . . and became a people manager.

Weeks: . . . to where you began to have a firm and you began to have people under you and you got a bigger department and you had more clients and so forth. That's just the way

it evolved. Yes. And today you walk into any large law firm and they have all these departments and they have these teams of lawyers. I never really got into that aspect because I was senior and it didn't lend itself. But our firm, for several years now, has gone on the team.

I think one of the first ones that used it was the bankruptcy. We got inundated, and big lawsuits, very complicated and large sums of money involved and John Dawson I think had some his key associates who became partners concluded that you sometimes have to work as a team, on several matters, but the team effort enabled them to really be very effective and now trial attorneys do that in teams and corporate attorneys do it in teams.

So it's been fascinating for me to see how the law practice evolved into what it is today. And that helps you multiply. . . .

You know, I read in the paper now where they talked about salaries. Yesterday. They talked about salaries of different people and how lawyers of big law firms, very sophisticated, take in five or six hundred thousand dollars a year. Well, they didn't always do that. You can only bill the client so much for the work that you individually do or you and a couple of partners do, but when you get big law firms with all this talent and using

every one of them as effectively as you can and with all the new things that you have going now, with the computers and ways of communicating, FAX machines, why, yes. The firms make a lot of money, the partners make a lot of money.

But when they're talking those figures I want to say that you wouldn't find, you couldn't fill my one hand, five fingers, with lawyers that are making five and six hundred thousand, I don't believe, in this city. Now I could be wrong, but I think I've got a pretty good grasp.

They're making anywhere from two to four hundred thousand probably, but you get up to a half a million--now there may even be one or two lawyers here that are coming close to that in personal injury.

Anyway, I'm not here to judge one way or the other. I don't have to convince anybody, it's just that I have a general feeling for what law firms are paying even their partners.

Jusem: Where did you get the idea of using paralegals? Had you attended a conference, did you hear other people were using them?

Weeks: I had, I think it was Haze Burch that had gotten hold of a film. I don't think it was a tape, you know, you think right away of a VCR [video cassette recorder] but this was back before 1970, like 1968 and I think it was a film

that was done on a law firm in Kansas. Three partners, but they had at that time like twenty women working for them and they had a really very successful trial practice, in a very small town in Kansas. But they were so good that people from all over, all over Kansas but all over the Midwest were using them because they were so effective and so efficient. And this whole film told about how they had trained these women and how everybody had their duty to do and so forth. So they had multiplied their effectiveness, I would say, as lawyers, by that method, that they could handle these tremendous complicated cases and large cases, and what was complicated in those days today it would seem like nothing at all, but very complicated large numbers of companies, maybe, and people involved and a lot of documentation. Well they had all these women and they could organize the documents and they could have them scan them and give them summaries and outlines and they had everything going just like clockwork.

I sat there fascinated and I thought about it afterwards and I thought, you know, "I think the nature of collection is such that it's repetitive." You can draw a complaint that pretty well describes ninety percent of certain types of lawsuits. Bank loans on a note and loans on a note by itself, that's one complaint. Loans

on a note secured by chattel mortgage, has bought a contract from a dealer, a guy purchased a boat. So, heck, I was doing that in effect. I was using somewhat standard forms. But even so I still had to dictate to my secretary what to put in there, although maybe you might say well a secretary would sooner or later catch on, but my secretary is also answering the phone, typing all the letters I need to other clients, so for people to say, well I used my secretary, it was not an efficient way to do it. You needed these people that did nothing--they would take a file, pretty soon they would take bundles of files, and they would be responsible and they had their own index, they had a calendar, they knew when things had to be done, we had it systematized that way, and they had to report to me on a form. I could keep abreast and make sure nothing was falling through the cracks.

And that all evolved because I could picture in my mind.

I started out with just two and then I added another one, three, and you'd be surprised, it took care of all our business for quite awhile. And I had two associates working too. But we could handle it much better.

Then we just kept increasing. I don't know what the largest was just in our section, but I think six or eight women in that department was maybe maximum.

