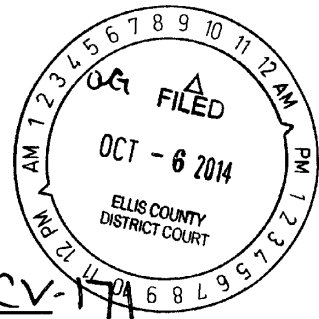


**IN THE DISTRICT COURT OF ELLIS COUNTY, KANSAS**

**In re the Memorial for  
Richard Donham Coffelt, Deceased  
Formerly of the Ellis County Bar.**

Case No. 14-CV-177



**MEMORIAL FOR RICHARD DONHAM COFFELT**

This eulogy and memorial is presented in open court and on the public record for the purpose of honoring the life of RICHARD D. COFFELT, a fellow lawyer, long-time member of the Ellis County Bar Association, family man and friend. This memorial is in keeping with the long-standing tradition of the Ellis County Bar Association, and, in further keeping with that tradition, a case number has been assigned and a written copy of the memorial has been filed as a permanent record of the District Court of Ellis County, Kansas.

RICHARD D. COFFELT was born in Kansas City, Missouri on August 6, 1932 to Carl and Lois (Maupin) Coffelt, the older of two sons. His younger brother, Thomas, was born March 6, 1938. The Coffelt family moved to Hays on February 15, 1939 in the middle of Richard's first grade year. Carl Coffelt was transferred that year from Kansas City to the Hays office of Southwestern Bell Telephone as a supervisor for the western Kansas region. Richard attended Lincoln Elementary School, Hays Junior High School and Hays High School until 1948 when Carl was once again transferred by Southwestern Bell to Kansas City, Kansas. Richard graduated from Shawnee Mission High School on May 11, 1950.

Richard attended the University of Kansas for two years and then, unsure of what he wanted to do and not thrilled with school, he enlisted in the United States Army on February 18, 1953 and was stationed at Camp Polk, now Fort Polk,

Louisiana, where he was a personnel management supervisor. He was discharged with the rank of Sergeant on January 12, 1955.

Judge Ed Bouker, who practiced law with Richard for almost 17 years, remembers that Richard was proud of his military service, but was not above employing his well-known wit to poke fun at himself over the experience. He would always point out that while the men he trained with were sent to Korea, he had passed what he called the "too bright to fight test," and was assigned to administrative duties in the States. He would also say when the issue of the Purple Heart award came up, that his only injury in the Army took place at "the Battle of Murphy's Bar" in a town near one of his duty assignments.

Judge Bouker was left with the distinct impression that Richard felt some guilt or regret that the Army had not assigned him to accompany his fellows to Korea, and that he had a great deal of sympathy and respect for those who fought our wars. This was shown not only in the comments he made about his Army service, but in his later work with the Vietnam War database, and through his efforts, which Judge Bouker recalls, to research and discover what happened to his fellow Army training class once they were assigned to Korea.

Following his military service, Richard returned to the University of Kansas, graduating in 1956 with a B.A. in Personnel Administration. He married Marilyn Elledge on September 8, 1956. Three children were born to this marriage, Gretchen Ann, August 19, 1957, Christine Marie, July 26, 1962 and Richard Clayton, October 21, 1968. This marriage ended in divorce on July 23, 1974.

Richard entered law school at the University of Kansas in the fall of 1956. While attending law school, he was a member of the Kansas Law Review Board for four semesters. He received his law degree in May of 1959.

In Richard's own words: "I graduated from the University of Kansas law school in January of 1959 with a wife and child, 35 bucks and a '51 Ford with a cracked block. I was 26 years old and I wanted to practice law, but the child let it be known that she wanted meals every day." Facing the reality of making a living, Richard went to work for State Farm Insurance Company in Kansas City, moving his wife and daughter there in the summer of 1959.

While working for State Farm, he ran into Donald Martin who was also working in Kansas City as an adjuster for Farmers' Insurance Group. Richard and Don Martin had known each other in law school so Richard told Martin about growing up in Hays and his desire to return there. Martin, who was also anxious to get out of the insurance business, knew of a bank in Ellis seeking to bring a lawyer to town so, in Richard's words:

"We quit, borrowed a thousand bucks and Martin, who was single at the time, my wife and child and I embarked for Ellis, Kansas, arriving [in Ellis] March 21, 1960 in a blizzard, where Mr. Nickelson was going to give us free office rent under the bank. However, he sternly admonished "Not one dime for living expenses!" "

According to Richard, the little group consisting of Martin together with Richard, his wife and child "spent the next year or so eating out of a single can of beans." They soon concluded that Ellis was only big enough for one lawyer. Therefore, they decided that Richard would open a law office in Hays. He found

office space in the Wasinger Building. The going was tough at the beginning. Richard recalled one lady who came to his office and proclaimed that she was going to get a lawyer, even if she had to pay one. However, his practice gradually grew and prospered.

