



Supreme Court of Appeals State of West Virginia

News

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Retired Judge Arthur N. Gustke dies **For immediate release Monday, September 28, 2009**

PARKERSBURG, W.Va. – Retired Fourth Judicial Circuit Court Judge Arthur N. Gustke died Sunday, September 27, 2009, at his home. He was 80.

Judge Gustke was elected in 1974, then re-elected in 1976 and 1984. After eighteen years as a judge in Wood and Wirt Counties, during which time he served as Chief Judge twice, he retired in 1992. Judge Gustke became a Senior Status Judge, serving by appointment around the state as needed.

“Judge Gustke was really devoted to youth, troubled young people,” said current Fourth Circuit Chief Judge Robert A. Waters. Along with his criminal and civil docket, Judge Gustke handled the bulk of the juvenile cases in the circuit. “He spent countless hours, giving them better facilities and keeping them safe.”

The Arthur N. Gustke Child Shelter in Parkersburg is named after him. It celebrated its thirtieth anniversary earlier this year and the judge was able to attend, although he was in poor health, said Steve Tuck, regional director of the Children’s Home Society of West Virginia. The shelter is one of ten the society operates.

Judge Gustke was very supportive of children in the shelter, Mr. Tuck said. “He’d come over and play cards with the kids on a weekend night. He’d take kids to a football game in Morgantown. He’d bring things to the kids at Christmas, presents,” Mr. Tuck said.

“Judge Gustke was so interested in looking at juvenile services in the late 1970s. Not only our shelter, but other services for youths that came before him,” Mr. Tuck said. “He was a great leader. His interest was in the individual situation for kids.”

Supreme Court Justice Thomas McHugh, who served on the Supreme Court during much of the time that Judge Gustke was on the circuit bench, also is a Director Emeritus of the Children’s Home Society.

“We always talked of those issues when he and I were together. That was a pivotal point of his career and life,” Justice McHugh said. “He will be missed because of his devotion to children’s issues.

“He was a really excellent judge. He was just a very decent man.”

Judge Waters said Judge Gustke was the first judge he ever practiced in front of when he became an attorney. Judge Waters later became a judge the year Judge Gustke retired.

"He was an outstanding judge," Judge Waters said. Even after his retirement, Judge Gustke continued to attend almost every meeting of the West Virginia Judicial Association, which he helped found. Judge Gustke also was an early president of the group, which provides continuing legal education for circuit judges.

"He always tried to stay up to date," Judge Waters said. Judge Gustke continued to teach at the Judicial Association meetings and at the National Judicial College in Reno, Nevada, after his retirement.

Fourth Circuit Judge J.D. Beane said Judge Gustke was a big encouragement personally for him when Judge Beane took office 2007.

"As an attorney, it was a pleasure to practice law in front of him. He was dedicated and took his time," Judge Beane told the Parkersburg *News and Sentinel*.

Fourth Circuit Judge Jeffrey Reed, who succeeded Judge Gustke in 1992, said there are a number of practices at the Wood County Circuit Court that judges still do which were originated by Judge Gustke, including starting trials on Tuesdays to allow court personnel to call potential jurors on Monday, as well as having certain hearings at certain times.

"I still use the same jury instructions he used," Judge Reed told the newspaper. "There is so much that can be said about the man. ... The community has lost a pillar."

Judge Gustke was the first recipient of the Nicely Award in 1994. He received the Distinguished Service Award in 1962, Citizen of the Year Award for Wood County in 1979, and the West Virginia University Emeritus Award.

Judge Gustke was a native of Parkersburg. He was a United States Army Signal Corps veteran. He graduated from Parkersburg High School in 1946, West Virginia University in 1953, and West Virginia University College of Law in 1956.

He was on the Board of the West Virginia University-Parkersburg Foundation and the Wood County Commission on Crime, Delinquency and Corrections.

Funeral services will be 6 p.m. Wednesday at Leavitt Funeral Home in Parkersburg. Visitation will be Tuesday from 6 to 8 p.m. and Wednesday from 11 a.m. to 1 p.m. and 4 to 6 p.m.