Anyway, then the other departments saw what we were doing and in fact tried to recruit away some of my women to go into theirs, and they did succeed in recruiting one or two away, because they saw these women were sharp. They had good minds.

And you know, all of those, I don't think I ever hired a graduate of a paralegal school. The reason--I looked into what they were doing and how they trained them. Well paralegal school, they gave you a smattering, like law school does, of many areas. Well that didn't do me any good. I just wanted them to know creditors rights. So I still had to, and I think there was one or two that came to me, and they had that training but I didn't, and I told them, "As far as I'm concerned I'm not going to pay you any more because I'm going to have to train you the way I want." So I didn't hire any because, man, they're right out of paralegal and they know everything.

They don't. In fact, it was somewhat of a drawback because they thought they knew everything. It's like the young lawyer, he thinks he knows everything and he doesn't. (laughs)

Jusem: Did the way that you billed clients also change?

Weeks: Well yes. Oh, yes. We used to, oh, from the earliest days I guess you kept time, but you billed for results. So you didn't give your client an itemization of how many

hours you had in and that, but you billed on what you felt your services were worth. Of course if you were very successful in getting something you took that into account. That's changed. I don't know to what extent you could say that is put in practice anymore.

When I was last practicing we did not really attempt to do that in any way. We charged them damned good rates, we thought, and gave us a return, the law firm, of what we felt that we should have for the work. So we got a tremendous result, it was hard work and they paid us but we didn't all of a sudden pad it with ten thousand dollars more because where were you going to show that. You know, our clients got sophisticated enough--and also we got on the basis that, you know, when you used to do that you also sometimes got a retainer and then you maybe didn't get too much before you got to the end of the case. So I guess then your client had got a great result so the client's happy so you tell them it's ten thousand or twenty thousand dollars, "Oh, I'm happy to pay that," and they don't realize that if they were doing it on the hourly rate that you normally charged it would have been much cheaper, but you got a great result.

So now we get down to where we have these clients that pay us, some of them did on a retainer basis and others just had us on full time and you billed them and you

billed them monthly because that got the money in and paid the bills. You gave them an itemized list of what you did, how many hours of the partner's time, how many hours of the associate's time.

Of course bookkeeping became far more complicated then when you had to crank all that out. And paralegal's time, and then all the expenses and everything. Of course everything has become bigger and more complicated.

They talk about it's a paper war now between law firms.

So all of that takes time, expense and so forth.

We have specialists now that do in-house filming. We used to use a drawing board before a jury and so forth. By god, we now bring in screens and all kinds of different instruments and things to portray whatever we want to to a jury. I used to be able to rattle off better than I do now, but compared to when I used to practice and we used a drawing board maybe, if that's what they had in the courtroom, or we used a big thing on an easel. Well, now, I've seen our people cart off to federal court for a big important case and we have these big carts and they're filled with things and they're pushing any number of them over to get the stuff over there. It's just so much different.

And again, other law firms are doing the same thing, the big law firms. That's where we are today. It's a

tremendous stress on lawyers, that's what I think is the worst part. The pressure on lawyers is unbelievable, especially now because of the economics. But even when times are good there's so much business to be had and you only survive if you keep abreast of it. If you don't, some of the law firms are going to look a lot better to your client than you do.

So you can talk about how much lawyers get paid, but in a way, man, do they earn it. I think at the cost to their own health, of their family relationships, a lot of things have concerned me having been the old practitioner. Yet I'm not as old as many that I can tell you about that were old when I was young.

But I'm the old practitioner now and I can truly say I'm grateful that I practiced when I did. I'd hate to be in practice right now. I wouldn't even look forward to somebody saying, You can be reborn and you can be an attorney again. I'd say, my god, I don't think I want to be. I think I'd go into something else because of the tremendous pressure. I probably would stay out of a big law firm because of the pressure.

