Honoring Judge Kuhn

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He is the second-longest serving judge in Oakland County Circuit Court history. More judges have served during his tenure than served during the preceding 125 years ... going back to the first Oakland County Circuit Court judge who took office in 1848. He began his illustrious judicial career on January 1, 1973. At noon on January 1, 2005, the Honorable Richard D. Kuhn will retire after completing his 32nd year in this Circuit Court.

Judge Kuhn and I sat down in his chambers recently and talked at length about his childhood, family and career. His story is fascinating. Age-old axioms about strength of family leading to firmly grounded principles and values and that perseverance pays off are manifested in his account. Before I share his story with you, let’s take a moment and put 32 years into perspective from a statistical standpoint. Bear with me, as I can’t help it – court administrators live and breathe statistics. Since computer records didn’t exist in 1973, the statistics are estimates.

Judge Kuhn has disposed of 35,000 cases. He appointed 8,100 attorneys on indigent criminal cases. During his 32 years he ruled on 59,200 motions, presided over 900 trials, and sentenced 13,600 defendants. Nearly 29,200 jurors have been sent to Judge Kuhn’s courtroom over the years, 10,100 of whom were seated. Assuming that today’s average trial lengths were the norm for divorce, civil and criminal trials in the early years, Judge Kuhn has spent about seven years in trial. These statistics attest to the productivity of Judge Kuhn as a public servant.

Now for his story. A young Richard Kuhn boarded a train bound for Washington just one week shy of his 14th birthday. The year was 1943. Even as a child he had aspirations of becoming a congressman. With the war in full swing, many of the young men who held congressional page and aide jobs were serving in the military. With vacancies abounding, he saw an opportunity to see Congress up close and personal, and an opportunity to serve his country by filling in for the young men who were off fighting.

Without knowing the background, it’s hard to imagine a boy 13 years of age leaving the security and comforts of home for the unknown. I believe it was the heartfelt obligation of service that led young Richard Kuhn to that decision ... that obligation being so much a part of who his parents were.

His father, Dr. Charles Kuhn, had died in 1935, leaving Mrs. Ella Kuhn as the sole parent to 11 children – two girls and nine boys. Judge Kuhn is the youngest of the children. Mrs. Kuhn served as a schoolteacher for several years. In addition to mothering 11 kids, Mrs. Kuhn managed the Warren Avenue Diagnostic Hospital, founded by Dr. Kuhn, for nearly 30 years after her husband’s death. In 1952 Mrs. Kuhn was selected Mother of the Year in the state of Michigan, an honor well deserved.

Dr. Kuhn’s influence in Detroit was notable as he served as president of the Detroit Board of Education beginning in 1910. He was a visionary for the afflicted as he founded schools for the blind and deaf. Despite his many commitments and business interests, Judge Kuhn remembers the special attention that he received from his father, the walks together and special moments just one-on-one. With parents offering such wonderful examples of service and dedication to causes beyond self, it becomes easy to understand why a 13-year-old boy examined the circumstances and sided with service.

Judge Kuhn mentioned that his mother granted permission for him to leave thinking that a dormitory awaited congressional aides in Washington. Chances are that Mrs. Kuhn would have grabbed her son by the collar and led him off the train had she known that her son was heading off to Washington with no living arrangements having been made. After deboarding the train at Union Station, Richard walked the few blocks to the Capitol with two suitcases in tow. The principal of the Congressional Page School happened to be at the Capitol and was able to place Richard with a family who lived just a few blocks away. Each day he (continued next page)
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walked to the Capitol where he attended Page School, which began precisely at 6:30 every morning. At 9:00 a.m. the students set off for the floor of the House and Senate to prepare for the day’s congressional events. Successfully completing school in six months, he was assigned as a communication specialist for the House Republicans.

For the next 30 months Richard fielded phone calls to congressional Republicans from some of the most powerful and influential people in government. He routinely took calls from generals, ambassadors, governors and cabinet officers. He befriended the likes of Everitt Dirkson, the Illinois representative and senator whom many considered the most powerful man in Congress; Representative Earl Michener, the Michigan congressman who chaired the House Judiciary Committee; and Clare Booth Luce, playwright, author, journalist, Connecticut congresswoman and American ambassador to Italy. She was widely regarded as the most influential woman in modern American history. As a teenager, Richard knew them well.

