



Brian Moline

October 2, 2008

Longtime Kansas public servant Brian J. Moline, 68, Topeka, died September 29, 2008 at Midland Hospice Care after a sudden and incapacitating illness. He is survived by his wife, Kathie Sparks, Topeka, a brother, Mike Moline, San Antonio, Tex., and four children, Justin Cooper, Denver, Colo., Brock Cooper, Lawrence, Matt Ingham, Ft. Worth, Tex. and Ashley Ludwick, Austin, Tex. Friends the world over also mourn his loss. Brian was preceded in death by a sister, Patricia Moline Russell, an actress who appeared on Broadway, and his parents, Charles and Tess. Mass of Resurrection will be held at 10:00 a.m. Thursday, October 2, 2008 at Assumption Church, 204 W. 8th, Topeka. Visitation will be held 6:00 to 8:00 Wednesday, Oct. 1 at the Brennan Kevin Family Funeral Home, 2801 S.W. Urish Rd., where a prayer service will be prayed at 6:30 p.m. Brian lived an impactful life. He had broad interests, a deep intellect and a charming indifference to the mundane demands of daily life. But perhaps most of all, he had a large capacity for caring, which was evident in virtually all of his personal and professional dealings. A naturalized citizen of the United States – having immigrated from England at age 12 with his family – Brian believed deeply in the promise of his adopted country and dedicated much of his life to one of its foundational ideals: that everyone is equal under the law. As a lawyer, legislator and regulator Brian fought for fairness. He demanded it on behalf of the clients he represented, the constituents he served and the consumers and companies whose interests he protected first as general counsel and later as a member of and chairman of

the Kansas Corporation Commission. Nowhere was his commitment to fairness more apparent than in his pioneering work in the early 1970s for the Wichita Legal Aid Society and later his co-founding of Kansas Legal Services. In those early days, Brian inspired, mentored and entertained a tight-knit group of young attorneys dedicated to ensuring that everyone, regardless of their income or station in life, received the legal representation to which they were entitled. Several attorneys who went on to lucrative careers, upon learning of Brian's death, said that their legal-aid days were among the happiest and most purposeful of their lives. Brian himself said that he was able to do more to help people in a few months as a legal aid lawyer than in five years as a legislator. "Many people in this country just assume, as I used to, that if a person has a legal problem, then they can have their day in court," Moline said in a newspaper interview. "But if you don't have the money to hire a lawyer, your rights are an abstract thing, aren't they?" Perhaps it was in Brian's service to the entire state that he most distinguished himself. In addition to his more than 20 years at the KCC, he served on the Kansas Governmental Ethics Commission and from 1995-1997 as general counsel to then Kansas Insurance Commissioner Kathleen Sebelius. Early in his KCC service, Brian recognized that there was a troubling dearth of information about the commission, its evolution and its regulatory responsibilities. Characteristically, he took it upon himself to rectify the problem by authoring an extensive monograph on those issues. His 1984 work is still considered the authoritative work on the subject. It also is indicative of Brian's ability to peer into the future and see the big policy picture. In a preface to the monograph, he challenged the thinking of the day that the trend toward deregulation would continue unabated. "Regulation as a means of governmentally imposed limitation on the discretion of individuals and businesses," was unlikely to be substantially diminished, he wrote. "The policy question is not, shall there be government regulation? The question is: what type of regulation is necessary and desirable at any given time." Brian grappled with a host of complex issues at the KCC, from the Wolf Creek rate case to the breakup of AT&T. While

serving as KCC chairman from 2003-2007, he was elected to the board of directors of the National Association of Regulatory Utility Commissioners and was selected chairman of its subcommittee on nuclear issues. He lectured outside of the U.S. on ethical and legal issues confronting public utility commissions as a member of NARUC's Committee on International Relations. Brian summed up his view of public service last year in a farewell column to the KCC staff. Because a public servant's work often goes unnoticed by the public, he wrote, the work must be its own reward. "The knowledge that one has done the right thing as one sees it for the public interest becomes the main and often only reward for a public servant," he wrote. The Kansas Bar Association twice recognized Brian, giving him its Distinguished Service Award in 1994 and its Distinguished Government Service Award in 2006. In 2003, Brian was named adjunct professor of the year by students at the Washburn University School of Law, the school from which he earned his law degree in 1966 and at which he taught juvenile law, trial techniques, insurance law and legal history for more than 20 years. As further indication of his commitment to community and state, Brian served on the Topeka and Shawnee County Public Library Board of Trustees and the Kansas State Historical Society Executive Committee, serving terms as president of both organizations. He also was president of The Midland Trust, a fundraising entity that helped to sustain Kansas Legal Services. Though "retired," Brian couldn't stay away from the policy debate. He headed the Alliance for Sound Energy Policy during the 2008 legislative session and most recently returned to his professional roots by going to work for the Disability Rights Center of Kansas. Though friends marveled at how he found the time, Brian also wrote extensively about everything from legal ethics to Kansas history, authoring a chapter on former Attorney General Vern Miller for the 2006 book, "From John Brown to Bob Dole: Movers and Shakers in Kansas History." And he contributed to a 1993 book on U.S. Supreme Court justices, authoring a chapter on David J. Brewer of Kansas, who sat on the high court from 1890-

