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## The Honorable Paul C. Weick - A lengthy and Distinguished Tenure on the Court

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**THE HONORABLE PAUL C. WEICK —  
A LENGTHY AND DISTINGUISHED TENURE  
ON THE COURT**

**THE HONORABLE GEORGE EDWARDS\***

I am pleased to join the AKRON LAW REVIEW in the dedication of this issue to Judge Paul C. Weick. Judge Weick took senior status on December 31, 1981, after twenty-two years of active service on the United States Court of Appeals for the Sixth Circuit.

Paul Charles Weick was born August 25, 1899, in Youngstown, Ohio. He was raised in that city, graduating from Rayen High School in 1918. Judge Weick aimed for the law at an early age, enrolling at the University of Cincinnati College of Law immediately upon finishing high school. He received his LL.B. from the College of Law in 1920.

Judge Weick began the practice of law in Akron. Within seven years he had formed his own firm and he soon became a prominent member of the Akron legal community. He was extremely active in the affairs of the state and local bar associations, serving as president of the Akron Bar Association in 1940-41 and of the Ohio State Bar Association ten years later. During his tenure as head of the Ohio bar, he proposed adoption of a state version of the Federal Torts Claims Act and sponsored a bill abrogating immunity for counties and municipalities. Judge Weick also served on the Board of Ohio Bar Examiners from 1946 until 1950.

In 1956, President Dwight D. Eisenhower nominated Paul Weick to the United States District Court for the Northern District of Ohio. He served as a District Judge for three years until his appointment to this court in 1959.

When I joined the Sixth Circuit in 1963, Judge Weick had been elevated to Chief Judge, a position he continued to fill until 1969. At that time Judge Weick reached the age of seventy, the age at which a Chief Judge must, by law, step down. He continued to serve as an active member of our court, however, until his recent decision to take senior status.

His lengthy tenure on this court spanned a period of great unrest in this country, which was reflected in the cases before him. Those cases included some of the most difficult and controversial issues of that era, from busing to the Kent State trials.<sup>1</sup>

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\*Chief Judge, United States Court of Appeals for the Sixth Circuit.

<sup>1</sup> Judge Weick considers the following to be a small sample of his work: *Bradley v. Milliken*, 484 F.2d 215, 259 (6th Cir. 1973) (Weick, J., dissenting), *rev'd*, 418 U.S. 717 (1974); *Krause v. Rhodes*, 471 F.2d 430 (6th Cir. 1972), *rev'd sub nom. Scheuer v. Rhodes*, 416 U.S. 232 (1974); *Deal v. Cincinnati Board of Education*, 396 F.2d 55 (6th Cir. 1968), *cert. denied*, 389 U.S. 847 (1967).

Despite the pressures of being a full-time judge, Paul Weick's writing has not been limited to his published opinions. Drawing on his judicial experience, he has authored several scholarly articles.<sup>2</sup>

Judge Weick's contributions to the law have brought him several honors and awards. He received in 1965 an honorary LL.D. degree from his alma mater, the University of Cincinnati, the Ohio State Bar Association Federation Award for "Devotion to the Legal Profession and Contribution to the Public Good," and the University of Akron's Centennial Award in 1970.

I wish Judge Weick all the best in his taking senior status. I know him too well, however, to believe that this foretells retirement for this hard-working jurist.

## THE HONORABLE PAUL C. WEICK — ADHERENCE TO THE RULE OF LAW

THE HONORABLE ANTHONY J. CELEBREZZE\*

I am very pleased to join the University of Akron School of Law in honoring my colleague, the Honorable Paul C. Weick, for his many years of service to the community, the bar, and the bench. Judge Weick, as a native of Youngstown, Ohio, was graduated from the University of Cincinnati, College of Law, with an LL.B. degree in 1920, and was admitted to the Ohio Bar in that same year. From 1920 until 1956, Judge Weick practiced law in his adopted hometown of Akron, Ohio. During those years, Judge Weick developed an active practice, and was a leader of the legal profession. Judge Weick served as Chief Judge of our court for nearly six years, and he continues to serve as an invaluable member of our court.

