

The Supreme Court of the State of Louisiana

IN RE: GEORGE RANDY TRELLES

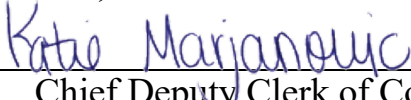
No. 2022-B-00534

-----  
IN RE: Disciplinary Counsel - Applicant Other; Findings and Recommendations  
(Formal Charges);  
-----

June 22, 2022

Suspension imposed. See per curiam.

JTG  
JLW  
JDH  
SJC  
WJC  
JBM  
PDG

Supreme Court of Louisiana  
June 22, 2022  
  
\_\_\_\_\_  
Chief Deputy Clerk of Court  
For the Court

SUPREME COURT OF LOUISIANA

NO. 2022-B-0534

IN RE: GEORGE RANDY TRELLES

ATTORNEY DISCIPLINARY PROCEEDING

PER CURIAM

This disciplinary matter arises from formal charges filed by the Office of Disciplinary Counsel (“ODC”) against respondent, George Randy Trelles, an attorney licensed to practice law in Louisiana but currently on interim suspension pursuant to a joint motion of the parties filed in November 2019. *In re: Trelles*, 19-1775 (La. 11/19/19), 307 So. 3d 174.

UNDERLYING FACTS

*Count I*

Between June 3, 2016 and October 12, 2016, respondent was ineligible to practice law for failure to comply with the mandatory continuing legal education requirements. On June 7, 2016, while he was ineligible, respondent filed a motion for a status conference in the 19th JDC.

Respondent failed to respond to the ODC’s notice of the related disciplinary complaint, which was delivered to his bar registration address on August 31, 2016. A sworn statement, scheduled to take place on June 13, 2017, was rescheduled at respondent’s request. On September 5, 2017, as the statement was set to begin, respondent contacted the ODC and advised that he would not be attending because he was in court.

The ODC alleged that respondent's conduct violated the following provisions of the Rules of Professional Conduct: Rules 5.5(a) (engaging in the unauthorized practice of law) and 8.1(c) (failure to cooperate with the ODC in its investigation).

### *Count II*

In 2014, Alexandra Tolbert hired respondent to represent her against a charge of 2nd offense DWI. Respondent was paid \$5,000 for the representation. Thereafter, Ms. Tolbert left messages with his office and on his voicemail, but respondent failed to return her calls. Ms. Tolbert also sent emails and text messages to respondent, but she received no response. In addition, respondent failed to appear for three of Ms. Tolbert's four court dates. When respondent did not appear for court on October 5, 2016, the judge informed Ms. Tolbert that respondent was ineligible to practice law. Ms. Tolbert attempted to reach respondent to request a refund, but he did not respond. Ms. Tolbert has since hired new counsel.

Respondent failed to respond to the ODC's notice of the related disciplinary complaint, which was hand-delivered to him on February 16, 2017. A sworn statement, scheduled to take place on June 13, 2017, was rescheduled at respondent's request. On September 5, 2017, as the statement was set to begin, respondent contacted the ODC and advised that he would not be attending because he was in court.

The ODC alleged that respondent's conduct violated the following provisions of the Rules of Professional Conduct: Rules 1.3 (failure to act with reasonable diligence and promptness in representing a client), 1.4 (failure to communicate with a client), 1.5(f) (failure to refund an unearned fee), and 8.1(c).

### *Count III*

In 2016, Dr. Ronnie Mathews hired respondent to represent his son, Paul, against charges of domestic abuse battery as well as entering and remaining after forbidden. Dr. Mathews paid respondent \$4,500 for the representation. Thereafter, respondent failed to appear for the bond hearing. Although he sent another attorney in his place, the bond had already been set by the time the attorney arrived to court. Respondent also failed to communicate with Paul and provided inaccurate bond information to a family member. Dr. Mathews requested a detailed accounting on several occasions, to no avail, and respondent did not return the unearned fee.

Respondent failed to respond to the ODC's notice of the related disciplinary complaint, which was delivered to his bar registration address on January 24, 2017. A second notice was delivered to respondent on February 16, 2017. Again, he did not provide a response. A sworn statement, scheduled to take place on June 13, 2017, was rescheduled at respondent's request. On September 5, 2017, as the statement was set to begin, respondent contacted the ODC and advised that he would not be attending because he was in court.

