



Eino Matti Jacobson

January 18, 1933 - October 13, 2013

Those who knew and loved Eino Matti Jacobson remember his humor, his brilliant legal mind and his love of a good story, especially if it was shared while enjoying the company of close friends, family and colleagues. Eino passed from this life on October 13, 2013, after suffering from a long-term respiratory and heart condition. He was 80 years old.

He is survived by his wife of 61 years, Patricia; children Melanie Gail Jacobson, Marcus Eino Jacobson, Robin Lynn Jacobson, Monica Jo (James) Beck, and Dianne Louise Jacobson; grandchildren Dylan and Justin Cook, Tessa Milosevich, and Colin and Sophia Levy; great-granddaughter Adelaide Cook; cousin Donald Puente (Miki); and companion Muffy Vallely. His parents, Eino Matti and Josephine Frick Jacobson, and grandson Nathan Daniel Milosevich predeceased him.

Born in his grandmother's home in Globe, Arizona, on January 18, 1933, Eino was an only child. His father was a first generation American of Finnish parents who immigrated to Minnesota in 1904 and eventually settled in Miami, Arizona. His mother came to Pearce, Arizona in a covered wagon when she was a small child in the early 1900's. During his high school years in Globe, Eino spent his summers on the Navajo reservation, working at trading posts in Wide Ruins, Sanders, and Chinle, where his parents worked for the Bureau of Indian Affairs. In 1951, Eino graduated at the top of his class from Globe High

School. He once said “When you’ve only got to compete with 48 others, good class standing is not hard.” In 2012, he was inducted into the first Globe High School Hall of Fame, along with former Arizona Governor Rose Mofford.

String-bean thin and fast, he was an All-State end on the Globe football team as well as a basketball and track star, all of which got him a track athletic scholarship, along with a Baird scholarship, to the University of Arizona. It was there, in September 1951, that he met his future wife, Patricia Collier, a graduate of Miami High School, near Globe. They were married in the Holy Angels Catholic Church in Globe on August 16, 1952.

Eino continued his studies at the U of A, majoring in English, with the intention of becoming a teacher, although this was not his passion. However, he decided to enter the U of A law school in his senior year and graduated with a law degree in 1957. In those days, the U of A law school took all comers and flunked most of them out their first year, but Eino excelled, making “book” – the highest test score – in Secured Transactions and Corporations as well as receiving the award as the outstanding third-year student. During law school, he supported his wife and their children, Melanie and Marcus, delivering for a printing company and then later, as assistant manager of a gas station. Summers were spent in Globe where he worked in the concentrator at Miami Copper Company. In his last summer before graduating law school, he worked in the legal department of the Navajo Tribe and he and his little family lived at Fort Defiance.

Upon graduation in 1957, the Jacobsons moved to Prescott, where Eino joined the firm of Favor & Quail. Prescott then had roughly 8,000 people with ten lawyers and one judge. Two years later, he and Hugh Kingsbury formed their own firm, specializing in general civil litigation and criminal defense, with offices in the Masonic Temple Building on Cortez Street. In 1960 at age 27, Eino became a sole practitioner. Over the next nine years, he was known as a

highly ethical lawyer who took “can’t-win” cases regardless of the usually low remuneration. He refused to sue his clients for non-payment of his fees, but was willing to accept “in-kind” payments; for example, a race horse or the contents of a bar from a bankrupt client.

In 1962, Eino and a small group of like-minded friends worked to reinvigorate the Republican Party in Yavapai County. They succeeded in electing the first Republican sheriff, Al Ayars. Two years later, Eino ran for Yavapai County Attorney. In a vote of 3,000 people, he beat his Democratic challenger, Kemp Wilhelmsen, by roughly 200 votes. Kemp, a close friend, thereupon served as his deputy for three years. Eino and Kemp did county business in the morning and then focused on their individual private practices the rest of the time.

In 1969 at age 36, Democratic Governor Jack Williams appointed Eino to a new three-judge panel of the Arizona Court of Appeals in Phoenix. Eino had been recommended to the Governor as an outstanding Northern Arizona attorney and the best man for the job by a committee consisting of Harold Wolfinger, a prominent Prescott attorney; Irving Jennings, senior partner of Jennings, Strouss & Salmon; and Frank Snell, senior partner of Snell & Wilmer. He was sworn in on July 11, 1969. Eino and Pat wanted to raise their children, now including daughters Robin, Monica, and Dianne, in Prescott. Consequently, Eino chose to drive roundtrip to Phoenix three days a week for the next 26 years, until his retirement in 1995. He kept an office in the Yavapai County Courthouse for his Tuesdays and Thursdays in Prescott.

