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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION			PUBLIC MATTER
Counsel For The State Bar AGUSTIN HERNANDEZ Deputy Trial Counsel 1149 South Hill Street Los Angeles, CA 90015-2299 (213) 765-1713 Bar # 161625	Case Number(s): 11-O-11527	For Court use only <div style="text-align: center;"> FILED AUG 11 2011 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>	
In Pro Per Respondent CHARLES DAVID TREJO 707 Wilshire Blvd., Ste. 3700 Los Angeles, CA 90017 (213) 628-0808 Bar # 187529	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED		
In the Matter of: CHARLES DAVID TREJO Bar # 187529 A Member of the State Bar of California (Respondent)			

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted January 28, 1997.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 15 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

(Effective January 1, 2011)



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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: 2012, 2013 and 2014. (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline** [see standard 1.2(f)]
- (a) State Bar Court case # of prior case 08-O-12444.
 - (b) Date prior discipline effective February 11, 2010.
 - (c) Rules of Professional Conduct/ State Bar Act violations: rule 3-110(A), Rules of Professional Conduct, and Business and Professions Code, sections 6068(m), 6103, and 6106.
 - (d) Degree of prior discipline two year stayed suspension, with two years of probation and 45 days of actual suspension.
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.

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- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) **Good Faith:** Respondent acted in good faith.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.

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- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

At the time of the misconduct herein, Respondent was suffering from severe financial stress as a result of the IRS and the FTB placing tax liens of approximately \$80,000 against him and his wife. This financial stress has also led to marital problems. These financial circumstances have also contributed to Respondent not being able to afford to pay restitution and for the MPRE, Ethics School, MCLE courses, and the Law Practice Management and Technology Section of the State Bar.

Respondent candidly acknowledges and admits his misconduct, and has cooperated with the State Bar by entering into this Stipulation Re Facts, Conclusions of Law and Disposition.

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of two (2) years.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:
- (b) The above-referenced suspension is stayed.

- (2) **Probation:**
- Respondent must be placed on probation for a period of two (2) years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

- (3) **Actual Suspension:**
- (a) Respondent must be actually suspended from the practice of law in the State of California for a period of sixty (60) days.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in the general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
 No Ethics School recommended. Reason: .
- (9) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) The following conditions are attached hereto and incorporated:

<input type="checkbox"/> Substance Abuse Conditions	<input checked="" type="checkbox"/> Law Office Management Conditions
<input type="checkbox"/> Medical Conditions	<input checked="" type="checkbox"/> Financial Conditions

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
- No MPRE recommended. Reason:
- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:**

Multistate Professional Responsibility Examination ("MPRE"):

Respondent is required to register to take the November 5, 2011 administration of the MPRE and must provide proof of passage of the MPRE to the Office of Probation within thirty (30) days of receiving the examination results from the National Conference of Bar Examiners. Failure to pass the November 5, 2011 administration of the MPRE will result in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.

Respondent acknowledges that a Supreme Court Order approving this stipulation may not become effective until a date after November 5, 2011, but agrees to take the November 5, 2011 MPRE in anticipation of the Supreme Court Order. The parties agree that successful passage of the November 5, 2011 MPRE will satisfy any MPRE requirements imposed by the Supreme Court in this matter (Case No. 11-O-11527), and in Case No. 08-O-12444.

Ethics School:

Respondent agrees to enroll and attend the August 4, 2011 session of Ethics School. Within thirty (30) days of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.

Respondent acknowledges that a Supreme Court Order approving this stipulation may not become effective until a date after August 4, 2011, but agrees to take the August 4, 2011 session of Ethics School in

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anticipation of the Supreme Court Order. The parties agree that successful passage of the August 4, 2011 session of Ethics School will satisfy any Ethics School requirements imposed by the Supreme Court in this matter (Case No. 11-O-11527), and in Case No. 08-O-12444.

Law Office Management Conditions:

Respondent is no longer required to be a member of the Law Practice Management and Technology Section of the State Bar of California.