Judge Weick's judicial philosophy reflects the belief that government must be based on the rule of law rather than on the arbitrary will of men. His years on the bench have been devoted to the principle that our free and open society, if it is to attain its fullest potential, must be held to the ideals woven into its democratically established laws. Indeed, he recognizes that our society has been built by individuals who should be protected from the threats of arbitrariness and tyranny. This philosophy is that if

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<sup>2</sup> See, e.g., Weick, *Apportionment of the Judicial Resources in Criminal Cases: Should Habeas Corpus be Eliminated?*, 21 DE PAUL L. REV. 740 (1972); Weick, *Erosion of State Sovereign Immunity and the Eleventh Amendment by Federal Decisional Law*, 10 AKRON L. REV. 583 (1977).

\*Judge, United States Court of Appeals for the Sixth Circuit.

we are to reap a plentiful harvest, if we are to gather all of the sheaves that this rich land can produce, we must adhere to the rule of law, for it is through the rule of law that we strengthen and nurture the free and democratic foundations of our society.

Upon these tenets, Judge Weick adds the complementary principles of equality and equity. His 565 published appellate opinions reflect his strong belief in the rigorous rule of law, that no person is either above or below. Judge Weick has applied the rule of law evenly to protect the powerless and check oppression by the powerful. Yet, Judge Weick has tempered his strict adherence to the rule of law with a strong sense of equity. His opinions and decisions have an underlying theme of sensibility and fairness. Judge Weick believes that the judiciary must be firm in its allegiance to truth and justice.

As an arbiter for important issues during his tenure on the bench, Judge Weick has shown great wisdom. He believes that adherence to the rule of law is critical in this anxious and troubled world. This view assumes a new and crucial importance as the pace and complexity of American society accelerate. Judge Weick has been resolute in his belief that our durability as a people is dependent upon the durability of our law.

Judge Weick's dedication to the highest principles of public service serves as a standard for all of us. His devotion to the bench is reflected in his twenty-six years of tireless service to the courts of this circuit and in his numerous published opinions. Moreover, Judge Weick, during his years on the bench, has contributed significantly to the administration of justice in this country, by serving as a member of the Judicial Conference of the United States, as a member of the Institute of Judicial Administration, and as a member of the American Judicature Society. Most importantly, these years of service bear the mark of Judge Weick's personal integrity and intellectual strength.

Judge Weick's career, as a lawyer and as a jurist, is an accomplishment of which Judge Weick, his family, and the City of Akron can be proud. The dedication of this issue of the AKRON LAW REVIEW to such a distinguished judge is richly deserved.

**THE HONORABLE PAUL C. WEICK —  
THE LAWYERS' LAWYER AND HIS INVOLVEMENT  
WITH SELECTED MEMORABLE CASES**

**THE HONORABLE H. F. WHITE\***

Paul C. Weick, United States Circuit Judge for the Sixth Circuit of the United States, took Senior Status in December, 1981. Judge Weick has had a long and distinguished career as an attorney, Federal District Judge, and Circuit Judge.

Judge Weick took his undergraduate work at the University of Akron and received his LL.B. degree from the University of Cincinnati. He was admitted to the practice of law at the age of twenty-one.

He practiced law in Akron for approximately thirty-six years and he was a member of the Judicial Conference of the United States for the same period of time during which he served as Chief Judge of the United States Court of Appeals for the Sixth Circuit and he was on the Committee on Trial Practice and Technique from 1968 to 1970. Judge Weick is a member of the American Bar Association, the American Law Institute, and the American Judicature Society. Judge Weick is married to the former Nelle D. Edwards and has a son, Paul A. Weick, who is an attorney. He has one grandson who is an attorney, one grandson who is attending The University of Akron School of Law, and another grandson who is attending the University of Cincinnati.

Judge Weick, both as an attorney in private practice and as a federal judge, took an active part in the economic and social growth of the United States in the last sixty years and many of his decisions have influenced the life of all Americans.

As a private attorney, a considerable amount of his legal practice was involved in the trying of cases with an emphasis on personal injury cases and contract law, representing both the plaintiff and defendant. In the course of his career, he came up against many prominent attorneys as opposing counsel, one of whom was Wendell Wilkie, the presidential candidate for the Republican party in 1940.

Judge Weick also did some criminal work. In one memorable case the defendant was charged with a crime which aroused religious prejudice. His client had approached several prominent lawyers in Akron to represent him and they refused to do so. He was then referred to Judge Weick who accepted the case. After a spirited trial, Judge Weick won an acquittal of

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\*Chief Bankruptcy Judge, United States Bankruptcy Court for the Northern District of Ohio.

et al.: The Honorable Paul C. Weick

his client, the jury returning a verdict of not guilty in approximately three minutes.

