

'Our Lawyers Were Not in the Courtroom': How John Uustal Is Making It Work

by **Jasmine Floyd**

John Uustal is a founding partner of the Kelley | Uustal law firm in Fort Lauderdale. As of now he is leading a team of 14 trial lawyers.

Uustal said, "There are so many catastrophically injured people who can't find lawyers to represent them, because so much corporate wrongdoing is so well-hidden. These cases appear at first like they can't be won, and too many lawyers turn them down, which is not only a victory for the bad guys, it also means that the justice system has failed these families that can't afford to lose. I am proud to represent all my clients, and particularly the ones that were turned down by so many other lawyers."

The outcome of his success has led to safer fuel tanks, safer seat belts, safer medical care and safer equipment for firefighters.

That success has earned him some powerful enemies.

According to [his online bio](#), a car company promised to bankrupt Uustal. He butted heads with

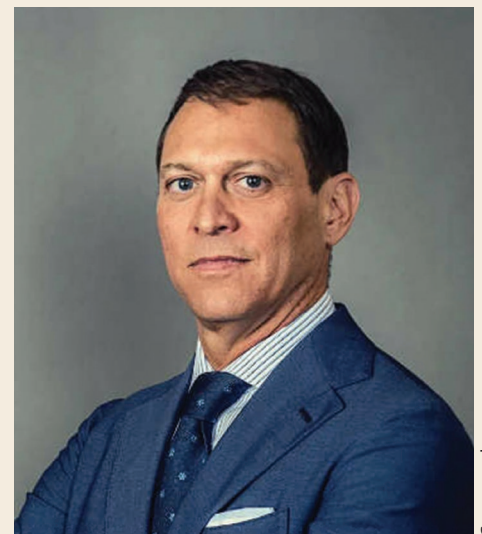
Big Tobacco and car manufacturers over keyless ignition defects, and he was threatened in Argentina after antagonizing government officials over a war involving that country.

He was named Product Liability Lawyer of the Year by America's Best Lawyers, awarded the Most Effective Lawyer for Product Liability by the Daily Business Review, and has been interviewed and chronicled by national newspapers and television news programs.

What's the biggest litigation trend?

Courts around the country are trying to innovate ways of trying cases because of COVID-19. There are some exciting things happening that I think might outlast COVID-19 and become permanent—a permanent change in how cases are tried. Some of it involves technology, but I'm not talking about remote trials. Some of the customs and rules for trials have become more flexible, and that opens up new opportunities.

Does this keep you up at night?



Courtesy photo

John Uustal of Kelley Uustal in Fort Lauderdale.

Of course. Both sides have to present their case in the most powerful way possible in order for the jury to give a just verdict. If big corporations have innovated more powerful ways to present their case—and they have so much power and wealth that it's already hard for real people to get a fair hearing—then our clients can't get justice. We have to find a way to keep up.

How have the court closures affected your practice?

Yes, COVID-19 has massively affected our firm. We've lost all

our trial dates, and we're a trial law firm, so it was a major shift in our practice. Our lawyers were not in the courtroom trying cases, and it affects the practice in other ways because big cases that are really serious and important don't tend to settle until you get close to trial, so yes it has affected what we do every day, and it has affected our clients even more.

What is the most important thing for you and perhaps other lawyers to focus on at this point in the pandemic?

Creative thinking and being agile is something that law firms always say, but it's hard to do for lawyers. It's easy to understand why that's valuable and important, but hard to implement. You have to give authority to people throughout the firm, otherwise your decision-making is too slow in a rapidly changing environment. So one of the best things we've done is push down the level of decision-making authority, so that everyone in the organization has greater authority to make decisions. I can say it has allowed us to move more quickly and change directions. Of course you have to have great people, and then trust them.

What opportunities do you see as the country opens back up?

A lot of the traditional barriers to expanding in the law have been reduced or disappeared. We like to have lawyers who live in Palm Beach, Fort Lauderdale, Miami. We want to be able to cover multiple hearings in all

three counties at all times, and plus we have cases all around the country. So we have to have strict limits on the amount of cases we handle. We have cases in Portland right now that's taking two to three days out of the office for one hearing. I think about how this is going to change if a lot of hearings are handled remotely. You can increase your cases in one practice area in different geographic locations. You don't need to have a lawyer living near the courthouse or the office, because it allows more freedom for the lawyer to be more accessible from anywhere.

What distinguishes your firm from others? What makes you unique?

We move quickly. We change direction when we see threats or opportunities. Our firm is structured like a trial team, so it allows for decentralized decision-making. We have a room now where it's a hybrid experience: It really does feel like the remote people are in the room. It's not at all like a Zoom experience. We did this for our own firm, but it also opened the opportunity to meet with other lawyers around the country or co-counsel in other states in the same way, and so it shows how moving quickly can solve one problem and open up opportunities.

Can you cite tactics that exemplify your firm's approach to success?

We take on cases that are rejected by other firms. We are a con-

tingency plaintiffs firm. We mostly represent injured people. Clients who are looking for contingency lawyers sometimes have a very hard time finding a lawyer. The most important cases against the most powerful corporations are a big financial risk to the firm taking the case. When someone is in need, we will put a lot of time and money investigating a case to piece together what happened, and you'd be amazed how many times these cases were rejected by other law firms. These are desperate clients; finding a lawyer is a life-or-death matter for them. We've had multiple cases in the past few years that ended up resolving over \$20 million. These were all corporate cover-ups, so it was hard to find the truth. Once we did, the companies settled. These were cases that were turned down by many other firms.

What advice could give an upcoming attorney who wants to build a legacy or firm like yours?

If you have a good heart people who really need you will come to you and then you will have a good life and a good career. I can't promise great wealth, but you will be able to have a good life. You can make a good living. If you stay focused on justice, if you are kind and help others, people will come to you, and you can feel good about helping them. And I believe that is a lot more satisfying than helping big powerful corporations screw everybody else.