

APPELLATE DEFENDERS, INC.

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SAN DIEGO COUNTY BAR ASSOCIATION DISTINGUISHED CITIZEN AWARD

**NOMINEE: ERNIE PALACIO, LATE LEGAL ADMINISTRATOR OF
APPELLATE DEFENDERS, INC.**

**NOMINATORS: ELAINE ALEXANDER, EXECUTIVE DIRECTOR, AND HOWARD
C. COHEN, SENIOR STAFF ATTORNEY**

This nomination recognizes the incalculably enormous contribution by Ernie Palacio to developing the system of indigent appellate defense throughout the state of California. That system provides quality representation on appeal to thousands of clients a year and is unsurpassed in the entire country. It was created and pioneered by Appellate Defenders, Inc., a nonprofit corporation serving the Fourth Appellate District under contract with the judiciary. ADI's success provided the model now used in all of the appellate districts in the state. Ernie (who died in December 2006) was the legal administrator with ADI for 23 years, coming in at the very birth of the new system in late 1983. Without his extreme hard work, extraordinary mind, wisdom, and profound dedication, the program could well have foundered at the outset or been undermined by the countless crises the indigent defense system has encountered over the years. Ernie was always there to provide information, counsel, and assistance that could come from no other source. He unstintingly served ADI, the panel of attorneys it oversees, the Administrative Office of the Courts, the court, tens of thousands of indigent clients, and all others touched by them at every juncture. It would be impossible to overstate the debt owed Ernie – a debt that should be recognized by the bestowing of the Distinguished Citizen Award in his memory.

Ernie came to ADI as an unpaid paralegal student intern. The state agency funding ADI had itself just lost funding, and the executive director, Elaine Alexander, and the office were struggling to start the new system. Ernie worked long hours and proved incredibly bright, upbeat, and helpful. He was so impressive that he was offered a position at the end of his internship, even though

hiring him was financially problematic. This was the best investment we ever made, and not only ADI but the legal community has been the beneficiary.

Ernie continued in his paralegal position for several more years, repeatedly demonstrating an amazing range of skills, adaptability, leadership, and a work ethic of breathtaking magnitude. When eventually it became apparent that ADI had outgrown its humble beginnings and needed full time official supervisors and administrators, the choice of Ernie to be our paralegal supervisor and the administrator of our entire caseload was a “no-brainer.”

For the Distinguished Citizen Award, it should not necessary to spell out the uncounted and uncountable ways Ernie performed brilliantly at ADI for 23 years. He had great intelligence, versatility, judgment, and people skills. He supervised the paralegal staff, which keeps track of the thousands of cases that come into our. He was instrumental in creating the computerized billing and case management system that has served us faithfully for the past 16 years. Suffice it to say, the entire staff – attorneys, paralegals, administration – relied on him for anything, from the highly sophisticated, to the technical, to the sensitive interpersonal or political, down to minutiae and the mundane. A colleague at another appellate project summed it up in one word: Ernie was “priceless.” Ernie’s inimitable dedication and talents, which so benefitted ADI and therefore the entire legal profession (especially in San Diego), should alone qualify for the posthumous presentation of the award.

One cannot say enough about this man’s character. He typically put in more hours than two “ordinary” employees combined. It was not unusual to see an e-mail from him at the office with a 2:00 or 3:00 a.m. time on it. If we needed help, he would give it. If an employee was going through a rough personal period, he would quietly offer to help however he could. He wanted everyone to love ADI as much as he did. He was an eager participant in all of the office’s functions – work and social – and would regularly bring in “goodies” to thank anyone who had put in special effort during a crunch – even though it had been Ernie who had put in the most extra time of all. In short, he was always there for everyone.

(A little anecdote tells such a big story. A few years ago a representative from the California Supreme Court came to our office to conduct a program. We found out later that although he wasn’t feeling well at the time, Ernie had come in at midnight the day before the program and reinforced the joints of all our chairs in the meeting room with glue. He thought a few of them might be loose and,

knowing this was an important visitor, hadn't wanted to risk any problems that might embarrass ADI.)

Ernie has a wife and a 15-year-old son. He is one of seven U.S.-born children whose parents came from Mexico. To his family he was an amazing husband, dad, and "big brother," to whom they could always turn. Despite his heavy responsibilities elsewhere (he and his wife also have over 30 stray cats and dogs they rescued and brought home), he cared for them in every way imaginable. He also provided a gigantic role model to them for achieving success through one's own efforts. (An aside – Ernie's dedication to ADI continues on with his younger brother Omar, who has worked for our office for 16 years and is now our Case Management Coordinator. He reflects the same incredible work ethic, not to mention intelligence and skill. Omar has to be ordered to take a day's vacation and willingly says "yes" whenever asked to help, whether it is in his "job description" or not. The staff loves and honors the sweet, shy Omar; he was terminally embarrassed when they gave him a spontaneous standing ovation at a staff appreciation dinner. It is not a coincidence that Omar has followed in Ernie's footsteps, for though Ernie was a mentor to many, he was most of all a mentor to his brother.)

In 2005 Ernie was diagnosed with lymphoma. Everyone was shocked; for as long as we'd known him, he had been the model of indestructibility, the one who was always there. He had not been feeling well for months, but no one anticipated the diagnosis. He had a series of really rough periods, and was finally forced to slow down. But that translated characteristically to an "only" above-average schedule, rather than a superhuman one. He never complained or exhibited self-pity and continued to perform the tasks no one else could do as well. Even after he was hospitalized, we always thought until almost the very last that he would pull through and return – after all, he was *Ernie*.

As we said at the beginning, his contributions were far-reaching. Our office serves the Court of Appeal, hundreds of private appointed counsel, the Judicial Council, thousands of clients, and the entire legal community. Ernie's leadership, knowledge, and dedication gave us the gift of excellence and helped make the statewide system possible. The community, the county, and the state owe a great deal to his unassuming and unsung efforts, taking care of so much without fanfare or credit. He is MOST deserving of the award.