

## Plaintiffs Bar Perspective: Kluger Kaplan's Bruce Katzen

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Bruce A. Katzen is chairman of the trust and estate's litigation practice group at Kluger Kaplan Silverman Katzen & Levine PL in Miami. He focuses his practice on litigation of probate, trust and guardianship disputes as well as commercial litigation, including corporate matters, securities, accountants' liability and stockbroker liability and Financial Industry Regulatory Authority arbitrations. He has become particularly recognized for his work in the areas of financial fraud, franchise disputes, probate, trust and guardianship disputes, company purchase and sale disputes, and life insurance coverage disputes.



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Katzen's early training as a certified public accountant piqued his interest in the complex financial fraud and probate cases that he handles for his clients. Given the technical financial issues in most of his cases, his background enables him to more thoroughly understand the issues, more precisely examine witnesses and experts, and more zealously advance his client's position.

### **Q: What's the most rewarding aspect of working as a plaintiffs attorney?**

A: The most rewarding aspect of working as a plaintiffs attorney is assisting individuals who have been injured or harmed in some fashion. In my practice, I frequently have clients come to me facing emotional and financial hardship and are in need as a result of them being wronged. It is rewarding to work with them to right this wrong and recover damages on their behalf.

### **Q: What skill do you feel is most important for achieving success as a plaintiffs attorney?**

A: To be a successful plaintiffs attorney you must be self-motivated. Your job is to keep pushing the case forward despite every attempt from the defense to block it at every turn. The very best plaintiffs attorneys never take their eye off the end goal and remain persistent in pursuing paths to achieve this goal. There are many instances during the timeline of a case where it can fall apart and being self-motivated allows an attorney to get past these instance and move the case forward on behalf of the client.

### **Q: When it comes to trial strategy, what's the biggest difference between representing a plaintiff and representing a defendant?**

A: When representing a plaintiff you have to make sure they are seen in a sympathetic light. To obtain a good result, a plaintiffs attorney must often convince a jury that their client and case is a worthwhile cause. On the other hand, defense attorneys can often argue that their client "isn't a saint," but the law is on their side and the blemishes may be overlooked. As a result, one of the key strategies as a plaintiffs lawyer is to make sure the jury sees your client as being as honest and

sympathetic as possible.

**Q: What advice would you offer to young lawyers interested in practicing as a plaintiffs attorney?**

A: For young lawyers looking to become plaintiffs attorneys my advice is to research who some of the top trial lawyers are in their region and go watch them try a case. There is no better time for a young lawyer to do this than when they are in law school or just starting out. A young lawyer can learn a lot by observing a skilled litigator. They should watch for the attorney's tendencies in how they are prepared, how they work with their co-counsel, how they question witnesses, and how they interact with the judges and jury. By observing veteran attorneys a young lawyer can gain invaluable experience to help prepare them for when they begin trying cases.

**Q: What's one trend currently impacting your practice?**

A: One trend that is currently making an impact is that it is becoming more expensive to litigate a case. Defenses are becoming increasingly more complicated and sophisticated and as a result the associated costs of litigation are increasing. The increase in sophisticated defenses means that there is more of an onus on plaintiffs attorneys to bring in additional outside resources like expert witnesses to prove their case. The increase in the number of defenses a plaintiff will face during a case means cases are taking longer to be resolved, and further increasing the cost to litigate.