There would be a lot of people that have been in our law firm that have walked away. Again, I don't think it's saying anything against our law firm because I've heard it happens to the other law firms. They just don't

like the pressure. They don't get to spend as much time with their family as they want to, they don't have as much time for themselves. We get on a big case and they work seven days a week and twelve or fourteen hours a day is nothing. Got to get the result, got to get this done.

Well the only trouble is pretty soon it seems one's following another and another and another.

John Dawson is a working dynamo. He's never married and thank god he hasn't because his wife would go crazy.

John started way back when he joined our firm with a different schedule altogether. For a few years he was on the same schedule we were. He got to the office at seven o'clock in the morning or eight o'clock in the morning and he worked until six or seven at night and then he went home.

Then John finally found out for some reason that he did much better work late at night, so John said, "Well if you don't mind I'm going to come in at ten o'clock. I've worked it out with my clients." So John would come in at ten o'clock and work until two or three o'clock in the morning. That's the only trouble, John didn't need much sleep. Then there were mornings when he had to be over in federal court before a judge at eight or eight-thirty and he was there even though he had been in the office until three o'clock that morning. He is still doing

that.

And then he drives himself, he's all over the country. Clients want him in New York, Chicago, Florida, everywhere else. John is one of the premier bankruptcy attorneys in the country. I'm not bragging, because it isn't me. I was just stating a fact that I know to be true. But my god, the pace. We've all tried to get him to slow down and I recently have talked with him again about it. "Oh, I'm going to. I've promised, I've told my partners I'm going to do it." Then I'll talk to the partners or somebody else, "Has he done it?" "No, John's still going strong."

Jusem: How old is he?

Weeks: So that's another side to it. All this sort of is a picture of what the law practice is. I think when I tell these I intend to convey, if you want to know what the law practice is well I'll tell you what it is. It's people like that, it's trial attorneys that, in our firm but in other firms, that are the same way. Hours are nothing to them. Boy they get on a matter, they're there until midnight or later and they work seven days. They work weeks at a time and probably have very little break. It's in their blood. They just, oh, that desire and the result. My god.

I can remember time and again then when our firm would

have a big result, they'd come in. Well they'd throw a big party, at least that section would. The first thing they'd do is go up to the Arizona Club, which is atop the building and have drinks and so forth and then out to Mexican food or something. But you'd hear them all over the office building and several floors yelling about their results. That happens in the trial section.

Now occasionally somebody like in the corporate section will get excited because they just did something, they finished a big negotiation back in New York City and a big deal and it came out just the way the client wanted it. They have something of that feeling that it was touch and go as to how it was going to go and all of a sudden by their tenacious attitude they were able to accomplish that. That I see is part of what gets into the blood of people that become lawyers and drive them to spend the time.

And women are not excluded, but not to the extent that, I never saw women become as engrossed as men did in the practice. But I've been away from it for over two years so maybe they are driving themselves too. I hope they don't. I hope they bring some reason back to where they even get the men to ease off just a wee bit.

Not only that, there's that desire to be a part of a big firm. There's that sort of pride and such, so you work

harder to satisfy your clients to get more clients, to build something bigger. That's the way it's going.

Jusem: I do have one more question.

Weeks: You bet.

Jusem: There's not much tape left. I'll get another tape. Let's take a break.

Tape 4, Side 1

Jusem: We're back after a short break. The first question I want to ask is to reflect and think back on your forty years in the practice of law and tell me what you think your biggest achievement was. What you are proudest of.

Weeks: Oh! The thing I'm proudest of is probably expressed in one letter I still have, because it ended up in my drawer of my desk. I'm just explaining why do I have that one letter. It's from a banker that made me my first loan when I told you that those first three months of 1955 I averaged a hundred dollars a month. He made me a two thousand dollar loan, let's say the fourth month of that existence, like in April 1955, which allowed me to go on and practice law. I had really thought that I might have to drop out of practicing law and go back to something else. I had a family that I had to support. Anyway, he was the First National banker. When I borrowed the money

I had no idea I would ever be working for the law firm that represented them.

