



FEDERAL BAR ASSOCIATION

SOUTH FLORIDA CHAPTER

Cynthia Johnson-Stacks



Take just about any complicated, important legal matter involving Miami-Dade County over the last 35 years and chances are that Cynthia Johnson-Stacks had a hand in its resolution. During her long tenure as an Assistant County Attorney, “CJ” (as she is affectionately known to her many friends and colleagues) was revered and admired for her sharp intellect, quick wit, and warm and generous spirit. Born in Fort Pierce, Florida, CJ attended college at the historically African-American Fisk University and then received her law degree from Georgetown Law in Washington, D.C. Upon graduating in 1983, she settled in Miami and began working at the County Attorney’s Office—a place she would remain for the rest of her career. Recently retired, CJ sat down with us to talk about her

life, career, and the challenges she faced over the years as a woman and minority.

Did you feel or experience any barriers being a woman and minority entering the profession?

Yes, unfortunately. I was admitted to the Florida Bar in 1983. That was only about 25 years after the first black woman lawyer was admitted to the Bar. Some people still assumed that people who looked like me wouldn’t be capable or smart enough to perform the functions necessary to be a lawyer. Some people assumed that somebody or anybody else in the room was the lawyer and made that clear to everyone. However, those incorrect assumptions motivated me to prove those people wrong.

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Are there any tangible examples of those kinds of barriers that come to mind from those times?

Well, I think of someone who said to me when they learned that I passed the bar, "I could tell you passed the bar, you're just 'different,'" and I was offended by that. That's today's equivalent of being told that as a minority lawyer you are "articulate." Those same characteristics are generally not noteworthy when a nonminority possesses them. I also remember an incident in court, after protracted appearances before the court and a successful appeal of the court's order, that the Judge addressed me as "Madam, Court Reporter" as I was getting seated at counsel's seat. "You can sit right there," pointing to a seat behind counsel's seat.

So he didn't even remember that you were the attorney?

I don't know. I believe that he knew who I was and was making a point. Or he might not have remembered, which might have been even worse, I guess. Either way, he didn't or couldn't see me as the lawyer who made these protracted arguments before him and wanted to put me in my place. I have to believe that the biases are a little less direct and obvious these days.

Before we move on from this, you said the bias and the barriers are more subtle now, can you explain that a little more?

The snubs aren't so overt, probably because there are more lawyers who look like me that are making great strides in the profession. But even with that progress, I think every one of them will be able to recount a circumstance when they believe that they faced bias in one form or another.

I think this, and this is just sort of my general assessment of prejudice and bias now, but unlike the 50s and the 60s or even the 80s when people made

blatant remarks that were just inappropriate and evidencing of bias, now people are societally shamed from actually expressing those things in those terms, but people still harbor biases and so they express them in more subtle ways.

Right, and that's pretty much how I feel except that I think now that there's tending to be more of a reversal where people are proud to say blatantly offensive things. And, so I don't know which way the pendulum is swinging, but that's not a good sign.

As a woman who already blazed the trail for other women and minorities in this profession, do you feel pressured whether internal or external to do more than you've already done.

The pressures I feel are probably due to my own personality, but a good friend frequently reminds me that I'm not doing these things for myself, I'm doing them for everybody else that comes behind me. And yes, it's so much easier to retreat, but a lot of times, I have to do things because I have a built-in constituency that I represent, at least in my own head. So, I have to always do my best. And my family has sacrificed so much for me, I have to strive to do my best.

I say you do that and more... tell me about where you went to law school, how it came to be that you went there, what that time was like, that experience?

I went to Georgetown Law School in the early 1980s, graduating in 1983. After growing up in Fort Pierce, Florida, I attended Fisk University, which is a historically black college. I expressed an interest in the law and was encouraged by the president of my college, who was a lawyer, to apply to law school. Georgetown was a totally different scenario than anything I had ever experienced. I attended law school just after the U.S. Supreme Court had decided the *Bakke* decision, and everybody was debating affirmative action and who was or was not

qualified to attend the law school. It was not that uncommon to hear a fellow student imply or say straight out that minority students were admitted because of affirmative action. Coming from Fisk, I didn't feel real comfortable with that - to say the least! But we had a tight knit group of fellow students who supported each other, worked hard, and made it through successfully.

