

Memorial Resolution and Remarks

for

The Honorable Richard Brewster Wickersham

Submitted By

Judge Lawrence F. Clark, Jr. - November 5, 2008

Good Afternoon Ladies and Gentlemen.

It is my distinct honor and privilege to offer the Memorial Resolution for our distinguished colleague and brother, **The Honorable Richard Brewster Wickersham**. Judge Wickersham was born on April 4, 1929 in Allegheny County, Pennsylvania, and was thereafter raised and educated in Pittsburgh. He was the youngest of three children born to Robert Cadwalader Wickersham and Ruby Seacrest Wickersham.

After completing high school, Judge Wickersham began his college education at the University of Pittsburgh on academic scholarship, but after the untimely death of his father, he came to the Harrisburg area in 1948 to continue his education at Dickinson College, from where he graduated in 1951. Thereafter, he entered Dickinson School of Law, and graduated in 1953. He excelled in his academic pursuits, and was a member of the Dickinson Law Review, and was also inducted into the Woolsack Honor Society in recognition of his academic excellence.

While growing up in Pittsburgh, Judge Wickersham was the beneficiary of a quite diverse array of educational and cultural experiences. Notable among those was the fact that his mother,

Ruby, was one of the founders of what is now the modern day opera in Pittsburgh. As part of those early efforts to establish the opera, since money was tight for opera expenses, or sometimes non-existent, at least once per week, the Wickersham household was inundated with a rather eclectic array of local musicians, singers, and other associated theatrical personages, all practicing various musical routines for an upcoming performance. I suppose that may account for why in later years, one of Judge Wickersham's favorite pastimes was to go to the Metropolitan Opera in New York to enjoy a performance.

While at Dickinson Law School, Judge Wickersham met the first of two great loves in his life, Joanne Neilson. In typical Dick Wickersham fashion, once he decided that Joanne was the girl for him, he embarked on a whirlwind and intensive courtship. In due course, Dick and Joanne were married, and three wonderful children, Judy, Bruce and Beth were the product of that warm and loving marriage. Unfortunately, Joanne was stricken with serious illness, and was taken from the family in 1983.

After the passage of some time, the Lord arranged for Dick to have a happenstance meeting with Elaine Kadel. Again, in typical Dick Wickersham fashion, once he met Elaine, everything "clicked" and they were married in March of 1988. Dick was an instant hit with Elaine's three children, Greg, Colleen and Melissa, and became a loving and dedicated step-father to each of them.

Between Dick's own children and Elaine's children, there are a total of ten grandchildren and step-grandchildren. Dick had a loving and individual relationship with each of them. He would beam when he talked about them and their many, many activities and accomplishments.

It would not be an overstatement to say that Judge Wickersham was born into a substantial legacy of public service. His ancestors span more than 300 years of history in Pennsylvania, indeed relating back to when our Commonwealth was a British colony. Among some of his notable ancestors are George W. Wickersham, Esquire, Attorney General of the United States of America under President Taft; and James P. Wickersham, the first Secretary of Education for the Commonwealth under Governor Curtin, right after the Civil War. Judge Wickersham is the grandson of the late Judge Frank B. Wickersham of the Dauphin County Court, serving from 1920 until 1942; and he is the nephew of F. Brewster Wickersham, Esquire, a former President of the Pennsylvania Bar Association, and Judge Wickersham's mentor during his years at Dickinson College and Dickinson School of Law.

As most of you are aware, it is the custom and tradition of the Dauphin County Court of Common Pleas for the names of all Judges who have served on the Court since the inception of Dauphin County in 1785, to have their name carved into the walnut panels that line the walls here in Court Room #1 at the Courthouse. Those carved names, enhanced with gold, are a visible testament to the public service of the jurists who have served Dauphin County. The Wickersham family has the unique distinction of having the names of two of their own embedded in those walnut panels.