Judge Eino Jacobson is regarded as one of the outstanding legal scholars in Arizona jurisprudence. During his 26 years on the bench, he produced 782 opinions, 28 dissents, and virtually no concurrences. While in later years, the volume of cases necessitated the use of law clerks to help draft opinions, Eino always read the briefs himself, made extensive notes, and then read the final

draft opinion to verify that it met his standards. It was the rare opinion in which he did not do the major editing and revisions. As a member of the National Judicial Committee on Uniform Rules of Civil Procedure, he made a significant contribution to Arizona's procedural rules. Thomas Kleinschmidt, the appeals court's Chief Judge, wrote at Eino's retirement, "There is something that stands out about Eino Jacobson, something that judges who served with him recognize and appreciate more than anyone else. It is his swift and seemingly effortless ability to isolate an issue in a case and identify the facts and law which bear on it. Eino knew what was at the heart of it. His was the estimable service of focusing the dialogue." Fellow appellate judge Mary Schroeder, now of the U.S. Ninth Circuit Court of Appeals, also wrote at his retirement, "One who has never known Eino might ask why I considered myself so fortunate to sit with him. There were many reasons, not the least of which was that Eino delighted in intellectual disagreement. He could see the humor in everything, and he prevented anyone from taking himself or herself too seriously. In an appellate judge, this is a rare trait and one to be treasured."

After retirement, Eino continued to sit on the appellate and superior courts as needed. He was asked by the San Carlos/White Mountain Apache Nation to sit on its Supreme Court. He also joined the American Arbitration Association, where he was chosen by both plaintiff and defense counsel to arbitrate some of the largest commercial legal disputes in Arizona. He was on the board of the University of Advancing Technology for 18 years, and served as Chairman of the Board from 2002 through 2012. Though his service was so different from being a judge, his board appreciated that he knew how to run a meeting, moving through the agenda by staying on topic. He became an ombudsman for the Arizona Department of Economic Security's Agency on the Aging and joined the Sons of the American Legion in honor of his father's military service.

Eino's life outside the law was filled with civic service. He was active in the

Prescott Lions Club; the YMCA; the U of A Alumni Association; the Republican Party; and the Prescott Jaycees. An alumnus of Boys State, he was later a long-time annual Boys State advisor. He became a member of Smoki in the mid-1960's and served a term as chief. His leadership was instrumental in helping the membership decide to end the traditional Smoki dances in deference to Hopi representatives' requests that they stop.

No one liked a good time more than Eino. He enjoyed telling a good joke and usually knew them before anyone else. He loved to golf, hunt, and fish. When Eino became a judge, he and Judge Frank Gordon of Kingman, Judge Larry Wren of Flagstaff and Judge Jack L. Ogg, formed the "High Line Judicial Conference," an annual trout fishing trip to Lee's Ferry for Arizona judges and lawyers that continued through the 1990's. New Year's and Fourth of July parties included Jack Ogg in cavalry uniform, playing the bugle, his wife Mary Fran on piano, Prescott attorney John Favour on the bass, and Eino banging the tambourine while leading the singing at top voice. Eino eventually taught himself how to play a small chord organ so he could practice and sing old songs at home, after dinner.

Eino's favorite hobby was art. He created impressive works of art in ceramic mosaic tile and became a master ironwood carver. He eventually developed an allergy to the wood dust, so turned to collages with American Indian motifs, using broken pottery and various found objects. When the handwork fell by the wayside, he continued to add Native American and Western art to the collection begun by his parents and his uncle, Leonard Frick.

Eino was a proud native Arizonan, born, raised and educated in the state he loved. His contributions to Arizona's jurisprudence will continue to shape state law for years to come.

We, his family, remember him as a loving husband and father. We cherish the

memories of our yearly vacations at Hermosa Beach, where he loved teaching his children the art of body surfing, and side-trips to all the wonderful historic sites of California. Eino had a passion for la dolce vita, a love of the outdoors and travel, and was blessed with a wealth of deep and abiding friendships. His passing marks yet another loss of the old Prescott and Arizona of which he was such an integral part.

A celebration of Eino's life will be held on November 9, 2013, 1:00 – 4:00 p.m. at the Yavapai County Mounted Sheriff Posse House, 1495 South Sheriffs Posse Trail off Copper Basin Road in Prescott. In lieu of flowers, please donate to your favorite charity. Our thanks to Butch Hampton of Hampton's Funeral Home.

Tribute Wall

KR

“ I am so sorry to hear of Eino's death. He helped me a lot in the 60's. Kathryn Basham Roth



Kathryn Roth - November 11, 2013 at 11:30 PM

BC

What a great guy! Eino was all class. Nothing fake about him. He was what he was--nothing put on--and it was all good. I admired Eino in Globe High (and his very close cousin Don Puente as well), and my heart almost stopped when my wife told me of his passing. I'm so glad to have been able to visit with him at one of the fairly recent Globe High reunions. He was certainly a standout and one of the favorites at Globe High and sure will be missed. Thanks for getting the word to us, Carmen.

Bob Coleman

Bob Coleman - November 12, 2013 at 11:06 PM

LH

“ Eino was my dental hygiene patient for many years and I enjoyed his visits and especially his stories about Finland and Russia. Rest in peace Eino.

Lynn Hammack - November 11, 2013 at 12:19 PM

JK

“ As the senior member of bowlings 1933 club We are really going to miss you. There are still 8 members left. When We hear thunder We will know that it is Eino up in heaven getting a strike.
Jim an Esther Kelly Rest well old friend

jim kelly - November 08, 2013 at 09:51 PM

DP

“ I met the Judge a couple of decades ago on a fishing trip in Mexico. We became fast friends and have been ever since.