How did you come to work at the County Attorney's Office after going to school in Georgetown and growing up in Fort Pierce?

As in most wonderful things in my life, my coming to the County Attorney's Office sort of occurred by happenstance. In local government law classes, Miami-Dade County was studied as an example of great local government that did very progressive things. Also, a couple of students in my school had clerked at the County Attorney's Office the summer before I applied, and they said absolutely wonderful things about the great reputation and office culture in the County Attorney's Office and wanted to come back to work full time as attorneys. So, I decided that I would apply.

Bob Cuevas, who would go on to become the County Attorney years later, was there in Washington, D.C. conducting interviews. At the time, he was successfully defending the County against claims challenging the County's policy of setting aside certain County construction contracts to be bid on by black contractors to try to remedy past discrimination. I was so excited, especially, because these issues were such a topic of discussion at my school and the lawyer who was handling those issues for the County was actually interviewing me! Fortunately, I was successful in the interview and was offered a position as an attorney in the County Attorney's Office. Trust me, I never looked back because the issues kept coming and the

challenges facing local government officials continued to increase and the County Attorney's Office is a critical part of helping the elected and appointed officials meet those challenges.

Let's talk a little about mentorship. Is there a person who you would say was a formative mentor to you?
Oh yes, for sure, Dianne Saulney (Smith) Gaines, who was the first black woman attorney at the County Attorney's Office, was a great mentor to me, as the second black woman attorney in the County Attorney's Office. I think a great mentor is one like Dianne who is a visionary, who is encouraging, always supportive, and who pushes you. She actually was the first black chair of the Southern District's Federal Judicial Nominating Commission, and I think maybe the only black chair, and she was appointed by Senator Bob Graham to do that work.

What has been one of your most difficult moments in your career?

Well, I think over the course of 35 years, I have made mistakes along the way - a wrong call or a situation where my words didn't come together in the best way. In our line of work, we get the added benefit of having any misstep televised for open critique! You know, being somewhat of a perfectionist, it's difficult for me to handle mistakes and fixating on them really sets me back. It's easier for me to handle situations when I've done everything right because I don't have to talk about it and all is well and things are seamless. So, I try to focus on the overall success of my career and certainly to learn from every situation - whether it was perfect or not so much.

Let's talk a little about leadership, Justice Sotomayor and other prominent women have admitted to struggling with "imposter syndrome," the feeling of

not being good enough despite careers achievements or expertise. This is a little bit of what we've been talking about. Have you ever experienced that and how did you address it?

Guilty! I think a lot of women—and some men—feel that they have to know the most, train the most, practice the most, and be the most, in order to be successful. Many times, if we honestly assess ourselves and our talents and listen to objective mentors and well-meaning colleagues, we women will come to the conclusion that we really already have all it takes to step out there! This has been a challenge for me, but I have taken the leap of faith and had confidence that I could be a leader, even though sometimes I've had to work hard to convince myself of that. It may not be easy, but it is necessary for women lawyers to defeat this negative thought process.

No one likes to appear vulnerable, but we all experience self-doubt and question our work and ability at one time or another, especially when we make mistakes as inevitably we will. What have you learned over the years that you might share with young lawyers as they experience these feelings in those key moments?

I think that if you just talk to people, the people who have more experience than you, as well as your peers, you will find out that everybody makes mistakes and the mistakes you made are no different than the mistakes that others have made. They survived them, and you will, too. "This too shall pass." It may seem like some of these things are insurmountable and it's the end of your career. But it is the arch of your career, your body of work, that will sustain you in those occasions when things aren't as perfect as one had designed them to be.

Knowing what you know now, what would you like to say to your "younger self"?
Everything will be okay.

You have shown yourself to be a leader in the profession both in your day job and also in your extracurricular involvement with bar associations, civic organizations, and charities. How did you come to be involved with those things, and what advice will you offer anyone who is interested in service that doesn't feel that he or she knows where to start in getting involved?

