**An Interview with Carson D. Klitz**
**Illinois Supreme Court Historic Preservation Commission**

Carson D. Klitz attended John Marshall Law School, after graduating in 1969 he practiced law in Rushville, Illinois, until being elected Resident Circuit Judge for Schuyler County, serving as a judge from 1980 until 1998. He also served as Mayor of Rushville, being elected in 2015.

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**Abstract**
**Carson D. Klitz**

Biographical:
Carson Klitz was born in Quincy, Illinois, on January 20th, 1938, and moved with his family to Rushville, Illinois, when he was six years old. After graduating from Rushville High School he entered the Navy in 1956. He returned to Rushville after getting out of the Navy in 1960. He worked for CB&Q Railroad before entering Western Illinois University. He married Carol Richey in December of 1961. He eventually attended John Marshall Law School. He began practicing law in Rushville. Served as judge from 1980 until 1998. Judge Klitz has been on the Schuyler County Fair Board since 1970, as well as the park board, belonging to a local community organization called Pride, and has been active with the local Masonic organization. In more recent years he has served as Mayor of Rushville.

Topics Covered:
Parents and family history; growing up in Rushville during WWII and early 50s; playing basketball and football in high school; early jobs as a youth; student life at Rushville High School; recollections of social life in Rushville; early memories of the Cold War; memories of time in the Navy (1956-1960); marrying his wife Carol Richey; attending John Marshall Law School; returning to Rushville to practice law; memories of the Cuban Missile Crisis; politics and family; memories of the Kennedy assassination; thoughts on the Vietnam War; friends from law school, including Dan Webb; memories of attending John Marshall; memories of MLK Jr. assassination; composition of his law school class; memories of professors at law school; practicing law in Rushville; memories of local lawyers, judges and cases; memories of how the justice system functioned in Rushville; how fees were determined; work with criminal cases; running against Art Strong for judge; serving as judge from 1980 to 1998; restoring the Schuyler County Courthouse; memories of a capital case; thoughts on cameras in the courtroom; the judicial system and the media; enhancing the public's awareness of what the judiciary does; relationship with the Illinois Judges Association; thoughts on pro bono work; being involved with civic engagement and philanthropic work; thoughts on the future of the legal profession; thoughts on lawyer's soliciting; thoughts on his role as Mayor of Rushville.

Note:
Readers of this oral history should note that this is a transcript of the spoken word, and that it has been edited for clarity and elaboration. The interviewer, interviewee, and editors attempted to preserve the informal, conversational style that is inherent in such historical sources while also editing for clarity and elaboration. The Illinois Supreme Court Historic Preservation Commission is not responsible for the factual accuracy of the oral history, nor for the views expressed therein.

**Judge Carson D. Klitz: An Oral History**

LAW: This is an oral history interview with Judge Carson Klitz. We are here in Rushville, Illinois, the City Hall. This is our first interview. We are going to cover his background. Today's date is June 16th, 2016. Judge Klitz, I thought I would start with when and where were you born?

KLITZ: I was born January 20th, 1938 in Quincy.

LAW: Now, did you grow up there?

KLITZ: No, no.

LAW: In Quincy?

KLITZ: When I was four years old my father abandoned me and my brother and my mother. And we lived in Marblehead at the time, which is a small town south of Quincy. And then we went to Quincy and we were there for a year or so, and we moved to Rushville when I was 6 years old. My mother married later. She married a railroader and he worked here pulling coal out of the - we had a strip mine north of town, and that's how I got to Rushville.

LAW: Okay. What do you remember, memories of your mother, Florence?

KLITZ: My mother?

LAW: Yes.

KLITZ: Many, many, many memories. My mother had - she was born in east Eminence, Missouri, and she had a third grade education, but she was probably one of the most, the smartest women I ever knew insofar as common sense. And she grew up very poor, and she knew how to handle money. She knew how to handle money and raise kids and she did okay.

LAW: Did you have any brothers and sisters?

KLITZ: I have a brother. I have a brother three years younger and he passed away probably two-and-a-half years ago.

LAW: Now, was her family then in Missouri?

KLITZ: Well, no, my grandfather was kind of a vagabond. He worked in the timber, and he just worked. And my grandmother, my mother's mother that died and came from Missouri and they got to this Marblehead, and then they went somewhere. They got down to Litchfield, and that's where my grandmother died, and then they gravitated back to Adams County, Pittsfield, around Quincy in the south, and he lived, and he always just worked wherever he worked. He was uneducated and he just worked wherever he could find a job. And my mother married and I can't tell you the year she was married, but young. I think she was probably 16, 17 when she got married.

LAW: And then she ended up marrying again to Farrell Booth?

KLITZ: Yeah, High, he went by the name of High, F.A. High. Booth was his name. He was a conductor on the railroad, CB&Q Railroad.

LAW: You would have been real young, but do you have any memories of World War II?

KLITZ: Oh, yeah. I remember, yeah, when I was a youngster, I remember going to school one time and we all dressed up as different things, and I remember wearing jeans and stuff, and I had on the back of my coat POW, like I was a prisoner of war. And I remember when the Camp Ellis was north of here probably twenty mile, and I don't know, but I remember standing in the Webster School yard and a procession of military vehicles went by the school, and I have no notion of why, but I remember. And of course, when I grew up, I knew that's when all those guys came back from World War II. The [American] Legion was a big deal here in town, and in those days everybody drank, and it was just, it was a party all of the time when those guys got back.

LAW: Yes.

KLITZ: My stepfather he was at the wrong age. He was too old to go to World War II, and he was in a critical industry in the rail service. So, he never went to the service, but he had a son, two sons that did. He was a member of the Legion through his sons. I remember that was a big deal and everybody went to the Legion, or the taverns were all going big and everybody, it was just different times, different times. Yeah, I remember then.

LAW: Did his sons ever talk to you about the war?

KLITZ: Yeah, no, no, no. He had one son that was a pilot, and he went up through the ranks to become a pilot, and then he had another son that was a paratrooper. They were step-brothers, and we were never close, but they, I remember them. They came back here and lived a while, both of them did, and then they left to other places, and the oldest one, the pilot died I don't know, five or six years ago, and they are all, all of my step-dad's kids are dead, deceased now.

LAW: So, what do you remember about growing up in the 40s? What did young people do back then?

KLITZ: Well, I grew up, when I grew up in this town, I use this town, this is basically where I grew up. Rushville was a thriving community. We had - when I was a kid, they had thirteen grocery stores in this town. I have never counted up the filling stations or the gas stations. I mean, the big night was Saturday. Saturday was a big day for Rushville, and of course in those days there were no vacancies on the square at all; all of the buildings had a business in them. People would go up there at noon on Saturday and park their vehicles, and then go home or wherever. They did that because when people, they visited in those days. That was all pre-television. They didn't have television when I was a kid. I remember we used to sit around and listen to the radio. It was a family event to sit and listen to the radio. It would take four hours to walk around the square. You would go and

there would be one guy sitting on his car, and you know he would be there because they are there every week. It would just take forever to go around that square and everybody that could drive they drove around the square. I mean just around, and around, and around, and it was different times. We didn't have any computers, and they were happy times. The war was over and we won the war and brought the peace. And everybody was extremely happy and it was just a good time. It was a good time. It was a good time to grow up. I went through all my education here in this town. I went in the Navy for four years, and I have been - I went to college, I went to law school and all of the time I was never exposed to drugs ever. I mean when I went through, I went through the Navy and no drugs. I mean it was cigarettes they smoked. It was common. It was accepted to smoke. Now you are ridiculed and frowned upon if you smoke, but in those days it was different, but I was never, I was never offered the opportunity to use drugs and I suppose that's - I don't know if that's common or uncommon. It was just the way it was. I just - I never had the opportunity and I was, I guess, in plenty of places where you probably could have been offered that stuff, but it never happened to me.

LAW: Were you playing sports or any kind of?

KLITZ: Yes, I played, when I was in high school, yes, we played, yeah, we played basketball and football. When I was a kid they had a sport called black man tackle. That's when, you know, they lined up on each side of a field, and they had one or two guys that were in the middle, and the object was to cross and not get tackled, and if they tackled you, you had to help them tackle everybody else. It was just a process of elimination. All of the kids got removed. It was a rough sport. It was rougher than football. There was no equipment and you just had your speed to get by. You just did that for hours, and growing up in those days kids played kick the can, or they played hide-and-seek. They just sit

around and talk, and I was raised in the south end of Rushville, and all those streets I remember when they put the sewer in. All those streets were gravel. And Rushville had probably twenty-five hundred people. They had the streetlights, they had them on a pole, and they used to have them on a chain. When they needed to replace the bulbs, they lowered the lights so that you could do it from the ground, and then you put them back up on the pole; and just different times. It was good times. I had - it is too bad that more kids don't get to grow up the way we did in Rushville in those days.

LAW: Now, when you became a teenager in the 50s, did your life change in any meaningful way at all?

KLITZ: No, I had wheels. When I was growing up, we got driver's licenses at 15. Nobody had a car. I mean today, today they buy kids relatively new automobiles or new automobiles before they even have a license. And when I grew up, everybody had a license, but you asked your folks if you could use the car, and maybe if you was doing good. I was kind of an exception. I bought a 1931 Plymouth that I drove when I was in high school. I have ridden motorcycles basically my whole life, and I had a motorcycle in high school, and I had, but I started with a '31 Plymouth and graduated to a '32 Chevrolet, and then I had a motorcycle, and then when I, my last year of school I bought a '49 Plymouth, but those were times - my folks didn't have any money. I mean I made the money. I earned it.

LAW: What were you doing?