Well then I went to work for them and of course I still did my banking with Leo Baumgartner, was his name. He was the manager of the office at First Avenue and Washington in the old building there that had been there from the turn of the century. He became a personal friend. But I represented him on loans that he made, and he didn't make many bad loans. He was a good banker. But he wrote me a letter in which he thanked me and said, I don't remember the exact words now but something to the effect that I was the best damned lawyer or something, you know, there ever was. That just summarizes what I would say would be my greatest achievement, would be the satisfaction that I got and that I received from my clients for work well done. I can't pick any big case and say that that. . . . Yet I think I had fascinating experiences. But the thing that I enjoyed always from the very first day until the last day that I was actively practicing was when I would meet with a client or talk with a client or hear from a client and they would say, "Thank you very much for a job well done." Without trying to brag, but it sounds like it, a lot of them, not all of them, a lot of your clients took you for granted, were very flattering in what they said, you know, trying

to measure you up to other lawyers and talked about in terms like that.

I guess that was it. I always felt that I gave my client their money's worth. I always felt like every case was a personal case for me to win or lose. It wasn't in the sense of this great competition to beat people as much as it was to do a good job for the client. If I had convinced them we should sue then I was convinced in my mind we should win. It was that sort of thing.

I knew this to be a fact because one time after I was a senior partner and all I got into the law books one time, the Arizona Reports, and I found several cases I'd been involved in. So I thumbed through a bunch of others. It isn't too big a job to go through, you can pick out the cases, and I had a very good reputation, a record in appellate work.

That partly is because I selected the cases you could say. I wasn't going to take somebody up and spend their money if I couldn't win the case. I also think I did a damned good job in presenting it in oral argument and that all comes from what I told you originally: I worked for the court so I never felt uncomfortable about going back to the Supreme Court, let alone the court of appeals. I always felt I knew how to write a brief so that it would persuade them because I had clerked and had

read the briefs and had heard the judges' comments and that sort of thing. So I think that answers your question.

Rather than ever dwell on this--I've had some very exciting things. I've had some very unusual things. I don't think in terms of always the biggest thing or the biggest client or the most money involved. I had some small collections that were a riot.

I've sued people like--it's all in the record--I have sued Wayne Newton the famous singer and I almost executed on his famous Arabian horse. But his people all of a sudden found twenty-five thousand dollars plus, probably thirty thousand by that time, and got a check to a sheriff.

I sued--I want to be sure this is right. There's a couple of them. Let's see. I right away say Willie Nelson. I don't think it was Willie Nelson. It was a famous, let's just leave it that way, western singer, well known to the public. Maybe that's the best way to say it. He had borrowed money from First National, he had not paid it back. He was due to have a performance at Lucky's out here on Grand Avenue, which is still in existence. They'd bring these people in for one night, two night stands. I ran a garnishment and caught the three thousand or four thousand--this is like twenty,

twenty-five years ago--money that was owed to him. I garnished the first salary of an attorney general after he had gone into office because he hadn't paid the bank on a judgment.

I'm just trying to think of the unusual things that happened that are out of the ordinary. In the collection business you can have a lot of funny things happen.

I remember representing Westinghouse, the big Westinghouse Corporation, but it was one of their divisions that did financing and financed some big road equipment. The road equipment ended up in Northern Arizona. They sent their representative from I don't remember what part of the country to be right here because it was so important they get that. It was hundreds of thousands of dollars involved.

All I'm building up to tell you is that it was up in Northern Arizona. We got all these actions filed in Yavapai County and Coconino County and we had writs of repleven and we had to, they were then called provisional remedies, we had to comply with all that. I had to coordinate the two sheriff's offices in those two counties so that there would be no tipoff.

Still it was like playing musical chair because the deputies that reported back talked about how a piece of equipment would be seen and they'd go to move in on it

and it was moving somewhere else. One, they were chasing this great big road grader or something down the road. We finally ended up getting all the property in the two different counties and getting them tied down to where we could take possession of them.

