

**MEMORIAL RESOLUTION  
TO HONOR THE LIFE OF RICHARD L. KEARNS, SR.**

TO THE HONORABLE JUDGES OF THE COURT, our colleagues at the Bar, and family and friends here today to celebrate the life of our colleague and friend – Richard L. “Dick” Kearns, Sr.

Richard Kearns was an exceptional lawyer, a man of strong religious foundation, patient legal mentor, a husband who passionately loved and was loved by his family and a person who exhibited throughout his long-standing professional career service to his fellow man. Dick loved to garden, listen to classical music, enjoyed strong black Puerto Rican coffee, was a voracious reader of American history and the sharing of a humorous anecdote with friends and colleagues.

Dick was born in Beavertown, Snyder County on March 20, 1929. He died on November 5, 2023 at age 94. Dick was born and died in the family home in Beavertown, a small rural community about 50 miles north of Harrisburg. Beavertown was a sanctuary in his otherwise very busy life. Residing most of his career in Susquehanna Township, he continued to maintain the family home in Beavertown where all family members had the opportunity to return to this bucolic environment for rest and rejuvenation. Dick told many entertaining and humorous stories of his life in Beavertown. We never quite knew if they were fact or fiction. It is a regret that some written or recorded compilation of these many stories was not made.

I'd like to briefly share some Pennsylvania history involving the Kearns' family which affirms that he came by his lifelong social awareness quite honestly. The Kearns' family was originally centered in the greater Philadelphia area. The family had been long engaged in the construction and sale of horse drawn buggies and wagons. In approximately 1907, members of the Kearns' family, specifically Dick's father and brother, moved to the Lewistown area and then on to Beavertown where they founded the Kearns' Motor Buggy Company, later re-named the Kearns' Motor Car Company. Using their engineering expertise, some equipment from a dissolving mid-west motor car company and their experience in horse drawn buggy manufacturing the business thrived for a period of time offering several models of two-and three cylinder cars and trucks having a top horsepower of 18. At the height of the business in 1914 they were manufacturing over 20 vehicles per week in Beavertown. One of their most sporty models, the 1914 Kearns Roadster, is on permanent display in the Pennsylvania State Museum in Harrisburg. Unfortunately the depression of 1929 resulted in the closure of the business. During these same years, the Kearns family, particularly Dick's mother and aunt in Philadelphia, were very active in the women's right to vote movement. A number of Kearns' trucks were prominently and frequently used as suffragette trucks to transport suffragettes in the various parades and rallies in Philadelphia, New York and Washington leading up to the passage of the 19<sup>th</sup> Amendment.

By all accounts Dick was an excellent student in high school. There is only one (1) small blemish reported by a family member. Although of Scottish heritage, of which he was most proud, he was fascinated with Pennsylvania Dutch colloquial expressions which also managed to enter into his stories. A number of classmates who were avid listeners to his tales would often

ask Dick to share a phrase or two of Pennsylvania Dutch to impress friends and family. At one point Dick apparently thought it would be fun to provide to his classmates, unbeknownst to them, entirely inappropriate phrases. After a great deal of reported concern by a number of parents and embarrassment by all, Dick faced discipline with the school principal and of a more severe type with his parents I am sure.

After graduating from high school, Dick with his parent's permission enlisted in the Army shortly following his 19<sup>th</sup> birthday. World War II was winding down but Dick served two (2) years in Europe in the military police primarily in the role of guarding and transporting Axis soldiers throughout Italy. After his discharge Dick entered Susquehanna University in Selinsgrove with, I'm advised, early thoughts of entering the ministry. Midway through his education at Susquehanna his studies were interrupted with the outbreak of the Korean conflict. Dick felt it was his duty to re-enlist. He again served in the military police for two (2) years in Europe on the permanent security staff of NATO commander General Dwight Eisenhower. Dick would relate stories of the various military and world leaders that would visit General Eisenhower. After this second stint of military service, Dick's three brothers convinced him to complete his undergraduate studies at Dickinson College. I suspect Dick's contact with military law made him receptive to this advice and was a factor in selecting an institution that could provide him with a nearby law school. However, Dickinson Law School was not in his future as he decided to obtain his law degree at the University of Pennsylvania in Philadelphia. The reason for this change of plans was simple, although both excellent law schools, the University of Pennsylvania had close access to the concerts of the Philadelphia Symphony and as a lifelong lover of classical music, Dick could not resist such opportunity.

There is one law school related story that has been brought to our attention. One of Dick's law school roommates accepted an invitation to spend a weekend in Beavertown and enjoy a home-cooked country meal. I may not have the name correct but I believe the roommate was Joseph McDade who later became a long-term congressman in the Scranton area. By all accounts the weekend went fine until the family Sunday dinner when everyone sat down at the dining table, Dick's father proudly announced they would be enjoying a homemade meat pie featuring two squirrels that he had shot the previous day. The roommates' face turned white and replacement of chicken as the meat course was quickly arranged.

