

BLACK HISTORY MONTH CELEBRATION

11TH JUDICIAL CIRCUIT COURT

DADE COUNTY COURTHOUSE

FEBRUARY 18, 2020

A STORY OF TRAILBLAZING COURAGE

DR. MARTIN LUTHER KING, JR. TAUGHT US THAT “HUMAN PROGRESS IS NEITHER AUTOMATIC NOR INEVITABLE...EVERY STEP TOWARD THE GOALS OF JUSTICE REQUIRED SACRIFICE, SUFFERING, AND STRUGGLE; THE TIRELESS EXERTIONS AND PASSIONATE CONCERN OF DEDICATED INDIVIDUALS.”

TODAY, WE HONOR AND CELEBRATE THE LEGACY OF ONE SUCH DEDICATED INDIVIDUAL WHO SACRIFICED AND STRUGGLED TO SECURE FOR HIS PEOPLE THE RICHES OF FREEDOM AND THE SECURITY OF JUSTICE.

**GOOD AFTERNOON! TO JUDGE
_____ AND ALL OR THE
DISTINGUISHED JUDGES HERE ASSEMBLED,
TO MY COLLEAGUES AT THE BAR, TO THE
FAMILY AND FRIENDS OF THIS
TRAILBLAZING JUDGE, IT IS A PLUM,
PLEASING PLEASURE FOR ME TO
PARTICIPATE IN THIS CEREMONY THAT
CELEBRATES THE COURAGE,
CONTRIBUTIONS AND COMMITMENT OF
THE LATE GREAT JUDGE JOHN D.
JOHNSON.**

**THE FIRST BLACK JUDGE IN THE SOUTH
AFTER RECONSTRUCTION WAS JAMES
DEAN. HE WAS ELECTED TO THE COUNTY
COURT BENCH IN KEY WEST IN 1888. NINE
MONTHS INTO HIS TERM HE WAS FALSELY
ACCUSED OF THE CRIME OF ISSUING A
MARRIAGE LICENSE TO A WHITE MAN
AND A BLACK CUBAN WOMAN. EVEN
THOUGH THE MAN SIGNED AN AFFIDAVIT
THAT HE WAS NOT WHITE, GOVERNOR**

FRANCIS FLEMING TOOK AWAY HIS JUDGESHIP. THIS BRINGS TO MIND DR. KING’S OBSERVATION THAT ‘NOTHING IN THE WORLD IS MORE DANGEROUS THAN SINCERE STUPIDITY AND CONSCIENTIOUS IGNORANCE’.

IT TOOK 61 YEARS BEFORE THE NEXT BLACK PERSON SERVED AS A JUDGE IN FLORIDA OR ANY STATE IN THE SOUTH FOR THAT MATTER.

IN 1950 A MASTER PLAN WAS CONCOCTED TO PREVENT BLACK LAWYERS FROM BECOMING STATE COURT JUDGES IN MIAMI. THE RESULT OF THIS MASTER PLAN WAS THE CREATION OF THE CITY OF MIAMI’S MUNICIPAL COURT IN OVERTOWN – WHICH WAS KNOWN ACROSS AMERICA AS THE “COLORED COURT” – A COURT WITH A BLACK JUDGE, BLACK CLERK, BLACK COURT REPORTER,

BLACK BAILIFF, BLACK POLICE PATROLMEN AND BLACK DEFENDANTS.

(TO BE FAIR, WHEN THE COURT DOCKET SOMETIMES GOT BACKLOGGED A FEW BRAVE JEWISH JUDGES VOUNTEERED TO HELP).

BY ACCEPTING THIS SEPARATE COURT, BLACK PEOPLE IN MIAMI KNEW FOR CERTAIN THIS WOULD BE A COURT THAT WOULD BE FREE OF RAMPANT RACISM – WHERE BLACK PEOPLE WOULD GET RESPECT, FAIRNESS AND JUSTICE.

WITH AN ALL-BLACK STAFF, THIS WAS A COURT THAT COULD PROVIDE DECENT, GOOD PAYING JOBS, AND HELP GAIN VALUABLE WORK EXPERIENCE.

AND MOST IMPORTANTLY, THIS WAS AN OPPORTUNITY TO SHOW THE WORLD THAT BLACK JUDGES HAD THE WISDOM, INTELLECT, DEMEANOR, AND MANAGEMENT SKILLS TO SERVE

COMPETENTLY AND HONORABLY AS JUDGES.

THE “COLORED COURT’ EXISTED FOR A DECADE AND JUDGE JOHN D. JOHNSON WAS THE SECOND JUDGE OF THIS COURT – SERVING FROM 1955 TO 1960 AFTER THE RETIREMENT OF JUDGE LAWSON EDWARD THOMAS FOR WHOM OUR FAMILY COURT IS NAMED.

JUDGE JOHNSON POSSESSED A KEEN INTELECT, GRADUATING FIRST IN HIS CLASS AT TRADITION RICH HOWARD UNIVERSITY LAW SCHOOL. HE HAD AN EVEN HAND, LEVEL HEAD AND A COMPASSIONATE HEART. AND HE HAD ONE OTHER DISTINCT ATTRIBUTE THAT I CAN PERSONALLY ATTEST TO – HE HAD “TOTAL RECALL’

“Until the lions have their own historians,

the tales of the hunt will always glorify the hunter.”

to help).

Even Mississippi and Alabama never had a “**Colored Court.**”

I was blessed to know Judge Johnson and spend quality time with him before and after he retired. I was honored to spend several hours with him alone on his 98th birthday, as regaled me with stories about his civil rights work with Thurgood Marshall, his legal strategies to desegregate Crandon Park Beach and the Miami Springs Golf Course,

and stories of cases that he presided over in the “Colored Court”.

Today, we are honored with the presence of his niece *Dr. Dorothy Jenkins Fields* who is a community treasure in her own right, and other members of Judge Johnson’s family. Dr. Fields single-handedly – and without pay – collected, preserved and showcased the history of Black Miami. (Please give Dr. Fields a round of applause).

And this Museum and this community are fortunate to have a dynamic and passionate Executive Director to lead the Museum to the next level – *Terrance Cribbs-Lorrant*.

And all of you know how fortunate our community is to have two precious jewels in our midst:

My soul brother *John Wesley Kozyak*;

And his wife and life partner – *Barbara Silverman*.

So on this day when we celebrate the courageous struggle of Judge John D. Johnson, let us pause to appreciate the distance we have travelled, **TOGETHER.**

Let us walk out of the pain of yesterday into the promise of tomorrow, **TOGETHER.**

Let us take inventory of the meaningful changes we have made in our legal system, **TOGETHER**.

For a people ignorant of its history is doomed to repeat the mistakes of its past.

Dr. Martin Luther King, Jr. taught us that “the arc of the moral universe is long, but it bends toward justice”.

So with leadership of the dynamic and generous law firm of Hunton Andrews Kurtz, in partnership with the Kozyak Minority Mentoring Foundation, today and **TOGETHER** we bend the arc of the moral universe belatedly, but rightfully to **CELEBRATE** the contributions, courage and legacy one

of bright and mighty star that blazed through Miami's legal firmament – Judge John D. Johnson. Again Dr. King teaches that “*anytime is the right time to do what is right*”.

As I close my remarks, let it be known, that our story is still being written – with a promise of a new chapter, a new beginning, and a new era of responsibility. Our work is not done. It has only just begun.

THANK YOU all for coming out today to celebrate the unveiling of the bust of Judge John D. Johnson. Black History ROCKS! LIFE IS GOOD!

H.T. Smith, Esq.

