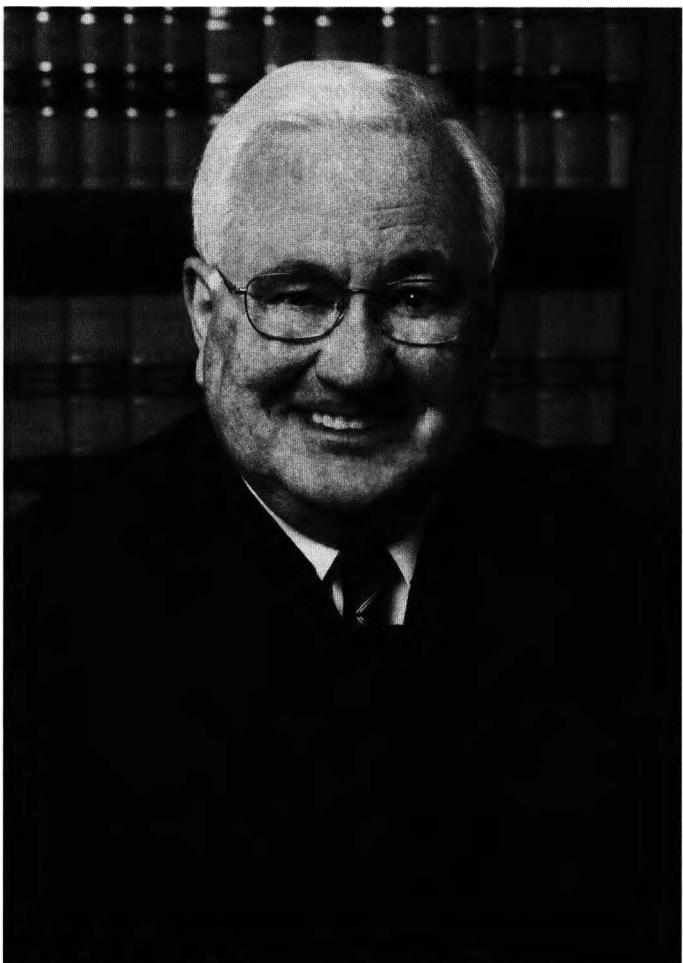


## **IN MEMORIAM**

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**ROBERT EDGAR ROSE**



*Photograph by Steve Soulam*

## MEMORIAL

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### ROBERT EDGAR ROSE

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Supreme Court Justice Robert “Bob” Edgar Rose passed away on February 14, 2022, at the age of 82. Justice Rose led a life dedicated to public service and acted as a pivotal force at the Nevada Supreme Court for 18 years. He served as chief justice three times and was instrumental in modernizing the court system in the interests of efficiency and progress.

Born October 7, 1939, in Livingston, New Jersey, to Edgar and Loretta Rose, Justice Rose spent his early years enjoying beach outings with his family in Ocean Gate, New Jersey—walking along the pier and crabbing with his uncle. In his teenage years, Justice Rose became president of the first graduating class of Livingston High School. Afterward, he attended Juniata College in Huntingdon, Pennsylvania, for undergraduate studies and was later admitted as a Root-Tilden-Kern Public Interest Scholar to New York University School of Law, from which he graduated in 1964.

While in law school, Justice Rose decided that he wanted to see the “Wild West” and applied for a clerkship at the high courts of Arizona, Nevada, and New Mexico. Nevada responded first. Justice Rose, reflecting on his move to Carson City, said, “I put everything I had in my Triumph and drove West. I was worried about making it through the desert. It looked pretty barren for someone from back East.” Before long, however, Nevada felt like home, the place where he wanted to live out his life. He clerked for the Nevada Supreme Court from 1964-1965.

After his clerkship, Justice Rose practiced law at a private firm in Reno. In 1968, he was elected Chairman of the Nevada Democratic Party, and in 1970, he was elected Washoe County District Attorney. While serving in the latter position, Justice Rose created the Consumer Fraud Unit and the Northern Nevada Drug Enforcement Task Force, both of which were eventually incorporated into the state government. As district attorney, he cautioned that prosecutors should use their power carefully and that people who are accused of crimes should always have access to proper representation.