The ODC alleged that respondent's conduct violated the following provisions of the Rules of Professional Conduct: Rules 1.3, 1.4, 1.5(f), and 8.1(c).

### *Count IV*

On February 14, 2017, respondent was involved in an automobile accident, after which he was arrested for DWI, reckless operation, and failure to maintain control. Respondent refused to submit to a Breathalyzer test.

Respondent failed to respond to the ODC's notice of the related disciplinary complaint, which was delivered to his bar registration address on August 24, 2017.

The ODC alleged that respondent's conduct violated the following provisions of the Rules of Professional Conduct: Rules 8.1(c) and 8.4(b) (commission of a

criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer).

## **DISCIPLINARY PROCEEDINGS**

In May 2019, the ODC filed formal charges against respondent as set forth above. Respondent, through counsel, answered the formal charges and largely admitted the alleged misconduct, but asserted the presence of substantial mitigating circumstances which warrant consideration. Respondent noted that he successfully completed substance abuse treatment at St. Christopher's Addiction Wellness Center, after which he moved to a "sober house" for continued monitoring and treatment. Respondent also entered into a five-year recovery agreement with the Judges and Lawyers Assistance Program ("JLAP") on January 15, 2019.

### *Mitigation Hearing*

A hearing in mitigation was conducted by the hearing committee on November 21, 2019. At the beginning of the hearing, respondent admitted that he violated the Rules of Professional Conduct as charged. The hearing proceeded on mitigation and on the issue of amounts of unearned fees owed to Ms. Tolbert and Dr. Mathews. At the time of the hearing, respondent was in compliance with his JLAP recovery agreement.

## **RESPONDENT'S TESTIMONY**

With respect to Count II, respondent indicated that he did perform some work on behalf of Ms. Tolbert. Respondent noted that he "took care" of a bench warrant issued as a result of his failure to appear in court on behalf of Ms. Tolbert, and she was not arrested. Respondent admitted that he owes Ms. Tolbert a reimbursement for unearned fees, but noted that he performed sixteen hours of work on her behalf,

earning \$3,000 in fees. Respondent testified that he apologized to Ms. Tolbert and made arrangements to provide her a \$2,000 refund.<sup>1</sup>

With respect to Count III, respondent admitted that he had accepted payment for the representation and failed to fulfill his obligation to his client. Respondent indicated that he had not determined how much he owed or when he could refund the unearned portion of fees to Dr. Mathews.<sup>2</sup>

Respondent referred to himself as an alcoholic. Respondent testified that he began drinking heavily after his wife left him in 2016, consuming a bottle of vodka and a twenty-four pack of beer on a daily basis. Respondent noted that he attends approximately twenty-eight AA meetings per month and that his attendance is reported to JLAP. Respondent indicated that he suffers from various medical conditions, including depression. Respondent added that he lives in a sober living home and owned no immovable property.

#### BUDDY STOCKWELL'S TESTIMONY

Mr. Stockwell testified that respondent has done "excellent" in terms of compliance and completing program goals, and that he was "participating in JLAP at a high level." Mr. Stockwell added: "All of that said and all that adds up to the fact that it is my professional clinical team in their assessment of Mr. Trelles' progress, clearly from a clinical standpoint, he's absolutely fit to practice law." Mr. Stockwell noted that respondent was not a threat to the public as long as he remained compliant with JLAP. When asked if he would recommend additional treatment for respondent's addiction, Mr. Stockwell responded: "We don't see any reason at this

---

<sup>1</sup> Email correspondence from Ms. Tolbert confirms that she accepted his offer.

<sup>2</sup> After the hearing, respondent introduced a document in which he offered to reimburse Dr. Mathews \$2,000 in fees at a rate of at least \$50 per month if he returned to the practice of law. In response to his offer, Dr. Mathews asked respondent to refund an amount reflecting the services he "did not perform." It is unclear whether Dr. Mathews accepted the offer.

particular time, no indication, not even a scintilla of doubt in how he's doing, that would require us to think that he needs to do something additional.”

### *Hearing Committee Report*

After considering the evidence and testimony presented at the hearing, the hearing committee indicated that respondent presented evidence to show that he suffered from serious medical, psychological, and addiction-related illness at the time of his misconduct. The committee found that while there were contributing negative consequences arising from respondent's divorce and custody proceedings, having occurred during the relevant time period, the greatest contributing factor that led to his inability to manage his professional obligation to clients was respondent's serious and disabling alcohol addiction. The committee indicated that respondent recognizes his addiction as well as the issues that led to his misconduct, adding that he is dedicated to his JLAP and AA obligations, and has excelled in these programs. The committee noted that respondent is taking advantage of reliable resources that will help him maintain sobriety, including JLAP monitoring, AA meetings, friends, and counselors who demand accountability from him.

