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A Giant Among Men or (A Legend Passes)

"Beloved Judge, Mentor, Friend—May you have a 'Crown of Splendor' for your gift of wisdom to us." Chief Judge Marilyn Huff, U.S. District Court, San Diego.

Warmth, joy and laughter washed over the crowd in the Bayview Baptist Church on February 6, 2001 when hundreds of loved ones, colleagues and friends of U.S. District Court Judge Earl Ben Gilliam gathered to celebrate and honor his remarkable life.

"He taught me to laugh at myself and not take myself too seriously, to laugh with others who would poke fun, and to be nice to anyone, no matter what their station in life." So said Derrick Gilliam, Earl's son. "He gave me the greatest gift of love by telling me almost every day how proud he was of me."

"He never said a bad word about anybody," said the Reverend George Walker Smith, who began the upbeat ceremony by telling the overflow crowd that they were there for a celebration, not a funeral. "He had courage, wisdom, a simplicity similar to that of Will Rogers—very short and pithy but with great wisdom, a man with love in his heart. And he honored Rebecca Prater, Earl's wife, as "a woman who gave up everything to care for this man for 8 years," through what the Reverend James Hargett called a "long, torturous illness with a great level of suffering."

Because Earl had touched so many lives with genuine friendship, compassion and respect, grief was an unwelcome guest. The presiding Pastors, The Reverends George Walker Smith and James H. Hargett, Pastors Emeritus, were so uplifting in their remarks and prayers, the collective repose was palpable. The host Pastor, Timothy Winters, selflessly shared the pulpit with the ministers who were influential in Earl's life. The pastors' eloquent words and the magnificent voices of the choir and soloists of the Bayview Church soared over the assemblage so impressively that it seemed to cause many to begin looking for membership applications.

"His footprints are huge, his mark indelible," said Mayor Dick Murphy who began a long parade of dignitaries in honoring Earl with a warm display of love, affection and respect. One had the sense that the bestowing of honors could have gone on for days. "Earl was a bright and inspiring young man, but he worked hard, he worked very hard," said George Stevens, Deputy Mayor of the City of San Diego and longtime friend. Also bestowing honors on the Judge were Sherri Thompson, President of the Earl B. Gilliam Bar Association, and Jim Hatcher, of the Kappa Alpha Psi Fraternity. Ron Roberts of the Board of Supervisors related, "Earl went out of his way to help others." Also presenting honors were Randy Jones of the National Bar Association, Deanne Salcido of the Lawyers Club, Katrina Burnham of the NAACP, Douglas Oden of the California Black

Lawyer's Association, William Chapman of the national fraternity, Sigma Pi Phi, Amalia Meza of the La Raza Lawyers, Terry Johnson, the Mayor of Oceanside, Bob Filner, of the U.S. House of Representatives, Willie Brown, the Mayor of San Francisco, and Aaron Katz of the San Diego Bar Association, who said that because of "the candor of his speech, the courage of his faith, the warm and glowing brightness of his friendship as a leader of this community, he built a temple of honor and virtue, of industry and of unselfish devotion to duty." The City, County and State Governments adjourned their sessions that day solely to honor Earl B. Gilliam. Apart from honoring Earl, they had to—most of their leaders were at the ceremony.

"Beloved Judge, mentor and friend. He brought to our court compassion, patience and wisdom. He lived for equal justice under law," said Chief Judge Marilyn Huff, Earl's colleague and friend. She recalled a recent conversation with Earl when he said, "Overall, San Diego has been a good town for me. I hope that I rose to the challenge to make things better for the whole city, because there are Blacks and minorities who can make contributions. I've always been loyal to the women's cause. I've enjoyed being a part of it, and I hope that I've left some kind of a mark." You have left an indelible mark!" Judge Huff said. In quoting Proverbs, she said "Blessed is the man who finds wisdom, the man who gains understanding, for it is more profitable than silver, and yields better returns than gold. It will set a garland of grace on your head and present you with a crown of splendor." "May you have a crown of splendor for your gift of wisdom to us," she said.

"I was Earl's Godson, and I called him Uncle Earl, said Charles Rucker, and "we should look at what he stood for and what he tried to accomplish each and every day of his life. His life gives us a message and the message is be honest in your feelings and truthful in your words and deeds, be respectful and loyal to your fellow man. Act with dignity and compassion in all endeavors and most importantly, act with justice in your heart be fair and know the consequences of your actions."

"Daddy loved to play with his sons and especially their toys. He was a messy cook, was always late to church, and he had his flaws," said his son Derrick, to the laughter of the crowd, when he told the story about spoiling a birthday surprise party by asking over the phone if Derrick's friends had arrived yet.