But that guy came back, that representative, he was up there with those deputies. He said, "You wouldn't believe what we"--here's a guy that's always been in the big business of Westinghouse and executing loans and doing. He'd never got to the end where you have to go out and do something like this. He thought it was a regular western showdown type of thing. He thought he was going to get shot and lord knows he might have too. One other thing--are we on the record or off the record?

Jusem: We're on.

Weeks: The other thing I can tell you was the time that I represented General Electric and I did for quite a period of time. They were financing mobile homes. We financed this mobile home dealer and he got into them real bad and then wasn't paying. So they had contracts which entitled them to go into the lot and pick up all the inventory. Those are double-wides, those are sixty feet long and they're double wide, so instead of being an eight foot or a ten foot they're twice that width. They're also very often in two pieces. But I think these were all such

that they could be put together and carried on a highway.

But they were overloads, you had to have special permits.

Well they wanted to move in at one time because they felt that this guy was already moving these things out and hiding some and so forth and they thought, "We've got to get those but we've got to get them all at once." So we needed the sheriff.

Well I had helped get Paul Blubaum elected sheriff and so we were very well acquainted. So I called on Paul and I said, "I'm going to need the help of some of your deputies. My people are in town and we've got to plot this. It's a weekend so if they could come out to the house so that we could figure out what we're going to do." I had all the papers. He said, "Sure." Well he shows up with his deputies. So here we are plotting it. On top of that somebody that had been working and doing some investigating had gotten hold of an informer and the informer would tell them a lot of facts that they needed to know but he wanted five hundred dollars cash. This is a weekend. So guess who had to get the five hundred dollars. I did. I went to my druggist and got a hundred or two hundred. I went to my country club and picked up--for some reason each of them had some limit. I had to go about three different places to get this cash. Go

back to the house. Meanwhile the deputies and our people are figuring this out and then they're getting on the phone and they're talking to the informer and all this. Then the fun begins when they decide to move in on these things. They put guards on the lots and so help me some of those damned double wides got moved in the middle of the night. Supposedly with a guard on duty and here they are moving a double wide without a permit. They're not supposed to move them at all at night and they're moving them around the city.

I broke up when I realized, after it was all over with and we finally got everything pretty much gathered together, it must have looked like a Laurel and Hardy comedy because, you know, a big double wide, how do you pull a big truck up and hook it on and take it out and the guard says, "I don't know what happened." Of course he was asleep. He had to be asleep or something. But even so he didn't hear them pull the thing off the lot. One other I've got to tell you that's really funny. We got this guy that borrowed money from the bank and he's got a Rolls Royce and it's worth about a hundred thousand dollars. We have a, I want to say we had a mortgage on it but I'm not sure. It seems to me that we didn't, that we had a writ of attachment with a bond appropriately put up. But we wanted that Rolls Royce.

So we'd go to the sheriff and get the sheriff involved. Well they don't know what to do unless we tell them. So we said, "Okay, we spotted the car here. We spotted it there. Go look here, look there."

So finally a deputy calls me up and he says, "Well I found it, Mr. Weeks. You'll be happy to know we've got the Rolls Royce sitting out here on such and such a lot."

It was a lot where they rented U-Hauls, that's what it was. So he said, "Everything's okay. I'm just waiting now. We're going to have them come and pick it up on a proper lift or something and we'll take it in." We'd already told them where we wanted it stored and everything because you treated a Rolls Royce with real care. I said, "Fine, Deputy." I said, "You just stay there with it, and so forth."

In about ten minutes he calls back and says, "Mr. Weeks, you wouldn't believe it," he says, "it's gone." I said, "What do you mean it's gone? How can it be gone?" He said, "I don't know." I said, "Well what did you do when you got there?" "Well," he said, "when I got there the Rolls Royce was parked and," he says, "right in front of it was this big double wide. And," he said, "on either side," I think he said, maybe it was only on one side, there was a car parked. Anyway, one deputy pulls up on one side and one pulls up behind it so they got it boxed

in. And guess what happened. The cars beside it didn't move. The double wide moved out and it pulled away.

