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Blacks in the Nevada Legal Profession

Rachel J. Anderson

University of Nevada, Las Vegas -- William S. Boyd School of Law

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Blacks in the Nevada Legal Profession *By Professor Rachel J. Anderson*

The First Territorial Legislature limited the practice of law to white men and this de jure exclusion of Blacks from the legal profession in Nevada inhibited the development of a Black legal community in Nevada until the 1970s, approximately 100 years after Nevada became a state.

In 1961, Charles Kellar became the first Black to successfully pass the Nevada Bar Examination. Kellar was an attorney admitted in New York who had moved to Nevada in 1959 at the request of Thurgood Marshall, when Marshall was the head of the NAACP Legal Defense Fund. Attorney Kellar fulfilled the one-year residency requirement and passed the exam but was refused admission to the bar. He was not admitted to practice law in Nevada until 1965 when he won the right in a split 2-1 opinion of the Nevada Supreme Court.

However, Attorney Kellar was denied the privilege of being the first Black admitted to practice in Nevada. The first Black attorneys admitted to practice law in Nevada were Robert L. Reid and Earle W. White, Jr. Attorneys Reid and White were admitted to the State Bar of Nevada the same year the U.S. Congress passed the U.S. Civil Rights Act of 1964 and the year before the Nevada Supreme Court ordered the admission of Charles Kellar to practice law and the Nevada Legislature passed the Nevada Civil Rights Act of 1965. Robert L. Reid was elected Justice of the Peace for Las Vegas Township in 1970, making him the first Black Justice of the Peace in Clark County after being appointed as the first Black judge in Nevada an alternate to the Las Vegas Municipal Court. Earle White was later elected to the Clark County District Court in 1986 after being appointed to the District Court in 1985 and appointed Justice of the Peace in 1980.

In 1980, the first two Black women, Johnnie B. Rawlinson and Viveca Monet Woods, were admitted to practice law in Nevada.



Chief Judge Karen Bennett-Haron

Chief Judge Bennett-Haron is the only African-American woman ever elected to serve in the Nevada judiciary. She is the daughter of civil rights leader Assemblyman and Pastor Marion D. Bennett (dem.) who served in the Nevada Legislature from 1973 to 1981.

© Chief Judge Karen Bennett-Haron, used with permission

Attorney Viveca Monet Woods went on to become the first Black woman Assistant U.S. Attorney in Nevada and Attorney Rawlinson is currently a Judge on the U.S. Court of Appeals for the Ninth Circuit. She is the first African-American woman judge on the Ninth Circuit and was also the first Black woman judge on the U.S. District Court, District of Nevada.

Shortly after the admission of the first Black women to the State Bar of Nevada, Black lawyers in Nevada established the Las Vegas Chapter of the National Bar Association (LVNBA). Founded in 1981 and reincorporated in 2005, the LVNBA is the only chapter of the National Bar Association (NBA) in Nevada. The LVNBA unites Black Nevadans' tradition of civic engagement with the National Bar Association's tradition

of predominantly African-American attorneys protecting civil and political rights of the citizens and residents of the United States.

Currently there are approximately 125 Black attorneys in Nevada, who represent approximately 1% of the membership of the State Bar of Nevada. At present there are four elected African American members of the Nevada judiciary: Supreme Court Justice Michael Douglas, District Court Judge Timothy C. Williams, Las Vegas Township Justice Court Chief Judge Karen Bennett-Haron, and Reno Municipal Court Judge Kenneth Howard. Most Black attorneys, judges, and law students in Nevada are members of the LVNBA, attend LVNBA events, or support the LVNBA's work in varying degrees over the course of their careers.

David L. Phillips, Las Vegas

Attorney Phillips was elected to the University of Nevada Board of Regents in 1994 and served as Regent from 1994 to 2000. Attorney Phillips is the son of civil rights leader and activist Ruby Duncan.

