

1933-2003
70 YEARS OF HISTORY

A Small-Town Lawyer

BY ANDY MCCARVILLE



I'm not an attorney, nor did I every have a desire to be one. However, I became involved in the legal arena after marrying my lawyer/husband 20 years ago. I was raised by the sea, being the daughter of a submarine officer who was stationed everywhere possible—except the desert. My intention since childhood was to be a marine biologist. However, when my father retired from the Navy, he moved us to Tucson, which was the most foreign place I could imagine, it not being by the ocean. It was an environmental and cultural shock from the military/sea life.

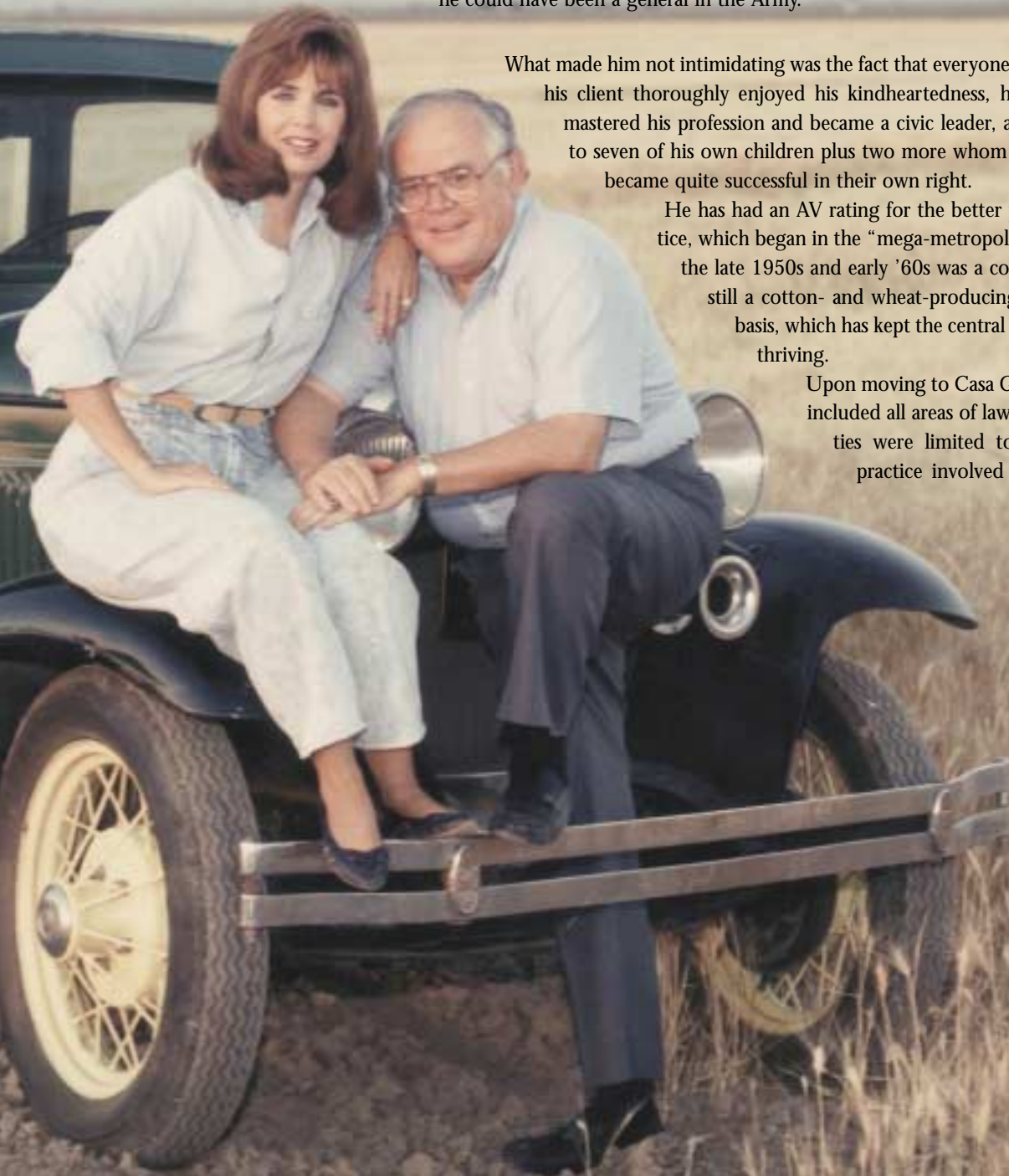
After high school and attending the University of Arizona, I moved to Casa Grande, where I met my husband, who was a lawyer in the largest and oldest firm in Pinal County. I worked at his law firm and was extremely intimidated by his total control of all situations and personnel—he could have been a general in the Army.