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Attachment language (if any):

ATTACHMENT TO STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: CHARLES DAVID TREJO

CASE NUMBER: 11-O-11527

WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CONCLUSIONS OF LAW

The parties waive any variance between the Notice of Disciplinary Charges filed on April 5, 2011, and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 11-O-11527 (Probation Violation Matter):

FACTS:

1. On August 19, 2009, Respondent entered into a Stipulation Re Facts, Conclusions of Law, and Disposition with the State Bar of California in Case No. 08-O-12444.
2. On September 15, 2009, the Hearing Department filed the Stipulation re Facts, Conclusions of Law and Disposition and Order Approving Case No. 08-O-12444 ("stipulation"). On September 15, 2009, the State Bar Court served a copy of the stipulation on Respondent by mail. Respondent received a copy of the stipulation.
3. On January 12, 2010, the California Supreme Court filed Order No. S177762 (State Bar Court No. 08-O-12444) ordering that Respondent be suspended from the practice of law for two years, that execution of the suspension be stayed, and that Respondent be placed on probation for two years with several conditions, including that he be actually suspended for 45 days ("Order"). On January 12, 2010, the California Supreme Court Clerk properly served a copy of the Order on Respondent. Respondent received a copy of the Order.
4. The Order became effective February 11, 2010.
5. On January 26, 2010, the Office of Probation mailed a letter to Respondent informing him of his probation conditions. Respondent received the letter.

6. As a condition of probation, Respondent was required to pay restitution in the amount of \$2,000.00, plus interest of 10% per annum accruing from April 10, 2008, to Adrian Dugas and provide satisfactory proof of payment to the Office of Probation by February 11, 2011. To date, Respondent has failed to pay any portion of the required restitution to Adrian Dugas.

7. As a condition of probation, Respondent was required to pay restitution in the amount of \$540.00, plus interest of 10% per annum accruing from June 20, 2007, to Thomas A. Collins, Esq. and provide satisfactory proof of payment to the Office of Probation by February 11, 2011. To date, Respondent has failed to pay any portion of the required restitution to Thomas A. Collins, Esq.

8. As a condition of probation, Respondent was required to provide to the Office of Probation proof of passage of the Multistate Professional Responsibility Examination ("MPRE") by February 11, 2011. To date, Respondent has failed to take the MPRE and provide proof of passage to the Office of Probation.

9. As a condition of probation, Respondent was required to provide to the Office of Probation satisfactory proof of attendance of Ethics School, and the passage of the test given at the end of that session, by February 11, 2011. To date, Respondent has failed to attend Ethics School and provide proof of passage to the Office of Probation.

10. As a condition of probation, Respondent was required to develop a Law Office Management Plan and have it approved by the Office of Probation by May 12, 2010. On May 12, 2010, Respondent timely submitted a Law Office Management Plan to the Office of Probation. On May 13, 2010, the Office of Probation mailed a letter to Respondent informing him that his Law Office Management Plan had been rejected because he failed to include information regarding the documentation of telephone messages, file maintenance, attorney withdrawal, training of personnel, and subject areas or deficiencies that contributed to Respondent's misconduct. Respondent received the letter. On July 18, 2011, Respondent submitted an amended Law Office Management Plan to the Office of Probation as required.

11. As a condition of probation, Respondent was required to submit to the Office of Probation satisfactory evidence of completion of no less than six (6) hours of Minimum Continuing Legal Education (MCLE) approved courses in law office management, attorney client relations and/or general legal ethics by February 11, 2011. To date, Respondent has not completed any such MCLE courses and has not submitted to the Office of Probation satisfactory proof of completion of any such courses.

12. As a condition of probation, Respondent was required to join the Law Practice Management and Technology Section of the State Bar and pay the dues and costs of enrollment by March 13, 2010, and provide satisfactory evidence of membership to the Office of Probation in the first Quarterly Report of April 10, 2010. Respondent failed to timely enroll in the Law Practice Management and Technology Section, and did not provide proof of enrollment until July 28, 2010.