Blacks in Nevada Elections

By Professor Rachel J. Anderson

Over the years, Blacks have faced many uphill battles in Nevada elections. After the passage of the Fifteenth Amendment, William M. Bird ran for mayor of Virginia City in the 1870 election. Mr. Bird was a well-known local barber and had been a political activist at a national level. Despite his popularity and position as an influential member of the Black community, Mr. Bird was subjected to disproportionately negative coverage in the local print media and a paucity of neutral or positive coverage. This and other challenges that have been present since statehood continue to be hurdles for Black candidates in Nevada to this day.

However, persistence, strategy, hard work, and being a qualified candidate can pay off. Over the years a small but growing number of Blacks, among them LVNBA members, have been elected to statewide and local offices in Nevada. In the 2012 election cycle, a number of LVNBA members ran for public office. They included Justice Michael Douglas, Senator Aaron Ford, Assemblyman Jason



Attorney Berna Rhodes-Ford organizes numerous election events each year. © Berna Rhodes-Ford, used with permission

Frierson, Assemblyman William Horne, Attorney Phung Jefferson, Attorney Jonathan MacArthur, Assemblywoman Dina Neal, and Attorney Marsha Kimble Simms.

LVNBA Members also participated in the 2012 elections by disseminating information about voting rights, registering voters, offering their offices for the training of election observers, poll watching, driving voters to the polls, answering calls in the Obama campaign boiler room and on voter information hotlines, and hosting debate watch events and open forum discussions.



Rachel Anderson is an Associate Professor of Law at the University of Nevada, Las Vegas (UNLV) William S. Boyd School of Law, Vice President of the LVNBA, and a member of the NBA. She earned her J.D. from the University of California, Berkeley School of Law and her M.A. from Stanford University.



Claytee White is a historian and the Director of the Oral History Research Center at UNLV Libraries. She received her bachelor's degree from California State University Los Angeles, master's degree in history from UNLV, and has completed work toward a doctorate at the College of William & Mary.

Selected Sources for the Nevada 2012 Special Series

Books

Earnest N. Bracey, *The Moulin Rouge and Black Rights In Las Vegas: A History of the First Racially Integrated Hotel-Casino* (2009).

Effie Mona Mack, *Nevada: A History of the State from the Earliest Times Through the Civil War* (1936).

Elmer R. Rusco, "Good Time Coming?," *Black Nevadans in the Nineteenth Century* (1975).

Jerry L. Simich & Thomas C. Wright, *The Peoples Of Las Vegas: One City, Many Faces* (2005).

Nevada State Bar Magazine

Rachel J. Anderson, *Timeline of African-American Legal History in Nevada* (1861-2011), *Nevada Lawyer*, Feb. 2012, at 8.

Richard Boulware, *Dedicated to Excellence: National Bar Association, Las Vegas Chapter*, *Nevada Lawyer*, Feb. 2012, at 26.

Claytee White & Geralda Miller, *Charles L. Kellar: Legal Trailblazer in Nevada*, *Nevada Lawyer*, Feb. 2012, at 20.

Oral History Transcripts

Oral histories from interviews of Aaron Ford, William Horne, and Joseph M. Neal, Jr. on October 5-9, 2012 housed at the Las Vegas Chapter of the National Bar Association (LVNBA) Archive at the Wiener-Rogers Law Library at the UNLV William S. Boyd School of Law and the African-American History Collaborative Collection at the Oral History Research Center at UNLV Libraries Special Collections.

Newspaper Articles

THE EVENING REVIEW JOURNAL, 22 July 1930 and Clark County, Nevada 1910 Federal Census (transcribed by Patricia A. Scott & proofread by Daniel A. Scott for the USGenWeb Census Project), available at <http://ftp.us-census.org/pub/ungenweb/census/nv/clark/1920/>.

"A.B. MITCHELL RANCH BEING BROUGHT UNDER CULTIVATION," LAS VEGAS AGE, MAR. 3, 1923.

"COLORED FOLK ENJOY PICNIC," LAS VEGAS AGE, OCT. 30, 1928.

Web-Based Resources

Election of 1932: Changing the Guard, History Program, www.AMUOnline.com/History, at <http://www.u-s-history.com/pages/h894.html> (last visited Oct. 9, 2012).