What made him not intimidating was the fact that everyone who worked for him or was his client thoroughly enjoyed his kindheartedness, humor and intelligence. He mastered his profession and became a civic leader, as well as an excellent father to seven of his own children plus two more whom he accepted as his own. All became quite successful in their own right.

He has had an AV rating for the better part of his 45 years of practice, which began in the “mega-metropolis” of Eloy. Actually, Eloy in the late 1950s and early '60s was a cotton-producing giant and is still a cotton- and wheat-producing area and has an industrial basis, which has kept the central Arizona city prosperous and thriving.

Upon moving to Casa Grande, this lawyer's practice included all areas of law, because in that era specialties were limited to “big-city” attorneys. His practice involved criminal, civil, agricultural,

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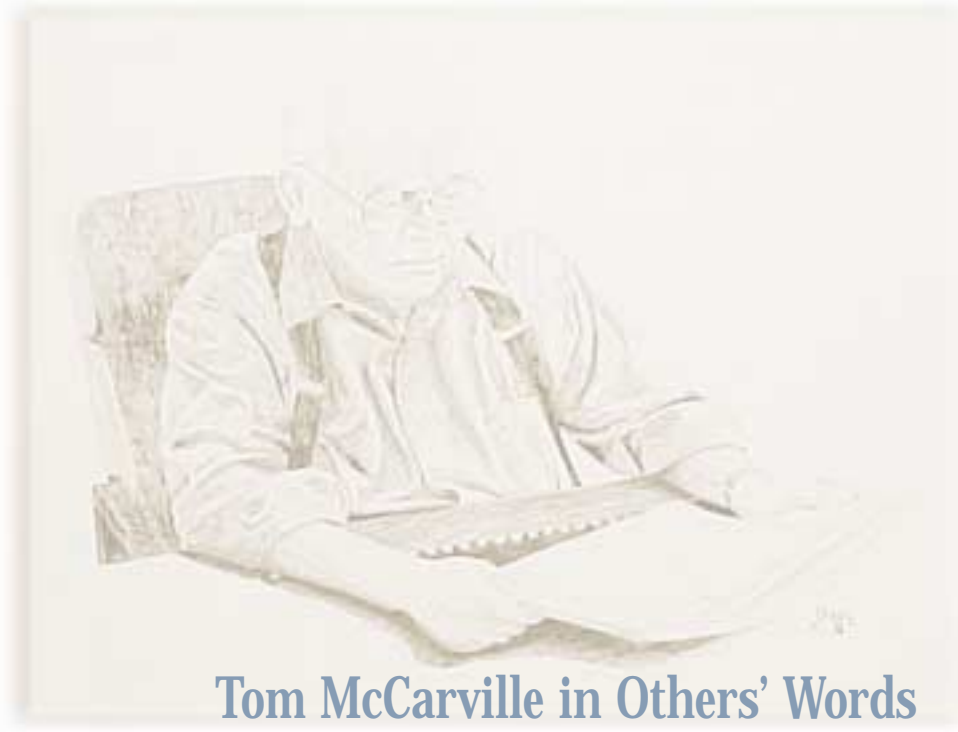
water law, commercial law, banking and real estate.

He has been the city attorney for many Pinal County cities and towns, he has represented many Arizona legends (notorious and famous), including Frank Eyman (former Arizona State Prison Warden), the artist Ted DeGrazia and many criminal

clients (whom he probably would rather I didn't mention). He has had case law written, he has had many law partners elected to superior court judge, he has traveled to many countries while representing clients' interests—his accomplishments go on and on. While practicing law, he also raised wheat, cotton, cattle and kids. His name is

Tom McCarville—a k a McCarville, Cooper & Vasquez, LLP—which has remained the largest and oldest law firm in Pinal County.

Although Tom is still in good mental health, his physical health is deteriorating rapidly. I've always thought that it is sad to remember a person only after his death; I



CARL CLAPP

Tom McCarville in Others' Words

When word got out that the magazine was looking at running a story on Tom McCarville, we received an outpouring of memories from Arizona attorneys. Here are some of those memories.

I have known Tom McCarville for over 40 years. He exemplifies what a lawyer should be. He has practiced in a relatively small community for nearly all of his legal career. He has and deserves a reputation of competence and integrity, and is liked and respected by other lawyers and the judges before whom he has practiced.

To some extent he is one of a vanishing breed. The breed I speak of are lawyers who practice in smaller communities and are asked to get involved in a great variety of legal matters. Tom's practice has covered the waterfront. He has done criminal work, a

and Fitzgibbons. He was a ball of fire, a big fish in a small pond. He was a rainmaker for the biggest and oldest law firm in Pinal County.

