



# Pioneering Women in Nevada Law

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A Major wave of women joined the legal profession in Nevada in the late 1970s and 1980s due to societal changes, the most significant of which was the passage of the federal Civil Rights Act of 1964. Title VII of that act prohibited employment discrimination on the basis of sex (among other characteristics.) A later amendment, Title IX in 1972, prohibited sex discrimination in education. Unquestionably, these laws opened up employment and educational opportunities for women. Nevada's experience reflected the larger American experience, although at a much slower pace.

In this overview essay for March, which is Women's History Month, we reflect on how public policy and law has changed not only what an individual woman can do and be, but also how women in the legal profession have worked with supporters to change public policy in the past 40 years. In her 1994 *Nevada Lawyer* feature article, Chris Cendagorta focused on how female lawyers found support for their careers, combined work and family and stepped up to the responsibility of being "the first." ["Women in the Law," *Nevada Lawyer* 2:7 (July 1994): 14.] We also seek to put the Nevada experience in the context of the national experience, and to illuminate that context and struggle, with the interviews and stories about individual female lawyers elsewhere in this issue.

## Just Getting Admitted Was Not Easy

“The act of joining the bar was, in itself, a forceful political statement about the rightful place of women,” observed Barbara Babcock, in writing about the first generation of women to join the bar in the U. S. at the end of the 19th century. She was the first woman appointed to the Stanford Law School faculty and a historian of women in the legal profession. [Barbara Babcock, “Introduction: A Real Revolution,” *University of Kansas Law Review*, Volume 49, No. 4, (May 2001): 726].

Advocates for women’s rights had been working for a quarter century when Myra Bradwell’s case to practice law in Illinois was heard by the U.S. Supreme Court. [*Bradwell v Illinois* (1873)]. Despite having passed the bar exam, Bradwell was denied admission. The Supreme Court’s opinion reflected the contemporary view that law was a profession unbecoming of a woman and that a state had the right to set criteria for the practice of professions, including the exclusion of women.

Twenty years after Myra Bradwell lost her case, Laura M. Tilden convinced the 1893 Nevada Legislature to pass a law allowing women to practice law. She is recognized as the first woman in Nevada to pass the bar exam. [Guy Rocha, “Stepping Up To the Bar: Female Attorneys in Nevada,” Nevada State Archives, *Historical Myth a Month*, Myth # 72 accessed at <http://dmla.clan.lib.nv.us/docs/nsla/archives/myth/myth72.htm>].

Nevada’s first generation of female legal pioneers entered the legal field during an era of expanding opportunities for some. The suffrage movement had regained momentum and the public debated women’s

ability to practice full rights of citizenship; that is, to vote, hold offices beyond the school board, serve on juries, make contracts and work in a profession for which they were qualified. The battle for women’s rights often paralleled and became intertwined with the struggle for civil rights, including persons of color. Nevada legislative records reflect those comparisons and that the most eloquent proponents of civil rights offered compelling arguments that these were struggles for human rights and decency for all persons, regardless of race or gender.

## The Nevada Experience on Women’s Suffrage

One great example of that first generation was Bird M. Wilson, admitted to the Nevada bar on June 28, 1906. Having practiced law in California, she came to Nevada for the opportunities available in mining camps, moving first to Manhattan and later to Goldfield. Wilson combined her interest in the law with her promotion of women’s rights in the pamphlet *Women under Nevada Laws* (1913). In that compilation of legal inequities between men and women, Wilson noted the injustices would “never be remedied until the women themselves have power to make laws.”

The Nevada Legislature first considered granting women suffrage in 1869, but failed to approve it in the 1871 session. However, the Nevada constitution was amended in 1889 to allow women to be elected to positions of school trustee and superintendent. After a long and vigorous campaign, final approval for women’s suffrage in Nevada

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# NEVADA FEMALE LAWYER FIRSTS

The following list offers a partial chronological record of when female attorneys first held prominent legal positions in Nevada. The contributions of these women cannot be overstated.

### FIRST NEVADA WOMAN TO PASS THE BAR EXAM:

Laura M. Tilden (1893)

### FIRST FEMALE LAWYER KNOWN TO PRACTICE LAW IN NEVADA:

Georgia J. Johnson (1898)

### FIRST FEMALE LAWYER OFFICIALLY SIGNED IN AND ADMITTED TO PRACTICE IN FEDERAL DISTRICT COURT:

Georgia J. Johnson (1898)

### FIRST NEVADA-BORN WOMAN ADMITTED TO NV BAR:

Felice Cohn (1902)

### FIRST FEMALE LAWYER TO SERVE IN A FEDERAL JUDICIAL CAPACITY (U.S. Commissioner):

Anna M. Warren (1912)

### FIRST FEMALE LAWYER TO SERVE AS DISTRICT ATTORNEY:

Edna Covert Plummer, Eureka County (1918)