KLITZ: Well, when I was a kid, they used to put up a lot of hay, and I worked all summer baling hay for a dollar an hour. I did that. I worked at the creamery over here. Rushville on Saturdays, I worked on Saturday with T. Henry Dean, who ran an ice house, and he purchased milk, and cream, eggs, and farmers would bring all that produce to town,

and you would be over there working until ten o'clock. But I worked all day from, I would go in at seven on Saturday morning and get home probably ten, eleven, twelve o'clock on Saturday night, and I don't remember what I made. I probably made seven, eight dollars for that day, which was - when I was a kid, I could buy gasoline was twenty cents a gallon. You know, a dollar, nobody filled their cars up with fuel. I mean it just wasn't done. When you go up to a guy, he would come out there to ask about your fuel, and aside from checking the oil and all that sort of stuff, and the air in your tires, and the fan belt, he would sell it to you for twenty cents a gallon, and nobody - you would say well, give me a dollar's worth or maybe two dollars. If you have a little extra scratch, you would say give me two dollars, and that was common. Nobody filled up a car. I just don't - the term wasn't used when I was a kid. It was all I will take a dollar's worth or two dollars, and there was no resentment from the guy that was pumping the fuel. I mean he was, I guess, tickled to death to get it. He was evidently making a living doing that, and everybody seemed to be happy, but you don't do that anymore.

LAW: What are your memories of Rushville High School?

KLITZ: Rushville High School I was, I suppose, I had no bad times growing up. My times were all good. I mean everybody goes through setbacks, I guess, but I went to Rushville High School, and I played most all of the sports. I was on the council, and I just, I had good times growing up. The friends I made in high school were probably my true friends. You know, I went in the service and I met a lot of guys, and I served on two aircraft carriers when I was in the service working on the flight deck, and met a lot of guys and made several cruises, went to college and met a lot of guys, and went to law school and met a lot of guys and, but none of them, I have no contact with any of those people. The guys that I befriended when I was in high school are the ones that we have been close ever since. I

mean we all went in our different directions, but we still, we used to, all of them, most of them we had, I don't know five or six of us that every summer we would get on our motorcycles, and we would just ride. I have been to every state in the Union with the exception of Delaware and New Jersey on a motorcycle and then several provinces in Canada. I mean, but that's just, and those were high school buddies. That's just what we did, and they have all got like me. I sold my motorcycle. I have been in Model T Fords. I have had a Model T since probably in 1953. I've never been without one and I got six at the moment, and it is something you just grow up with it. When I was growing up you buy a Model T for twenty-five or thirty dollars.

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I have got two cars still, one of them I gave twenty-five for, and the other I gave thirty. They are what they are, they're Model T's.

LAW: Did you have any particularly influential teachers or classes in high school?

KLITZ: I had - the teacher that had the most effect on me I would say, you know, was a gal named Lilly Bell Bowman. This is from grade school, but she was a woman, but she was, she absolutely, and always when I was growing up the girls seemed to get the best end of the deal, but that's not the way it was with her. She was extremely fair, and she would punish a girl just equally as quick as she would a boy, and I always admired her. I thought she was a wonderful lady and I am sure she had an influence on my life. But I was - all my teachers were women basically. There is a couple exceptions. One of the principals at the high school or I mean the grade school when I was there, I remember when he came back from World War II he was a fighter pilot, and he came back, and I remember when he came to Webster School, and he is still alive. He is 97 or 98. He still plays golf, and I see

him frequently, but he had influence. You don't know if they are influencing you or not. My mother probably had more influence on me than any teacher. I already alluded to the fact that she was uneducated, but she was just a good woman, wonderful cook, and a good mother. Her kids would come first. My step-dad worked on the railroad in Lewistown, and he wanted to move to Lewistown. He could save that thirty-five mile drive every day, and my brother and I told him that we just wasn't leaving. I mean there was no way we were leaving Rushville. And she, I suspect if push came to shove, she would have divorced him before she left Rushville because I mean she really thought tremendously of her kids. That was - I learned a lot from my mother.

LAW: These are also the early years of the Cold War. Thinking back, what are your memories of the Cold War from that time?

KLITZ: Oh, the Berlin Airlift I suppose, you know is when you say that I remember, you know, when that happened, and when we grew up in this town, we had a movie. I remember Pathe` News and that's the kind of stuff that you saw before the movie came on. They had all this stuff. We still have the movie. It is still going, operational, very unusual, but we do. I grew up watching movies and playing pool. We had three pool rooms when I was a kid. We still got a poolroom and I still play a lot of pool. I was a very poor student. I would be less than honest if I didn't tell you school meant nothing to me. I mean I knew that I was going to go in the Navy as soon as I graduated high school, and I did. Me and nine other guys went in the Navy out of my graduating class, and then there were eight guys that went in the Marine Corps out of my graduating class, and three went in the Air Force. I suppose if patriotism, it would be, if that's a display of, my class was probably the most that I ever heard of. We graduated probably ninety, eighty-eight I think exactly, and we have had a large number of them went in the military.

LAW: Why the Navy?

KLITZ: Well, two reasons. I wanted to see, I wanted to get away from Rushville and see how the rest of the world operated, and I never have liked a tie, and sailors never wore ties and I liked that. I still don't like ties, but that's the reason I went in the Navy. It was a thing to do, I guess. We all went, that's where we all went, and we all came back and I am still good friends with guys that I went in the service with.

LAW: Now, where did you go initially for your training?

KLITZ: Boot camp?

LAW: Yes.

KLITZ: San Diego. They flew a whole company of us from Illinois to San Diego for boot camp, and I remember we got out of boot camp I didn't have any money. I went in I made, what the hell did I make, seventy-seven dollars a month I believe it was. Of course, they wouldn't let you have it because they knew you wouldn't be able to get home after boot camp. So, they saved it for us, and when I got out I had enough, I bought my train ticket, and we all came home on the Santa Fe Railroad, and it was, took us fifty-six hours to come, until we got off at Galesburg. It took fifty-six hours on that train. I had no money. I couldn't eat any meal. We basically lived on candy bars. I had PayDays. I used to eat a lot of PayDay candy bars, and that's what we had when we got home, and I had to go back. When I got home, I had fourteen days leave, and then I had to make arrangements to get back to San Diego, and that I leased out a better train ride. I got on - the Santa Fe had two real good passenger trains. One was the El Capitan, and the other one was the Chief. And I got on either the Chief or the El Capitan to go back to San Diego, and it shortened my trip considerably. I went back in thirty hours. It took fifty-six to get here. It took me thirty to get back, but it took a good bit of my time just riding the train.

LAW: So, was that where you were based most of the time?

KLITZ: No. I went, I took boot camp there, came home, and I was what they call an Airedale. An Airedale is in the aviation part of the Navy. When I went in, the recruiter told me - I always wanted to operate heavy equipment. I mean that's what I thought my niche was was operating bulldozers and motor graders and all that kind of stuff. I went in there and he guaranteed me that I would be in the CBs, which is the construction arm of the Navy. Well, I got in there, and that was just, they just laughed. There wasn't any way that I was going to be in the CBs. I suppose everybody wants to be in the CBs. So, anyway I had another friend that was going to go into aviation as a mechanic. So, I said I would go to the aviation part of it. They had a prep school in those days but before you went to your class A school, you had to wait, and they sent me to Norman, Oklahoma for six months, and they just nothing. We just worked on old aircraft, and tore them up, and that kind of stuff. Then I went to Philadelphia to aviation (not sure) school. I was the catapult and arresting gear is what I did in the military. I went to school on catapults and arresting gear, and then when I got out of school, of course, everything, guys, everything is sea duty. So, I got out of there, and I got to pick the ship I was going on and I picked the Valley Forge, and we went on it, and they didn't need anybody. V2 Division is where catapult and arresting gear is, and they didn't need anybody there. They needed people in V1 Division, which is the flight deck and hanger deck and that's what I did. I got on there, and I was a catapult spotter. I spotted the planes that went on the catapult that they fired them, and I did that for a year and a half. Valley Forge was a straight deck carrier. That probably don't mean anything to you, but a straight deck carrier that, visualize that table there is the deck, and it is straight. The keel of the ship is straight with it, and then consequently when they landed if they didn't catch, if their tail hook didn't catch a wire or a

cable, then they just went up straight ahead in the cables and the barriers and the barricades. It was - I saw that when I was there. They would miss the wire. Anyway there was the med crews. I went through a hurricane when I was on the Valley Forge, and off Cape Hatteras, and it was really a vicious hurricane. I don't remember what the name they gave it, but we had, we had an open bow. In other words, our flight deck extended over the keel, and there was a big area in between. The waves got in there and tore nearly our whole port catapult off. It was just hanging there, the whole thing from the force of the water. So, they sent us to dry dock to be repaired. While I was there the Intrepid was going to make a med cruise, and I was the third class aviation ocean mate, and they needed one on flight deck. So, they drafted me off there, and I went onto the Intrepid, which was an attack carrier, and it was - it is a museum now in New York. It is very popular, but I spent a year-and-a-half on it, and it is an angle deck carrier. When you get up there, you have the ship going this way for the flight deck, but it also, the landing area is like this. So, they come in like this at this angle to land. Then if they miss a wire, they just go on around and come in again. And I had an experience one time with one of those F11 jets. The tail hook flops down. It has a big hook on it, and it catches the wire. The wire is elevated above the deck, and this guy kept - it was a fighter plane. He kept going around. He kept landing, and the wire he wasn't catching. He just kept going around, and he got frustrated. Anyway they sent him to the shore. They had to land him. Come to find out the tail hook off that F11F it is tucked up under the aircraft and when it comes down it comes down and it twists. Well, anyway they had had damage to the tail hook, and whoever fixed it put the tail hook on backwards. So, the tail hook couldn't catch the wire. So, they had to send him to the beach to get him straightened out. But, I had a lot of rough rides on the carrier in the very rough waters. I had a lot of good experiences, saw a lot of

the world, no regrets.

LAW: Were you in the Atlantic, in the Caribbean, Mediterranean?

KLITZ: I have been to the Caribbean. Valley Forge didn't - I spent several tours down in the Caribbean, Cuba, and all that sort of stuff, and Bermuda, and I have been, when I was on the Intrepid I made the med cruise. I went over to the Mediterranean Sea, I went to France, and Greece, and Italy, and all that stuff.

LAW: Seeing all this what did you think coming from Rushville?