He taught me a great deal about the practice of law. He also taught me that a successful practice requires a commitment of time and energy, and a persistent but open personality. My initial assignments were in the areas of domestic relations, personal injury and criminal law. While Tom was helpful in these areas, his most significant contribution to my development as an attorney was his insis-

broad range of civil work, not only litigation, but commercial banking, real estate, water and public law. In this era of specialization, he has not sent his clients off to specialists in metropolitan areas, but has rolled up his sleeves and burned the midnight oil to be able to give his clients good representation in all the areas he practiced in.

He also found time to work in his community and serve as a senior partner in McCarville, Cooper & Vasquez, LLP, one of the oldest and largest law firms in Pinal County. That firm has sent several partners to the Superior Court bench. Tom has also found time to be active in community affairs and serve causes that benefited his community. Tom McCarville is the kind of lawyer that everyone in his profession should be proud of.

—**Thomas Chandler**
Chandler Tullar Udall & Redhair LLP

Thomas A. McCarville, Tom, as we all know, is part legend, part lore, and of course, all family man and lawyer.

I met Tom in May 1980 when I was hired as an associate at Stanfield McCarville Coxon Cole

thought it would be remarkable to have my husband remembered while he could understand the written and spoken word. For that, I needed advice.

I approached a senior partner at Lewis and Roca after reading the most compassionate article he wrote about his father. I asked him for help regarding how to have

an attorney recognized. He suggested I ask Tom's attorney friends as well as governmental and business friends to write to ARIZONA ATTORNEY with their experiences with Tom, either good or otherwise. In fact, Tom made some of his best friends while opposing them in trial.

The stories abound.

Some I can remember well are his experiences with the artist Ted DeGrazia. He and DeGrazia (during his lifetime) would meet on Friday nights after the closing of the Gallery in the Sun in Tucson and share a bottle of Chivas. DeGrazia would go on and on about his adventures, including the burning of his paintings in the Superstition

tence that I become involved with municipal law to get my name out in the community to form a base for a solid general practice. He was right.

In my municipal law practice, he guided me through the maze of the laws that I had to make come together for the benefit of the various communities we represented. Tom was always available to help me. It always amazed me how he could recall case names and cites for the different municipal or other legal issues we were working on.

I can recall several occasions when I went to him to discuss a project I was working on and to seek direction. On each such occasion he would lean back in his chair, cup his hands behind his head, listen to my question and then, off the top of his head, give me a case citation—reporter, volume and page. Or, just as often, he'd cite statutory authority, an article (sometimes one he had authored), or, if it was "new ground" in municipal law, he'd get Jack DeBolske and Cathy Connelly on the phone and we'd have a roundtable discussion. My participation was generally limited to listening. In the end, I'd have the information I needed and a good head start on my project.

Once the job was done (or once the party started), a different Tom appeared. Tom was always affable and personable, but also always very professional. After hours, he was one of the best storytellers around. His humor, wit, quick smile and impish laugh were contagious. He and Southwest artist Ted DeGrazia (one of Tom's most famous clients) could, and often did, keep everyone laughing for hours.

I think it is safe to say that Tom McCarville is a knowledgeable and accomplished lawyer, a published municipal law scholar, a smart farmer (he even made money when the wells went dry and the ditches were the only "assets" left on the farms), and a very good teacher and father. He is a man I am proud to call a mentor and FRIEND.

—Hon. Gilberto V. Figueroa
Pinal County Superior Court

Early in my legal career, I was introduced to Tom McCarville by a senior lawyer in my own firm. He was the kind of guy that you could not help liking—congenial, outgoing, and always cordial. More importantly, despite my inexperience and naivete in the practice of law, Tom treated me with courtesy and respect. For well over one year, I had the pleasure of working with Tom on a case involving utility regulation in Pinal County. It was a great

opportunity for me to learn and to absorb some of the subtleties of litigation—strategy, professional courtesy, client relations and even political realities. I hate to admit that time has faded any semblance of a memory of the details of the case, except those discussed in the reported decision of the Arizona Supreme Court, but I remember well how exciting it was to argue before that Court on a significant legal matter.

In addition to learning many practical lessons about being a lawyer during the time I worked with Tom, I fondly recall snippets of conversations about the differences between Phoenix and Casa Grande, in terms of lifestyle, culture, values, politics and business. Tom was obviously well known and well connected in Pinal County and enthusiastically shared his experiences and knowledge with those he encountered. In our many conversations, I learned about cotton farming, ranching, land development and water, just to mention a few.

Although I regret to say that it has been years since I have spoken to or worked with Tom, I can honestly say that I learned a great deal from him and hope that I have incorporated some of those lessons into my practice. He is a true gentleman and a fine lawyer. Our profession can use more Tom McCarvilles.

—Michael S. Rubin
Mariscal, Weeks, McIntyre & Friedlander, PA

Tom McCarville has been providing legal services to the western part of Pinal County since the early to mid-1960s. During this period, his firm has represented all the incorporated cities in this area at one time or another. This includes Hayden, which is in Gila County.