Judge Weick was very active in community affairs representing the Republican Party. He was held in such high esteem by leaders of the Democratic Party that they retained him as counsel in private litigation. He gained the reputation as a lawyer's lawyer as many attorneys requested his assistance in trying their cases.

Judge Weick, upon being appointed to the district court in 1956, was assigned a case by the Chief Judge which had been pending for many years in that court. The case—*E. W. Bliss Co. v. Cold Metal Process Co.*—involved a dispute over patent rights. Judge Weick, believing that justice delayed is justice denied, set the case for trial immediately. He spent approximately one month pretrialing the case and visited many coal and steel plants in six different states. The trial lasted nearly three months. Following the trial, Judge Weick wrote a lengthy opinion, which decision was appealed and affirmed by the circuit court.<sup>1</sup>

In the late 1950's, he tried a case involving members of the Communist party which received national press coverage. Another famous case in which Judge Weick as a circuit judge participated was the appeal of Sam Sheppard. Sheppard filed a writ of *habeas corpus* against Mr. Maxwell, warden of the Ohio State Penitentiary. The *habeas corpus* hearing was held in Akron, Ohio, with Judge Weick as presiding judge. Sam Sheppard was released from prison on bond and subsequently the United States Supreme Court ordered a new trial.

Judge Weick participated in the several cases involving James Hoffa and his lawyer, C. T. Osborne, arising out of the conviction of those two individuals on charges of attempting to bribe a juror.

Judge Weick also participated in the appeals in the Kent State case.<sup>2</sup> This case is of world-wide importance. In his dissent to the Sixth Circuit's denial to hear the case *en banc*, Judge Weick referred to the case as being one of the most important cases to come before the circuit court involving confrontations of government with its people.

Judge Weick believes in a distinct separation between the judiciary, legislative, and administrative branches of the government and believes that it is the duty of the court to interpret the Constitution and the laws enacted by Congress as they relate to the community and not to usurp power from these branches of government. This belief in separation of the three branches is often seen in the school desegregation cases which come before Judge

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<sup>1</sup> 174 F. Supp. 99 (N.D. Ohio 1959), *aff'd in part, rev'd in part*, 285 F.2d 231 (6th Cir. 1960), and *aff'd*, 285 F.2d 244 (6th Cir. 1960), *cert. denied*, 366 U.S. 911 (1961).

<sup>2</sup> *Krause v. Rhodes*, 570 F.2d 563, 580 (1977), *cert. denied*, 435 U.S. 924 (1978).

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Weick. In his dissent in the Detroit desegregation case,<sup>3</sup> Judge Weick stated that:

It is submitted that the courts are not called upon to integrate the school system, using law as a lever. Nor should judges assume to act as legislators, for which they are neither fitted nor qualified. It is enough for judges to perform their judicial function and to abide by the separation of powers doctrine provided by our Constitution.<sup>4</sup>

Judge Weick's belief is in judicial restraint in obedience to the Constitution. Judge Weick, through his opinions, has expressed the same philosophy as Attorney General William French Smith set forth in his recent address to the House of Delegates at the mid-year meeting of the American Bar Association when he called for judicial self-restraint in obedience to the Constitutional limits placed upon the courts and stated that the judiciary should not usurp powers from the legislative branch.

Judge Weick's long and distinguished career as a lawyer and as a judge are goals to which all future lawyers and judges should aspire.

## THE HONORABLE PAUL C. WEICK — A TRUE GENTLEMAN AND A DISTINGUISHED JURIST

THE HONORABLE WILLIAM H. VICTOR\*

I have known Judge Paul C. Weick as a friend for over forty years. During the course of those years, I have treasured the privilege of being in his company. His warm, friendly, relaxed manner and common touch are all evidence that here is a true gentleman in the full sense of the word.

Senator Sam J. Ervin, Jr. has said, "The most sacred obligation which can devolve upon any human is that of judging his 'fellow travelers, . . . ' and that this sacred obligation requires him to judge them with fairness and without fear or favor." Judge Weick has fulfilled that sacred obligation.

Judge Paul C. Weick has been a member of the federal judiciary for over twenty years, first as a district judge and later as a judge of the Court of Appeals for the Sixth Circuit. His work as a judge of the Court of Appeals has brought added lustre to a court which throughout its long history has been regarded as preeminent among federal courts. His opinions are models

<sup>3</sup> *Bradley v. Milliken*, 484 F.2d 215, 261 (6th Cir. 1973) (Weick, J., dissenting), *rev'd*, 418 U.S. 717 (1974).