KLITZ: What did I think?

LAW: Yes, of all of this.

KLITZ: Just another day in the life of, I guess. You know, it - I tell you how backward I was, we were, my whole generation. I went to boot camp, and I don't know, long before your time I am sure. I grew up here in this town, and we had our own phone company, and my number was 567W. That was my phone number, and when you wanted to call somebody, you picked up the phone, and the operator would come on and say number please, and you would say I want to call whatever the number was. She was up there with a big board, and she plugged all of the wires in, and that's the way it worked. When I went to boot camp, I was going to call home, my mother I suppose, and I had never seen a dial telephone. I had to take some guy that was a buddy to the geedunk to figure out how to work a phone. I had never seen a dial phone before. But I suppose, I did - when you are young, you do things without reservation. I mean I suppose I should have been standing there in awe, but I just, I just done it, and it has been fun at the time, but now if you was going to San Diego and you had to be at a certain place at a certain time, I suppose I would worry for three weeks trying to know what route I was going to take, and I just bought my ticket and went out there, and I figured that some way I would get there, and it worked out.

I got there. I got to where I was supposed to be in time. So, I guess it has worked out all right.

LAW: You said just a moment ago my generation. How do you understand your generation? How was it similar or different from the previous generation?

KLITZ: Well, I don't know that - maybe we wouldn't be much different than the previous generation. The subsequent generations I think there is a vast difference. In the days of my generation your word was valuable. You didn't need fifteen lawyers to write up some kind of agreement. You shook a guy's hand, and that was the agreement. You say I will do this and that's what, the way it was done. Now it seems like we are conditioned to everything that we do. We have to talk with the EPA, or some arm of the government, or we got to get three lawyers in, and life is not, life is far more complicated than it probably needs to be, but that has just evolved, but the previous generations

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I think, I don't think deviate from the earlier generations. I think the ones that now deviated a great deal from my generation.

LAW: Any other memories from your time in the Navy that have stuck with you?

KLITZ: No. I remember one of the, I remember I was spotting at port catapult, and they had these F11F's again, fighter jets, and I spotted a guy there named Lieutenant J.G. Percey Williams was his name, and I remember spotting him on the flight on the catapult. In those days they had a launch officer, not an enlisted guy. And they turned the jet up and get it going, and away it goes down the deck. I looked, and I turned around, and I watched him, and he took off, and I could see he wasn't getting any altitude. And he kept getting

lower, and lower, and lower, and then I saw the water come in the intakes of his engine, of the airplane, and then pretty soon he hit the water and it just blew up. I have always remembered. I remember the guy's name, I do. They had, of course, they had a big investigation, and it was just - after that the only change I ever knew them to make they always launched the F11's with their after burner on, and they didn't up until that time. They had a big investigation and they had me in there for hours, and went through all this because the guy got killed, and wanted to know if something was hooked up wrong on the catapult or whatever, but it just, he was under powered, and I don't know if it was because of the engine or they just didn't launch him with the after burner or what, but it was a bad deal. I remember another guy Pablo Maybray was his name, and we worked on the flight. It is dark. You don't know what dark is until you have been working on the flight deck. There is no lights, no lights, zero lights. You work around up there with a flashlight with a long red wand on it like you see the police use to direct traffic. That's the only light there is. Then this one guy it was rough waters, and he was walking the chalk. He would walk alongside the aircraft with a chalk in case it comes unhooked from the mule or the tractor. You throw it down under and stop it. Well, I don't know, nobody knows whatever happened, but he was walking along, and the next thing you knew he had gotten under the wheel, and the plane was tilted over and killed him. That's just, and I just remember his name. Fellow by the name of Johnny Summers, and Tim Brugencape, two guy's, was on the Valley Forge with me, and I remember they, for some reason they got, went on the beach that night, and they ended up, they were both killed in an automobile wreck. Johnny Summers lived in Bakersfield, California. You just remember stuff, and those are the instances that I remember the most. I remember used to be in places where you couldn't get beer. Beer was hot. We would sneak beer aboard, and get it on there, but

didn't have a way of drinking it. So, we used to rob all of the fire extinguishers to cool our beer, and it was innovative, but it worked. It was quite a trip. I had a good (not sure).

LAW: Were you thinking of just serving for a short period of time?

KLITZ: I told them - they had a career appraisal team. Of course, they lied to me going in about the CB business. I never quite got over that. They had a career appraisal team, and they always had, want you to stay in the Navy. I did, what I did, you know, it was, you don't have to be a genius to do it, but it takes, it takes some perseverance or whatever. This Chief, Klitz, wants you to sign up, think about signing up for six years, and I said well, Chief, I said you couldn't put enough money in a wheelbarrow to get me to stay in this man's Navy. He says I understand that. So, that was the end of the conversation. I didn't want to be a lifer. I had done it, and seen it, and had good experience, got no regrets, no regrets about my time spent anywhere. I was very fortunate.

LAW: So, what did you do next when you got out of the Navy?

KLITZ: When I got out of the Navy, I came back to Rushville, which maybe because of my father leaving me, maybe I always thought you need roots, and I have always been, I have always really liked Rushville, and I was coming back here, and I did. It was 1960. I was in from 1956 to 1960. I got out in, May 28th of '60. Probably couple, three weeks after that - I had applied for a job at that time it was CIPS. It is now Ameren, and I also applied at CB&Q Railroad down in Beardstown. They had a terminal down in Beardstown, and my father was a railroader, and I thought well, I will railroad awhile. So, two or three weeks later, it wasn't too long, the railroad called me at eleven o'clock. I don't remember the exact time, say eleven o'clock and offered me a job. I said well, all right, I will take it. By God, don't you know about fifteen minutes, no more than fifteen minutes later CIPS called me and said, offered me a job. I said well, I have taken this other one, but I

appreciate it. Had it been reversed my whole life would have been changed, whole life.

LAW: Why?

KLITZ: Oh, because, I went to work for the CB&Q Railroad, and they needed firemen at the time. I don't know, I will tell you about firemen if you really care, but after I worked there awhile I could see that there wasn't going to be a need for a fireman. A fireman on a diesel engine is just, doesn't make sense.

LAW: Right.

KLITZ: It took me a little while to figure that out, but I had made a bad career choice. So, I worked three and a half years or thereabouts, and I could see what they were going to do. They were going to eliminate me. So, I quit. And I was a very poor student. But I got in because, probably because I was a veteran. I got in Western, went to Western, and that's, I always attribute it to the fact I had to take an entrance exam, and I passed it, I guess, and then I got in. But had I not chose that path I would have worked fifty years or forty years for CIPS because those were good jobs. I had --two of the guys went in the Navy with me worked for them. They all wanted to know how I got called for a job, but my life would have changed. I would have never gone to law school. I would have never gone to college.

LAW: Why Western?

KLITZ: Well, my wife is a registered nurse, and we lived in Macomb at the time. She was a head nurse on the surgical floor at the hospital in Macomb, and I worked, I worked a switch engine. After I hired out from Beardstown they needed, they needed firemen in the Hannibal Division. So, I went down to Hannibal, and I bid on a job over there at the Fort Madison on the switch engine. I worked - I drove from Macomb to Keokuk in Fort Madison, and she worked in Macomb. It was just handier for me to live in Macomb, but

that's how I got, and she was a registered nurse.

LAW: How did you meet your wife?

KLITZ: Raised together. She is from here. Her roots go back here a long, long time. She was.

LAW: Carol?

KLITZ: She was a Richey, and they had been, some of the ground that we have got has been in the family for probably a hundred and twenty-five or forty years, or something, a long time. It has been - they have been here a long time.

LAW: So, I think I saw that you got married pretty soon after you got out of the Navy?

KLITZ: Year and a half, I got out of the Navy in May of '60, and got married in December of '61.

LAW: Okay. So, you are living in Macomb?

KLITZ: Uh-huh.

LAW: You are going to school at Western?

KLITZ: Right.

LAW: What are you studying? What were your plans?

KLITZ: My plans?

LAW: Yes.

KLITZ: When I was in high school, one of the things that I thought I was fairly good at - the *Saturday Evening Post* used to have little scripts in there, and it was, "What would you do if you were the judge?" I always liked to read. I was interested. I read that thing, and I thought, and I got some of them. Anyway I thought well, if I ever wanted to do something like that, I wouldn't mind being a lawyer. And so, when I got - I saw the writing on the wall. There was a fellow by the name of Benton Arnold was a State's Attorney here in this

town. I talked to him. He was older when he went to school. I asked him if it would be, if he thought I could make it. He said yeah, you can make it. So, anyway that's just how it evolved. I thought, well, by gosh, I went into pre-law at Macomb because I was a little bit older, and I wanted to get through as quick as I could. So, pre-law was a three year program. I went. It was in conjunction with the University of Illinois. We took courses that they prescribed, and I did okay. I was a much better college student than I was a high school student. Then come time for me to go to the University of Illinois they abolished the program, just abolished it, and left me hanging. I have not had a real lot of good things to say about the U of I since, but I had to find a school that would take somebody with a Bachelor's Degree otherwise - see, I didn't even have a major. I went three years with strictly pre-law. I had no major, or nothing, no minor, nothing. I was really hanging. So, there was two schools in Chicago that would take someone. Kent was one, and John Marshall was the other. I did a little research, and I thought John Marshall would be better. So, I applied at John Marshall, and got accepted, and went to John Marshall. But that's how I got there because I was very limited because I was out on a limb, and I had been going for three years, and I did okay. But I had to find a place to go because I wanted to come back to Rushville, and then I did. A guy that had been practicing here for many years developed lung cancer, and he died, and I didn't buy his practice. I bought his equipment, his furniture, and that sort of stuff, and started out.

LAW: What was his name?

KLITZ: Frank Buirnes, and started it, and I had a little bit of his, got some of his business, and then there was another lawyer in town had a big practice, Ernie Utter, Pete, they called him Pete, and he died not too long after I started practicing, and those people had to go someplace and I got, I got quite a few of them, but I started out with just nothing. I just

hung that shingle out there and said I am a lawyer, and here I am. I guess I did all right.

