

Judge James W. Broaddus, #17

(Dates of Service to Court of Appeals: 1949-1964)

James Ware Broaddus was born in Chillicothe, Missouri, on December 14, 1889 (59 years old when appointed to Court of Appeals in August 1949). Judge Broaddus attended Chillicothe Public Schools. His training in the legal profession began when he worked as secretary for his grandfather, Judge Elbridge J. Broaddus (#7 – 1901-1913), then Presiding Judge of the Kansas City Court of Appeals. While serving as secretary, he attended night classes at the Kansas City School of Law. He was admitted to the Missouri Bar in 1913. During WWI, he served in the 83rd Division in France. In 1919 and 1920, he was an Assistant Attorney General in Jefferson City under A.G. Frank W. McAllister. Twenty-five years later (1945), he was appointed Judge of the Sixteenth Judicial Circuit, under the Non-Partisan Court Plan by Gov. Phil M. Donnelly. Thereafter, again by appointment under the Non-Partisan Court Plan, Broaddus was appointed in 1949 to the Kansas City Court of Appeals by Gov. Forrest C. Smith, where he served for 15 years, including 8 years as Presiding Judge from 1951-1959.

Judge Broaddus's opinions were described as a "model of brevity, yet meeting all issues head-on, and then driving with short sentences to the jugular vein—the overriding issue in the case."¹ Former Librarian and Assistant to the Court, George Maitland, described Judge James "Jim" Broaddus as "a tall and slender man, with close-cropped white hair, a smile that appears quickly, and a startling resemblance, of face and gesture, to the late Will Rogers" ... possessed of a "fantastic memory for persons, places and events" ... a man of "strict moral code...yet a man of great compassion for—and always willing to lend a helping hand to—those who have fallen from favor with their fellow man"² ... "A great favorite with the lawyers and enjoys talking with them about their problems which are not always of a legal nature. A man of close family ties, he speaks of great love and affection for his mother, father and grandfather." ... "He is the conscience of the Court."

Judge Broaddus passed away on March 13, 1973, at the age of 83. Funeral services were held at Second Presbyterian Church at 55th and Oak with burial at Mt. Moriah Cemetery in Kansas City. In the obituary recorded in the Chillicothe Constitution-Tribune, it was said: "Judge Broaddus was a man who knew history, political science, and the traditions of the law in amazing detail. Other jurists went to him for advice on procedure and his general philosophy of the law. Aside from his scholarly bent, Judge Broaddus was a kindly, patient man, a judge who could be tolerant of others and see the human side of the law."

¹ In *Tootle v. Tootle*, 329 S.W.2d 218 (Mo. App. 1959), Judge Broaddus eloquently described the basis of the Court's analysis of a custody dispute in a dissolution appeal as, "There can be no absolute rule by which it can be determined which of the two contesting parents is entitled to the custody of a child upon their separation, but each case must be judged on its own facts and in determining where the custody of a child shall go, the acts and attitude of the parents toward each other, the causes leading to the divorce, their treatment of each other, and similar matters, are all material and admissible in evidence as bearing upon the question of the fitness of the respective parents to have the custody of their child."

² Judge Broaddus was described by Maitland as "a good listener—an uncommon trait. Lawyers who have been disbarred, those with fondness for drink which has invited marital discord, and those with acute financial distress, seek his counsel. Sometimes he can only offer sympathy and understanding, but at other times he can help, and does."