<sup>4</sup> *Id.*

\*Judge, Court of Appeals of Ohio, Ninth Appellate District.

of clarity of expression and acute legal analysis; they reflect his tremendous capacity for work and his keen legal mind.

Before ascending to the federal bench, Paul Weick practiced law in Akron for over thirty years. He was an outstanding member of the bar — a brilliant trial lawyer who was equally capable of persuasion at the appellate level. As a lawyer's lawyer he handled many cases referred to him by other lawyers in search of excellence.

Despite a heavy work load, Paul Weick devoted much of his time and talents to the improvement of the legal profession. His years as president of both the Akron and Ohio State Bar Associations attest to his efforts to improve his chosen profession.

Now that Judge Weick has taken "senior status," he may permit his workload to ease off a bit. But if I know Paul Weick, his interest in the law will never flag.

And so, he goes into semi-retirement, I wish for him and his wife Nelle, good health and much happiness in the days to come.

## THE HONORABLE PAUL C. WEICK — HONORARY MEMBER OF PHI ALPHA DELTA

THE HONORABLE JAMES M. BIERCE\*

The Honorable Paul C. Weick was initiated as an Honorary Member of Phi Alpha Delta Law Fraternity, International by the Grant Chapter of the fraternity at the University of Akron School of Law on November 18, 1973. Since his initiation Judge Weick has attended many of the local chapter functions and activities.

Phi Alpha Delta Law Fraternity, International is the second largest legal organization in the United States and honorary membership in the fraternity is a distinct honor extended upon request to and approval of the International Executive Board and then only to those persons who, in the opinion of the International Executive Board, have met the rigid requirement of attaining unusual distinction in the field of law on at least a statewide basis. This requirement presented no problems when applied to the petition for honorary membership of Judge Paul C. Weick.

As a member of Phi Alpha Delta, Judge Weick's name has been added to a long list of outstanding leaders including Chief Justice Warren E.

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\*Judge, Cuyahoga Falls Municipal Court; International Historian, Phi Alpha Delta Fraternity, International.

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Burger, Justice William O. Douglas, Justice Arthur J. Goldberg, Justice Tom C. Clark, Judge Harry Phillips and the Judge recently appointed by President Reagan to succeed Judge Weick, Judge Leroy J. Conti, Jr. only to name a few.

It has been a distinct pleasure and privilege to know Judge Weick and work with him throughout the many years of our acquaintance and I trust that it will continue for many years to come.

## THE HONORABLE PAUL C. WEICK — A LEGEND IN HIS OWN TIME

THE HONORABLE THOMAS M. POWERS\*

Judge Weick and I practiced law together from 1928 until 1940. When I am asked what is Judge Weick's outstanding characteristic, I have answered, "he is a workoholic." However, he is more than that — he is a perfectionist, he always wanted to get to the root of everything—the facts and the law. His extensive trial practice of thirty-five years stood him in good stead in coping with the many and involved problems that he encountered on the bench. Judge Weick is an exemplification of the old adage: "The Law is a jealous mistress."

Judge Weick occupies the unique position of being the only Akron resident appointed to the Federal Bench. As his longtime secretary, Ennice Barnes Chopard, said at a recent Akron Bar Association luncheon in his honor:

His reputation for integrity, respectability, good faith, and fairness in his dealings with people during these 35 years' practice, in addition to his qualification in legal matters, no doubt had a great deal to do in his meriting the appointment.

. . .

Judge Weick's genuine fondness for his work, his devotion to his responsibilities as Federal Judge, his intensive study and research in complicated cases, the clarity and directness of his written opinions, his ability precisely to dissect, to evaluate, and to interpret problems in close cases, and his healthy respect for precedent, all earned him not only the warmth of many friends, but also unusually-high regard of his associates in the practice of law and of his colleagues on the Bench.

Many people would and have included Judge Weick in their list of the

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\*Judge, Akron Municipal Court (Retired).

outstanding attorneys and judges of Akron, of Ohio, and of the nation. His accomplishments are many and have been described by other authors taking part in this dedication. Judge Weick is one of "Ohio's greatest citizens. The wisdom, dedication, and high character of these men in the courts of law . . . and the councils of the legal profession, stand out like a great light, beckoning to those who follow them at the bar of Ohio to emulate their examples of service."<sup>1</sup>

Judge Weick is truly a legend in his own time.

