

# Daily Journal

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## TOP PROFESSIONAL RESPONSIBILITY

LAWYERS • 2025



**EDWARD O. LEAR**  
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**E**dward Lear is a seasoned attorney with 38 years of experience, inspired to practice law by the novel "To Kill a Mockingbird." The story's portrayal of the court system as a place where wrongs could be righted and the impact of talented, passionate and prepared lawyers like Atticus Finch drew him to trial work. This aspiration continues to drive him today, as he strives to make the world better by using the rule of law.

"In the State Bar defense context, that means advocating fiercely for my clients, many of whom have made mistakes,"

Lear said. "My clients are good people whose judgment was affected by legitimate mitigating factors. My job is to ensure that the prosecution and court are aware of those factors in assessing the appropriate discipline, if any."

While his matters are confidential, he emphasizes the importance of defense counsel being retained during the investigative stage, where he works with State Bar investigators to discern legitimate claims from those without merit. His role involves marshaling the facts and law to demonstrate that claims against his clients are meritless. When clients have engaged in misconduct, his goal is to educate them about their mistakes and implement protocols to prevent recurrence.

"The Bar values efforts by my clients to rehabilitate and assess mitigating credit (for preventive protocols) in its recommendation of discipline," Lear said. "My playbook has achieved terrific results over the years. If only walls could talk."

He has tried more than 300 cases in federal, superior and administrative courts, which benefits his clients as he understands the venues in which they work. However, he acknowledges that his clients often lack familiarity with the nuances of State Bar Court, similar to how he would face obstacles in the workers' comp arena.

"The system is different and the body of law is unique," Lear said.

Regarding trends within his specialty, Edward notes that the Tom Girardi prosecution has led the State Bar to scrutinize client trust accounts more closely than ever before. Trust accounting cases are now focused on mitigation, and there are more matters due to increased resources aimed at preventing a recurrence of the Girardi misconduct, Lear said.

Lear counsels clients on compliant trust accounting and sets up new protocols when mistakes occur. Additionally, he observes that the Bar has become kinder and gentler, utilizing diversion in lieu of discipline for minor offenses.

"I served as chair of the Ad Hoc Commission on Discipline (Effectiveness) and our goal was to recommend that the Legislature educate wayward attorneys (who had engaged in minor misconduct) rather than disciplining them such that a downward spiral in that attorney's career would ensue," Lear said. "My perception is that diversion is working insofar as giving respondents either a reeducation with respect to the Rules of Professional Conduct in a way that they may not have understood on the first go through. As a result of that, they are not spiraling downward after the initial discipline, which has been the trajectory of so many lawyers."