After graduating from Law School, Judge Wickersham faithfully served his country in the United States Army, and was later in the Army Reserves. He was an Assistant District Attorney in Dauphin County for several years, and was also a member of the Metzger

& Wickersham law firm in Harrisburg. However, that legacy of public service kept calling him, and he eventually ran for and was elected Judge of the Court of Common Pleas of Dauphin County in 1971. After eight years of very distinguished service on the Dauphin County Court, Judge Wickersham was elected to the Superior Court of Pennsylvania. He was the first jurist from the Central Pennsylvania area to be elected to that appellate court, and served with great distinction on the Court until 1987. His contribution to the body of appellate case law in this Commonwealth, especially considering his relatively short tenure on that Court, can only be described as monumental. Along the way, he also mentored many fine future attorneys while they were serving as Law Clerks for his Court. Some of those former Law Clerks, all now outstanding attorneys in their own right, are here with us this afternoon.

Judge Wickersham was very active in many social and fraternal organizations, and held leadership positions in a large number of them during his law practice years, including the American, Pennsylvania and Dauphin County Bar Associations. He was a Past Chairman of the Insurance, Negligence & Workman's Compensation Section of the PBA, a member of the International Association of Defense Counsel, Federation of Insurance Defense Counsel and the American Arbitration Association. Perhaps Judge Wickersham's favorite organization was his lifetime membership in the Penn State Nittany Lion Club. Among his passions were: Fuentes cigars, Springer's ice cream, Rolling Rock beer, and, of course, his beloved Penn State Football team. His affinity for Penn State was so strong, that he even had a judicial robe in Penn State blue, rather than the traditional black.

Of all the single attributes that might be expressed about Judge Wickersham, the consistent one was his unique ability to always see the glass as being at least half full. That was quintessential Dick Wickersham. During the past several years, when he was faced with seemingly overwhelming personal challenges, that eternal optimism kept him going. Indeed, I believe that lesser men would have folded under the weight of the burdens he was carrying. And he carried those burdens with dignity and humility.

In 1987, Judge Wickersham left the bench and returned to the private practice of law, first with the firm of Baskin, Flaherty, Elliot, Manino & Beren, and then later with the firm of Boswell, Tintner, Piccola & Wickersham. He was renowned for his advocacy and trial practitioner skills. He was always prepared for whatever was the task or issue at hand, and represented many different types of clients and practiced in a wide variety of diverse legal areas. However, his greatest asset was the plain and simple fact that he was first and foremost a "Gentleman" in the finest sense of that word. Even when seriously provoked by adversaries, of all kinds, he always maintained his composure and bearing - which are the marks of a true professional.

I had occasion about ten years ago to call upon Judge Wickersham's exceptional statesmanlike talents to bring the parties in a complex and rather contentious civil matter together, and to try to forge a settlement in the case. This case involved a large number of very prominent and prestigious insurance underwriters, including Lloyds of London. As an experimental endeavor, and with the agreement of the parties, I appointed Judge Wickersham as the Court's designated Special Master in the case. In rather prompt fashion, especially considering the

complexity of the case, and the fact that there were more than 20 lawyers involved in the matter, he managed to get it settled. That experiment proved so beneficial, that our Court has employed that dispute resolution technique in other complex cases with great overall success. Both Judge Wickersham and former Judge, G. Thomas Miller, have especially served with distinction in this important capacity.

In March of 2004, life for Judge Wickersham took a serious downward turn. Unbeknownst to everyone except Elaine, his physical condition had begun to seriously deteriorate, ultimately resulting in the loss of his lower left leg. That in turn resulted in other severely debilitating consequences as well. However, post-surgery, he was determined to gain back his mobility and all of his functioning. And his eternal optimism again served him well as he fought valiantly to regain and maintain his health and dignity, even when beset with some serious setbacks from time to time. As I previously said, lesser men would have long folded under that load. But not Judge Wickersham.