Soon after moving to Hays, Richard ran for the office of Probate Judge as a Republican against Simon Roth, Jr., an incumbent Democrat, but lost by the slim margin of 14 votes. In 1970, still believing a Republican could win in the heavily Democrat Ellis County, Richard ran for First District Ellis County Commissioner against Ted Gerber. He lost again, 51% to 49%. In later years, as luck would have it, Richard changed his registration from Republican to Democrat just as the political balance of the county shifted from Democrat to Republican.

On April 21, 1979, Richard married Patricia Jo Ann Jennings. They were happily married for 32 years.

In 1968, the Martin & Coffelt partnership merged with the law firm of Flood & Flood, which consisted of Clayton Flood and his son, Steven, creating the new law firm of Flood, Martin, Coffelt & Flood. This four-man firm continued until Steven Flood was appointed District Judge of the 23<sup>rd</sup> Judicial District in 1975. Richard and Donald then resumed their original partnership of Martin & Coffelt. In August of 1976, Edward Bouker joined their practice. The Martin & Coffelt partnership endured until 1981 when the partnership dissolved, and Richard continued as a sole practitioner.

While Richard represented some of the most prominent business and community leaders, he also represented, often for free, the poor, the mentally

challenged and the downtrodden. Richard always had time for these clients, even though their problems were often more sociological than legal, and to most would seem trivial at best. Richard did not just believe in the concept that all men and women are equal under the law - he regularly supported that concept by his actions.

Richard had a deep voice and a slow manner of speech, which to some belied a first rate legal mind, an exceedingly keen intellect, an amazing memory, and a flair for the dramatic. He was simply at home in a courtroom. Those who have seen Richard in court remember the mannerisms and style which brought a frequent chuckle to onlookers, and which made him both effective and unforgettable.

There was his strategy of leaning over the rail of the jury box and whispering to the jury during closing argument. We may never know whether he did this because it was convincing to the jury, or because it made it difficult for opposing counsel and the Judge to hear the argument and interrupt with pesky objections. However, it did have the effect of requiring the court reporter to snatch up his Stenograph machine and to propel himself, with thrusting feet driving his wheeled chair, to a spot closer to Richard so he could hear and make a proper transcript.

Richard employed an equally unorthodox method while questioning witnesses, particularly those hostile to his client. He would face away from the witness and toward the audience or the jury while asking his questions and listening to the answers. This seemed to be Richard's attempt to make the jury and the audience his partners in exposing the witness as either forgetful or dishonest.

Then there was the "giant bird" pose, in which Richard, while arguing to the court or questioning a witness, would spread his arms as if they were giant wings,

and hang his head, giving physical expression to his exhaustion in the defense of his client against persistent and unjust attacks.

Richard's courtroom theatrics were not limited to cases in which large amounts of money or long prison sentences were at issue. One of the most oft-cited examples of his rhetorical style came from a municipal courtroom, where Richard, stretching his arm toward a window, implored the judge to "let the bright sun of the constitution shine into this courtroom today!"

Richard's success in the courtroom may be demonstrated by reference to several examples.

Richard was lead counsel, assisted by Steven P. Flood, in the defense of Carolyn Sue Baus, who was accused of second degree murder in the death of her ex-husband's fiancée, Becky Lohrmeyer. Lohrmeyer was a pedestrian, struck and killed by the car Baus was driving as she walked across the street accompanied by Baus' ex-husband. The jury acquitted Baus of Second Degree murder, convicting her instead of vehicular homicide, a misdemeanor.

Allen Dale Randol was accused of entering a local motel and fatally shooting 78 year old Fern Poer during a robbery. Randol faced the death penalty, and was defended by Steve Flood and Richard Coffelt. Although convicted of first degree murder, Randol did not receive the death penalty.

