



FEDERAL BAR ASSOCIATION

SOUTH FLORIDA CHAPTER

Susan Bozorgi

As the founding partner of a boutique white collar and SEC enforcement defense firm, Susan Bozorgi is known as a force to be reckoned with. In addition to her legal successes, Susan is a trailblazer for women, particularly women in the private sector of criminal defense. She is currently the Global Vice Chair of the Women's White Collar Defense Association (WWCDA) and launched <https://womencriminaldefenseattorneys.com>, a blog highlighting the accomplishments of women in criminal defense. In addition to her legal and business achievements, she acts as a mentor to many.



those investigated or charged by the SEC with regulatory violations.

Do you have a motto that you live by?

My professional motto is to never give up. My law partner has coined the phrase that with our clients she is like a mother bird sitting on eggs – always protective. These sayings demonstrate the intense dedication to defending our clients that we bring to each case we do. We believe that criminal defense is a calling, not a profession.

Tell us about your practice.

We are three female criminal defense attorneys, and we work on all of our cases together. We are a fierce and dynamic team. We focus on representing individuals under investigation, charged with criminal offenses, and

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How did you come to view yourself as having a voice in advancing goals of diversity and inclusion in the professional setting?

In 2012, I became more cognizant of the fact that women in the criminal defense field weren't being highlighted in the media nearly as often as men. This could be attributed to the fact that there are simply more men in the field, but the women weren't even being represented proportionally to their numbers. I felt this had a lot to do with the fact that women struggle to put themselves in the spotlight and seize opportunities to market themselves. So, I decided I wanted to do something about that. I started a blog called *Women Criminal Defense Attorneys*, which is focused on interviewing women in the field, connecting women, constructing a written history for women criminal defense attorneys, and highlighting cases where women are successfully defending accused persons.

At the time I started the blog, I wondered if it was a good idea. I was concerned that I might alienate my male colleagues, but I remember thinking, "Who am I kidding? Do I honestly think my colleagues don't know I am a woman?" What I have learned from the blog is that women in the field are hungry to know each other and tell their stories. When I started the blog, I would spend hours looking for cases in the media where women were involved in the defense of individuals or corporations. I was so frustrated when hours of research wouldn't produce anything. But it also further supported my belief that women in the field needed and still need female-focused efforts.

You started your career as a public defender. How did you end up at the Miami-Dade Public Defender's Office?

In college in Washington, D.C., I had two internships: one with an oil and gas consulting firm (because my Texas roommate had a connection with someone at the firm); the other internship was at the Public Defender Services (PDS). Needless to say, I preferred the latter. I was assigned to the PDS juvenile division and was immediately hooked. The experience changed me forever. I vividly remember calling a mother of one of the young juvenile clients to discuss ways to help her son, and she said to me, "If you like him so much then why don't you take him?" It really shocked me to realize this young kid had nobody in life. That was the moment I knew I wanted to be a public defender.

I went to law school with the mission to become a public defender, and the minute I arrived in Miami, I knocked on the public defender's door and asked to intern. During law school I was awarded a public interest law grant to continue working at the Miami-Dade Public Defender's Office throughout law school. After my first semester, I switched to the law school's night program so I could be in court every day for the morning calendar. At the time I thought arraigning clients was the most exciting thing I had ever done. All I wanted to do was be in court all day.

I was such a constant presence at the office that sometime during my third year they took pity on me and offered me a nominal stipend. So, obviously, after graduating law school, working at the Miami-Dade Public

Defender's Office was the only job I wanted and the only job that I applied for. I was scared to death during my hiring conference because I didn't know what I was going to do if I bombed the interview.

As a woman who has blazed the trail for other women and minorities in this profession, do you feel pressure to do more than you've already done?

I believe women have a responsibility to help other women. I think this is particularly important in the criminal defense field. There is a disconnect between opportunities for women in government versus women in private practice. In government offices, both federal and state, there are a higher number of women lawyers and more leadership opportunities for women. But when women leave for private practice the opportunities often severely decrease. The percentage of women making partner in big law is not representative of the number of women lawyers. Also, the percentage of women as lead counsel defending accused clients, especially corporate clients, is not representative of the number of women in the field. These disparities motivate me to mentor women entering private practice.

When I left the public defender's office in 2000 and started my own firm, there were very few women criminal defense attorneys in private practice in Miami. I didn't feel like I had a woman to turn to for mentorship or help. The few women that were in private practice didn't feel accessible to me at the time. In fairness, that may have been an inaccurate perception on my end, but I also think that women who had a seat at the table at that time were less likely to disturb

the status quo. Thankfully, I had great male mentors who supported me and invested in my development. I wouldn't trade those experiences for anything, but it would have been meaningful to have had a female mentor. I think this is why I make such a conscious effort to mentor and support women in the field. It is my way of filling the void that I personally experienced.