## THE HONORABLE PAUL C. WEICK — SKILLFUL LAWYER AND WISE JUDGE

SAMUEL C. ANDRESS\*

The year was 1920, the month November. The fine, old Akron law firm of Waters, Andress, Southworth, Wise & Maxon needed someone to try their municipal court cases. Harry Andress, a senior member of the firm, was interviewing a candidate who seemed to have the qualifications. This young lawyer was a recent graduate of the University of Cincinnati College of Law, recommended by the Dean, and interested in litigation. To Mr. Andress' discerning eye, the young man had the look of a good lawyer — intelligent, alert, personable and, unknown to both of them, was destined to become the most distinguished lawyer/jurist in the history of Summit County! He got the job. His name was Paul C. Weick.

Paul did his work well. His record of winning grubby cases in the city courts astounded the partners and especially impressed the firm's top defense litigator, Chester G. "Chet" Wise. Before long, Mr. Wise had invited Paul to sit with him (behind him, of course) at the trial table in the defense of railroad and insurance negligence cases. Paul was an apt student, absorbing the successful techniques of his mentor and acquiring a few of his own along the way. The team of Wise & Weick were formidable opponents and brought off many a defendant's verdict in their years together.

Finally in 1927, much to the regret of his employers, Paul Weick left them to form his own firm. Always thereafter he was lead counsel in the courtroom, occupying the first chair at the trial table. His new firm was originally a partnership with Alfred Herberich, a lawyer having extensive corporate and business connections. Later the firm was expanded to include

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<sup>1</sup> W.R. VAN AIKEN, *BUCKEYE BARRISTERS*, 326 (1980).

\*Partner, Roetzel & Andress, Akron, Ohio.

Paul's long-time friend, Thomas M. "Tom" Powers, under the name of Herberich, Weick & Powers.

Well-known by now as a trial lawyer, Paul soon demonstrated his ability in the office as a corporate and business lawyer. The firm flourished, with Weick as the hub around whom their varied corporate practice revolved. Much is known of Paul's expertise in the courtroom, but few people remember that he also had a well-deserved reputation as a corporation lawyer.

One of his achievements will never be forgotten by the older members of the University Club where Paul lived when he was a bachelor. During the depression years of the 1930's, the Club felt the hard times and was unable to meet its capital obligations. Although now married and no longer living at the Club, Paul's innate sense of loyalty impelled him to help his beloved University Club. With characteristic ingenuity, he performed some financial legerdemain that eliminated a preferred stock issue and converted the Club from a "profit" to a "non-profit" corporation. The plan of reorganization was so unorthodox that the Secretary of State of Ohio refused to file the certificate. Undaunted, Paul took his case to the Governor and Attorney General who promptly ordered its acceptance. A corporate innovation!

After the departure of Mr. Powers to the municipal court bench, the firm became Weick & Mason when Kenneth "Weeds" Mason, a fine lawyer and former star athlete at the University of Akron, was made a partner. The new firm specialized in trial work and Paul became more of a barrister than a solicitor, with phenomenal success. It was during this period that he represented the Republican Party in Summit County, as the close friend and trusted advisor of Ray Bliss, the county and, later, state and national Republican Party Chairman. This well-known relationship led to Paul's appointment to the federal bench in 1956 that marked the end of his career as an astute practitioner and the beginning of his new career as an astute judge. What is not so well-known is that Paul, while keeping the Republican Party out of trouble, also found the time to represent Clarence Motz, the Democratic Party Chairman, on inter-party as well as personal matters. Truly, Paul worked both sides of the street and didn't get run over!

But what profiteth the lawyer to win the world in the trial court and lose it all with the entry "Reversed with final judgment for the appellant" on appeal? Paul, the skillful lawyer, had the knack of building his case not only for a favorable verdict from the trial judge or jury, but with an airtight record on appeal. Many an inexperienced or unwary trial judge had occasion to thank Paul for helping to sustain his decisions in the higher courts. Very few of Paul's trial court victories were lost on appeal.