In 1979, several inmates overpowered jailers in the Ellis County Detention Center and made a successful but short-lived escape. Richard represented Thomas Weigel who was charged with Kidnapping and Aggravated Escape as a result. An Ellis County jury found Weigel not guilty on all charges. This case received some

national and even international press coverage when members of the jury, during a court-ordered view of the jail, were accidentally locked behind bars together with jailers, the prosecutor and Richard for more than an hour until a Sheriff's employee returned from lunch and let them out.

In 1980, Richard defended Darrell Staab, who was accused of shooting and killing the husband of a woman with whom he was infatuated. The shooting took place on their wedding day at the home of the newlyweds. Staab came to the front door of the home, shot the victim and then called the police to report what he had done. Staab was charged with first degree murder, but was convicted by the jury of the lesser offense of second degree murder.

During his legal career Richard tried thousands of cases, ranging from those involving city ordinance violations to capital murder charges. He won significant appeals, including one in which the Kansas Supreme Court found the homestead provision of the Kansas Constitution prohibited seizure of his client's home under drug forfeiture laws, a matter of first impression in Kansas. He tried major civil and criminal cases. He defended and he prosecuted.

Finally, it was time to retire. As he neared retirement, he was asked by the members of the Ellis County Bar Association to present remembrances of his life in the law at the annual Bar Christmas Party, held on December 6, 1996. It was vintage Coffelt, offering a valuable view of the history of the Ellis County Bar, delivered with all of Richard's wit, charm and intellect. A video of that presentation, together with a written transcript, will be posted on the Ellis County Bar Association website,

together with a written copy of this memorial. Many of Richard's words quoted in this memorial were taken from the transcript of this event.

Richard retired from the practice of law in 1997, but he was far from finished contributing to society. From 1998-2002, he taught at Fort Hays State University as a business law instructor. On March 13, 2005, Gov. Kathleen Sebelius appointed him to the State Board of Veterinary Medical Examiners. He also served on the board of the Humane Society of the High Plains in Hays, KS.

Richard was a mesmerizing storyteller, a reader of all things nonfiction, a geography genius, a lover of words and crossword puzzles, a researcher and historian as well as a trial lawyer. His love of history led him to perhaps his greatest accomplishment – The Coffelt Database.

In 1980, Richard began compiling unit information for every American killed in the Vietnam War. His 30 plus years of research resulted in what is now known as The Coffelt Database. Information of the type contained in that database simply was not available prior to Richard's efforts. The Coffelt Database was deeded to the National Archives in Washington D.C. on June 5, 2002, and a website, [www.coffeltdatabase.org](http://www.coffeltdatabase.org) was dedicated to Richard on January 24, 2012, one day before his death.

Articles describing the database and Richard's research have appeared in the Hays Daily News, The Journal of the Kansas Bar Association, the Americal Journal, VFW Magazine, The VVA Veteran, and numerous online news organizations. In an Americal Journal article (Jan/Feb/March 2012) written in memoriam of Richard Coffelt, Les Hines, Americal Division Vietnam Historian, was quoted as follows:



*"The Coffelt database is one of the greatest things done for Vietnam Veterans. It was not done by the government as it should have been; but through the persistence of one man, Richard Coffelt. Hundreds of thousands of Vietnam Veterans and families have Richard Coffelt to thank."*

In the same article, David Taylor, Americal Division Past National Commander and author said:

*"The loss of Richard Coffelt is indeed a great loss, one that should receive national media attention. He created the ability for Vietnam Vets to accurately seek out the status of their comrades. Without the Coffelt Database I could not have possibly verified all the KIA (Killed in Action) from my battalion for my book, OUR WAR. In the book I mention every member of the battalion who died and how he died. The Coffelt Database ensured I did not miss anyone."*

Daniel P. Gillotti, Coordinator, 1<sup>st</sup> Cavalry Division "Project Sky Trooper" is also quoted:

*"We truly lost a national treasure. The focus, passion, and drive exhibited by Richard Coffelt and his dedicated team has allowed hundreds of thousands of Vietnam Vets to come to some closure after 40+ years".*

Finally, Richard Arnold, a co-researcher and friend, said this about Richard and his historical work:

*"...not only was RC a good man, my good friend but he was a true Patriot. And if that can truly and honestly be said about a man when he is gone... he has had a very worthwhile life indeed."*

After a long and valiant fight against a relentless foe, Lewy Body Dementia, RICHARD D. COFFELT, died on January 25, 2012.