LAW: Couple of historic events, do you have any memories of the Cuban Missile Crisis?

KLITZ: I remember when it happened. I remember the Cuban Missile Crisis, and in my opinion we was probably going to go to war. I thought Kennedy was, he would be somebody that we could follow to war. I mean he - I just, I felt - I am a Republican. I am not Democrat, but I liked Kennedy. The Democrats have evolved far from Kennedy and Truman and those sort, but yeah, I thought we were going to go to war. Luckily they didn't, but I mean Kennedy I thought would, if he had to go to war, he would be a good leader.

LAW: You said you are a Republican. Did you come from a Republican family?

KLITZ: No. My mother was a Republican. My stepfather was a strong Democrat, union Democrat. He was for labor unions and all that stuff. I remember when I was a kid, we went to Quincy, my grandfather lived there. And he told me, he says the unions are no good. I was a little kid. I wasn't very old, seven, six, five, something. The unions are no good. He says, you know, and he wasn't an educated man. He said, you know, these union guys tell you about all this, you ought to do this, and you ought to do that, and you ought to get the fair wage and all that, and you know, if they really believed that, they would go to a union barber shop, and they would pay that union guy to cut their hair, but they won't do that. They will go on down the street to somebody that's cheaper, but then they will tell you how they are entitled to the big wages. He says they are hypocrite. He didn't use the word hypocrite, but he meant it. I guess that stuck in my mind. And my mother, she was a Republican, and I had no idea why. She was poor, always raised poor, worked for everything she ever got, never got anything from anybody that I know of, but my stepfather was just the opposite.

[00:45]

I have always marveled at the fact that my stepfather years later after he retired he ran, he ran for Assessor as a Republican. My father-in-law was a strong Democrat, raised Democrat, and when he died he voted straight Republican. The two people that were very influential in my life had a complete reversal of their politics. It is interesting.

LAW: Now, the other event was the Kennedy assassination. Any memories of the Kennedy assassination?

KLITZ: Yeah, I remember where I was, yeah, I remember where I was when they shot Kennedy. I was going up Sherman Hall steps in Macomb when I was up in Macomb at school, and I don't remember, somebody said it or something, and that's how I was told that Kennedy had been assassinated.

LAW: Do you recall if there were any community events?

KLITZ: In those times I lived in Macomb, not in Rushville, but I don't remember, no, I can't say that I remember any.

LAW: Okay. What are your earliest memories of the Vietnam War, and what were your thoughts on the war?

KLITZ: My thoughts?

LAW: Earliest memories.

KLITZ: See, my earliest - I had already served. See, I was a Cold War sailor, and I don't know, you probably don't know, probably don't care, but membership in the American Legion is determined by an Act of Congress, and I served, and all of the guys that went in the service with me, all the twenty some or twenty, whatever there was, none of us were

eligible for the Legion, not eligible because we didn't serve at the right time. I am still not eligible to belong to the Legion. But a fellow by the name of Leo Copeland, I was in college at the time, and there wasn't a lot about the Vietnam War at that time. It was later then when, they killed so many guys, and it got to be such a big deal; but in those days it wasn't, it was low key, more low key, and the first guy I ever met that had been in Vietnam was a guy named Leo Copeland. I met him in school, and he came back, and he went to school, and he told me that, I remember him saying -I would ask him about it. He said I am just not at liberty to discuss it. So, I don't know what the hell, whether he was intelligence or what he was when he was in the army, but he wouldn't discuss it. So, the early start stages of it I didn't know, but I remember the television coverage and all that sort of it, how many they killed, and it just, I remember all that part of it, but my earliest memory wasn't of the war itself. It was meeting this guy that had been there, and he wouldn't tell me anything about it.

LAW: So, what were your thoughts on the war over time? How did your thoughts, at all did they change or anything?

KLITZ: Well, it just seemed to me like it was a war without end. It is much the same as I see things now. There is no purpose. I mean what's the strategy? Over there they had no strategy that I can see. Now we are in the same, we are in the same quagmire. There is no strategy to do so. You didn't want to fight, or you are not, and it seems to me like we can't make up our mind if we are going to fight or not. We are still in limbo about what we are going to do. And I am a decisive person, and I think the American people are decisive. They want something that's got a resolution to it. They want something, and I don't see that.

LAW: Any - back to Western, any influential teachers or classes in those pre-law years?

KLITZ: No, no, the only one that I - fellow by the name of Hickenbottom. He was a renowned authority on Illinois history. I remember taking, in those days I took it in Sherman Hall. Sherman Hall was not air conditioned. And I remember he would come in there and he says when that thermostat gets to seventy-five degrees, we are not having class. Okay, so it didn't take very long for us to figure out a cigarette lighter under that thermostat just before he came in would get us out of class. That's the only teacher that had any influence on me that I remember. Teachers in college were different than teachers here. They were - I don't know. They are not, maybe they are aloof. I don't know, but they never got, in my opinion never got close to the students. Probably by design, I don't know.

LAW: So, you are kind of out on a limb, applied to a couple different schools up in Chicago?

KLITZ: Uh-huh.

LAW: So, you were going to go to law school, but before you went to law school why, why?

KLITZ: Why law?

LAW: Why the law?

KLITZ: It is probably the only thing of higher learning that I had any interest in. I am not good with numbers, can't balance a checkbook very well. If I had to do it over again, I think I could probably, I think I could probably get interested in history. I think I could really get interested in history. But at that time, and I don't know what you would do today with a history major. I don't know what you do with it. To me law was an avenue to attain a certain amount of financial freedom, and it was respected. I don't think it is respected today like it was in those days. Maybe with reason, I don't know. When you get - I don't know.

LAW: Was Mr. Arnold the only attorney that you knew?

KLITZ: No, I knew Frank Buirnes, of course, and I knew Peter, in this town you know of all. This town, the whole county only has seven thousand people, and I knew all of those people, and they knew me. I mean if they addressed me, they called me by my first name, and I would call them the same. But no, I had - I knew those lawyers. I knew another Jim Paul Morning, he was here, and I knew him. I knew them. I just gravitated into law, I guess. I liked the law. Of course, it was a challenge, of course.

LAW: Okay. John Marshall Law School.

KLITZ: Yes.

LAW: Help me understand the nature of the school at that time. What was the nature of your legal education? How did they go about teaching you the law?

KLITZ: Dammed easy to get in, and virtually impossible to get out of with a degree. If you had a pulse, you could probably get in. Now I mean that's the way it was. I mean they let - but their flunk out rate was high. There was an old man, Noble Lee, I guess he owned the school. I don't know. He either owned - he was the dean or what the hell. I think he owned, him and his family had owned it or something. He had a course called case analysis. Everybody required to take it. Most worthless goddamn course I ever heard of in my life and nobody could pass it. You got a D, you did good. I got a D, and I thought I was wonderful. But he was a wild man. I mean that law school, they send me all of the time wanting me to give money. I don't have pleasant memories of that place, I don't. My wife didn't go with me. When I went to law school, she stayed in Macomb. She had a good job, and she stayed. I went up there, and I got an apartment. I wasn't up there to play. I mean I went there, I was going to get me a law degree, and come out of there, and I did. But it was a tremendous amount of work. It was very difficult for me. I mean I would hand-brief all of those cases. I mean it was just the way we did it. There was

another wild man named Burns that was a professor, criminal law. He'd always go through so many cases, and then you had to really brief them good. So, we figured it out. One guy would be assigned one case, and when we went, and they did thorough, and he seemed to be happy, and I am sure he knew what was going on, but I mean the course flowed, but law school wasn't a happy experience. I would go down there I mean Saturday, Sunday, didn't make a damn to me. I was there. Because I had, I just had to study. I studied a lot. I did okay, but it was hard for me.

LAW: Were you working while you were in law school?

KLITZ: No. I laid out of college a couple of semesters to work to save money, but as far as law school my, when I was waiting to write the bar, I got a job at the Attorney General, but that's another story too. I went down there on my merits to apply for this job, and we don't have any kind of job. I knew they did because I had heard through the grapevine. So, I came to Rushville that weekend, and I went to a guy I knew was a big Republican. I said by God, there is a job up there, and I need it, and I want it. Then when I got back early the next week, they called me and said you know there was a job here. That's how I got a job, but I didn't work - it is real - I didn't.

LAW: What were your impressions of Chicago? Were you living in the City?

KLITZ: Oh, yes, sure. I went up there first, first semester three guys that I was at Western with, Lynn Tadey and Dan Webb and me, went up there and rented an apartment. I don't know, three thousand, thirty blocks north of the center of town, I guess, somewhere, I don't know, and had one bedroom. And Lynn Tadey and I got, each got a single bed, and Danny Webb we had a roll away bed, and I took it up there, and we put him in the big closet, and he slept in the closet, and three of us shared the rent on that. I don't know if you know who Danny Webb is or not. He is probably one of the highest paid lawyers in the State of

Illinois. He defends all those politicians in Chicago. He is defending Ryan right now, or did when he got him out of jail. Thompson, he is a buddy of Thompson's, and they worked together when Thompson was - God, what the hell he did.

LAW: Governor.

KLITZ: No, before that. He was at the Attorney General's Office, no, it wasn't Attorney General, federal prosecutor, something, but Danny got to know him, but Dan Webb has made big, big strides. They had a day for him up at Western one time. So, I went up there to him. I said you come a hell of a long way. You use to sleep in the closet, and he has. He is big bucks. He is super big bucks.

LAW: A couple more things about law school. If you could distill it down, what were the principles and legal skills that you were learning?