Custom in those days was that the First Lady invited the congressional aides to the White House once each year for lunch. Richard, along with about 100 colleagues, was entertained in the state dining room twice by Eleanor Roosevelt and once by Bess Truman. Judge Kuhn relayed a story about his last luncheon that is priceless. When entering the state dining room the congressional aides were surprised to find President Truman sitting at one of the tables. Sixteen-year-old Richard, at odds with the president over a particular policy decision, seated himself at another table despite walking past an empty seat next to the president. He laughed about it when he and I spoke, realizing that he let an incredible opportunity slip by. Those of us who know Judge Kuhn realize that had he engaged President Truman in discussion that day, he just might have persuaded the president to switch his party affiliation!

Richard attended other memorable events during his stay in Washington, including presidential State of the Union addresses. He watched from the gallery in January 1945, just three months before the president’s death, as Mr. Roosevelt delivered his final State of the Union speech in his wheelchair from the well of the House.

Later that year, congressional aides were invited to the mansion of Evalyn Walsh McLean, the American socialite who had purchased the Hope Diamond in 1911. Richard was one of several aides who held the Hope Diamond in his hands. For those who know the Hope Diamond’s history, it is thought to have brought great tragedy to those who owned it. The 44.5-carat gem was originally mined in India and thrust into the spotlight in 1668. Among its many owners were Louis XIV and Marie Antoinette. After Ms. McLean’s death in 1947, the Hope Diamond was conveyed to the Smithsonian Institution where it is on display today.

After many incredible events and lifelong memories, Richard returned home in 1946 to complete his high school education. Turning his attention to college, Richard decided to enter the work force to raise the necessary funds. He set out for Alaska and joined the F&M Company as a laborer. One of his assignments was to assist in clearing land at Ladd Air Force Base (now Fort Wainwright) as a precursor to its expansion. During World War II, the base was established to provide early detection of an aerial attack on the United States and Canada. Judge Kuhn described the work as backbreaking, but good motivation for a college degree.

Having earned enough to enroll in college, Richard attended and graduated from Michigan State University. It was while he was a senior at MSU that Richard first entered the political arena, running for the Michigan State Senate. He lost the election but caught the political bug. Shortly after graduation he became a business owner, successfully operating the Kuhn Auto Wash at the corner of Williams and Huron streets in Pontiac. To better equip himself as a businessman, Richard enrolled at the Detroit College of Law, graduating in 1957.

After graduating from law school, and in addition to running his business interests, Richard opened a general law practice. For 13 years he successfully managed his law practice and auto wash business. But the political bug that took hold of him in college would dominate his career aspirations during much of the 1960s.

Richard was elected to the Michigan Constitutional Convention in 1961. He was one of 144 elected delegates, along with future governor George Romney. The delegates met regularly from October 1961 to August 1962 at the Lansing Civic Center, busily drafting revisions to the Constitution of 1908. Finished with their work, the Constitution was submitted to the electorate on April 1, 1963. Passing by the slim margin of 810,860 to 803,436, the Constitution of 1963 took effect on January 1, 1964. His work as a delegate will long be remembered. His longtime judicial colleague, the Honorable Fred Mester, remarked that he “continues to remind us that the Constitution is the basis for all our decisions. That reminder will be his legacy to the bench.”

Aspiring to become a congressman, Richard won the Republican nomination in 1964 but lost to his Democratic opponent in the Lyndon Johnson landslide. In 1968, he won the Republican nomination for Oakland County prosecutor, but again lost to his Democratic opponent in the general election.

Not dismayed by the outcome of his previous attempts at public office, Richard set his sights on the Republican nomination for Congress in 1972. After the census of 1970, congressional districts were redrawn to reflect the addition of two seats for Michigan. The district in which Richard would run had been merged with then-U.S. Representative William Broomfield’s district. Not wanting to run against an incumbent congressman from his party, Richard decided to run for judge of the Sixth Judicial Circuit Court. Having placed second in the primary election, he was able to run in the general election where he came in first.

Judge Kuhn never lost another election. In four succeeding elections for judge of the Circuit Court, he never even had opposition.

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For 32 years Judge Kuhn has faithfully and responsibly fulfilled his duties as a jurist. He loves his occupation, a truth that is plainly evident to those who work with him. He recently reflected upon his career by noting that he never had trouble getting up in the morning and coming to work. He considers the profession of judging to be a noble calling. He has approached his office with an unmistakable humility, feeling honored to have been entrusted with such substantial and prominent responsibilities.