This brings to an end the account, albeit fragmentary, of Paul C. Weick, practicing attorney, leaving to other biographers most of his career on the bench. One other facet of his life should not go unnoticed. That is his private side, which is as exemplary as his professional career. Happily married for years to his first wife, Hilda, he suffered the tragedy of her untimely death. Fortunately, they had a son, Paul A. Weick, who has followed his father as a successful practicing attorney in the Akron area, and who in turn has three sons, Paul II, David and Stephen, all of whom have budding law and business careers, to the great pride and joy of their grandfather.

Also fortunately, Judge Weick remarried and took a new lease in his private life with Nelle. Not only did she give Judge Weick peace of mind and tranquility in their home, she was a gracious and charming hostess as "the Judge's wife" in the social side of his judgeships. Nelle played an especially prominent role while Paul was Chief Judge of the United States Court of Appeals for the Sixth Circuit. She was, and is, known and loved not only in the Sixth Circuit, but across the federal judiciary where Paul sat on many occasions as visiting judge.

Reverting momentarily to his judicial career, one may well ask what set Judge Weick apart from his learned colleagues as an especially "wise" Judge? This illustration comes to mind. He was often heard to say, "I'm unwilling publicly to support this cause or to contribute to this organization—worthy as they may be—lest it appear that I'm engaging in an improper activity off the bench." Perhaps he leaned over backwards, but never has he been involved in a caper like the Brandeis-Frankfurter exposé.<sup>1</sup> This philosophy exemplifies Judge Weick's judicial wisdom. He was, and is, truly a wise judge.

Finally, Judge Paul C. Weick was given the supreme honor of a Doctorate of Laws degree conferred by his own College of Law, University of Cincinnati, and was made an honorary member of Phi Alpha Delta Law Fraternity International. With pardonable pride, this biographer is, with Paul, a Cincinnati Law graduate and a brother PAD. The many other honors bestowed upon this remarkable man, Judge Weick, are detailed elsewhere.

So speaking on behalf of the Honorable Paul C. Weick, now Senior Judge of the Sixth Circuit Court of Appeals, we rest our case in the firm belief that our claim for him as "most distinguished lawyer/jurist in the history of Summit County" has been established beyond a reasonable doubt.

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<sup>1</sup> See Akron Beacon Journal, Feb. 17, 1982, at A6, col. 1.

## THE HONORABLE PAUL C. WEICK — HIS COMMUNITY TIES

ROY E. BROWNE\*

As a lawyer in the City of Akron for some fifty-two years during the time Paul C. Weick practiced law, and as chairman of the Republican Party in Summit County when Judge Weick became active in politics, and was appointed to both the Judge of the United States District Court of Northern Ohio, and Judge of the United States Court of Appeals, I am happy to join with AKRON LAW REVIEW in a tribute to Judge Weick's many legal contributions and accomplishments in the field of law.

From 1930 until 1956 when he was appointed United States District Judge, Paul Weick became one of Akron's outstanding trial lawyers. He was attorney on one side or the other during this period of many of the great trials in Summit County, and came to be known in the profession as a "lawyer's lawyer."

While Paul Weick practiced law in Akron, the bar of the City of Akron contained in its membership some of the greatest lawyers the City of Akron has produced. To name a few of these "giants" of the bar, there were the following lawyers: Wendell Wilkie, Roy Nesbett, Robert Guinther, Chester Wise, Fred Ormsby, C. R. Grant, C. Blake McDowell, Lisle Buckingham, Joseph Thomas, Gillum Doolittle, Cletus Roetzel, James Olds, Frank Rockwell, Ray McGowan, Charles Scanlon, Edward Sheck, Edwin Brouse, Rice Hershey, Donald Gottwald and many others. Paul Weick's progress as a trial lawyer was facilitated by association and contact with these great lawyers who gave character and prestige to the Bar of Akron and Summit County.

Over the years, the Republican Party of Summit County had the knack in those days of getting in some lawsuits. One of those lawsuits was against Ray C. Bliss involving an election matter, and Paul C. Weick was the lawyer on the side opposing Bliss. Bliss lost the case. But Ray Bliss immediately became impressed with Paul Weick's trial ability and knowledge of election law. Ray Bliss became State Republican Chairman, but Ray Bliss never forgot Paul Weick. In the next lawsuit, Bliss hired Paul Weick to defend him. If Weick was good enough to beat him in a lawsuit, reasoned Ray Bliss, he was good enough to defend him. And Weick won the lawsuit for Bliss.