KLITZ: When you come out of John Marshall, you know how to try a case. They were very good at teaching you the rudiments of how you lawyer. They were very good at it. We had moot court, and we had, but you come out of there - one of the professors said I am going to teach you to think like a lawyer, and they did. And I got a good education. I am not, I am not knocking the education part of it. But I went through law school and college and when I graduated I didn't owe a dime. You can't find many today that will tell you that, but my wife worked, and we had two automobiles when I got married, and they were both paid for. One was a '61 Chevy, and the other was a '62 Ford, and we sold her car, the Chevy, but I got out of law school I didn't owe a dime. I went to school, and when I went to Western they had what they call the Veterans Scholarship, and I could go to a state school tuition free. All I had to do was buy my books. My books run about twenty-five dollars a quarter. When I got out of Western, they passed the G.I. Bill, and I was eligible, and I went to law school, and they paid me, they paid for my education.

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I was very, very fortunate. I hear these kids having all this fifty thousand dollar student loan debt, and I didn't have any. I didn't have nothing, no debts, great.

LAW: While you were in law school did you have any internships or externships?

KLITZ: No, no.

LAW: Did you work with any firms or?

KLITZ: No.

LAW: Okay. Did the wider world ever impact your legal education in any way?

KLITZ: What do you mean?

LAW: Did the war impact your legal education, Civil Rights movement, world events?

KLITZ: No.

LAW: Did the?

KLITZ: Civil Rights - they shot Martin Luther King when I was in law school, and I remember I was up there, and I was studying, and I was down, I was at the law school, and they shot him, and then those people started heading downtown. I looked out that window at the law school, and all I could see was all these people coming downtown, and they were very upset. I knew that that wasn't any place for me. So, I put my books away, and I walked on down to the train station, and I bought me a ticket, and I came home until it quieted down. But that's, the Civil Rights part of it that's about all I remember of that. We didn't have any - I was never around black people ever in Rushville. I went in the service. We had a LeRoy Perkins was in my company in boot camp was black. We had no problems. We had no, we didn't have any problems. I went through law school, and I went with blacks. I was in the Navy. I never had any problem with them. I just, I never

had a problem.

LAW: Do you recall what the make-up was of your law school class in terms of race, ethnicity, gender and age?

KLITZ: No, no, I was older. I was the oldest probably in my class, I imagine. I remember one black gal Miss Arnette Hubbard. I think maybe she went on to, maybe she might have been an alderman in Chicago or something. I don't know. But there was some Hispanics. I remember Hispanics, but not a lot. I don't think - I don't know. I don't think they were excluded. I mean I don't know. I don't think they were. But we didn't, we didn't have all this garbage that these people have today. There wasn't any problem. I think the problems are generated by outside sources or something because we didn't have all this stuff. We had the same kind of problems that they do, but it seems like it just didn't work out. My generation is different evidently.

LAW: Any influential classes or professors in law school that had an impact on your legal career?

KLITZ: Probably none. I don't know. There is none that I really felt had a great impact on me. Fellow by the name of Gilbert Johnson, I think he ultimately became the dean. I liked him as a professor. I didn't - of course, there was a guy named Brodkey that taught personal property, and that was kind of a joke, but no, I didn't, none outstanding. There was one old gentleman that I thought was a - name was Palmer Edmonds, and he was a prince of a fellow, taught equity. He was a good guy, and I always respected him. The rest of them they were okay; none that stand out big time.

LAW: Your plans, all of the way through, were to come back to Rushville?

KLITZ: Yes, yes.

LAW: Was it to come back to Rushville to set up your own practice? That was the plan?

KLITZ: If I couldn't get in with somebody else, that was the plan. You know, when you get out of law school, you probably know more law than you will ever know again in your life, but the practicalities of the law you don't have. You don't know how to get to the courthouse. You don't know how to run a chain of title. There is so many things you don't know. You know all of the book stuff, but implementing it is a different deal. It is good if you have somebody - I didn't have anybody. I got kind of a sour taste with one of the lawyers I mentioned I knew. They used to have confession of judgment notes, and to do that, to confess the judgment you had the note and you have a lawyer confess it. This particular lawyer, I went to him. He is one that I trusted. He signed it, and I went, and went to get my judgment. Well, the son of a bitch called his client, and his client went up there and got ahead of me on the pecking order. He breached the confidence, and I never had any respect for him since. He did me. He hired me to get his son's divorce, but I mean he didn't know that I even knew what he had done, but I knew what he had done. So, I couldn't confide in him. I didn't trust him anymore. I used to call circuit clerk, she liked me, and I liked her. She would let me look at files. In order - when I was practicing, I would go to the courthouse, and she would show me a similar case, and say look, and then I would look, but there is no one that you could go to and say well, what do I do, how do I get this, or whatever. So, you go the other way. You go to, I went to the clerk, and she was very nice lady. I learned a lot of law from her. She told me the practicalities of how I get into court and a case before somebody cares.

LAW: Were most of the lawyers here in town then general practice attorneys?

KLITZ: Oh, yes, no specialists. There wasn't any specialists.

LAW: Were some known for criminal law more so than others?

KLITZ: I would say no. I mean in those days whatever came in the door is what you did. I

mean it was a divorce or taxes. Hell, the lawyers all did taxes in those days. They have got, that code is so complicated, hell, I couldn't even begin to do my own taxes now, and I was doing them for people. Can you imagine that? That's scary.

LAW: What would have been some of your early legal work? What was your first -

KLITZ: I can tell you my first legal fee.

LAW: Okay.

KLITZ: It is interesting.

LAW: Okay.

KLITZ: My first legal fee I got here, and this gal's husband came in, and his wife was dying down in the hospital. She wanted to make a will. I went down there, and I got her, all her information. I came back up, wrote up her will, and I had to take a witness down, of course. I took witnesses down, and we executed the will, and I charged her fifteen dollars. She wrote me a check. So, I took it to the bank, and the check bounced. Then to make matters worse they took her estate to another lawyer. So, I didn't get nothing but an experience out of that, but I learned. That was my first legal fee.

LAW: Now, who would have been the State's Attorney at the time?

KLITZ: Ben Arnold.

LAW: So, memories of him outside of what you have already told me?

KLITZ: Ben Arnold was brilliant. He started - he used to work for the railroad, and he got injured. He started law school late up in his thirties when he started college, and he just got in, and he was Phi Beta Kappa. He was just a smart guy. He taught himself his own shorthand to take notes from these professors. He only had one lung. He was a smart guy, and I just, I always looked - he was friends of my folks. They use to, they use to drink beer, and highballs, and all that other stuff.

LAW: Now, would Ernie Utter have been local judge?

KLITZ: Uh-huh, he was, yep.

LAW: Were there two Ernie Utters?

KLITZ: Yes, Pete, Olin, he called him Pete, that was the dad. And Ernie, he was, I think when they changed the judiciary, I think he is probably the first judge elected because he was elected as an associate judge, and then they converted associate judges to resident circuit judges. In our circuit they still had three floating circuit wide judges, but they, but Ernie was in from, when in the hell was it, the 60s, I can't remember. He quit. He never practiced law - he probably practiced law for probably less than a year, and he got elected. He was a judge for a long time, and he retired in the 70s. I ran in '80. So, he retired '68 maybe, no, '78, '78, yeah, that's probably when he retired because it was vacant a couple of years. I went over. I ran against a fellow named Art Strong. We both went over there and talked to Bob Underwood, who was a Supreme Court Justice, about getting appointed, and traditionally you have to follow the political persuasion of your predecessor. So, Ernie was a big Democrat, and Art Strong was a Democrat, and I was a Republican, and I was pretty sure I wasn't going to get the appointment, but I was hoping that I could keep him from appointing Art. They never appointed anybody. They left it vacant for a couple years, and we both ran for it.

LAW: Any memories of either one of the Utters as far as maybe a court case?

KLITZ: Ernie Utter as a judge, Ernie, he was very indecisive, very indecisive. He would take - I would have cases under advisement with him for a year, and I always thought that was terrible. I have always thought the litigants weren’t always entitled to the right answer, but they were entitled to an answer. So, you did the best that you could, and if you weren't right, at least they got a process of where they can get it reviewed. I would sit

there for a year, and I am trying to explain to clients why I can't, and nobody understand, I didn't understand, how in the hell could I explain it to somebody else. He was very indecisive, and it was just, it suffered. But a nice guy, Ernie Utter was a nice guy.

LAW: Were both Utter and Arnold from the area?

KLITZ: Oh, yeah, yeah, they were from here for a long time. Ben Arnold raised in Brownie. He had a brother that was a lawyer, probably how he got into the law. O.D. Arnold was a prominent attorney here in town, and he went in with him.

LAW: Did most attorneys practice just in this county, or did they have to go out?

KLITZ: Yeah, most of them stayed here. They used to - Pete Utter when he used to run for State's Attorney, him and Ben Arnold use to run for State's Attorney every time. They was running, and I remember Pete used to put in there he is licensed to practice in all courts, in the appellate and all that, but most of them they stayed right here. He might get out a little. He might go to Fulton County, or McDonough County, or maybe to Adams, or Pittsfield, but most of it is all done in this county.

LAW: Who followed Ben Arnold as State's Attorney, do you recall?

KLITZ: Art Strong.

LAW: Art Strong, okay. Any memories of him?

KLITZ: Art Strong, I ran against him for the judgeship. Art Strong was an eccentric, I guess eccentric would be the word I am looking for, different, different. He is just different, and he was an associate. He got appointed associate judge. He was in for several years. He is now, he is deceased. He is down in the cemetery.

LAW: He was from the area too?

KLITZ: No. The Strong's were always from here, and his father was a Strong, and he married a gal

[01:15]

that was from Ipava, somewhere up around Campton, or Galesburg, or somewhere up the line. His dad, Art Strong's dad got a job at Niagara Falls, whatever the government does at Niagara Falls. I don't know. That Art was raised in, I think, New York. He never was here. He never came back, and his folks retired and moved back here, and then he went to the U of I. I don't know why, whether that was - ultimately come to Rushville, I don't know, but he did. That's how he got here.

LAW: Now, was the State's Attorney's Office at that time was it just State's Attorney, or were there assistants?

KLITZ: No, never, never, there has never been an assistant.

LAW: Okay, and was there a public defender, or was it?

KLITZ: No.

LAW: Court appointed?