### FIRST FEMALE LAWYER ELECTED TO THE NEVADA LEGISLATURE:

Ruth Averill (1920)

### FIRST FEMALE LAWYER TO SERVE AS SUPREME COURT LAW CLERK:

Rose Bird (1965)

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## FIRST FEMALE LAWYER ELECTED JUSTICE OF THE PEACE

Hon. Miriam Shearing,  
Las Vegas Township (1976)

## FIRST FEMALE TO SERVE AS BAR COUNSEL:

Eleissa Lavelle (1979)

## FIRST FEMALE LAWYER ELECTED TO STATE BAR BOARD OF GOVERNORS:

Janet L. Chubb (1979)

## FIRST FEMALE LAWYER TO SERVE ON THE FEDERAL BENCH AS MAGISTRATE:

Hon. Phyllis Halsey Atkins, U.S.  
Magistrate Judge, District of  
Nevada (1980)

## FIRST FEMALE LAWYER ELECTED TO MUNICIPAL COURT:

Robin Wright, Reno (1981)

## FIRST FEMALE LAWYER TO SERVE AS PRESIDENT OF HISPANIC BAR:

Eva Garcia Mendoza (1982)

## FIRST FEMALE ATTORNEYS ELECTED DISTRICT ATTORNEY:

Eileen Barnett, Lincoln County  
(1983), Virginia R. Shane, Humboldt  
County (1982)

## FIRST FEMALE LAWYER ELECTED TO STATE DISTRICT COURT BENCH:

Hon. Miriam Shearing,  
8th Judicial District (1982)

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(and the right to hold all public office) came in 1914, six years before the (federal) Nineteenth Amendment granted women the right to vote in 1920.

## The Nevada Experience on Civil Rights

The second era of expanded opportunities for women came during the 1960s and 1970s as a result of the federal Civil Rights Act (1964), particularly Titles VII and IX (1972) forbidding discrimination by race and sex in employment and education, respectively. Many of the women in the list of Women Lawyer Firsts in this issue entered school and passed the bar as the legal profession opened up during the era that followed.

Very little progress was made legislatively in Nevada in civil rights until Grant Sawyer was elected governor in 1958. A year after the federal Civil Rights Act was enacted nationally, the Nevada Legislature passed its own version (in 1965) but it did not include a prohibition against sex discrimination. The Commission on the Status of Women, created in 1965, worked with Governor Grant Sawyer to make the category of sex included as a prohibited basis of discrimination, and pressed for ending the practice of advertising jobs by sex. Finally, sex discrimination was outlawed by an amendment to NRS 613.330 in the 1967 Legislative

session, through a bill sponsored by Republican legislator Mary Frazzini. As greater numbers of women entered the workforce, more cases arose to enforce anti-discrimination laws, including efforts by the Nevada Equal Rights Commission and the far more active U.S. Equal Employment Opportunity Commission. [<http://oralhistory.unr.edu/Legislat.html>]; *Interim Report on the Nevada Status of Women Commission*, pp. 7-8.] [NRS 613.330]



In December, 1973, the U.S. Department of Justice sued the State of Nevada because Nevada was the only remaining state or territory that had not taken steps to repeal, modify or correct existing “protective labor laws” based on gender, deemed to be unconstitutional and in direct conflict with

federal Civil Rights Act and Equal Pay Act. The Nevada Legislature finally corrected the situation by passing appropriate legislation in the 1975 session, especially when threatened with a federal injunction. Attorney and legislator Mel Close was the chief sponsor of the bill to do so.

## Progress Nationally and At Home

By the early 1980s, Nevada voters had rejected the Equal Rights Amendment (1978) and the U.S. Supreme Court held that it was not sex discrimination when General Electric provided maternity health insurance coverage for the wives of male

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employees but not to its own female employees. Yet, equity measures advanced in other areas. The Rape Shield Law passed in the 1975 Nevada Legislature due to the heroic efforts of Florence McClure, the founder of Las Vegas's Rape Crisis Center, and others, including female attorneys. The U.S. Congress overturned the General Electric case by passing the Pregnancy Discrimination Act, an amendment to Title VII, in 1978. For Nevada, in 1981, a coalition of legislators and community supporters passed a bill that appropriated a percentage of the marriage license fee to sustain anti-violence agencies across the state. Governor Richard Bryan (elected in 1982) appointed an unprecedented number of women to positions of power and to boards and commissions. But perhaps the watershed event of the 1980s for women lawyers was when Sandra Day O'Connor became the first woman on the U.S. Supreme Court in 1981. In Nevada, that judicial pioneer was Miriam Shearing: first female lawyer to become (by election) a Justice of the Peace (1976), a District Court Judge (1982) and a Nevada Supreme Court Justice (1992) and Chief Justice.

