[Ms-0494.009.003.011]

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May 20, 1980

Senate Judiciary Committee
Washington D.C.

Senator Alan Cranston
Sacramento, California

Senator Oren Hatch
Salt Lake City, Utah

Re: Judge Earl Gilliam

Gentleman:

I am writing in response to an article in the San Diego Union concerning further investigation of the background of Earl Gilliam, Judge of the Superior Court of the State of California. The article indicated that the 14 member panel rated him from not qualified to qualified. Please consider my observations in this regard.

The panel which rated his honor is composed mostly of hard-working, established attorneys with well-established firms. Because of the nature of their practice, I am sure that they seldom, if ever, have appeared before the Honorable Earl Gilliam, either in the Municipal Court or in the Superior Court of the State of California.

While Judge Gilliam sat in Superior Court he spent the majority of his time in that court in the Criminal Department so that once again the panel of attorneys would, as a practical matter, seldom if ever appear before him.

I do not mean to intimate that their efforts are not sincere or trustworthy but I am merely laying the foundation to be allowed to submit the following opinion.

I am a sole practitioner who has recently formed a partnership. I have been practicing for 8-1/2 years and through the years have handled various types of cases to arrive at my present specialty, which is domestic law. My practice in the family law area requires me to appear in court at least three times a week and has involved me in both the Municipal and Superior Courts of the County of San Diego and the Courts of the State of California.

It is my opinion and belief, based upon my experience and my conversations with other attorneys that Earl Gilliam is qualified to sit as a federal judge. I would also indicate that in my first three years of practice, I was on the appointed list in the federal courts for the defense of federal criminal charges. In that period of time, I was in the federal courts almost daily and have appeared

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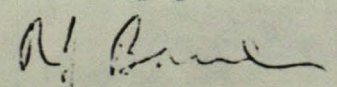
before every federal court in the City of San Diego.

Mr. Gilliam has the ability to remain calm when those appearing in front of him do not. He has the ability to remain fair and impartial when those appearing in front of him would rather draw him into the fray. He has the ability to get to the issues and make the right decision. I am not saying that I have always agreed with his decisions but I am saying that as an attorney I felt I was given every opportunity to prove my case without ever once recalling the judge being demeaning to counsel or client, or unkind or discourteous. I would further state that in the times that I have appeared before him, I also agreed with his legal determination as applied to the issues.

It is also of importance that I have never heard a breath of scandal related to the person of Judge Gilliam. San Diego is a very "small-town", in that everyone knows everyone else in this town even though it has a population of approximately one million people. In addition, the legal society in San Diego is a close knit group and the attorneys in this area converse freely. As an established attorney, one who is a member of the Family Law Section as well as the Family Law Steering Committee, I enjoy a rapport with a large segment of the San Diego County Bar Association. If there were even a hint of scandal connected with Judge Gilliam, I am sure that it would have been hinted or have come to the fore.

I would indicate to you, honorable gentlemen, that I am not a friend nor a companion to Judge Gilliam. He is an acquaintance and merely just that. However, it would be a shame to see such a qualified person be lost to the federal court system over a rumor which appears to have no basis in fact and because of a panel which is not truly representative of the feelings of the attorneys in the San Diego area.

Sincerely yours,



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RJB:njl

cc: Roy Greenway
c/o Senator Alan Cranston
Sacramento, California