



IT'S ALL ABOUT ATTITUDE ...

by Jeffrey M. Liggio

I am not a Florida native. I was on active duty in the Navy, and I was transferred to Miami for shore duty, and while on shore duty I attended law school at night. I didn't know anybody here in Florida — let alone any lawyers.

Because the Navy was going to transfer me back to sea duty before I completed law school, I left active duty, joined the Reserves, and went to work as a full-time law clerk: first for an old insurance defense firm, and then for a small three-lawyer plaintiffs' personal injury firm in Miami.

That law firm's appellate counsel was a man named Ed Perse. Ed took me under his wing and became my mentor. He was also the mentor of some of the finest lawyers and human beings I've ever met, including former Florida Supreme Court Justice Fred Lewis, as well as my dear friend David Halberg, who I first met through the Academy.

It was Ed Perse who insisted I learn insurance law, because there were very few plaintiffs' lawyers back then who specialized in insurance law. While I was still a law clerk, before I joined the Bar, Ed guided me to join what was then the Academy of Florida Trial Lawyers, and what was then the Association of Trial Lawyers of America ("ATLA").

Ed Perse urged me to read the *Journal* every month, and to attend as many of the Academy's seminars and social events as I could. I was a sponge for learning the law, and how to become a true professional trial lawyer back then. I wanted to absorb everything I could about the law, and what it would take to be a top-notch trial lawyer. I read the *Journal*, cover-to-cover, and regularly attended seminars, took copious notes, and built relationships with so many lawyers I admired.

I have been blessed to have been a member of the FJA[®] now for 44 years and counting.

I vividly recall, in the evening after an Academy event at one of the Orlando-area hotels, sitting around a large round table with some of those great human beings — all then and now long-term FJA stalwarts — and their respective significant others.

The conversation turned to what motivated each of us as trial lawyers. No one talked about money. No one talked about big verdicts or settlements.

Instead, we all talked about our clients. We talked about innovative tactics and strategies to obtain justice for those who needed our help.

The *attitude* of each trial lawyer around that table, was that each measured themselves not by how much money they made, but instead by what they accomplished for folks who came

to them with nowhere else to turn — by standing up to and defeating defendants and defense lawyers who consistently outnumbered and out-financed us.

I was proud then, and I remain very proud now, that I could be a member of that group of human beings. I have lifelong friends from the FJA, whose advice, friendship and support I treasure, who demonstrate that *attitude* in all that they do.

When I was in law school, I was taught an old adage about how much the true practice of law demanded devotion: "The Law is a Jealous Lover." And indeed it is, if you have the right *attitude*.

Trial lawyers are fiduciaries, not only to their clients but the civil justice system as well.

That responsibility demands **the right attitude**. An *attitude* of aggressive, zealous, and continuous learning of the law. It requires reading the law, understanding it, and adapting to changes in it. This ongoing duty is imperative to properly investigate every case, every client, every issue, every defense lawyer, every roadblock to justice — and when necessary, to try the case.

None of those things are difficult. Most of them you can accomplish sitting at your computer. It is also imperative to collaborate with other trial lawyers, and your involvement in the FJA provides that.

If you forgo those requirements, even if you perhaps delegate those responsibilities to others without staying right on top of it yourself, you have the *wrong attitude*.

AI is not going to do that for you. AI is a balm for mental laziness. And perhaps a road to failure for your client.

One other thing: **The right attitude** is to constantly question your own judgment and to discuss your cases and issues with fellow trial lawyers — your brethren in the FJA.

I can't count how many times over the past four decades and counting, I got wonderful insight from my FJA brethren about thorny cases and issues.

From the beginning of my career — through Ed Perse's guidance and the influence of Academy stalwarts, I was imbued with the *attitude* and intention that **when I someday finished practicing law, I would leave the law in at least as good a condition as I found it, and maybe better**.