Shortly following law school Dick married the true love of his life, Marguerita, who had just received her Doctorate Degree from Columbia University and began teaching at Gettysburg College after the couple moved to Harrisburg. Marguerita sadly predeceased Dick in 2013. The family grew with four (4) children who all survive his death, Richard Jr., Marguerita, Carlos and Rosalee. Indeed, his wife and children were the constant stars at the center of Dick's life. He was extremely supportive of his family throughout his life.

Dick initially began his practice as a sole general practitioner renting space with many other lawyers in the suites on the first floor of the Blackstone building across from this Courthouse. Dick later associated with Judge Paul G. Smith, a former President Judge of this court.

Dick later joined the firm of Schaeffer, Purcell & Clouser as an associate. In 1969, Dick, Paul Clouser and Tom Caldwell later joined by Carl Wass formed the law firm of Caldwell, Clouser & Kearns later shortened to Caldwell & Kearns. Dick continued to actively practice at Caldwell & Kearns until his early 70's. Not totally satisfied to be fully retired he promptly applied for and was appointed by the Pennsylvania Supreme Court as legal counsel to the Court's Committee on the Rules of Evidence a subject of which he was well knowledgeable, where he ably served for another 10 years, retiring after turning 81 years of age.

Dick was most experienced in many fields of the law to include public school construction, automobile defense, and later medical malpractice to name but a few. Dick was a model of adherence to the rules of procedure and rules of professional conduct. He was always extremely considerate and respectful in all his professional dealings. As a consequence of his affiliation with Tom Caldwell an experienced accident defense attorney, Dick began to gravitate a large portion of his practice to automobile defense. He engaged in this work with considerable success for over two (2) decades placing him regularly in the courtroom where he represented multiple national automobile insurers. Dick also served for many years as chief counsel to several state school building authorities, becoming proficient in public construction contract law and administration. In his later years of practice Dick focused in the area of medical malpractice. Always a paragon of case preparation he took this methodology to a new level in the medical malpractice field. More often than not, realizing the significance and impact of a medical malpractice proceeding on all parties, but at times to the consternation of his partners, Dick would not proceed with a medical malpractice action until after completing his usual very thorough assembly of facts and research plus receipt of expert reports from not just one but multiple medical experts in the field so that he could be totally assured with the exactness of the case.

Dick loved nothing more than meeting with other legal colleagues for lunch where he frequently enlisted several associates to join him. These luncheons were normally filled with discussions of the legal issues of the day, politics, state or local, religion or family. His favorite luncheon locations were The Spot, where on one occasion he shared a hot dog lunch with then-governor Ed Rendell, John Durbin's Senate Hotel & Horseshoe Bar, the Gazebo Restaurant and Pomeroy's to name but a few.

A summary of Dick's life would not be complete without special mention and emphasis upon his service to the greater Harrisburg Hispanic community of which his wife was also an active leader for many years. By word and deed through most of his approximate 50 years of practice, Dick gave seemingly almost daily of his advice and skills to members of the Hispanic community. His only compensation being his satisfaction of serving others. Over the years Dick helped literally hundreds of persons in this commitment of service. Dick was a recipient of frequent calls over the years from the county Bar Association and later Legal Services, to act as interpreter, mediator, or to provide an array of legal services. He gave this work priority in his practice and in his life.

Dick loved the practice of law and the service to others it enabled him to provide. He enjoyed thoroughly his relationship with the Bar Association over the many years of his practice

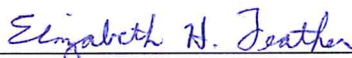
and it was rare indeed that he would miss a quarterly or annual meeting of the Association which provided him wonderful opportunities to continue and establish friendships.

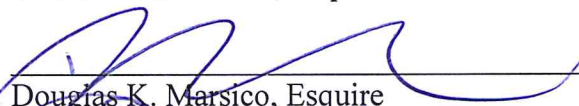
After retirement, he spent his years in Beavertown gardening, reading the latest biographies of America's titans and enjoying his family and friends.


NOW THEREFORE, BE IT RESOLVED, this Bar Association honors the life and contributions of Richard L. Kearns, a good and honorable man, a man of service and a credit to the legal profession and his community.


AND FURTHER BE IT RESOLVED, that copies of the Memorial Resolution be placed on the records of the Dauphin County Courts and the Dauphin County Bar Association, the original be filed in the Office of the Prothonotary and copies be transmitted to his family.


RESPECTFULLY SUBMITTED by the Memorial Committee to honor the life of Richard L. Kearns, Sr., this 9<sup>th</sup> day of October 2024.

  
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Elizabeth H. Feather, Esquire

  
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Douglas K. Marsico, Esquire

  
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Stanley J.A. Laskowski, Esquire

  
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James R. Clippinger, Esquire

  
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James L. Goldsmith, Esquire