Tom's most memorable experience in this area probably came about during his initial exposure to our area. My understanding is that he was retained by the Town of Mammoth for the sale of bonds in relation to the construction of the present wastewater treatment plant. As part of this process, Tom and the town clerk journeyed to San Francisco to finalize the sale of bonds.

The next morning, as he went to pick up the town clerk, he came to a rude awakening: The town clerk had passed during the night. Undoubtedly, that is something Tom will never forget.

Tom has been an integral part of Pinal County and has dedicated a lot of time and energy for the betterment of all our communities.

Tom, we appreciate all of your efforts.

—Lionel D. Ruiz
Board of Supervisors, Pinal County



Tom McCarville at Bunratty Castle, County Clare, Ireland, February 1997.

Mountains when the government decided to tax his heirs as to the appraised value of the paintings rather than what DeGrazia thought they should be worth—which was the cost of the canvas and the paint.

We then traveled to Mexico City to help restore the Diego Rivera Museum, which was partially destroyed by the earthquake in the 1970s. The DeGrazia Foundation paid for the restoration and then for a Frida Kahlo exhibit that traveled throughout the United States.

The Goebel Company near Coburg, Germany, which produces the Hummel figurines, decided to transform many of the DeGrazia paintings into figurines and collector plates, which became immediately popular. Tom traveled to Coburg to negotiate the contracts between DeGrazia and Goebel. After DeGrazia's death, Tom continued to represent the Foundation for many years and is now proudly representing DeGrazia's son, Domingo, an artist in

his own right, who owns the largest collection of DeGrazia originals, signed prints, bronzes, and so forth outside of the Gallery in the Sun. And Domingo's mother, Carol Locust, the true love of DeGrazia's life, is a well-respected artist and "Indian Medicine Woman." Truly an amazing woman.

Tom has represented many of the largest farmers in the state as well as farming himself. He managed to farm cotton and wheat while practicing and amassing historical buildings in the Casa Grande area, which were restored and are now listed on the Historic Register. The law office is located in an old restored bank building with three vaults. In fact, Tom and I managed to become locked into one of them with the help of a 4-year-old grandson, but that's another story.

Tom's farming clients included a particular farmer/electronics engineer who raised buffalo and cattle in the Prescott area. Roundups were an enjoyable semiannual event. During one roundup, Tom was herding cattle in a rather dry wash when his horse stepped in a gopher hole, and Tom did a 360-degree tumble over the horse's head. All I heard was the expression, "Oh shoot"—or a rougher equivalent of that—as he laughed while landing on a rather large cactus. Needless to say, we spent the night removing needles. The horse didn't fare too well, either. I led the poor limping sole about 10 miles back to the ranch house while Tom rode in the back of the pickup, backside up. At least the barbecued buffalo steak was worth the pain.

In the early days of practice in rural communities, Tom represented (or tried to resolve disputes between) farmers who would flip coins for each other's farms after a night of somewhat heavy imbibing. This would involve thousands of acres. Early Eloy also involved a few characters of rather questionable "Godfather-type." Bombs being thrown in his garage, threats, etc., were common. Quite exciting.

Then there were always the partners who decided to "create" their own definition of the law. One decided he wasn't making enough money practicing so he made many plane trips to Mexico bringing back copious quantities of a smoking substance, stating it was for medicinal purposes. This was in the late 1960s; medicinal wasn't even an option at that time. Well, he was caught and ended up in the Mexican jail system, which wasn't similar to the Biltmore. Unfortunately, he died there.

Another but more tragic incident involved an extremely talented lawyer/partner who ended up with the wrong associates and was found dead. Again, money was the culprit.

One of Tom's favorite clients was an extremely talented and brilliant, yet very young, entrepreneur who is now in the Phoenix area. He started his life in the Coolidge area and ended up a financial wizard but, unfortunately, made a few misguided dealings, which ended tragically. Hopefully, his life will again be successful and magically transformed to the status he should have.

So many talented lawyers and friends have passed through Tom's life. He attended many functions with Louis Johnson and John Wayne, who had the Red River Land and Cattle Company near Stanfield. Unfortunately, neither is with us any longer.

The reason I am submitting this is to show appreciation for an attorney and friend to so many while he still can appreciate the wonderful life he has had and has given others. Life has been exciting for this girl who was taken from the ocean and given the opportunity to experience life in a different environment. Thanks, Tom. ▀

Andy McCarville is the wife of Tom McCarville, senior partner of McCarville, Cooper & Vasquez, LLP, located in Casa Grande, Ariz. Special thanks to Peter Baird, who encouraged me so many times not to give up in this pursuit, and to the many friends who contributed stories about Tom.