I believe that it would be a fair characterization of Judge Wickersham to say that he was an astute student of the political processes at all levels of the local, state and national scene, and especially the likes of the historic national election that we all witnessed yesterday. Indeed, even before very much of the recent national campaigns got underway and took on any clear shape and form, Dick Wickersham was already able to perceive that Senator Barack Obama of Illinois was a political force that was going to be swept onto the national political stage, and he sensed President-Elect Obama's potential for victory. Judge Wickersham also loved to discuss politics, sometimes for hours at

a time, and would be able to play devil's advocate with either side of a debate.

My faith allows me to firmly believe, that when the noted political analyst and commentator, the late Tim Russert, unexpectedly passed away on June 13, 2008, our brother Dick Wickersham looked him up almost as soon as Tim passed through those pearly gates. And during the ensuing weeks and months leading up to yesterday, I'm sure they had many a spirited debate about what was going to happen in our nation, both presently and in the future. I'd even suppose that they might have had a few bottles of Rolling Rock beer together during those vigorous debates.

In closing, let it be remembered that the legacy that Judge Wickersham has left for his family, especially his children and grandchildren, and also for all of us, is immeasurable. That legacy will be with us forever.

THEREFORE, LET IT BE RESOLVED, that in the passing of The Honorable Richard Brewster Wickersham, the County of Dauphin and the Commonwealth of Pennsylvania has lost a true gentlemen and respected citizen, the Bar has lost an able practitioner and loyal colleague, the Bench of this Commonwealth has lost a beloved brother and distinguished jurist, and the family has lost a loving and devoted husband, father, step-father, grandfather and step-grandfather;

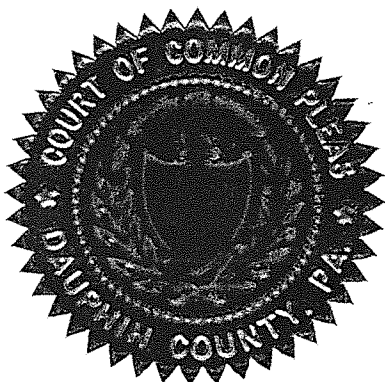
And Resolved Further, that the members of the Dauphin County Bar Association, in meeting assembled, mourn the death of our esteemed colleague and brother, The Honorable Richard Brewster Wickersham, and tender our sympathy and condolences to his widow and children;

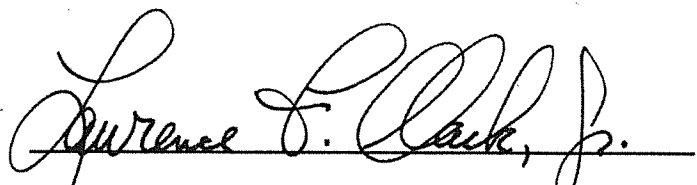
And Resolved Further, that copies of this Memorial Resolution be spread upon the records of the Court of Common Pleas of the Twelfth Judicial District of this Great Commonwealth and upon the official records and minutes of the Dauphin County Bar Association;

And Further Resolved, that the original of this Memorial Resolution, together with a transcript of the Court Reporter's official notes of these proceedings, shall be filed in the Office of the Prothonotary of Dauphin County, and that copies of the same shall be transmitted to Judge Wickersham's widow and family.

WHEREFORE, this Resolution is hereby moved for adoption by the Dauphin County Bar Association, and is being offered for such consideration by the entire Memorial Resolution Committee, consisting of: The Honorable William W. Caldwell, The Honorable William W. Lipsitt, The Honorable Warren G. Morgan, The Honorable Clarence C. Morrison, The Honorable G. Thomas Miller, The Honorable Richard A. Lewis, The Honorable Jeannine Turgeon, The Honorable Joseph H. Kleinfelter, The Honorable Scott A. Evans, The Honorable Todd A. Hoover, The Honorable Lawrence F. Clark, Jr., The Honorable John F. Cherry and The Honorable Bruce F. Bratton.

RESPECTFULLY SUBMITTED AT HARRISBURG, this fifth day of November, 2008.





Judge Lawrence F. Clark, Jr.,
Chairman, Memorial Committee