KLITZ: Court appointed, court appointed, never a public defender. Now, it has changed now, but in those days it wasn't. They have got a public defender now that does, well, I think - I better not make a statement. I know he does - it has always been Schuyler Brown, and I don't know if he has taken on Cass as well or not. I don't know. Is Matt Mays, is he the public defender? I don't even know who it is. But there is somebody that covers more than one county. They share the cost of him.

LAW: Were you ever appointed?

KLITZ: For what?

LAW: By the court.

KLITZ: Oh, yeah, lots of times oh, yeah. I remember one time I had, I was appointed to

three different defendants, and you petitioned the court for your fees, and I petitioned the court for probably eighty dollars for doing three different defendants or something. It wasn't much. I remember Ernie Utter, he called me over there, and went over there, and he says, you are going to prove these fees. He says, now we mustn't kill the goose that lays the golden egg. It was less than a hundred bucks, eighty bucks for three of them.

LAW: I am curious though how it worked.

KLITZ: He had a calendar. He had a chart, they rotate. The lawyers that practiced here were expected to do the public defender work, which may not be good for the defendant, but that's the way they did it.

LAW: So, you are taking anything that comes in the door?

KLITZ: You bet you.

LAW: I know all of the cases are important, and they are all memorable, but are there any from that period before you were a judge that have stuck with you that are particularly memorable or you learned something from it?

KLITZ: Oh, yeah. Are you familiar with the term punitive spouse? All right, in the old days it used to be if a man was married to a woman and without benefit of divorce married another, the first woman inherited, and he dies, then the first woman gets the estate say. All right. So, I had a case where this gal came in, and she was married to this guy, and he had done that. He had married before, and he never bothered to get divorced, and married her, and she unknowingly married him, and lived together and da-da-da-da. Well, he died. And she came to me, and of course, I could read. I knew what, I knew she didn't have much of a case, but I took it on a contingent fee basis. I said it won't cost you nothing. I will do this, and maybe something will happen. So, there is the fellow named Doan Trone practiced here, and he knew what the law was, but he didn't do his homework.

I don't remember how I got to it. I don't remember, but there was a law review article written by somebody in one of the bar journals about punitive spouse in Illinois, and how they had changed the legislation whereas if she was innocent in entering the marriage and some other things, she won. Not the first wife, the second wife won. They changed that, and we had a bench trial in Fulton County before a Judge Murphy, and I knew they changed it and Doan Trone he didn't know it. So, I went up there, and I had my witness, she had been coached very well. She knew exactly what I was going to ask her and what her answers - they were all truthful, but I mean she knew what, and she went through there, and I laid out all my prima facie case, her knowledge, her lack of knowledge, and everything, and she lived and cohabited and da-da-da-da. And then Doan asked her a couple questions about nothing, and then he rested. I rested, and then I got up, and then I - after he closed and done, I presented the judge with my law review or the bar review journal, and it laid out the whole thing. It was there, and I told him, I advised him that there had been a change in the law and da-da-da-da. Well, he liked to come unglued. He was from the old school, and he wasn't about to enter to rule if my favor. He took it under advisement. He says I want that article. I said yes, can I have it, yes. He kept it for a period of four or five months, or something like that. He finally, he ruled in my favor reluctantly and he never did give me my article back. But I got - and this guy had a one hundred and twenty acre farm that they sold. Anyway when it all ended up, I got about forty thousand dollars out of that case, and it gave me enough money to pay my building off where I practiced law, and that case sticks in my - not because of the legal significance, but because the lawyer, he just didn't do his homework.

LAW: That raises a question for me. How were fees determined at the time? Was there a schedule of fees?

KLITZ: Oh, yeah, oh, yeah. There was a schedule of fees that's since abandoned, probably rightly so. But the fees, there wouldn't have been anything on that because that, there wouldn't have been a schedule for that. It was just common practice on a contingent fee, a third. That's what I, and I did another, I did another contingency a guy was looking for Social Security on black lung disease, and he had been to three lawyers, and they had all taken it, and they all lost, and he said I will give you the contingent fee to do it. And so I did it, and it went through then, and he got a lot of money, and they have got it, it is all regulated as to how much they will pay the lawyer. So he - I got two thousand dollars or something, and if I had been contingent fee, I would have probably had twenty. He wouldn't pay. He wouldn't honor his agreement. So, I was stuck with what they gave me.

LAW: Was all legal work was there kind of a common practice in what the lawyer would earn?

KLITZ: In what area - if it was PI, personal injury, or stuff, it was a contingent fee. Sometimes it might raise if you had to go to the reviewing court, but it was basically a third, and you front, they were out no money out of their pocket. You had to fund all of the fund, whatever it took for deposition, whatever, you just had to advance those, and hopefully you would win.

LAW: Now, did you do any appellate work?

KLITZ: I argued that case on the punitive spouse in the appellate court, but that wasn't much argument to it. I mean I was there, but I didn't have to say a lot. I mean those reviewing judges weren't stupid.

LAW: Where would that have been at, was that at?

KLITZ: Peru, it seems like Peru, LaSalle, Peru, seems to me that's where I went.

LAW: Okay, or Ottawa maybe?

KLITZ: Maybe Ottawa, somewhere up in that area I went. That's the only case I ever argued at the appellate level, never Supreme Court either.

LAW: Any criminal cases that you remember?

KLITZ: Criminal, yeah, I did a lot of criminal. I did - I have handled a murder trial in Quincy that was probably uneventful. The woman allegedly killed her husband and they acquitted her. I handled a case here where a woman got some of her friends to murder her husband out in Bader. I tried that case. I am good friends with her daughter now. As a matter of fact, she works down here at the station where I buy fuel. I don't know if I did any other murder trials, I did two or three. They had a rape trial against a news personality in Quincy that Quincy judges didn't, for whatever reason didn't want to hear it. They use to send me to Quincy to do - I did a lot of stuff that nobody wanted to do, you know, for whatever reason in their town there might be some ramifications of it, and so, but it didn't bother me. I did that kind of stuff. Wherever, I told them I would do whatever they needed to do, and it worked out all right. But it was a bad case. It was bad. I did - I went down to Quincy one time and tried, it was some kind of a drug case, not big, and I didn't know it at the time, but, and this guy was guilty, and I sentenced him, and sentenced him to thirty months. His lawyer later told me that the State had offered him a plea of thirty days, and he thought that was too much. So, he really thought the thirty months was too much.

LAW: These criminal cases, these were when you were a lawyer or a judge?

KLITZ: Judge.

LAW: Okay.

KLITZ: A judge.

LAW: Got you. Let me ask one more question, and then we will put in a fresh tape. So you have been, you have had your time in the Navy, you have been through college and law

school, you were practicing as an attorney. Did your world view change at all? Did you change at all in how you saw the world, and if so, how?

KLITZ: No, I haven't changed my opinion - I can't say that there has been any transition where I have had an awakening or - I know my opinion is pretty much - I am an opinionated individual, always have been, and my opinions really haven't changed noticeably to me. Now, maybe you could get a third party to say there is something, but as far as I know I don't know of anything that changed on my perspective of most anything.

LAW: Did you start to have a family?

KLITZ: I have a son. I have a son that was born in '69.

LAW: Okay.

KLITZ: No, yeah, '69, right after he was born in November, and I passed the bar about that same time in '69.

LAW: How did being a father affect your work life, and how did you balance all that?

KLITZ: There is no balance. Your family is first. There is just not much balance to it. You always find - I have been fortunate. My son's approach to life is the same way. He farms. He farms. He farms probably twenty-five hundred acres, and he always got time. He has two boys. Always got time for his boys. I mean that's just the way it is. Your family is the first priority, and the law, or your job, or whatever that comes second or somewhere down the line.

LAW: He lives here locally?

KLITZ: Yes, yes, he lives north of town. He lives on the place that my wife lived when she was a kid.

LAW: Okay, okay. We will put in a fresh tape, and then I will ask you some.

KLITZ: Judges made fifty thousand dollars a year. My last year I practiced law I made

more money than that, but I didn't think there was any way that I could generate and save enough money to compete with the retirement that the judges have, and that's why I ran. The retirement, I mean it is second to none. That's why I ran for the job.

LAW: How did you go about getting elected? How does one become a judge in this area or at that particular time?

[01:30]

KLITZ: Oh, the same as any time. You get more votes than the guy you run against, that's how you get to be a judge.

LAW: How do you get?

KLITZ: You are not going to believe me when I tell you this.

LAW: Okay.

KLITZ: But I expect, and Art Strong basically the same. When I ran for judge, I spent probably five hundred dollars. He didn't spend any more than that. Art Strong and I hadn't - we had an agreement. He says - we said, we decided we wouldn't have any bumper stickers, we wouldn't have any caps, we wouldn't have any T-shirts, wouldn't have any of that stuff that's demeaning to the office in my opinion. It is going to be whoever gets the most votes wins, and that's the way it was. And I bought an ad in the paper, and put qualifications, and he did. I didn't buy any pens, I didn't buy any caps, nothing. No signs for the yard, there wasn't a sign in the whole county for either one of us. It was pressing the flesh. I went, I think, I hope to every house in the county, and explained to them why I ought to be the judge, and Art did the same.

LAW: What did you say when you knocked on the door?

KLITZ: Nothing, I said, you know, in a county like this you know a lot of people, and it is

popularity contest. Art is qualified. I was qualified, and it is just who is the most popular on that particular day. It turned out that I was. But they know you. They know you. They know the good. They know the bad. They know what you did when you were a kid. You grew up here, and you don't have to elaborate a lot. They know.

LAW: Did you have to engage with the local party people at all?

KLITZ: No. I got no money from the county. I got no money from the political party. I was endorsed, of course, and I ran as a Republican, but I mean nothing. I mean it wasn't a tight-knit relationship. Neither was it with Art. I mean it was just he and I just bumping heads basically.

LAW: So, you were a judge for what, about eighteen years?

