[MS-0494.012.001.004]

III. GENERAL

EARL B. GILLIAM

1. President Carter, in his Executive Order of November 8, 1978, stated that the standards for evaluating a proposed nominee to the federal judiciary include whether the person "possesses and has demonstrated commitment to equal justice under the law." In what specific ways have you demonstrated a commitment to equal justice during your career?

Since 1963 I have been a judge. At all times I have attempted to see that all those persons who appeared before me got equal justice.

This has included cases and actions where their driving privileges, freedom, property, and personal relations with others was the subject of controversy.

I submit that a judge has the responsibility to breathe life into the law, to make sure that there is an appearance of justice for all in the courts, and that each litigant receives fair and equal justice. I made this commitment at the time I first became a judge and I have tried to the best of my ability to carry out these principles while serving as a judge.

In addition, I have participated in judge's colleges and seminars for judges. I have been a seminar leader in said courses.

2. An ethical consideration under Cannon 2 of the American Bar Association's Code of Professional Responsibility states, in part, that: a) "Important functions of the legal profession are to educate laymen to recognize their problems, to facilitate the process of intelligent selection of lawyers, and to assist in making legal services fully available;" and, b) "Every lawyer, regardless of professional prominence or professional workload, should find time to participate in serving the disadvantaged." Describe what you have done to fulfill each of these responsibilities.

a. During the mid-60's when our youth were demonstrating I, with two other persons, set up an undergraduate course at the University of California at San Diego to teach college students the appreciation of and responsibility they should have for our legal institutions. Many of the students of this course have since become police officers, employees of the courts, and lawyers.

For more than ten years I have taught law school, teaching first year courses. I also set up a course wherein seniors in law school learn how to try lawsuits.

I have also appeared on panels and lectured to different groups of lay persons regarding the law.

b. Prior to becoming a judge my office was in the disadvantaged area of our city. Much of my work was free. In addition, I volunteered for the court appointments in our courts at a time when lawyers were not paid for representing defendants in both the State and Federal Courts.

I also serve on boards of the NAACP and Legal Aid for my city.

I presently serve on the Senior Citizens Board of Directors, wherein my responsibility is to oversee their legal center, to make sure there is legal assistance for senior citizens.

3. Do you belong to any organization or club which excludes persons or discriminates on the basis of race, sex, or religion? List, with dates of membership. Have you been involved in efforts to change such policies?

No.

SUPPLEMENTAL QUESTIONS FOR JUDICIAL NOMINEES (PUBLIC)

A. DISSOLUTION OF LAW FIRM (IF APPLICABLE)

Please describe the arrangements you have made to dissolve your financial interest in your law firm. What time period is involved? What arrangements have you made to be compensated for your work on pending litigations?

In addition, please provide the Committee with a copy of your dissolution agreement, which may be marked confidential.

Not applicable.

B. MEMBERSHIP IN PRIVATE CLUBS AND ORGANIZATIONS

1. Please list each private club or organization in which you or your spouse are a member. Please include honorary memberships awarded to you.

   a. Are minorities and persons of both sexes members in these clubs or organizations?

   b. If not, have minorities and women (men) applied?

2. Do any of these clubs or organizations discriminate or otherwise exclude persons on the basis of race, sex or religion?

   a. Do any restrictions appear in the by-laws or charter?

   b. Do any policies or practices have the effect of discriminating on the basis of race, sex or religion?

   c. What efforts have you made to encourage diversity of membership?

3. Are you aware of any instance in which an otherwise qualified member of a minority group or woman (man) was denied membership?

4. If you became aware that an organization or club to which you belong in fact excluded persons on the basis of race, sex or religion, would you resign your membership?

1. None

    a. Not applicable.

    b. Not applicable.

2. Not applicable.

    a. Not applicable.

    b. Not applicable.

    c. Not applicable.

3. Not applicable.

4. Yes.