1910. Indicative of his popularity as an author and speaker, a Topeka Bar Association brochure published this year about an upcoming ethics seminar noted that Brian would be “back by popular demand” to conduct the session. Given Brian’s gift for language, it is fitting that the final words belong to him. The following is taken from yet another piece that Brian wrote in his “spare time” cloistered in his study among his books. In an essay published in the Topeka Capital-Journal on July 4, 1999, Brian reflects on his adopted country and in the process provides insight into the values that made him the person that he was. “For decades, America has symbolized opportunity to break the shackles of destiny defined by caste, class, accent or religion. And while the streets may not be paved with gold as some earlier immigrants may have believed, America has always and still does represent opportunity – a place where initiative and individualism is valued and where hard work, family solidarity and determination still count, and count for a great deal.” Memorial contributions may be made to: Kansas Democratic Party 420 SE Ave Topeka, Kansas 66607 Kansas Legal Service Corp. 712 S Kansas Ave Topeka, Kansas 66603 Disability Rights Center of Kansas 635 SW Harrison St. Topeka, Kansas 66603

Tribute Wall



“ *Brian Moline*

January 28, 2023 at 12:08 PM



“ *I recently became aware of Brian's death and can't resist the opportunity to post my long-ago experience with him. I was in high school and working my first part time job at Maule Drug in Wichita in 1966 - 1967. Brian was a regular customer and he always stopped at my cash register with a friendly greeting and smile. I had a bit of a heavy foot on the gas pedal and received a couple of speeding tickets. Brian and I talked about my dangerous driving habit on several occasions. His favorite line to me was "I buy you books and buy you books..." He taught me so much about living my life with integrity during our brief friendship. His impact has lasted all through these last 50 plus years. What a guy!*

Sharon Washburn - August 06, 2021 at 11:15 PM



“ *Brian and I were classmates in law school and over the years remained in contact. He was a good friend, a student of the law, and a person with a wide array of interests. He was a unique individual with all sorts of interests and believed deeply in the rule of law. I will miss him, but am thankful God gave me the time and space to know him and share a drink and thought together on many occasions. Safe journey, my friend.*

David Knudson - October 01, 2008 at 08:03 PM

LS

“ I first met Brian during the adversarial days of the Wolf Creek Rate Case as a utility employee. My respect for him as a good regulator was set then and grew over time as I watched his career and we interacted various times in the regulatory world. Principled public servants with a large vision based on the rights for all provided by the law leave a lasting mark inspite of politics. We all leave too soon but Brian did more than most with his time. Peace to his family! I wonder what his first cause will be in the next life?

Lee Sippel

Lee Sippel - October 01, 2008 at 12:26 PM

VD

“ I have been an admirer of Brian's many contributions and accomplishments for nearly two decades, and I count it a great honor and privilege to have had the opportunity to work with him on some Kansas history projects--most notably his generous contribution (an essay about Vern Miller)to my book. Brian's enthusiasm for the law, Kansas history, and the Kansas State Historical Society were contagious, and I will always remember and appreciate him for that.

Virgil Dean - October 01, 2008 at 11:39 AM

GS

“ Kathie...I am so sorry for your loss. I have known Brian for over 30 years and he was my direct boss in the Legal Dept. of the KCC from 1979-1986. He was intelligent, had a great sense of humor and a dedicated public servant who accomplished so much for the community and the state of Kansas. I feel fortunate that I had the opportunity to know Brian personally and work with him through the years. Everyone was a better person for knowing him and he will be greatly missed. My deepest sympathy to you and your family.