In 1987, the Nevada Supreme Court appointed a Gender Bias Task Force of attorneys, judges and lay people, to study whether gender played an inappropriate and unfair part in the Nevada justice system. After much research, data collection and public hearings, the Gender Bias Task Force released its report. The Task Force made sweeping recommendations about needed improvements to Nevada's divorce and child custody laws, its treatment of rape victims and the insensitive and prejudicial treatment of women lawyers, litigants and witnesses, most of which were the subject of later remedial actions. [*Justice*

*for Women: First Report of the Nevada Supreme Court Task Force on Gender Bias in the Courts* (1989).]

## Conclusion

As the timeline of Women Lawyer Firsts illustrates, the female lawyers of Nevada, through education, hard work and persistence, assisted by those who believed that women's rights were in actuality human rights, overcame many barriers and broke through a few glass ceilings. Some remain. ■

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**GUY LOUIS ROCHA** worked for the State of Nevada for more than 32 years, 28 years as state archivist. Rocha, who grew up in Las Vegas, has co-authored two books, written many articles and columns and produced four Nevada labor history documentaries. He is also a long-time human-rights activist and is a member of the ACLU, Southern Poverty Law Center and PFLAG.

**KATHLEEN J. ENGLAND** is a practicing attorney in Las Vegas, representing victims of discrimination and abuse. She was admitted to Massachusetts and Nevada bars in 1979. She most recently served as president of the State Bar of Nevada (2009-2010).

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**FIRST FEMALE LAWYER  
APPOINTED TO GAMING  
CONTROL BOARD:**  
Patty Becker (1983)

**FIRST FEMALE LAWYER TO  
SERVE AS COUNTY BAR  
PRESIDENT:**  
Hon. Sally Loehrer, Clark County (1985)  
Shirley Smith, Washoe County (1985)

**FIRST FEMALE LAWYER TO  
SERVE AS PRESIDENT OF  
NATIONAL BAR ASSOCIATION:**  
Liz R. Hatcher (1985)

**FIRST FEMALE LAWYER  
APPOINTED AS STATE  
PUBLIC DEFENDER:**  
Terri Steik Roeser (1987)

**FIRST FEMALE LAWYER  
ELECTED AS NEVADA  
SECRETARY OF STATE:**  
Frankie Sue Del Papa (1986)

**FIRST FEMALE LAWYER TO SERVE  
AS LEGISLATIVE COUNSEL:**  
Linda Jessen (1987)

**FIRST FEMALE LAWYER ELECTED  
AS CITY ATTORNEY:**  
Patricia A. Lynch, Reno (1987)

**FIRST FEMALE LAWYER TO SERVE  
AS U.S. BANKRUPTCY JUDGE:**  
Hon. Linda Riegle (1988)

**FIRST FEMALE LAWYER TO  
SERVE AS CLERK, NEVADA  
SUPREME COURT:**  
Janette Bloom (1988)

**FIRST FEMALE LAWYER  
TO SERVE AS FEDERAL  
PUBLIC DEFENDER:**  
Franny A. Forsman (1989)

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**FIRST FEMALE LAWYER ELECTED  
NEVADA ATTORNEY GENERAL:**

Frankie Sue Del Papa (1990)

**FIRST FEMALE LAWYER ELECTED  
AS SUPREME COURT JUSTICE:**

Hon. Miriam Shearing (1992)

**FIRST FEMALE LAWYER TO  
SERVE AS U.S. ATTORNEY:**

Kathryn E. Landreth (1993)

**FIRST FEMALE LAWYER TO SERVE  
AS PRESIDENT OF STATE BAR:**

Margo Piscevich (1994)

**FIRST FEMALE LAWYER SELECTED  
AS CHIEF JUSTICE OF THE NEVADA  
SUPREME COURT:**

Hon. Miriam Shearing (1997)

**FIRST FEMALE AFRICAN-AMERICAN  
LAWYER TO SERVE AS JUDGE IN U.S.  
DISTRICT COURT:**

Hon. Johnnie Rawlinson (1998)

**FIRST FEMALE LAWYER ELECTED  
TO CONGRESS FROM NEVADA:**

Rep. Shelley Berkley (1998)

**FIRST AFRICAN-AMERICAN FEMALE  
LAW PROFESSOR IN NEVADA:**

Kay Kindred (1999)

**FIRST NEVADA FEMALE LAWYER  
TO SERVE ON (U.S.) COURT OF  
APPEALS FOR THE NINTH CIRCUIT:**

Hon. Johnnie Rawlinson (2000)

**FIRST FEMALE LAWYER TO SERVE AS  
MAJORITY LEADER, NEVADA ASSEMBLY:**

Barbara Buckley (2001)

**FIRST FEMALE LAWYER TO SERVE AS  
SPEAKER OF NEVADA ASSEMBLY:**

Barbara Buckley (2007)

**FIRST FEMALE LAWYER TO SERVE AS  
PRESIDENT OF ASIAN BAR ASSOCIATION:**

Joice Bass (2008)

NOTE: This list represents an ongoing work. We apologize to any individuals not included. ■