13. As a condition of probation, Respondent was required to submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 during the period of probation, stating under penalty of perjury his compliance with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. On July 18, 2011, Respondent submitted to the Office of Probation the written quarterly report that was due on October 10, 2010. Respondent did not

submit to the Office of Probation the written quarterly report that was due on January 10, 2011, until January 12, 2011.

CONCLUSIONS OF LAW:

14. By the foregoing, Respondent failed to comply with all conditions attached to any disciplinary probation, in willful violation of Business and Professions Code, section 6068(k).

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was July 18, 2011.

AUTHORITIES SUPPORTING DISCIPLINE.

Standards

Standard 1.3, Title IV, Standards for Attorney Sanctions for Professional Misconduct, provides that the primary purposes of the disciplinary system are: "the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession."

Standard 1.7(a) provides that if a member has a prior imposition of discipline, "the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding unless the prior discipline imposed was so remote in time to the current proceeding and the offense for which it was imposed was so minimal in severity that imposing greater discipline in the current proceeding would be manifestly unjust."

Standard 2.6(a) provides that Respondent's violation of Business and Professions Code, section 6068(k) shall result in suspension or disbarment "depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3."

Case Law

The Supreme Court has emphasized the importance of the standards and has held that great weight should be given to the application of the standards in determining the appropriate level of discipline. (In re Silverton (2005) 36 Cal. 4th 81.) The standards must be followed unless there is a compelling reason justifying a deviation from the standards. (In the Matter of Bouyer (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 404.) The Supreme Court has held that unless it has "grave doubts as to the propriety of the recommended discipline," it will uphold the application of the standards. In re Silverton, supra, 36 Cal. 4th at p. 91-92.

The Supreme Court imposed discipline consisting of a one-year stayed suspension with 60 days of actual suspension and one year of probation for violating the terms and conditions of a prior discipline. The respondent failed to take and pass the MPRE within the required time. Conroy actually defaulted in his

matter and made no showing of an inability to comply with his probationary condition. In aggravation, the Court considered that Conroy had one prior imposition of discipline, failed to participate in the disciplinary proceedings, and demonstrated a lack of understanding of the gravity of his misconduct. (Conroy v. State Bar (1990) 51 Cal.3d 799.)

In this case, Trejo failed to comply with more than one condition of probation, including failing to pay restitution. However, Trejo is entitled to mitigation as a result of his dire financial circumstances and has participated in these proceedings. Conroy defaulted in the proceedings against him and made no showing of an inability to comply with his probationary condition.

In a probation revocation proceeding, the Review Department imposed discipline consisting of a 90 day actual suspension and until the respondent paid the restitution in full. The attorney made numerous untimely restitution payments and filed several quarterly reports late. In mitigation, the court considered that Respondent's financial problems impacted his ability to pay restitution, and that he made a good faith effort to pay when he was able to pay. The respondent recognized his wrongdoing and was remorseful. In aggravation, the court considered his extensive record of prior discipline, and that this matter represented the third time that he was being disciplined for failure to pay restitution. The court also found multiple acts of misconduct. (In the Matter of Laden (Review Dept. 2004) 4 Cal. State Bar Ct. Rptr. 678.)

An important distinction between Trejo and Laden is that Laden had four prior impositions of discipline, and two of them were as a result of not paying restitution in the first matter. Trejo has only one prior imposition of discipline.

Discipline consisting of a two-year stayed suspension with sixty days of actual suspension and two years of probation is appropriate and sufficient to protect the public, the courts and the integrity of the legal profession.