Ray Bliss recommended Paul Weick to become a member of the Republican Executive Committee, and thereafter, Paul Weick became very active in the Republican Party. Weick was attorney for the Republican Party on election matters and became an adviser and close friend of Ray

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\*Partner, Hershey & Browne, Akron, Ohio.  
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Bliss. Bliss went up the political ladder and became National Chairman of the Republican Party. While Bliss was State Chairman he helped elect a president. Eisenhower was elected President in 1956. Paul Weick had an ambition to be Federal Judge. He talked to his good friend, Ray Bliss, who was then State Republican Chairman. Bliss enlisted the support of Senators Bricker and Bender, a requirement then, and the President appointed Paul Weick United States District Judge on March 29, 1956.

Judge Weick did an excellent job on the federal bench and was solicited by the judges of the Sixth Circuit Court of Appeals to fill in on some of their cases. Three-and-one-half years later Florence Allen resigned from the Sixth Circuit Court of Appeals, which left an opening on the bench. Judge John D. Martin of Tennessee suggested Paul Weick apply for the position. Weick conferred with his good friend, Ray Bliss, who said why not? Bliss contacted the President and the Attorney General and cited to them Weick's long experience as an outstanding lawyer, and his activities in the Akron and State Bar Associations, and on October 6, 1959, Paul Weick was appointed to succeed Florence Allen on the Sixth Circuit Court of Appeals where now Judge Weick has assumed senior status.

For over twenty-two years, Judge Weick has become one of the outstanding judges on the United States Circuit Court of Appeals. Without pretense or arrogance, Judge Weick has quietly and certainly established his right to be in the first rank of the Bar and the Bench of Ohio.

By nature and instinct Judge Weick was always a gentleman in his relationship with others, on and off the bench, and he was uniformly kind, courteous and considerate.

From this brief sketch it will be seen in how many and varied relations of life Judge Weick moved, and we think we can safely say in the language of another: "There was scarcely any department of life which he did not touch and he touched none which he did not adorn and improve."

Akron can be well proud of Judge Paul C. Weick.

## THE HONORABLE PAUL C. WEICK — A DISTINGUISHED AND COMPETENT JURIST

LISLE M. BUCKINGHAM\*

The Honorable Judge Paul C. Weick recently retired to become a "Senior Judge" for the Sixth Circuit United States Court of Appeals.

The Judge was born on August 25, 1899, in Youngstown, Ohio. His father, Charles Weick, owned a bakery and his mother, Sarah Jane Gutteridge Weick, who was born in England, was a vocal teacher.

Judge Weick is the recipient of many awards and honors which include: the Presidential Certificate of Appreciation for services rendered to the Selective Service System, 1956; an honorary LL.D. Degree from the University of Cincinnati, 1965; the Ohio State Bar Association Foundation Award for "Devotion to the Legal Profession and Contribution to the Public Good," 1965; the University of Akron Centennial Award "For his distinguished and dedicated service as a lawyer and judge," 1970; a joint Certificate of Appreciation of the Cleveland Bar Association, Cuyahoga County Bar Association, and Cleveland Chapter of Federal Bar Association; and the Sir Thomas More Award for outstanding service to the community and to the legal profession, 1982.

Judge Weick has always been an active leader of the legal profession on and off the bench. On February 5, 1982, the Akron Bar Association hosted a luncheon at the Akron City Club to honor Judge Weick. It was attended by approximately 300 members of the bar and by judges from the United States District Court and from the United States Court of Appeals for the Sixth Circuit.

Many members of the legal profession gave short observations concerning the work and characteristics of Judge Weick. Mr. John Glenn, an Akron attorney, is quoted in the *Akron Beacon Journal*, as saying that "Judge Weick is a careful writer of opinions, conservative and independent and has not been a legislator travelling under the guise of a judge." The judge himself says, "I always called the shots as I saw them. I was never activist. They say that I am conservative and that's right, but only with other people's money, not my own."

At the conclusion of the luncheon, the Akron Bar Association presented a plaque to Judge Weick in grateful appreciation of his constant support of the legal causes and concerns of the lay public and his fellow-members of the bench and bar.

Despite his senior status, Judge Weick plans to keep office hours at

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\*Partner, Buckingham, Doolittle & Burroughs, Akron, Ohio.

the Federal Building in Akron, Ohio, and to participate in panels and other court activities. Because of his unusually long tenure on the bench, Judge Weick participated in the decisions of the Sixth Circuit Court of Appeals in respect of nearly all of the great issues of our day. There has been explosive growth of federal jurisdiction in recent years. Despite the resulting vast increase in workload, he always gave cases coming before him the studious attention they deserved and the benefit of his rigorous standard of scholarship.