In 1974, Justice Rose was elected Lieutenant Governor of Nevada, resulting in a move to Las Vegas, where he served a term of 4 years. In his service as lieutenant governor, Justice Rose in 1977 cast the

Nevada Senate's tie-breaking vote in favor of passing the Equal Rights Amendment, allowing the controversial resolution to move to the Nevada Assembly. Although the resolution was defeated in the assembly, and the Equal Rights Amendment was not ratified by the Legislature for another 40 years, Justice Rose believed his vote was the right thing to do and one of the most politically courageous things he had ever done, despite the vote ultimately damaging his political career. He ran for governor in 1978 but lost the election, afterward turning away from politics and back to the practice of law. Justice Rose met his wife Jolene in 1984, and they were married 2 years later.

Governor Richard Bryan appointed Justice Rose to fill a judicial vacancy on the Eighth Judicial District Court in 1986, and then in 1988 he ran for and won a vacant seat on the Nevada Supreme Court, fulfilling a dream of his since working as a law clerk. He was reelected in 1994 and ran unchallenged for reelection to a third term, which expired in 2007.

During his tenure on the Nevada Supreme Court, Justice Rose served as chief justice three times. Considered a reformer within the legal community, he advocated for the modernization of the court to ensure timely, effective justice: expediting cases, ensuring pro se litigants had access to standardized and easy-to-use forms, introducing specialized business court divisions of urban district courts, computerizing all Nevada courts, and establishing a uniform system for tracking case statistics throughout the state. He led the expansion of the supreme court from five to seven justices and the division of the court into two three-justice panels—a northern panel and a southern panel—to hear most of the cases to reduce the court's backlog. Recognizing the state was facing a serious domestic violence problem, Justice Rose promoted a mandatory requirement for all Nevada judges to take a course covering the impacts of domestic violence and offering guidance on how to best handle these cases. This was the first such program in the United States. In addition, he championed many initiatives to improve Nevada's court system, including the Judicial Assessment Commission, or "Rose Commission," which completed a comprehensive study of the judicial system and recommended many progressive reforms, and the Jury Improvement Commission, which suggested increasing juror pay and allowing jurors to ask questions of witnesses during trials—both of which recommendations were later incorporated into statutory law or court rule. Justice Rose also urged revising the way judges are elected so that fundraising does not create a public perception of impropriety or favoritism.

Justice Rose retired from the Nevada Supreme Court in 2007. In professing the time he served on the supreme court as the most satisfying experience of his career, he stated, "This job is like quicksand.

The job is never done. But it is a job I wanted from the day I clerked here. I loved it.” He did admit that his middle term was a “killer,” though. Between 1993-1996, the court was bitterly divided over a case involving disciplinary action taken against Second Judicial District Court Judge Jerry Carr Whitehead. Concerning his role in resolving that case, Justice Rose later stated, “It was the greatest challenge I faced,” and in the end, “a great accomplishment.” Justice Rose served as a senior justice after retirement until 2020.

During his life in service to the state, Justice Rose received widespread recognition for his unfaltering advocacy for the rights of the underprivileged, minorities, and women. As former Supreme Court Justice Michael Douglas remarked, “[h]e always stood up for the little guy, but not to the point that it would distort the law.” In 2006, he was presented with the American Civil Liberties Union of Nevada’s Emilie Wanderer Award, which honors individuals for their advancement and protection of civil liberties in Nevada. In accepting the award, Justice Rose said, “I’ve never run away from the concept of equal rights . . . I’ve embraced it.” The Nevada Supreme Court presented Justice Rose with the first Legacy of Justice Award in 2009, an award that is given in recognition of people whose contributions significantly improved the justice system. And based on his efforts to combat domestic violence on behalf of battered women and their families, he was also presented with the Unity Award from the Nevada Network Against Domestic Violence.

In addition to his professional accomplishments, Justice Rose enjoyed traveling and a good adventure. He and Jolene built a second home in Molokai, Hawaii, and his favorite place was on the lanai watching the ocean and life drift by. He also planned a trip to Paris, where he escorted Jolene to many art and history museums, as well as some excellent restaurants. Justice Rose loved music, the arts, reading, and a good glass of wine. Like many people in recent years, he became concerned about the effects of climate change and very interested in environmental causes.

Justice Rose passed away with his loving wife Jolene and his beloved dog Mia by his side. He will be remembered as a legal visionary, a great reformer, and a fair jurist who cared very deeply for the citizens of Nevada and who was always a champion for the underrepresented, oppressed, and disadvantaged people of our society.