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TOP PROFESSIONAL RESPONSIBILITY LAWYERS



MARK B. WILSON
KLEIN & WILSON LLP®
NEWPORT BEACH

Mark B. Wilson is a seasoned attorney who has been practicing law since 1988. His interest in legal malpractice law began during his time at Loyola Law School, where he found the legal ethics course particularly engaging. This interest led him to try his first legal malpractice case in 1994, and he has been dedicated to this field ever since.

“Most lawyers take great care of clients,” Wilson said. “Some do not, and I enjoy working for clients who are injured by lawyers as part of the challenge is reinstating trust in the attorney-client relationship.”

One of Wilson’s notable cases involved representing a client who had to pay millions of dollars to settle a case due to their attorney’s discovery mistake, which resulted in an adverse finding. This case was particularly challenging because it required evaluating a complex underlying case with a vast number of relevant documents and addressing arguments that the client would have lost the case regardless of the attorney’s error, he said.

“The case settled in the seven figures after several settlement meetings with opposing counsel,” Wilson said. “I represented clients who signed a real estate transaction that had a mistake in it that caused them to suffer millions of dollars of damages. The lawyer blamed the clients, even though they did not draft the document, and the lawyer initially said the drafting error was not a big deal.”

Wilson also represented a client whose attorney mishandled several matters,

failing to warn the client about the risks of litigation and not encouraging them to accept a settlement offer that would have avoided the litigation. This malpractice case settled in the seven figures shortly after it was filed.

Wilson likens handling legal malpractice cases to putting a broken vase back together. He is often presented with an underlying transaction or lawsuit that has fallen apart and must determine why it broke and whether the lawyer was responsible. This process involves studying the underlying matter thoroughly to see if the lawyer fell below the standard of care and if there are damages associated with the lawyer’s mistakes.

“Then, the biggest obstacle is typically persuading defense counsel (and the defendant’s carrier) that there is significant risk they will lose the malpractice trial,” Wilson said. “Often, legal malpractice cases do not settle until after the defendant attorney is deposed. That is one of the most important settlement pivot points in legal malpractice cases. That is when defense counsel and the carrier are able to see what trial will look like.”

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