

## **A Barometer Senior Lawyer profile - Jack Focht**

*By Laura Ice*

Professionalism + boundless energy + intellect + curiosity + compassion + community activism (Yes, I said that scary word, “activism”) = Jack Focht. The Wichita and Kansas bar communities have been privileged to count Jack as a member for 45 years. He has served as President of both the Wichita and the Kansas Bar Associations. He has received the highest awards from both bar associations: the KBA’s Phil Lewis Medal of Distinction and the WBA’s Howard C. Kline Award. The media constantly seeks his comments and advice in matters of legal interest.

Beyond the legal community, Jack has been equally as respected and dedicated. He has served as President and founding member of the Kansas Appleseed Foundation; past President of the Wichita Area Girl Scout Council; past Founding Chairman of the Kansas Health Institute; past member of the Board of Trustees of the Kansas Health Foundation; and Board member of the National Conference for Community and Justice and recipient of its Humanitarian Award.

We all know that Jack serves as special counsel to Foulston & Siefkin and that his practice has included high-profile criminal cases, employment issues, First Amendment claims, and complex civil litigation. But there are many things about Jack that may not be as well-known, and that is the focus of this profile.

Jack Focht is living proof that nobody is a lost cause. Jack was kicked out of high school for truancy. He missed 40 out of 45 days of school. He was a self-described “hellion.” But although he was not “in” school, he went to the public library and “read everything he could get his hands on.” He finally graduated in the bottom 1/4 of his class. He went to work at Beech as an engineering data clerk—he told his future employer that he could read blue prints, but this was not true. However, he enrolled in a course at East High and learned quickly how to do his new job. At the age of 18, he answered the call to “go west, young man,” drove to California all night, and was employed by the next day. This phase did not last long. Returning to Wichita after a month or two, he got a job at Boeing as a sheet metal worker. But Jack knew this was not what he wanted to do the rest of his life.

With \$100 in his pocket, he enrolled at Southwestern College. There, he discovered the two things that changed his life—his first wife, Joyce, and debate. Joyce, who was valedictorian of her high school class, would have nothing to do with Jack until he cleaned up his act. He became a top debater, nationally ranked. Jack says that he “found himself” and that debate opened doors for him everywhere. He went from academic probation to graduation with a triple major in History, Political Science and Speech. He considered teaching as a profession, but decided to enter law school.

After graduation from Washburn in 1960, Jack returned to Wichita and began his community activism. After Jack had participated in a particularly spirited debate at a gathering of high school Young Republicans and Young Democrats, one of Joyce’s students at Wichita Southeast came up to her and said, “How does it feel to be married to a Communist?”

In the mid 1960's, Jack became a founding member of the United Methodist Urban Ministry. One of the Ministry's first projects was to set up a safe home called The Bridge for runaway teens. The Bridge had 2 rules: (1) the kids had to call their parents to tell them they were alive; and (2) no drugs. The Bridge employed other young people as "street counselors" to assist in the project and drug prevention policies. The Wichita Police Chief became concerned that The Bridge was harboring juvenile delinquents and threatened to make arrests. And that is the night that Jack Focht spent with a young woman who was then a member of the Maize School Board and went on to become a United States Senator, Nancy Kassebaum. They planted themselves in the home hoping to get arrested so they could publicly make their case. Alas, no arrests. But, today, the United Methodist Urban Ministry remains a strong and vital part of the Wichita community.

Jack is a hero. In 1976, the City of Wichita gave Jack an "Outstanding Citizen" award for risking his life to lead police officers to the 25th and 26th floors of what was then the Holiday Inn Plaza in downtown Wichita to capture a sniper who had begun firing down on passersby over the noon hour. It was a very tragic chapter in Wichita history. Jack led the police into the building, up the freight elevator, and was present when they broke through the doors where the sniper was hiding. The Wichita Bar Association presented Jack with its specially created "Red Cape" award.

Jack has taught the same Sunday school class at First United Methodist Church for 30 years. The class averages between 60 to 80 members every Sunday who range in age from their 50's to their 80's, and whose political views are equally diverse. He pushes them to think about "big" issues. As Jack said, "it teaches me to become a scholar in areas that I would not normally study." Jack says that he quit teaching the class for awhile after Joyce passed away, but returned as the class struggled to keep going. Now, he takes some Sundays off to visit grandkids, but continues to challenge others to analyze their own views of the issues in the world.

Throughout Jack's legal career, he has never been afraid to take on unpopular or controversial cases or causes. He represented Fred Phelps in his disbarment proceedings. In the infamous Tom Bird case out of Emporia, he represented Bird's secretary, Lorna Anderson, who was offered immunity by giving an inquisition statement but later blew it when she gave a statement to a Los Angeles Times reporter that was contrary to her previous statement. He sued the City of Wichita on behalf of Sheldon Wulf, a former Wichita police officer, for the union-busting activities of its Police Chief and won a sizeable judgment. He successfully defended a Wichita man who shot and killed a teenager breaking into his pickup truck parked outside his home.

Jack cites two cases as his most memorable. He successfully prosecuted Michael Pyle in a ground-breaking case where the court ruled that notwithstanding failure to find the body of the alleged victim, there was sufficient proof to prima facie establish the "corpus delicti"—the death of the victim. More recently, he successfully overcame the Kansas Tort Claims Act to settle a case against the State of Kansas on behalf of some of the families of the victims of the Carr brothers based upon the State's miscalculation of parole and the resulting early release of one of the brothers.

Jack married Gloria Farha Flentje on Leap Day in 1996. He says that he has been blessed with two wonderful life partners, outstanding above all others. He says that he always tests what he is doing or saying with Gloria before trying it out on the public. He says that she is “tempered enough to let him speak out, yet keep him sane.”

I asked Jack what advice he would give to young lawyers just entering the profession. Jack said, “Get angry. Stand up for things. There is more to the privilege of practicing law than making money. We are the defenders of the system and the burden is on us to protect it from harm.”

Roger Hughey practiced law with Jack for 30 years. Roger says, “Jack was born to be a lawyer. Ever the advocate, even in casual conversation, he is trying to persuade you of the rightness of his current case. He works prodigious hours and loves it. He admires those who try to do right. An intensely loyal friend, he readily overlooks the faults of people of good will. Jack has poured himself into bar and church and community service. When he was Wichita Bar President, he sought out civic clubs to show what lawyers do is good for all. When he was Kansas Bar President, he traveled to every local bar in the state to spread the word of the nobility of the law and lawyering.”

And all of the above makes Jack a role model for all of us.

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*The foregoing biography, written by Laura Ice, sets a pattern for other brief biographies to be written about lawyers, either living or deceased, practicing in the Tenth Circuit. The Historical Society of the Tenth Judicial Circuit will appreciate suggestions for other such biographies.*