Because he always wrote opinions which were lucid and careful, he established a preeminent reputation among his fellow jurists and the bar at an early date. He could be counted upon to reach an independent point of view, but only after well reasoned analysis of the law and a conscientious reading of the record. He often found himself in disagreement with his fellow judges and when he did so, he never hesitated to take issue with the flaws he saw in their approach.

To be a successful jurist, a judge must always be able to set aside his personal feelings and viewpoints, even when the issues have larger political significance. Judge Weick was always able to do so and to reach decisions which were dictated by governing legal principles.

## **THE HONORABLE PAUL C. WEICK — HIS CONTRIBUTIONS TO THE LOCAL, STATE, AND AMERICAN BAR ASSOCIATIONS**

**ALLAN B. DIEFENBACH\***

Paul C. Weick has during his career, both as a member of the bench and bar, evidenced a deep interest in the activities of the local, state and American Bar. This has involved active service as President of both the Akron and Ohio State Bar Association. Over the years his service also included intensive work on the committees of both associations.

He came to the Presidency of the Akron Bar in a difficult time, June, 1942. The community was much in turmoil. The needs of the period were greatly increased and therewith the demands on the bar. Much time was spent in community service: civil defense, aid to men in service, service to dependents of men in service, and all the many war-time regulations. To face these under Paul C. Weick's direction the Akron Bar moved ahead.

It was only a short time before the war that organizational changes had been effected, changing it from a picnic and mortuary club to a service organization.

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\*Partner, Baker, Chapman, Thomson, Diefenbach & Hardesty, Akron, Ohio.

In addition to the new duties, the bar faced many continuing questions: selection and endowment of judicial candidates, unauthorized practice, grievances, Legal Aid. Times were different. A ladies' party cost the bar association itself only \$123.56 beyond the income from tickets. What could you do with that sum today?

The unauthorized practice included dealing with out-of-area ambulance chasers arising from the fatal train crash of the Doodlebug.

Dues were raised to \$3.00 and the constitution was amended to make these dues collectable. Before there really was no requirement of payment. Readers of this note, do not seem amazed at \$3.00 as the annual dues when the records show that at this time the government statistics showed the average earnings of a lawyer were \$6,074.

Advertising in the *Akron Beacon Journal* was approved and expanded. The state bar met in Akron that year. The work of the local bar in connection with it was handled well under the Chairmanship of Paul C. Weick.

Judge Weick continued, after his service as President of the Akron Bar, to be active in the local and state bars. He served on numerous committees on both. Among others, he was Bar Examiner until he served as State Bar President. During his tenure, July, 1950, again brought a period of war — Korea. Ohio State Bar Association membership almost reached 7,000. There were many other changes that came along with this period. Six city bar associations had executive secretaries. At the very beginning of his term the veteran bar secretary, John Henney, died. Under Judge Weick's direction the Executive Committee found a most satisfactory replacement in Joseph Miller, who still continues to serve as Executive Secretary of the Ohio State Bar Association. Many great projects were put forward during Judge Weick's administration. Some of these were enacted during that term. Some of them took a great many years before they were accepted and in place. Some few are still not enacted although judicial reforms eventually came about.

While today we recall the Iranian prisoners, in 1950 we heard Angus Ward, American consul at Mukden, tell us of the treatment he and his staff suffered at the hands of the Chinese, their confinement in unheated cells for months and many other brutalities. Judge Weick was well aware of the needs of both the day and the future. He challenged the lawyers in Ohio at both local and regional meetings to make the state and local associations effective and prepared to face the changing future.

His annual meeting marked a climax to his year as President. Keyes Beech, who had just received the Pulitzer award, was a dinner speaker. The luncheon speaker was most surprising and effective — Richard Nixon, the Junior Senator from California. His discussion of the need for a plan

and program for Korea was forceful and impressive. MacArthur had just been retired by the President. He was well defended by Nixon.

During the ensuing years Paul C. Weick has participated in the activities of all three bar associations. His office has to a degree limited his full participation. He has attended most of the American Bar meetings, the Ohio State Bar meetings and those of Akron. His interest has been unique in this particular.