KLITZ: Yes. See, the state in their wisdom or lack of it, they gave - at one time they gave the opportunity to buy half your service time, and they wanted like, for two years they wanted a hundred and seventeen or eighteen thousand [dollars] or some figure just under it. Well, anyway later they came out with another incentive. It seemed to me like it was like seventeen, eighteen thousand dollars I could buy two years of my Navy time to be added to my judge's time. So, I did. I retired a couple months short of full retirement, but to me the couple of months was worth it because unbeknownst - I retired in, the 1st of July, the 3rd of July, 2nd of 1998. I had a heart attack, five bypasses in May, the following May. So, I could have not gotten anything, but I got, I get enough money. They pay me enough money. I do all right.

LAW: Now, you would have been really the only judge except for a few years later Art Strong was an associate, but I mean how did you organize the work in your courtroom?

KLITZ: Oh, it was my courtroom. Art never was there. See, Art was a traveling judge. He just happened to be from Rushville. Now we have got the same judge, but he sits, he is

in Mt. Sterling, but they do -basically they are associate judges that do wherever they are needed in the circuit. The resident judge in these smaller counties they do it all. I did it all. The same in Brown [County] or wherever they are, they do it all.

LAW: Did you do certain types of cases on certain days?

KLITZ: I didn't do that. Now, there is people that do that, but I didn't, you know, maybe it is because of my, the effects that Judge Utter had on me in his indecisive. I give them dates based on the time always, but no, I didn't do things on a certain day. I mean I just didn't do that. I did it, and it was traffic. I didn't have to do traffic, but I did traffic, and I did, whatever needed done I did it, and I didn't, you know, have to set it three months down because that's the first time we have a date for this particular thing whether it be domestic, or children, or whatever. So, I didn't do it that way. I set it when it came in. The clerk and I had a good relationship, and she knew, and she would set the stuff, and I would hear it, and we would go on.

LAW: Memories of the courthouse, if people have never been in it, give them an idea of what the courthouse looks like, where everything is situated, where your office was.

KLITZ: Well, that's entirely another lecture, the courthouse. Our courthouse was neglected like all of them, and when I was, started practicing law shortly after I was here they lowered the ceiling down to about ten feet or something. I remembered what it was before, and you will have to - I suppose to really get, I could go into great detail about the courthouse because during my tenure it was basically restored, not a hundred percent, but it was basically restored, and it is beautiful. It still is. I mean it was - that's a long story. But it is worth your time if you are not doing, just go in and look at it. It is beautiful.

LAW: We were there. That's where we interviewed Judge McMillen.

KLITZ: Oh, well, I could tell you that all came about because of my being a judge, and I got

a guy that was convicted of DUI, and he roofed in the summer, and didn't do anything in the winter but drink, and we worked up a deal, and started him on his work service. He got a DUI, and he did work service, and we worked, come to an agreement on him doing restoration work for basically minimum wage, and he did it, and it just, it just blossomed from there, and he was later hired as the custodian of the courthouse, and did work. And we had scaffolds in the courtroom, and we never missed a day's court, and that was all done with him up there on scaffolding listening, and painting, and doing whatever. But it is - someday I will give you the other lecture, but it would take a lot more time than you want to devote to this thing.

LAW: Okay. Like I said before, all of the cases are memorable, and they are all important, but were any particular cases memorable?

KLITZ: I remember once.

LAW: That you took note of?

KLITZ: I remember once, this is just stuff - once when I was practicing law, I had a friend named Dawson Humphries, and Dawson, down in the tavern, and this gal filed charges that he had struck her, knocked her off the bar stool, and I don't know what all. Anyway we had a trial, and a gal named Ardith Wilson, used to call her square britches, she was sitting there, and Art Strong was the State's Attorney. Art was going along there asking questions, and he questioned her memory and her ability to recall, and she sat there and said how long have you been sitting in that tavern, Ardith. I have been there a long time. I got in there at eight o'clock, and this all happened sometime much later, and you sat there all day, didn't you. Yes, pretty much did. Said well drinking all that time, I suppose. Yes, she said I was. Would that impair your memory, well, I don't think so. Well, now, just what were you drinking? Ardith looked at him and said Mountain Dew, and poor old

Art, I thought he wanted to crawl under the table. But that's about - I don't know if I got any more or not. I think you probably pretty well - I tell you one of my success stories.

LAW: Okay.

KLITZ: I forgot about it. I had a jury trial, and selecting the jury, come noon we had to take a break for dinner because we didn't have a jury. I had these two guys on the panel, Charlie Fleck and Terry Billingsley. I told them, admonished them that we are going to take a break, and be back at one o'clock, and start over. And they said oh, come one o'clock, they weren't there, and 1:15 they wasn't there. It is noon, time to eat. I knew where they were. They were down at the tavern. They were down there bulling about that they didn't have to be back and all that stuff, and so I told the sheriff go get them. He went down and got them. I held them in contempt of court and sentenced them to three days in jail. I heard all kinds of, their wives and everybody, and I didn't gee. I mean I thought it was disrespectful to the court, the people there, and it just couldn't be tolerated. And so, I wouldn't gee a bit, and they spent their three days. Terry Billingsley was a bad alcoholic, and put him in jail for the three days, and he got through it, and he never had a drink, and he went on, and to this day he still has never had a drink. And so, that's one of my successes. Charlie Fleck is still drinking, but Terry Billingsley doesn't drink. That was good. That turned out okay, but I suppose that's about all. I jotted some of this stuff down.

LAW: Did you ever have to hold any attorneys in contempt?

KLITZ: Never.

LAW: Never?

KLITZ: No. I ran, I ran a tight ship, and I reckon they knew that. It was all business. When we were in the courtroom, to me it was all business. I mean we were all there to do something, and I tried - I didn't let them ramble. I would listen to these lawyers, and I

knew what I was going to do, and I suppose I have had some others say that they knew that when I leaned back in that chair and took my glasses off, a decision had been made, and might just as well shut up. But I tried to get, I tried to give them - all my decisions weren't right, but they had a decision. They had something they could go with. That was my approach to the judgeship.

LAW: What advice would you give to new, younger judges as far as how to stay patient?

KLITZ: Well, it is an acquired characteristic. I am not a patient person by nature, and it is just learned. I think the most effective lawyer is the one that can get to the point, and make his point, and get on away from it. These other lawyers they just keep bouncing, and hammering, and it is the same - judges aren't stupid. I mean they know pretty well what the decision is going to be. That's the way it is supposed to be. I got one thing I want to tell you before you go, before we get out of here. I do remember. This is not good for the judiciary, but it happened to me. In those days we used to all - we covered a courtroom. The Eighth Judicial Circuit had a courtroom in Chicago, 1112, and we covered it. It was basically a glorified small claims. We handled lots of cases. That docket was full of stuff, lots of motions. And I had made a decision up on one of my trips. I always went up there when there was a holiday in it so I don't have to spend four days or three maybe, and I got up there, and I made a decision that was not in a big law firm's interest. The big law - I didn't know big law firm from any firm. I just did what I thought I had to do. Anyway I set, and then they filed a motion to reconsider or something.

[01:45]

I don't remember. So, I set it through the day I was coming back up. I knew - a year in advance you know when you are going to go to Chicago, and I knew. So, I set it when I was going to be there. I went up there, and this case was on my call. I was going to hear it. The clerk told me that they had been playing games, this firm has, and I don't know the name of the firm. But evidently they had a lot of clout. So, I got up there, and I was in the chambers, and the presiding judge or assignment judge or whatever you call him called me down to his office, and went down there. He said, you know, he says you have got so much expertise in trying cases and jury trials and that we want to assign you to courtroom something to hear these jury trials. I said no, I know what you are doing. You are just wanting to get me out of that room so you can send somebody down to give them more favorable decision to this firm. Oh, no, nothing like that, wasn't thinking of doing that. We just need your expertise. Okay, so they sent me down there over my objection, but they sent me. They would send me a case, and I would send it back. I would say I didn't have time. I am only here for three days or four days, and I won't have them, but anyway I played the game with them for the whole week. I didn't do nothing. I just sat there. They would send me a case, and I would send it back. But that was in my opinion and whoever they got to go in and replace me granted the motion to reconsider or whatever it was, but that was the kind of stuff that went on in Chicago in those days. Maybe it has all changed. We don't cover a courtroom up there anymore. So, I don't know anything about it, but it was kind of a, left a bad taste in my mouth.

LAW: Did you ever try any capital cases?

KLITZ: I have tried a murder trial. Yeah, I have tried a murder trial. I tried that one in Quincy. I tried that one here in Bader where that guy, his wife hired somebody to kill him. I have tried at least two or three, yeah, and then I had like the gal, the TV personality in

Quincy with the rape, that was a bad case. This guy was terrible. I gave him lots of years, as many as I could give him. He was - I can't remember. I can't remember his name. Don't make any difference. He had an alias, but yeah, I have tried capital cases, but it is a long time. I have been retired since 1998. That's eighteen years. That's as long as I served on the bench. That's really digging to remember anything at my age you do well.

LAW: I was going to ask you. I know this happened after you were a judge, but I was going to ask you what your thoughts were on Governor Ryan's moratorium, and then all of the reforms and the eventual abolition of the death penalty.

KLITZ: Well, let me first, let me first tell you about Rauner.

LAW: About Ryan?

KLITZ: No, Rauner.

LAW: Okay.

KLITZ: You want to know about Ryan and the death - that's where you want to go, but I could talk about Rauner too, but I am an advocate of the death penalty.

LAW: Okay.

KLITZ: I believe in it.

LAW: All right.

KLITZ: I think there is some crimes that are so atrocious - what would be, what would be your idea about this creep that just murdered forty-nine people in Orlando, [Florida]? Do you honestly think in your own mind that he can be reconciled to society? I mean I don't think it. I just, of course, I believe in it. I believe in the death penalty, and that's like anything else. You are not going to dissuade me one way or the other; but on the other side of the coin, I would say this. This was told to me many, many, many years ago. Is

the death penalty a deterrent, is that why you do it? Well, I don't think you do, but anyway is it a deterrent against other people doing atrocious acts. And the guy told me he says, you know, in the old, old days in England they - pick pocketing was punishable by death, and he said they had public hangings of the pick pocket. He says when do you think the most pockets got picked; during the public hangings of the guy? So, if it is a deterrent, your argument gets weaker. Mine is not - that's not my - it is not - I don't think they can rehabilitate those. I think those people - I think it is worthy of what, of the acts that they do are so atrocious that I couldn't condone, I couldn't condone it. I couldn't. I believe in the death penalty.

