

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF A MEMORIAL TO THE
HONORABLE JOHN CODE MOWBRAY.

ORDER

As an expression of the esteem and respect held by the Bench and Bar of the State of Nevada for the late Honorable John Code Mowbray, who passed away in Las Vegas on March 5, 1997,

IT IS HEREBY ORDERED that the following memorial be printed in the next published volume of the Nevada Reports.

Dated this 23rd day of May, 2003.

BY THE COURT

DEBORAH A. AGOSTI, *Chief Justice*

MIRIAM SHEARING
Associate Justice

ROBERT E. ROSE
Associate Justice

MYRON E. LEAVITT
Associate Justice

NANCY A. BECKER
Associate Justice

A. WILLIAM MAUPIN
Associate Justice

MARK GIBBONS
Associate Justice

MEMORIAL

John Code Mowbray was born in Bradford, Illinois, on September 20, 1918, the son of Thomas J. and Ellen Driscoll (Code) Mowbray. He received his early education in the public schools of Bradford, Illinois. In 1940, he graduated from Western Illinois University with a degree in education. Many years later, his undergraduate alma mater honored him with its Outstanding Alumnus Award and named a campus building, Mowbray Hall, in his honor.

Justice Mowbray was teaching high school in Illinois while saving money for law school when World War II intervened. He put his law school plans on hold and enlisted in the United States Army Air Corps. He served for five years from 1942 to 1946. During that time, he attended the School of Military Government at the University of Virginia and the Civil Affairs Training School at Northwestern University. During his military service, he also acted as the Military Governor of a Korean province. He left the service in September 1946, having risen to the rank of major.

After his military service, Justice Mowbray attended law school at the University of Notre Dame, graduating in 1949 with honors. He would later receive an honorary degree of doctor of humane letters from Western Illinois University in 1976 and an honorary degree of doctor of laws from the University of Nevada, Las Vegas, in 1978. While at Notre Dame, Justice Mowbray met U.S. Senator Patrick McCarran, who encouraged him to consider starting his legal career in Nevada. Taking Senator McCarran's advice, Justice Mowbray and his wife, Kathlyn Hammes Mowbray, moved to Las Vegas in 1949. The couple would raise four sons in Las Vegas—John, Romy, Jerry, and Terry.

Justice Mowbray was admitted to the State Bar of Nevada in 1949. He started his legal career as one of only two deputies in the Clark County District Attorney's Office. He worked in that office until 1953, when he opened a private law office.

In 1955, Justice Mowbray started what would become a long and distinguished judicial career. From 1955 until 1959, he served as the only United States Referee in Bankruptcy for the District of Nevada—the equivalent of today's United States Bankruptcy Judges. In 1959, Governor Grant Sawyer appointed him as the district judge in Department 3 of the Eighth Judicial District Court. At the time, the Eighth Judicial District Court had a large backlog of cases that eventually caused a moratorium on civil trials in the district. Justice Mowbray instituted a master calendar program that successfully reduced the backlog, for which he was recognized by New York University's American Institute of Judicial Administration. During his tenure on the district court bench, Justice Mowbray fought for passage of the state's first laws to protect mistreated and abused children. He also secured a Ford Foundation grant to establish Nevada's first public defender program—the Clark County Public Defender's Office—in 1966. He would later secure the passage of state legislation to establish a statewide public defender program. In addition to pursuing legal reforms, he continued his commitment as an educator, serving on the faculty at the National College of State Court Judiciary. While on the faculty, he befriended a colleague, the late United States Supreme Court Justice Thomas Clark, who became his mentor.

On August 11, 1967, Governor Paul Laxalt appointed Justice Mowbray to fill one of two new seats on the Nevada Supreme Court. He took office on October 2, 1967, and won four elections and served as chief justice several times over the next twenty-five years. Popular with the voters, during his last election, he received more votes than any other elected official in the history of the state. When he joined the supreme court, George Dickerson gave the following description of him: "As a person, he is a devout man, a humanitarian of compassionate understanding; as a lawyer, he was a voracious reader with an insatiable appetite for

knowledge; as a Judge, he evidenced an enlightened, incisive and well-disciplined mind that grasps and applies controlling legal principle." Judge Thomas Craven echoed those observations: "Throughout his entire legal career [Justice Mowbray] has shown a constant and unwavering devotion and commitment to high moral values, and that commitment to moral values has been skillfully expressed by superior abilities through his chosen profession as a lawyer and as a judge."

Justice Mowbray received many accolades during his judicial career. In 1970, he became the first supreme court justice to be awarded the Regional NAACP Equal Justice Award for the Western States. He also received the Jurist of the Year Award from the Nevada Trial Lawyers Association, the Liberty Bell Award from the American Bar Association and the Clark County Bar Association, the Judicial Officer of the Year Award from the State Sheriff and Police Association, and the Anti-Defamation League's Torch of Liberty Award for advancing the cause of human rights.

Throughout his legal career, Justice Mowbray contributed his energies to the community in which he lived. He was instrumental in the formation of Bishop Gorman High School, donating the land for the school and encouraging a religious order from Illinois to staff and teach at the school. He also helped establish the Home of the Good Shepard, a facility that counseled troubled young southern Nevada women for decades. For more than two decades, he served on the Board of Nevada Catholic Welfare, later known as Catholic Community Services. In addition to serving in leadership positions in numerous local and national organizations, he was active in scouting and was a member of the Boulder Dam Area Council. The scouts honored him with the Silver Beaver Award in 1967 and the Silver Antelope Award in 1982.

After twenty-five years on the Nevada Supreme Court—the second-longest continuous service on the court by any single justice—Justice Mowbray retired in January 1993. He passed away in Las Vegas on March 5, 1997.