

Fiduciary Duty Claims in Bankruptcy: Mitigating The Risks

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Carlton Fields Shareholder Donald R. Kirk and Of Counsel Joseph W. Swanson authored the *Law360* article, “Fiduciary Duty Claims in Bankruptcy: Mitigating the Risks.” The article discusses ways in which directors and officers could respond to lawsuits emanating from a business failure, in particular, a breach of fiduciary duty or similar claim. Kirk and Swanson offer four tips for how to mitigate fiduciary duty claims in bankruptcy proceedings: fulfill the duty of oversight, obtain sufficient insurance coverage, respond vigorously but efficiently to any claim, and consider presuit mediation. [READ the article.](#) (Subscription required to access full article.)

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