LAW: Okay. I have some philosophical questions for you.

KLITZ: Do you. That's not my strong suit.

LAW: Well, bear with me. What are your thoughts on cameras in the courtroom?

KLITZ: Don't like them.

LAW: Don't like them, okay.

KLITZ: Lawyers are flamboyant, and it makes the courtroom a circus. I know this circuit just adopted in their wisdom or lack thereof that we are going to have them. It is nothing. It just gives another - it just gives the lawyers another reason just to blow.

LAW: How should judges interact with the media, and how should the media interact with judges?

KLITZ: In what respect? I mean what do you mean? I never, in all my experience the only, the only experience I really had what I didn't like was with the media. When I was trying cases, I tried a case, and I don't remember the case, and the Jacksonville *[Journal] Courier*, I had a mistrial, a hung jury, hopelessly hung, and I had a mistrial. They wrote an editorial in the Jacksonville paper about that mistrial, and attributed that I acted too quickly

in doing that. What really bothered me was they had no reporters; there was nobody there from the paper covering it. I don't know where they got their information to write this editorial, but there was nobody there. They had no idea the criteria I used when I did that. What kind of judge in his right mind wants to sit through another trial? It is just - they couldn't make it, and then, but anyway they wrote an editorial that I thought was unfavorable and unfortunate. I didn't think it was warranted, but I get along good with the media, but the media has got a job to do, and it is not necessarily the way you perceive their job. The things you say to a reporter is fair game for them. They can use that quote and run with it. And so you got to be very careful in my opinion what you say to the media. I think the least, the least you say to the media the better off you are in my opinion.

LAW: As a lawyer and as a judge what are the best means to enhance the public's awareness of what the judiciary does?

KLITZ: Well, it has to be done through the media because most people don't have contact with the court system. They don't have, and that's just contradictory what I just told you.

LAW: I understand.

KLITZ: But that's the only way I know that you are going to influence the public. The papers editorialize and recommend and not recommend these judges that are up for retention. That's done, you know, but they could do a lot of good if there is some rapport between the organizations and the judges, but most people don't have any contact with our system other than you see somebody like Johnnie Cochran, if the glove don't fit, you must acquit, and they just don't, and stuff like that they remember. But it's, that's the only way I know is through the media influencing the public and favorably hopefully the judiciary.

Judges are hard, they do a good job. It is a good system. There is none better in the world. And as far as I think in Rushville they are held in high esteem, and it is a good profession, and it is just the way it is supposed to be as near as I can tell. I don't know about anywhere else.

LAW: Were you a member of any bar associations, and what is the nature of the relationship between the bar associations and the judiciary here?

KLITZ: None, none, non-existent basically. Most of them belong to the Illinois Bar Association or did when I was there. I belong to the Illinois Judges Association as a retired member, but it is just, they do some good, and they can help some other judges, but there has been no strong relationship between the bar, the American Bar I don't even know anybody that belongs to it, but I am sure there is somebody. But it is not, there is not a lot of continuity between the two.

LAW: What is the role of the judiciary in society, and what is the role of a lawyer in society?

KLITZ: To lead, to be a trendsetter. They are one of the leaders of the community. They are probably one of the most educated in the community, and it is their responsibility to lead. They should be in civic organizations. If they are at church, they ought to be active. They just need to do everything to make where they are a better place, and this perspective is from a small town. I live in a different part of the world.

LAW: What are the benefits of doing pro bono work? Were you ever engaged in that when you were an attorney? How do they do pro bono around here at all?

KLITZ: I don't think - I can't remember an instance of pro bono work. I just don't know of an instance. As far as - I don't know when any was done here. I just don't. I don't know of any examples of where it has been used here.

LAW: Have you been engaged in any kind of civic engagement or philanthropic work?

KLITZ: Well.

LAW: When you were a judge?

KLITZ: When I was a judge, and before and after. I have been on the Schuyler County Fair Board since 1970 and still am. Treasurer for forty years, probably assistant treasurer now. Been on the park board, belonged to Pride, which is a community organization that's here. I am very active in the Masonic organization.

LAW: Why? Why are you involved in civic engagement?

KLITZ: I am involved because it makes, my only goal in life is to make the world better when I leave it than when I came. That's one of the ways I do it. I try to do things, help people. The organizations that I give, the Masons, they just gave away two thousand dollar scholarships in last week's paper, and it is good. I don't give large amounts of money to charity, but my approach is different. I have - when somebody has an event, a sickness, a fire, a child hurt, I send them a check for a thousand dollars. I do that a lot. I don't - I tell you that because I normally don't tell anybody that.

LAW: I understand.

KLITZ: But that's just my way of giving back. Every dime that I give I know goes to somebody that's going to need every dime of it. There is no administrative cost. There is none of the rest of it. It is just, it is all going to go to good use.

LAW: What does the future of the profession hold?

KLITZ: I don't know. It is, you know, with all this social media and the - I don't know. I just don't know. I think the profession is going to change drastically. There is not going to be any paper trails.

[02:00]

I mean it is going to be all done with a computer, all of the filings, all of the title work. I just think they are going to eliminate paperwork, and in the process they will eliminate employees, I presume. I think that the future is going to be big changes in the future, I think, but I don't know much.

LAW: What are the big changes that you saw in your career in the law, most noticeable changes? In other words, advertising when you first started.

KLITZ: No, no, no, no, no.

LAW: No?

KLITZ: When I first started practicing law, the lawyers use to put Carson Klitz, attorney at law, phone number, 322, little thing about this square, and I was admonished by the Bar Association that that was advertising, and I should not do it, and I took it out. All of the lawyers did, and that's all it was. It was just your name and a phone number, and they said that that was soliciting, and now hell, they do everything. I mean they have degraded the profession. This started out with I ran for judge, and Art Strong and I had an agreement that we thought it was demeaning to have a sign in somebody's yard. We progressed from that to anything. I mean just anything. I think it has made the lawyer more like a salesman.

LAW: Is it more of a business now?

KLITZ: Oh, yes, I mean a big business. They got big overheads. I mean they got, yeah, I mean there is a lot of money. I made a lot of money when I practiced law, but I was a conduit. I had five girls working for me. If I put money in my retirement, I had to put money in all their retirement. It is big business deal. You got to generate lots of money,

and I don't know. I don't know.

LAW: What about changes in the law itself that you saw, could be DUIs or child support?

KLITZ: Well, of course, see I have been gone eighteen years.

LAW: I know, but just from the point as to when you retired as a judge.

KLITZ: Well, they have gotten - domestic violence, that was a big. I don't know if it was pushed by the women. I don't know, but it got to be real big. There is some things about that that could stand review. I don't - DUI, they have cracked down on it considerably and justifiably so. When I first started driving cars, they didn't even have turn signals on cars. So, you are asking me about a period that things are different, and it is all right, but the legal profession has just gotten to be very much more business oriented. I think probably all these big firms have business managers and all of the rest of it that go with it.

LAW: What's the nature of the local bar now? You told me a little bit.

KLITZ: Nonexistent.

LAW: Are there any lawyers in town?

KLITZ: Oh, yeah. I see Bob Jones over here he bought my practice or bought my building or whatever. He got a young guy come in to him that had been practicing in New York. I don't know the name. I don't know where he came from. I never met him. I just saw it in last week's paper as a matter of fact. Then there is - who else is here. Charlie Burton on the south side of the square, he has got a pretty good practice. He is by himself, but he has got kind of a legal assistant of some sort. That's about all there is, I think, Burton and Jones pretty much. I bet it is.

LAW: Now, these next two are in regards to your legal career.

KLITZ: Yes.

LAW: These are my last two questions.

KLITZ: Oh.

LAW: Okay. So, if you had to do anything differently - let me start over. If you had to do it all over again, would you do anything differently in regards to your legal career? Would you do anything differently?

KLITZ: Nope.

LAW: What do you want to be remembered for? What is your legacy?

KLITZ: He made a difference. I take care of the cemetery. I have my tombstone out there already. It is out in the country. It is fourteen miles out in the country. It is a corner of a farm I got, and that's, you know, to me that's the only thing that matters is did you make a difference. Is it a better place when you leave it than it was when you came.

LAW: Actually I have one more for you, Judge. What's next? I know you have since become the Mayor. I don't know if you want to talk about becoming the Mayor, but what's next for you?

KLITZ: Me?

LAW: Yes.

KLITZ: I am blessed. I had five bypasses. The doctor told me to do whatever my body said was okay, and I have. I am very active at the golf course in making it click. I run the city, I guess. I take care of a cemetery, been on the fair board for a long time. I am busy. I do things - you know, I have got the financial independence. I can do what I want to do. I do. It is a real good position to be in. I mean I just, and I don't, I don't spend a lot of money, and my wife don't spend any money, and we just do what we want to do. We have what we want to have, and I intend to continue. I am figuring on running again for this office. I am going to continue making changes that I think need to be made. But I have been blessed, and it has been a good life, and I like doing it, and I like keeping stuff stirred,

and that's what I continue to do. I am going to - I don't - retirement is just a word. Age is just a word. I suppose, hell, I run, I went to the golf course getting ready for a big outing we had. I probably run a weed eater two or three hours a day. I mean you stop to fill it with gas or something. I am lucky. I mean I understand that. I like to work. I got my own garden. I hoe my garden, and I just, I just do whatever needs done. I don't have any big travel plans, but I like Model T Fords. I collect pocket knives. I just do what I want to do.

LAW: Judge Klitz, that's all that I have for you today. Thank you, sir.

KLITZ: Thank you.

Total Running Time: [02:08:37]

**End of Interview**