Greta Stephens - October 01, 2008 at 11:39 AM

EE

“ *Kathie and Family- I have known Brian for some 37 years,from when I came back to practice in Wichita and have always been proud to have him as my friend. My involvement in Wichita Legal Aid was after his building of a fine organization. Our shared love of Kansas history resulted in our service together on the board and executive committee of the Kansas State Historical Society. He leaves behind many good works and some fine writing about the legal profession in Kansas. We will all miss him greatly. My deepest sympathy*

Eric Engstrom - October 01, 2008 at 10:30 AM

BK

“ *Brian Moline was a great man! He made us smile, he made us better people. Even during the pressures of the Wolf Creek hearings he had time to make you feel important. He loved and served well. Peace to his family.*

Beth Kelley - September 30, 2008 at 06:28 PM

FC

“ *Kathie, Melanie and I are deeply shocked and saddened by Brian's death. He was a teacher, mentor and friend to me for more than 20 years and I thoroughly enjoyed his insight on regulation, the Commission, politics and life. We will miss his joy, gusto and exuberance of life. Our thoughts and prayers and with you and your family. God Bless you!*

Frank and Melanie Caro - September 30, 2008 at 05:12 PM

CM

“ *My condolences to Brian's family and close friends. It was a privilege to know him through MARC, NARUC and other regulatory meetings. He made a lasting contribution and we will miss him.*

Commissioner Connie Murray - September 30, 2008 at 03:15 PM

DA

“ *Brian was a great man who will be greatly missed. I first knew Brian over 35 years ago when I was a Vista Volunteer at Wichita Legal Aid. He has meant a great deal to me over all of these years and he meant a great deal to the state of Kansas, especially the poor and disadvantaged.*
My sympathy and condolences to his family and all who cherished him as a friend.

Dennis Ahlers - September 30, 2008 at 03:14 PM

SM

“ *Prof. Moline was an very honorable and noble public servant. I thoroughly enjoyed him in our Legal History class when I attended Washburn. He will be missed in the community and statewide. Our prayers and thoughts are with him and his family. May his soul rest in peace.*

Sean Moore - September 30, 2008 at 02:43 PM

JL

“Kathie, Bev and I were very sorry to hear of Brian's death. I served with him on the executive committee of the Kansas State Historical Society for several of the past years, and he was a most important contributor to that organization. But I first became acquainted with him through his historical writings in the Kansas Bar Journal. His pieces on prominent judges and lawyers were unsurpassed. He did great work in many legal capacities for Kansas that insure his position among the greats of the legal profession. He will be greatly missed.

Jim Logan - September 30, 2008 at 01:35 PM

EH

“Kathie and family--Brian was my direct boss when I worked as a staff attorney for the KCC, 1979-1982. Our association continued through the years. I was honored when he asked me to speak a couple of times to his insurance law class at Washburn, and greatly appreciated his unfailing willingness to teach his Ethics Update, and other subjects, year after year when I chaired the TBA CLE committee. Our last conversation, at the CLE this spring, was about how proud he was of your son that had just graduated from college. Brian was smart, funny, dedicated and affectionate, and I was privileged to know him. Please accept my heartfelt condolences.

Elizabeth Herbert - September 30, 2008 at 12:34 PM

DW

“ Kathie,

My heart goes out to you. Although we have all lost a brilliant and dedicated public servant, you have lost a true and loving mate. The last time I talked with Brian, I went away touched by his concern for YOUR health; it's clear he had a very deep love for you. You are in my prayers.

Dodie Wellshear - September 30, 2008 at 10:25 AM

BT

“ *Brian was a model public servant and a warm, generous individual. His leadership at the Kansas State Historical Society came at a crucial time and set a high standard for us all. We will miss him.*

Bill Tsutsui - September 30, 2008 at 10:07 AM

LC

“ *Kathie ~ It was my honor and privilege to call Brian my friend for over 25 years. I'll miss his calls and his jokes and our time around the poker table. He was boss, teacher, counselor and my pal. The "investment club" will never be the same. Although we'll all miss him, he will always be with us in memory and spirit. Our thoughts and prayers are with you during this sad time.*

Larry Cowger - September 30, 2008 at 09:57 AM

CW

“ Kathie,

Chris and I are so sorry to hear about Brian. We both enjoyed knowing him through the years, and appreciated his dedication to public service. It was a pleasure serving with him on the Kansas Historical Society, Inc.'s board of directors. Shari and Chris

Chris Steineger and Shari Wilson - September 30, 2008 at 09:32 AM

KC

“ *My sincere sympathies and condolences go out to the family of a wonderful man who dedicated his life public service and blessed the lives of many. My thoughts and prayers are with the family at this time and always.*

Kris Casarona - September 30, 2008 at 08:24 AM

JE

“ *Kathie....I had the great pleasure and honor to have worked with Brian for many years. As an officer of one of his regulated utilities, I always knew that he would be objective and fair in his analyses and recommended decisions. I had the utmost respect for Brian and am deeply saddened by his premature death. Our prayers are with you and your family.*

Jon Empson - September 29, 2008 at 07:36 PM