All of this brings me to what I believe is the *wrong attitude*, one that has caused great harm to the civil justice system and to our clients, both present and future.



If your primary and first motivation is making money, that is the *wrong attitude*. *It is the wrong attitude for your clients, and the wrong attitude for you.*

This brings to mind the old Pogo cartoon refrain: “*We have met the enemy, and he is us.*”

Over the past 20 years or so, we’ve all witnessed the staggering growth of litigation, primarily in the PIP arena, and homeowner’s insurance claims, where lawyers do not represent the actual victims of an accident, or the homeowners who’ve had a casualty loss to their home and property.

Instead, those lawyers have made a high-volume practice out of representing the medical providers, or contractors, “as assignees of” (A/A/O) the patient/victim or homeowner. Of course, the assignees could seek and recover statutory attorney’s fees under Florida Statute § 627.428.

If you dispute the sheer volume of those types of claims, you haven’t been paying attention. I suggest you do your own Westlaw or LexisNexis query of “A/A/O,” and you will be shocked. I took a moment while writing this, and as of January 2026, there are more than 1,200 Florida state and federal A/A/O citations, in the last 26 years.

If the number of appellate decisions is that large, you can extrapolate how many more of those matters were and are in the circuit and county trial courts that never get to the appellate courts, and further how many of them are settled

When the volume of the A/A/O cases exploded, insurance rates were directly affected, and when homeowners’ insurers

were failing at an alarming rate, the Legislature, at the governor’s urging, acted.

The Legislature didn’t use a scalpel when they acted, they used a broad axe. Instead of simply amending § 627.428, the attorney’s fee statute that had been in the statutes for 100 years, to address the A/A/O problem (and I wrote suggested language to specifically address that issue), the Legislature repealed the statute in its entirety, affecting every type of insurance claim: health insurance, life insurance, disability insurance, and so on

I’m sure our brethren who turned the A/A/O practice into a volume practice all made a great deal of money. But I am equally certain that money was their first, and only, motivation. That *mercenary attitude* has hurt us all.

Today, someone fighting a life-threatening illness, faced with overwhelming medical bills or the denial of crucial life-saving care, may not be able to find or afford a lawyer while fighting for their life.

We have met the enemy and he is us indeed

To the younger lawyers, and those who aspire to become trial lawyers, I urge you to follow the advice Ed Perse gave to me, Justice Lewis, and others: Get involved and stay involved with the FJA. Learn from the FJA stalwarts who will always be generous with their time and advice for you.

If you take my advice, I guarantee that you’ll have a fulfilling career, you’ll help people who have nowhere else to turn, and you’ll leave the law, when you someday are near the twilight of your career, better than you found it, for the next generation.

It’s all about *attitude*. ■



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graduated from the University of Miami School of Law, cum laude, in 1982 and was admitted to the Florida Bar that same year. Prior to law school, he graduated from the U.S. Naval Academy with a Bachelor of Science degree in 1974. He is a decorated retired U.S. Air Force Major who served our country as an active naval aviator and an Air Force Reserve Command pilot for 25 years. When he retired from the Air Force Reserves, he was the helicopter flight commander in the 301st ARRS.

Mr. Liggio has been a Florida Board Certified Civil Trial Lawyer for almost 40 years, and Nationally Board Certified for more than 35 years.

His efforts and advocacy for his clients have led to numerous appellate decisions that have positively affected civil jurisprudence both within Florida as well as nationally.

Mr. Liggio concentrates his practice helping Florida families and individuals who have nowhere else to turn in a wide variety of complex insurance disputes including insurance bad faith, health insurance disputes, life insurance investment fraud, breaches of fiduciary duty, corporate abuse by mortgage lenders and servicers, and personal injuries.

He is a proud member and past president of the Florida Justice Association* née Academy of Florida Trial Lawyers™. He is a former governor of the American Association for Justice. Furthermore, he is also a member of the Palm Beach County Bar Association and the Palm Beach County Justice Association.