What role has being a woman and/or minority played in your career path?

There are aspects of being a female litigator that allow you a unique voice in the courtroom, and I have enjoyed successes in the courtroom because of that. But I have also found that in the last couple years, when there has been more focus on women in business and law, that there are more business opportunities connected to my gender. In private practice, legal work originates from someone's book of business. As women gain positions of power in the boardroom and in corporations, women attorneys will gain access to work from the women in those corporate positions of power. It has been reported that approximately 26% of general counsel are women. Recently 170 general counsel penned an open letter to big law firms demanding more diversity on their legal teams. The fact that this letter even had to be written shows that the playing field for women must still be leveled. That said, there has been real improvement since I started practicing 25 years ago.

When I started the blog, it opened doors for me to meet other women involved in women-focused groups. I became involved in the WWCDA and am currently the Global Vice-Chair. This is a group of

women from all over the world who focus on supporting each other in business. WWCDCA has approximately 1,600 members. Being a part of that association has changed my practice for the better. I have met and developed relationships with some amazing women, many of whom I have had the privilege of working with. In this respect, being a woman has enhanced my career because business development opportunities for women have increased and changed dramatically since I first entered private practice. I also work closely with plenty of men in the field. They choose to work with me because they know the level of my work product and what I can bring to a team. I have never understood why any man in the field would take issue with female-focused business development groups because my success only bolsters my colleagues, both men and women.

Since opening your practice, have you had moments where you thought, despite your experience and expertise, you didn't deserve a piece of business?

I felt this more when I was younger, but not anymore. I think that sometimes men are more willing to jump into work and trust their ability to handle it than women. Women too often pass up opportunities to gain experience because of self-doubt. This is a mistake. One way to correct this is to remind yourself of every man you know who would take the case or opportunity without hesitation. This doesn't mean you take on work that you don't have the expertise to handle. What I am referring to is the idea that one has to be perfect or overqualified before agreeing to take an opportunity or leadership role. When I was trying cases

with both men and women at the public defender's office, there was a distinct difference between how men and women perceived their abilities. I had many male trial partners who would sit back down at counsel table after a cross examination and either brag about having destroyed the witness, or at the very least, express satisfaction with their performance. Far too often my female trial partners, including myself, would finish a cross examination and immediately start criticizing and beating themselves up. This always bothered me, in particular when my female trial partners did a far better job than their male counterparts.

How do you combat those moments?

Be willing to ask for help and team up with people from whom you can learn. When I first started handling security enforcement work, I teamed up with a brilliant lawyer who guided and helped me. If I hadn't been willing to seek out help, I would have lost an opportunity to gain confidence in, and build expertise in, another subspecialty that I love. You have to be willing to confront all the work that comes your way with an attitude that you are the best person for the job and seize the opportunities that come before you.

Also, learn to promote your work and successes. Somewhere along the line women are taught that "brag" is a four-letter word and if you promote yourself you are bragging. This is a misconception. Sharing your successes is how you advance yourself in business. This is how colleagues gain confidence in you. Another lawyer can tell that you know what you are doing through the

stories that you share. Promote yourself every chance you get.

What's one piece of advice you'd give to new or young attorneys?

I have two important pieces of advice.

First, be authentic. Don't try to be what you think a successful attorney looks like. Be yourself. That is by far the most attractive quality in a professional. You will build strong business relationships by simply being open and genuine. This is even more important when you are representing a client. For example, I have always expressed emotion in my work, and I refuse to be embarrassed or ashamed about that. I am not going to hide that I care about my clients or

that there is real emotion behind the gravity of the decisions affecting them. I believe that if a jury or judge accepts the responsibility to determine the fate of a client, as counsel we must be willing to show them the real life feeling and emotion relating to these decisions. I truly believe that my willingness to be real and authentic in my work has substantially served my clients.

Second, don't hold yourself back from asking for what you need and want. I have found this is particularly challenging for women. Finding the courage to make the "ask" is the single most important skill you can learn. Ask to join a trial team, ask for experience, ask for a raise, and specifically ask for the business that you want.

— Sowmya Bharathi

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

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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/>.

Justice R. Fred Lewis Retirement Celebration – The legal community from all over the state will come together on April 18, 2019, in Coral Gables, Florida, to celebrate the distinguished career of Justice R. Fred Lewis after his recent retirement from the Florida Supreme Court.

The doors will open at 5:30 PM for hors d'oeuvres and cocktails, with dinner served at 7:00 PM, followed by brief light-hearted comments and insightful observations regarding Justice Lewis's contributions to the bench and bar of the State of Florida by some of his notable colleagues from over the years. For more information, please visit <https://fba-sdfla.org/event/justice-fred-r-lewis-retirement-celebration/>.



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

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the judiciary, notable speakers, and lawyers in our community.*