A colleague described Judge Kuhn as the conscience of the bench. Other colleagues have spoken of his integrity, fairness, optimism and sheer honesty. Those adjectives are not casually given—they have to be earned. Long ago he earned the respect of his colleagues and those of us who work with him. He was selected by his peers three times to serve as chief judge. Such an honor did not go unnoticed by the Honorable Wendy Potts, the current chief judge, who recently noted, “As the current Chief Judge, I am becoming aware of the range and complexity of issues that must be dealt with. It speaks volumes about the trust and confidence that the judges have in Judge Kuhn that they elected him on three occasions to serve as Chief Judge. Judge Kuhn has been of great assistance to me in his capacity as Chief Judge Pro Tempore and I have appreciated his wise counsel.”

Perhaps one of the most praiseworthy comments about Judge Kuhn came from his longtime friend and colleague, the Honorable Steven N. Andrews. While sitting in his chambers one day, Judge Andrews reflected with me upon his service with Judge Kuhn. These two men have served longer simultaneously than any other two circuit judges in our history. Judge Andrews, who is an only child, mentioned that Judge Kuhn has been like a brother to him. He went on to acknowledge Judge Kuhn’s thoughtfulness. He relayed a story about a time when certain events left him a little low. One day he found a copy of Norman Vincent Peale’s book, The Power of Positive Thinking, in his desk drawer with an encouraging inscription inside the cover from Judge Kuhn. Judge Andrews noted that such an act of kindness is typical of Judge Kuhn.

Spending time with Judge Kuhn has made me realize that the man he is today is without question a product of the love, teaching, confidence, sense of duty, and faith that his parents bestowed upon their children. The Kuhn family story is remarkable. All 11 children made valuable and lasting contributions, as did their parents. Public service is a central theme embodied in the children of Charles and Ella Kuhn. This article honors Judge Kuhn — and rightly so — but his parents deserve our gratitude for instilling in their children such a commitment and duty to public service.

Judge Kuhn’s accomplishments as a jurist are noteworthy. Some of his cases received national media attention. A divorce case over which he presided was appealed to the United States Supreme Court, which refused to grant certiorari, thereby leaving the appellate court’s affirmation of Judge Kuhn’s ruling intact. Despite the attention he’s received and the power and prestige of his office, Judge Kuhn is, by all accounts, the same gentle, kind and decent man who returned from Washington, completed his education, and set about to serve in the tradition of his parents, brothers and sisters.

Today, Judge Kuhn and Sally, his wife of 49 years, continue that tradition and have nurtured those values in their four children: daughter Connie and sons Rich, Al and Jim. I recently spoke with Rich, who was elected judge of the 51st District Court (Waterford) two years ago. Judge Kuhn (the son) spoke of discussions about politics and the law with his father at the dinner table. He fondly remembered the family gathered together making signs and brochures for their father’s campaigns. He laughed when remembering the envelope “stuffing and licking” events that found all four children and mom and dad travelling together.

From those events Rich gained an invaluable sense of duty and perseverance. Those attributes helped carry him to the bench where he so ably serves the residents of Waterford Township. In a recent discussion with me, Judge Kuhn mentioned that he never takes the bench without thinking about fairness, patience, listening and treating people with respect — attributes that he sees in his father’s approach to judging.

I asked Judge Kuhn about his son’s election and wondered aloud if it was one of his proudest moments. I learned that it was, and that it was equally proud for the son to be administered the oath of office by his father. I wondered what Judge Kuhn said to his son after the oath, so I asked. Judge Kuhn smiled and said that he reminded his son not to forget the roses. It’s customary for a newly installed judge to present roses to his spouse. The younger Judge Kuhn produced roses for his wife, mother and mother-in-law. Roses for three of the most important women in a man’s life — a wise move indeed.

Interestingly, Judge Kuhn (the father), in the closing moments of our lengthy discussion, told me that judging is lonelier than people imagine. Despite being in a crowded courtroom, the weight of decisions that affect people’s lives falls squarely on one person. That realization has caused Judge Kuhn to fulfill his duties with all the seriousness he can muster and to treat each person equally.

Judge Kuhn fulfilled his mission as a jurist with dignity and grace. I have personally been honored to know and work with him. It doesn’t matter if the stock market is up or down, whether it’s Monday or Friday, or if it’s rainy or bright with sunshine, Judge Kuhn is always the same. He is as consistent as they come. He is truly a good and thoughtful man, admired as a jurist and friend, and adored as a father and husband. One cannot do much better than that.

Judge, thank you for your outstanding service. Thanks for the contributions to your profession, colleagues, employees, the citizens of Oakland County, and the thousands of people whom you have touched over the years. We rightly honor and applaud you. And we return the optimistic words that you have said to us consistently over the years:

“Think positive, keep the faith, the market is going up!”

Until next month…