Earl Ben Gilliam--lawyer, judge, teacher, father, grandfather, husband, mentor, community volunteer, friend, legend. He was an extraordinary human being and faced adversity throughout his life with equanimity and dignity. He could walk into a room and his commanding presence would stop conversations. At the same time, he was so down-to-earth that that he maintained relationships with everyone of all economic ranks. Serene and easygoing, he was a giver and he gave back to the community in immeasurable ways. His deep sense of social responsibility and commitment to public service was legendary. He began as an adjunct professor at Western State University School of law at its founding in 1969, and continued to teach for the next 24 years.

He served on the boards of numerous civic, professional and private organizations, including the San Diego Kind Corporation, a senior housing charity, the Board of Overseers of the University of California, San Diego, Thomas Jefferson School of Law, the Burn Institute, the Urban League, the Boys Club, YMCA, Model Cities and many others. So beloved was he, that the San Diego African American lawyers' organization bestowed the extraordinary honor of naming its organization after him, the Earl B. Gilliam Bar Association.

He made many friends in his lifetime, and there are many legendary Earl Gilliam stories and nicknames such as "Killum Gilliam" which is based on his intensity on the football field. His friend of many years, Hans Nansen tells the story of the trip from Montana in a motor home where they had both installed a battery backwards which promptly exploded sending Earl diving to the floor arms, and legs askew believing they were under attack by the natives. Earl took it upon himself to hitchhike to the nearest town and "to my amazement, the very first car that passed was a middle age couple, who stopped to talk to Earl. The woman driving instructed her husband to get out and sit in the back seat so Earl would be more comfortable on the trip." Later, a sheriff's car rolled up. "With my heart in my throat, the sheriff asked me if I were Hans. He informed me that "the Judge" was having lunch in town with some of the folks and would be back with a tow truck, which he did. I will miss him and his friendship and love him for the rest of my life, for these kinds of friendships, and this kind of man, come once in a lifetime.

"It was in the early seventies and Earl and I had taken our wives to dinner," said his friend Len Perry. "After dinner we went to a night club in not the finest part of town. The club had patrons waiting to enter so Earl and I dropped our wives off at the door and proceeded around to the back of the building to park the car. Upon exiting the car a guy approached from the darkness who was larger than my 'big friend.' He asked, 'aren't you Judge Gilliam?' With that I started looking around for a quick exit; Earl responded affirmatively. The guy said, "I appeared before you some years ago and I have been waiting to tell you that the sentence you gave me was fair. Whatever the occasion, thereafter, I was never apprehensive being with my friend."

Judge Judy Keep relates "when I think of Earl Gilliam, I think of how he made everyone who appeared before him feel the warmth of his soul and the breadth of his humanity. One time I went to watch him render a decision in a difficult case in which he found for the government and against very sympathetic plaintiffs in a civil rights case. Afterwards, instead of becoming angry or sad or resentful, the plaintiffs almost tripped over one another as they all stood up and thanked him for being 'their' judge. When I asked him later how he managed to have the losing side leave the courtroom as his new best friends, he chuckled in that low throaty chuckle of his and deflected my attention to his new toy (toys filled his chambers). The truth is I don't think he knew how he got that response because he was just himself and it was his 'self' that people who encountered him adored."

Earl Ben Gilliam was born on August 17, 1931, in Clovis, New Mexico to James Earl and Lula Mae Gooden Gilliam. The family moved to San Diego when Earl was 10. His father opened the Louisiana Fish Market when Earl was 16 and he worked there part-time until he left for Hastings Law School. It was said he often joked that it was his desire to find a way out of the fish market that motivated him to begin a career in the law. He served as a deputy district attorney and as a general practitioner for 5 years when, at the age of 32 he was appointed to the Municipal Court Bench by Governor Edmond G. "Pat" Brown, beginning a string of firsts: first African American to sit on the San Diego Bench; first African American to sit on the San Diego Superior Court; first African American to sit on the U.S. District Court. He was a pathfinder, a trailblazer, but it wasn't easy. When Earl was young, he would swim at the community pool, but only on Saturday nights, since the pool would be drained on Sunday. This was only one example of the prejudice faced by Earl and others of his community during those times. Tragically, Earl suffered a debilitating and life-shortening paralysis during heart surgery in 1993, which caused his kidneys to fail requiring dialysis for the rest of his life. The courage and equanimity he exhibited throughout this ordeal evokes wonder and admiration.

Earl is survived by his loving wife Rebecca Prater whose devoted and heroic efforts in caring for Earl during his debilitating paralysis and constant dialysis treatments, endear her to all, and his beloved son Derrick James Gilliam of San Francisco, born of his first marriage to Barbara Crawford. Their eldest son Earl Kenneth Gilliam died of cancer in 1999. Other survivors include grandchildren and a host of nephews, cousins, relatives and friends from all over the country.