(laughs) And he had to tell me that. He was red in the face. He never would have believed that that double-wide would move for any reason. Somebody had hooked on to it and pulled it out real quick. These were crooks, real crooks.

So that wasn't the end of the story but, oh, I had to call the bank and they were unglued because I had already told the, "We've got it." So they said, "You tell those sheriffs that they better find that now, because it's their responsibility. We'll hold them liable." Blah, blah, blah. So I did and oh, god, they were upset, the whole sheriff's office was.

So about a night or two later I get a call and they said, "We've got it." "What have you got?" "Rolls Royce." "Where is it?" "Down at the Maricopa County Hospital in the parking lot." I thought, "What?" This was down at Sixteenth Street and Roosevelt and it was a bad part of town. I thought, "What the hell was a Rolls Royce doing?" "Are you sure? Did you check this?" "Yes, yes, yes." He says, "You'd better come on down." "Oh yes." Well, what was funny was that I had left word that I might be somewhere else, didn't know I'd be at the phone, and I'd left word at the sheriff's office that they could

call my partner Jim LeValley. So Jim LeValley gets the same message. So what happens is I show up down there in my car, Jim LeValley and another guy, a lawyer, showed up. The deputies, by now I don't know how many deputies they had there, the thing is completely surrounded this time, believe me. So they finally get the tow truck, they get a tow truck this time. They very carefully pull it up, as you do, onto the two rear wheels and then we start downtown from Sixteenth and Roosevelt.

We're going to go down and put it in the basement of the parking garage next to the First National Bank Building, which is still there, it's the one there at First Avenue and Washington. Well here's one sheriff's car out in front, probably two behind that. We're a parade. Then I'm here and then several other cars.

I can picture it yet, we go across Roosevelt clear over to, I guess it probably was Central because you couldn't go straight down First Avenue, down there. And I mean slow and careful because here's this Rolls Royce and we're still thinking somebody's going to come out of a side street and maybe steal it from us.

We pull it down there, the tow truck takes it down in the basement, they park it right in a part of the down thing where there's a big glass window where the guard sits, so he is ordered to sit there all night and watch this

thing. On top of that, they're so worried, we let the air out of all off the tires and we took pictures of it and everything else.

Finally the bank got to keep it long enough to sell the thing. But talk about a cops and robbers type of situation. It was funny.

So there's again you say, well what was the big thing in your life. I guess it was the humor that came out sometimes.

I'll tell another one. You may want to strike this one, but I think I've told you this.

I'm in the bankruptcy court, because I did bankruptcy work, and we were in a trial. I remember Bill [William P.] French--you've heard of Bill French have you? That was the one that tried [Governor Evan] Mecham on impeachment and he's been mentioned on possibly running for senator and I've forgotten what all. He used to be my partner too.

So we were trying this case. I was principally trying it, he was sitting in as an experienced trial attorney and he handled some of it but I handled most of the examination of witnesses because I knew the whole case. So I'm examining this woman. It has something to do with some money that--I guess that was it, somebody was in bankruptcy, a company was in bankruptcy--I don't think

it's so important how it was. But a key thing was where this business guy and his corporation got ten thousand dollars. I think we were convinced that it was money that the bank had in some way and we were trying to trace. I guess that had to be it. He insisted that he'd got it from this woman.

So I get her on the stand. We know that she has lost a husband recently and we had heard or believed that she had received insurance policy proceeds, so we thought that probably the answer would be that those were the proceeds. But I had to do that, see, it was part of the overall case to be sure to not leave any rock unturned. I'm asking her who she is and various things and I said, "Now about this money that you gave or something to this bankrupt? When did you do it? How much was it?" Well, it was about the figure that we knew it was. I said, thinking she'd say, well I received that from insurance proceeds, so I said, "And where did you get this money?"