There was a small group of women who felt that there was a voice that was not represented in the bar associations that were prevalent in the day, and we felt that there needed to be an avenue for black women lawyers and other like-minded lawyers to support and encourage each other and to have a voice in the issues of the day. So, that is how we came to be the founders of the Gwen S. Cherry Black Women Lawyers Association, which had a different name at the time. That organization has become widely successful and is a source of pride for many of us. If I were a new lawyer, just grab a friend and go to some of the events until you find the right fit for yourself.

Tell us about how you came to serve on Judicial Nominating Commissions in Florida, how that came to interest you, and what the experience was like.

That was an outgrowth of my work as a former president of the Gwen S. Cherry Black Women Lawyers Association, I went from that to being in the Florida Supreme Court Racial and Ethnic Bias Study Commission. The Study Commission traveled around the state to hear testimony and report back to the Court on these issues. A part of the focus was on the judiciary and ways to improve minorities' access to the judiciary. It makes sense that having diverse Judicial Nominating Commissions (JNCs) could lead to a more diverse bench. So, as an outgrowth of that work and other factors, there was a push to diversify JNCs. After a while, I was appointed to serve on the 11th Judicial Circuit JNC, the 3rd District Court of Appeal

JNC, and the Southern District Federal JNC. It was a great honor to serve on each of those JNCs and to contribute in that way.

In addition to being a brilliant lawyer, very civically involved, you also have had, from what I can tell, a very meaningful, rewarding home life, and I think that's something that, although men feel it too, women particularly have had to deal with how to balance the home life and the work life, and I just want to know how you achieved that?

Thank you for saying that! I certainly don't feel like I have had it all. But I have given it my best shot. I think it's important to have family that surrounds you and because my husband was in the National Guard, sometimes that meant extended family helping with the kids while I was working and so forth. You just have to do the best you can on a daily basis, forgive yourself, and go onto the next day and continue to do the best you can. And for me, one of the best, most helpful things is that I worked in a great office that was very supportive of families and working women.

In closing, what's one piece of advice you would give to new or young women attorneys starting now?

Recognize your purpose and your talents, then just go for it! And if you have the opportunity to serve the public or the legal community in some way, take it! You won't regret it!

–Eddie Kirtley

Upcoming Events



Powerful Witness Preparation—On **April 3rd** in Fort Lauderdale and **April 4th** in Miami, please join the Florida Bar Federal Court Practice Committee and the Broward County and South Florida Chapters of the FBA as we present *Powerful Witness Preparation*. Effective witness preparation dramatically improves the way that facts are delivered to a judge or jury, and few in the country are as adept at teaching lawyers to prep witnesses than nationally respected speaker and writer **Dan Small**, a partner at Holland & Knight, former federal

prosecutor and author of the best-selling *Preparing Witnesses: A Practical Guide for Lawyers and Their Clients*, published by the American Bar Association (4th edition, 2014).

Mr. Small's fast-paced seminar will teach you the key gaps between witnesses and counsel, the most common mistakes witnesses (and lawyers) make, as well as practical, real-world techniques for avoiding them. You'll get general techniques plus specific guidance for different witness scenarios and the "Ten Rules" for being an effective witness. For CLE information and to reserve your spot, please visit <https://fba-sdfla.org/event/powerful-witness-preparation/>.

South Florida Chapter Receives Diversity Grant

The Diversity, Equality, and Inclusion Committee of the South Florida Chapter of the Federal Bar Association received a Diversity Grant for its proposed “Black Precinct Courthouse and Museum Program and Subsidized Dues for Affinity Bar Association Members.” The chapter will offer a guided tour with a catered reception on a date to be determined at the historical Black Precinct Courthouse and Museum in Miami, and will also work to increase diversity, equality, and inclusiveness among its membership by offering introductory/limited-time subsidized FBA membership dues for members of affinity bar associations.

Visit <https://fba-sdfla.org> for upcoming events
and becoming a member!

*If you are not already a member, join the FBA's South Florida Chapter
today!*

*Members have access to a wide array of events involving
the judiciary, notable speakers, and lawyers in our community.*