The committee determined that respondent's failure to maintain his obligation to protect and represent Ms. Tolbert and Mr. Mathews is inexcusable, regardless of his circumstances. During this period of time, attorneys were helping respondent with other client matters. Such resources would have minimized or eliminated the threat of harm in Counts II and III, but respondent did not use appropriate discretion. The correspondence from Ms. Tolbert and Dr. Mathews reflect their frustration over respondent's failure to communicate with them. He failed to address their legitimate requests for information about fees, intentionally disregarded their requests for information, and failed to provide them with refunds. However, Ms. Tolbert and Dr.

Mathews seemed sympathetic toward respondent and wished him well. Respondent apologized and appeared to be genuinely remorseful for his conduct.

The committee determined that independent of the admission that he violated Rules 1.3, 1.4, 1.5(f), 5.5(a), 8.1(c), and 8.4(b), the evidence supports a finding that respondent violated the Rules of Professional Conduct as charged.

The committee determined that respondent violated duties owed to his clients and the legal profession. He acted negligently and intentionally. His misconduct caused actual and potential harm.

Regarding Count II, Ms. Tolbert was harmed when she was made the subject of a bench warrant. Although no arrest was made, her knowledge of the existence of the warrant caused her anxiety, distress, and worry. Ms. Tolbert's unanswered correspondence to respondent reflects both an urgency and a disappointment over his failure to communicate with her. Ms. Tolbert suffered actual harm by paying for legal services she did not receive. Although respondent has agreed to reimburse a portion of the fees that were paid, Ms. Tolbert has not been fully reimbursed.

As to Count III, respondent generally failed in representing Mr. Mathews, effectively abandoning his client. Respondent ignored his multiple phone calls and certified mail requests for communication. He also failed to meet with Mr. Mathews prior to a bond hearing, and then failed to appear for the hearing. Respondent's conduct harmed Mr. Mathews, who suffered anxiety, worry, and distress as a result of respondent's failures. His conduct also harmed Dr. Mathews, who paid for services that were not provided. Although respondent agreed to reimburse \$2,000 of the fees that were paid, he has not provided full repayment because of his financial circumstances. As such, Dr. Mathews is still awaiting reimbursement.

After considering the ABA's *Standards for Imposing Lawyer Sanctions*, the committee determined that the baseline sanction is suspension. In aggravation, the

committee found the following factors present: a prior disciplinary record<sup>3</sup> and substantial experience in the practice of law (admitted 1990). In further aggravation, the committee found “actual harm to clients, potential harm to the public (DWI), and conduct unbecoming the profession.” In mitigation, the committee found “JLAP compliance, acknowledgement of Rule violations, acknowledgement of debts owed to clients, and remorse.”

After further considering this court’s prior jurisprudence addressing similar misconduct, the committee recommended that respondent be suspended from the practice of law for one year and one day, with six months deferred, retroactive to the date of his interim suspension. The committee also recommended that respondent be subject to a period of probation to run concurrently with his JLAP recovery agreement, and to include the following conditions: (1) compliance with JLAP contractual obligations; (2) satisfactory reimbursement of unearned fees to Ms. Tolbert and Dr. Mathews; and (3) payment of all costs associated with these disciplinary proceedings.

#### *Remand and Supplemental Hearing Committee Report*

On May 13, 2020, the ODC filed a notice of objection and incorporated a motion to remand for consideration of new evidence regarding respondent’s status with JLAP. On June 23, 2020, the disciplinary board granted the motion and remanded the matter to the committee for consideration of the new evidence. The matter was reset for hearing, which occurred on April 28, 2021. With the exception of respondent, no witnesses appeared at the hearing.

The committee determined the new evidence was compelling, relevant, and clearly demonstrated that respondent violated his JLAP agreement. The committee

---

<sup>3</sup> In 2013, respondent was publicly reprimanded for giving false statements to the Office of Public Safety. In 2016, respondent received a private admonition for neglecting legal matters, failing to communicate with clients, and failing to cooperate with the ODC in its investigation.

noted that although respondent evinced an ability to understand and respond to questions, his testimony was often confusing, off-topic, and non-responsive. When confronted with his positive test results, respondent testified that he had consumed only wine coolers and no other alcoholic beverages. Based on the evidence presented, the committee did not believe respondent was being truthful about his alcohol consumption.