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In the Matter of: CHARLES DAVID TREJO	Case Number(s): 11-O-11527
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Financial Conditions

a. Restitution

- Respondent must pay restitution (including the principal amount, plus interest of 10% per annum) to the payee(s) listed below. If the Client Security Fund ("CSF") has reimbursed one or more of the payee(s) for all or any portion of the principal amount(s) listed below, Respondent must also pay restitution to CSF in the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From
Adrian Dugas	\$2,000.00	April 10, 2008
Thomas A. Collins, Esq.	\$540.00	June 20, 2007

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than two (2) years after the effective date of the discipline herein.

b. Installment Restitution Payments

- Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of reprobation), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

- If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

c. Client Funds Certificate

1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
- Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";

- b. Respondent has kept and maintained the following:
 - i. A written ledger for each client on whose behalf funds are held that sets forth:
 - 1. the name of such client;
 - 2. the date, amount and source of all funds received on behalf of such client;
 - 3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
 - 4. the current balance for such client.
 - ii. a written journal for each client trust fund account that sets forth:
 - 1. the name of such account;
 - 2. the date, amount and client affected by each debit and credit; and,
 - 3. the current balance in such account.
 - iii. all bank statements and cancelled checks for each client trust account; and,
 - iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.
 - c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:
 - i. each item of security and property held;
 - ii. the person on whose behalf the security or property is held;
 - iii. the date of receipt of the security or property;
 - iv. the date of distribution of the security or property; and,
 - v. the person to whom the security or property was distributed.
2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.
3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

d. Client Trust Accounting School

- Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

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In the Matter of: CHARLES DAVID TREJO	Case Number(s): 11-O-11527
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Law Office Management Conditions

- a. Within days/ months/ years of the effective date of the discipline herein, Respondent must develop a law office management/organization plan, which must be approved by the Office of Probation. This plan must include procedures to (1) send periodic reports to clients; (2) document telephone messages received and sent; (3) maintain files; (4) meet deadlines; (5) withdraw as attorney, whether of record or not, when clients cannot be contacted or located; (6) train and supervise support personnel; and (7) address any subject area or deficiency that caused or contributed to Respondent's misconduct in the current proceeding.
- b. Within days/ months/two (2) years of the effective date of the discipline herein, Respondent must submit to the Office of Probation satisfactory evidence of completion of no less than six (6) hours of Minimum Continuing Legal Education (MCLE) approved courses in law office management, attorney client relations and/or general legal ethics. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for attending these courses (Rule 3201, Rules of Procedure of the State Bar.)
- c. Within 30 days of the effective date of the discipline, Respondent must join the Law Practice Management and Technology Section of the State Bar of California and pay the dues and costs of enrollment for two year(s). Respondent must furnish satisfactory evidence of membership in the section to the Office of Probation of the State Bar of California in the first report required.

Other:


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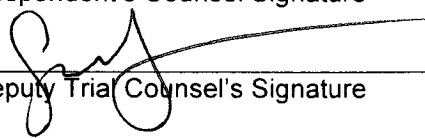
In the Matter of:
CHARLES DAVID TREJO

Case number(s):
11-O-11527

SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

7/19/11  CHARLES DAVID TREJO
Date Respondent's Signature Print Name

July 19, 2011  AGUSTIN HERNANDEZ
Date Deputy Trial Counsel's Signature Print Name

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In the Matter of: CHARLES DAVID TREJO	Case Number(s): 11-O-11527
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ACTUAL SUSPENSION ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

Page 2, Item A(8) – Payment of Disciplinary Costs: Delete “2012” and add “2015”.

The court notes that this stipulation was entered into by the parties and is being approved by this court as part of a broader agreement that includes modifying the conditions of probation and MPRE requirement previously ordered in Case No. 08-O-12444.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

Date

8/10/11



DONALD F. MILES
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on August 11, 2011, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

in a sealed envelope for collection and mailing on that date as follows:

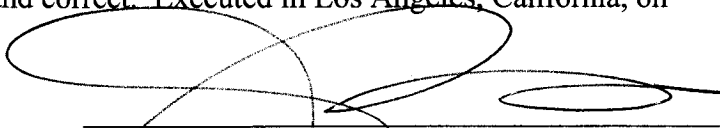
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

CHARLES D. TREJO
LEAL & TREJO LLP
707 WILSHIRE BLVD STE 3700
LOS ANGELES, CA 90017

- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Agustin Hernandez, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 11, 2011.



Johnnie Lee Smith
Case Administrator
State Bar Court