When a seat opened on the Board of the University of Advancing Technology I was quick to recruit him. His keen mind and sense for concise organization made him a natural for the chairman of the board. He led us and kept us from wandering off track for over a decade.

As a good friend and a fellow Director and Chairman, he will be sorely missed !

Dominic Pistillo - November 08, 2013 at 03:41 PM

GS

“ There are a few of us left who remember Eino from the "Old Prescott" during the early sixties. When I arrived in Prescott my first job was with Eino and Hugh Kingsbury. When Eino took off on his own, I joined him in that corner office over the Eagle Drug. It was there one January that we discovered we had the exact same birthday. One day after we had both moved on, I got a call from Eino, concerned that I might be traumatized as we neared our 50th birthday. Thus began the yearly birthday parties at the Pine Cone Inn where every year a table was reserved for this large party which would last the whole afternoon no matter what the weather, including some violent snowstorms.

We, along with his wonderful family, will all miss him very much.
Geri Smith

Geri Smith - October 29, 2013 at 11:59 PM

MW

“ I'm want to send my condolences to all of Eino's family and all his friends and acquaintences out there. He was a wonderful man and will be greatly missed by all who knew him. I knew him when I was City Clerk of Prescott for 32 years. He was a great person to be around and he knew all the good jokes and knew how to have a good time and enjoy!

Marie Watson

Marie Watson - October 29, 2013 at 06:08 PM

KH

“ Kay Huston lit a candle in memory of Eino Matti Jacobson



Kay Huston - October 29, 2013 at 05:57 PM

JB

“ I was raised with Marc, and therefore the entire Jacobson family. Those years were spent in the "glory days" of Prescott, where all of our parents were involved in all of our life's and all of our antics. They were the best of times. Love and condolences to all the family.

Joe Bates - October 28, 2013 at 06:59 PM

CP

“ Eino was my assistant editor on the Wigwam at GHS in 1949-50. The school had just gotten the first Driver's Ed. car with dual brakes and clutch. One day we had it on yearbook business I was driving up one of the steep hills in Globe when he decided to "help" by pushing in the clutch. It was a wild ride down the hill backward until I figured out what was going on and found the brake. Such was his sense of humor. He will be missed by many.
Carroll Bishop Peebles

Carroll Peebles - October 28, 2013 at 04:17 PM

SE

“ Eino was the judge who really welcomed me to the court of appeals upon my appointment. This was after he told Governor Mofford that the one reason that I should not be appointed was because he had met me when I was a law clerk to one of his High Line buddies, Jack Hays, which meant that if I were old enough to be appointed to the bench, then he was older than he wanted to remember.

Eino was the epitome of a public servant in each and all of his activities, his legal acumen equaled by his wisdom and his uncommon decency and humanity. It was a pleasure and honor to have known him and to continue to know him through the memories and legacy.

Susan Ehrlich

Susan Ehrlich - October 28, 2013 at 02:00 PM

MS

“ A good friend and remarkable public servant. He left a lasting impression on all who worked with him. Mary Schroeder

Mary Schroeder - October 28, 2013 at 12:08 PM

BS

“ *Bob Slough lit a candle in memory of Eino Matti Jacobson*



Bob Slough - October 28, 2013 at 02:11 AM

MP

“ *In 1977, Judge Jacobson hired me as his law clerk. It was an experience that was invaluable to me both professionally and personally. I did not go to law school until my mid-thirties and was the oldest law clerk in the court. We always joked that he hired me because I was the only clerk old enough to identify the 1940 and 1950's songs that he often hummed and sang. He was an exceptional mentor--insightful and intelligent with a wonderful sense of humor. I remained in professional contact with him when I returned to the court in 1981 as a staff attorney. My fondest memories include watching him walk down the corridors with his colleague and good friend Judge Jack Ogg. They were not so secretly referred to as Mutt and Jeff because of the difference in their heights. After his retirement Judge Jacobson volunteered him time to participate as a mediator in the court's appellate mediation program and I was again privileged to work with him. My deepest sympathy to his family.*

Marilyn Pollard

Marilyn Pollard - October 27, 2013 at 06:29 PM

JB

“ *Eino and I played football and basket ball together at Globe High. We were good friends. We kept in touch for a while. I was in the Air Force for 20 years. My prayers for Pat and the family. Say hello to Don Puente for me. John Bayer*

John Bayer - October 27, 2013 at 01:47 PM

BC

Hi, John. I know you have some great memories. Eino was quite a guy. And I know Don Puente is grieving tonight. Bob Coleman.

Bob Coleman - November 13, 2013 at 02:09 AM

VJ

“ *Virginia Metzger Johnson lit a candle in memory of Eino Matti Jacobson*



Virginia Metzger Johnson - October 27, 2013 at 11:08 AM

KH

O-si-yo my friend, I am blessed and honored that our paths crossed. Wa-Do, Do-Ga-Sudi, Respectfully, Kay Huston

Kay Huston - October 29, 2013 at 05:44 PM