I began my practice of law as a young, straight-out-of-law-school, Deputy County Attorney in the Yuma County Attorney’s office some 30 years ago, just yesterday in my mind’s eye, but seemingly ages ago, gauged by the changes that have taken place. In those days, a new Deputy broke in by appearing in the Justice Court. Before there was a La Paz County, included in our jurisdiction were JP courts in Parker, Quartzsite and Salome.

The most interesting Justice of the Peace in the County, by far, was Judge George Hagely. Now, Judge Hagely was old, but not the oldest JP. That would have been Judge Fuquay in Parker, who clocked in at about 92. The more junior Hagely, 88 or so, held court in Quartzsite. Over the years, both were unbeatable come election day and, I guess, saw no reason to quit.

The County paid Judge Hagely rent for the partial use of his home as a courthouse, and his clerk had a desk in one corner of the living room. Trials proceeded there. The principals sat on chairs and his sofa.

Judge Hagely had a rather peculiar way of deciding matters, to put it kindly. At the conclusion of a trial, just as sure as closing argument, he would invite the prosecutor back into the kitchen and ask, “What do you think I should do?” Now, being an honorable fellow, I would always say, “Well, Judge, I can’t tell you, you have to do what you think is right.” Everyone, including the defense attorney, knew that this conversation would take place.

Shortly, Judge Hagely would return from the kitchen to pronounce the defendant guilty. Guilty, that is, unless attorney Jim Smith was counsel for the defense.

Yes, I mean the same Jim Smith, who in a few years will become the President of the Arizona Bar. If Jim was in the case, the outcome wasn’t so certain. Judge Hagely sometimes confused Jim Smith with William Michael Smith, the Yuma County Attorney, both Smiths, you see, and so if Jim was defending, chances were good that Jim would be called back into the kitchen. Although Jim swore he always told the Judge that he would have to make up his own mind, his clients did receive the rare acquittal.

My favorite story about Judge Hagely involved a case I had no part of. Once again, Jim was right in the middle of it. If I don’t get it quite right, remember I’m telling it second-hand, shrouded by the fog of years.

It seems two young fellows were stopped by the highway patrol in a car speeding down I-10 near Quartzsite. A subsequent search of the car resulted in the seizure of a small quantity of marijuana, and they faced trial on misdemeanor drug charges before his Honor. One of the two defendants had no money, and so Jim was appointed to represent him.

The other fellow had well-heeled parents, who went out to hire him the best lawyer they could find. They engaged a large and prestigious firm in Phoenix to represent Junior. Now, the firm did not specialize in criminal law but they had plenty of fine lawyers and, as to be expected in a case of this magnitude, sent one of their newest down to Quartzsite to handle the defense. This young lawyer was undoubtedly bright, perhaps a graduate of a prestigious back-east law school, but nothing in his fine law school education quite prepared him for Quartzsite and Judge Hagely.

The young lawyer was nothing if not confident. His strategy was to strike quickly and win on a motion to suppress. In a normal setting, it would have been a good strategy. But this was Quartzsite and the jurist was Hagely. Prior to the first witness being sworn, the attorney rose and informed the court that, if the court please, he had a motion to make. He proceeded to launch into a lengthy yet brilliant oratory, citing Supreme Court cases, demonstrating point-by-point why the search was bad and therefore the evidence must be suppressed.

After listening for some time, but before the fellow could finish his motion, Judge Hagely interrupted. “I’ve heard enough,” he said. “I find both defendants guilty.”

The young lawyer stood there in stunned silence. The trial hadn’t even started. After a moment, he regained his ability to speak and began to protest, but this time it was Jim who stopped him. Jim called him aside and pointed out that the defendants were entitled to a trial de novo on appeal to the Superior Court. The young lawyer, being a quick study, assessed that his chances of changing the Judge’s mind weren’t very good, so he just noticed his appeal and limped back to Phoenix, to fight the case another day—in Yuma, thank goodness.

Not long thereafter, the good Judge was persuaded to retire and he banged the gavel for the last time. Things have never quite been the same.

Hon. Jay R. Irwin is the United States Magistrate Judge in Yuma.