And without blinking an eye she said, "From my earnings as a prostitute." Now this is in a federal court, you know, not that it's more impressive than a state court, but that bankruptcy judge, I'll never forget that, because she's sitting over to his left and his head goes like this. Just whooom! And everybody froze, and I froze. What was! First of all the answer! And then

what's the next question you ask? (laughter)

Oh, we all laughed about that later. We got into chambers, the judge laughed, we all laughed. But my god, she could have said anything. She was so honest it was unbelievable. She had to be. "My earnings as a prostitute." So you have fun like that.

Yes, there are a lot of times. I remember taking Leo Baumgartner, my friend the banker, over to a trial. It was a small trial but Lorna Lockwood was the judge. She later became Supreme Court justice, you know, and a very famous woman, a wonderful woman. Leo had known her for years, so of course he smiled at her and kind of waved at her even when we were in the courtroom. She kind of looked at him, you know, with a smile. Get him on the stand and I said, after asking his name and so forth, I said, and that's where I made my mistake. But you always tell the witness, "Now tell the court such and such about this loan." He looks up like this, "Well, Lorna, it's like this." Not your honor, nothing. "Well, Lorna, it's like this." She looks down at him and she's not insulted. "Oh, yes, yes," she listens. Oh, god, I broke up inside and then I went ahead. And he kept doing that.

"Well, what else?" "Well," and he might not say Lorna, but he'd keep looking at her just like they're old friends.

Also he got to talking too much. He couldn't just answer the question which would be a yes or no or very short one. So I called a recess and I took him out. He never forgot this, he'd often laugh about it and tell other bankers and everybody about how Earl really chewed him out. I did. I said, "You listen to me and you answer just the questions I. . . ." Because I was intent. I wasn't going to make this look like a farce. I finally got the job done, but I'll never forget that. "Well, Lorna, it's like this."

Jusem: That's great. Tell me about, you said you helped the sheriff get elected. What other political activity did yo get involved in?

Weeks: I tried to get my boss elected. Bob [Robert W.] Pickrell, later a judge and now retired . . .

Jusem: What do you mean "your boss"?

Weeks: Ross Jones as attorney general? Remember when I was assistant, he was running?

Jusem: Right.

Weeks: Well, all the assistants were out helping him. I mean helping him put up signs and do anything else we had to. We were down election night sitting down there at what they called the poll watcher's post. We had people out at the different polls to see that everything was going properly and Bob Pickrell and I were at the headquarters

manning that and if somebody called in and said, "There's something improper going on," well then we had a troubleshooter that went down and looked into it.

Because there was all kinds of fraud going on in those days at the polls. They weren't keeping things just the way they should and people were signing that probably shouldn't sign and maybe there were some dead people involved and all that. Anyway, we sat there all night even after we found out Ross had lost the election, it was clear into the morning when Bob and I finally left. I remember. So that was my experience.

I did not get directly involved in trying to help people and this was sort of an indirect way. I had met Paul Blubaum and my wife had some way and we were impressed with him. He had been the chief of police for many years in Phoenix so we decided to help him out. So we'd have meetings at our house and do various things to help him, worked with his deputies that had also been with him and had quit the force the same time he did, the police force, to help him run. So he ran and got elected. I guess that was the essence of that.

But somewhat tied in with politics is that I had always been a Republican and I became a Trunk and Tusk member. That simply means for, in those days, probably three hundred dollars a year you got to go to about six

dinners, fund raising. Well three hundred dollars and then I think you paid so much per dinner. That's right.

That's what it was. It was three hundred dollars contribution and then so much a dinner. You got to go and listen to visiting dignitaries. They'd have about six. They'd have people like, I remember even Governor [Ronald] Reagan, who was then governor, came over from California with Nancy. I can remember when Spiro Agnew came out. And then others. I can't remember for sure whether [Richard M.] Nixon came. But, well those dinners, I don't think we ever had a president come. I want to be sure and say that it would have been as vice president. But vice presidents, governors and such, senators would come and you got to go to dinner.

Well in addition to being Trunk and Tusk, if you paid some more money, like three hundred dollars more a year, you got to be an Early Bird. Well an Early Bird simply meant that you got to come early and go into a special reception area and shake hands and supposedly talk with the candidate or the vice president or something. I say supposedly because you had a large group of people and everybody's standing around drinking and you didn't sit down and listen to him talk, you literally circulated. So you went up and of course your chairman that was in charge of the Early Birds would usher everybody around

and see that they got to shake hands with him, but that was the honor that you got.

But you got to be known in the Republican circles as a so-called--I didn't want to be known that way, I'm a country boy from Nebraska and I don't care much about this--but you're one of the big wigs. I never sat in on any kind of a meeting that was making great strategy plans for the Republican Party or anything, but more or less just doled out money, I guess. But I was in that for a number of years and of course you get to know the governor and you get to know the local politicians, the sheriff, the mayor and so forth. That's just the way it goes. Did I answer your question?

Jusem: Yes, you did.

Weeks: I didn't really, never cared about politics.

Jusem: What about community organizations? I know after you retired you've become involved with quite a few of them. But before you retired?

Weeks: Are you sure you have enough tape?

Jusem: yes. Were you involved with many during your active years?

Weeks: I started, interestingly enough, I trace it from 1957. I think the reason was that in 1957 when I joined the firm I finally had a, what I'd call, I knew a steady job and some decent hours.

When I was on my own, those two years, I worked all the hours I had to to get my clients' work done. When I went to work for Kramer, Roche and Perry I could come in at seven, probably seven-thirty or eight o'clock and work until five-thirty or so and sometimes not quite that long. Because in those days it was an isolated case when you worked longer. You did, you might work weekends but good lord, not like they do today. I mean, I'm talking about my law firm. They think nothing of coming and working until eight o'clock at night or something. I believed in having family life. So anyway, that's just my way of explaining why.

And I, interestingly enough, have kept diaries every year that I was in practice. I have diaries from 1957 clear through to 1990 that show. I always wrote down what I had to do. I had to go to court. Instead of using so-called calendars, in those days, well I don't say I had every appointment in that, but I certainly had every personal appointment.

So in 1957 I can tell you what I was doing. I was coaching--well let's put it this way rather than be specific about it. I know in 1957 I was a cub master for a cub pack, I was chairman, not chairman, I was on the board of First Methodist Church, I was the chairman of the furnishings of a sanctuary that was being built, I'm

pretty sure I started coaching Little League that year. Thereafter in subsequent years I was coaching Little League, I was in Boy Scouts, I was chairman of that same church Scouts. I got into Kiwanis, by the way, in April of 1957. I became very active, I went to Camp Geronimo in Northern Arizona and helped build a cabin, I worked with Boy Scouts that were sponsored by the Kiwanis, I worked with Key Clubs that were sponsored by Kiwanis. I've been on drives, the United Fund drive, United Way, whatever it was way back when we were doing it. It might have even had the older name that I can't think of right now.

And in my book, so I don't have to exaggerate or anything. I can just look in my diaries. I did one time and I kind of outlined all of the, just to know how many different agencies and organizations I worked for. So my whole life was volunteer work when I wasn't practicing, except, you know, appropriate time for my kids, because I was in Little League and Scouting because of my kids and I took them hunting and I took them fishing and such. So I never really got--I will say this too and probably all my partners would say amen to it, I never was as hard working a lawyer as Harvey Streich or Tom Lang or a lot of them. I've admitted that. I felt that I owed a certain amount of time to my family and I also owed

something to my community. I will say that it bothers me to this day that people do not seem to think that they have any responsibility to their community, at least not to the degree that I think they should. I make a speech.

Jusem: Well I guess we'll bring this to a close.

Weeks: Yes, I think so to.

Jusem: Thank you very much for giving us this opportunity.

Weeks: My pleasure.

End of interview.