The committee noted that under the JLAP recovery agreement, respondent agreed to abstain from the use of alcohol and agreed to cooperate with JLAP. However, respondent revoked JLAP's authority to discuss his compliance with third parties, including the ODC.

The committee recalled the testimony of Mr. Stockwell, who was neither subpoenaed nor asked to attend the original hearing by either party. Mr. Stockwell indicated that he was proud of respondent's progress and particularly proud of his cooperation and compliance with treatment. Moved by Mr. Stockwell's testimony, the committee based its original recommendation in part on his optimism. In his latest correspondence, however, Mr. Stockwell indicated that respondent failed his urine and blood screening, necessitating a multidisciplinary inpatient professional assessment to be cooperatively facilitated through JLAP. Respondent declined the assessment. The committee acknowledged Mr. Stockwell's palpable sadness and disappointment in respondent's relapse.

Respondent admitted that he had indeed relapsed, noting that the stress of the COVID-19 outbreak led to his eventual non-compliance with the JLAP agreement. Respondent indicated that he currently works at a hardware store as a general clerk but has not made any attempt to reimburse his former clients. Respondent explained that he does not make enough money to repay his clients and has a teenage daughter whom he must financially support. Respondent added that he suffers from diabetes, heart issues, a shoulder in need of surgery, failing knees, and depression.

While sympathetic for his current state, the committee expressed concern that respondent's medical conditions and the plethora of medication he takes on a regular basis to control his symptoms may impact his ability to practice law. The committee added that respondent presented no compelling evidence in mitigation, concluding:

This is a sad case. It is difficult to be in the presence of Mr. Trelles and not have compassion and sympathy for what he has become, particularly when juxtaposed to what could have been. By all accounts, Mr. Trelles was a good lawyer. His addiction to alcohol has been catastrophic to his promising career and personal life. There is a nice guy in there somewhere, but the once competent attorney is cloaked beyond recognition.

He was once very cooperative with those who sought to help him. Buddy Stockwell was impressed with Mr. Trelles at one point, and that is no easy accomplishment. Mr. Trelles appears to have taken a different approach since the committee first met him in 2019. Where he was once honest about his addiction, he is now refusing to admit, even in the face of overwhelming evidence, that he has returned to drinking heavily. He received praise for his JLAP compliance, but now has abandoned the program altogether.

Considering the totality of the circumstances, including his prior disciplinary record, the committee determined that respondent remains unfit to practice law and recommended he be suspended for one year and one day. The committee further recommended that respondent reimburse Ms. Tolbert and Dr. Mathews, and that he pay all costs associated with these proceedings.

The ODC objected to the hearing committee's recommended sanction.

#### *Disciplinary Board Recommendation*

After review, the disciplinary board determined that the factual findings in the hearing committee's original report and the factual statements in its supplemental report do not appear to be manifestly erroneous and are supported by the record. The board adopted these findings with a limited clarification regarding respondent's

practice status since 2018.<sup>4</sup> The board acknowledged that respondent has stipulated to violating the Rules of Professional Conduct as charged, and noted that these stipulations must be given effect unless they are withdrawn. *In re: Torry*, 10-0837 (La. 10/19/10), 48 So. 3d 1038.

The board then determined respondent violated duties owed to his clients, the public, the legal system, and the legal profession. His conduct was negligent in some respects, but in most respects knowing, if not intentional. By practicing law while ineligible, respondent could have created disruption in or affected the validity of any legal action or proceeding in which he participated. His lack of diligence with Ms. Tolbert and Mr. Mathews caused potential delays in their matters and caused them concern and anxiety over their status with criminal authorities. His failure to return unearned fees caused harm to Ms. Tolbert and Dr. Mathews. His collision with a vehicle while he was intoxicated caused minor actual harm and the potential for greater harm to the public. Such criminal behavior reflects adversely on the legal profession. Respondent also failed to cooperate with the ODC's investigations. Such behavior potentially causes unnecessary expenditure of the limited resources of the disciplinary agency and delays in the resolution of complaints, all of which damage the legal profession.

After considering the ABA's *Standards for Imposing Lawyer Sanctions*, the board determined the applicable baseline sanction is suspension. In aggravation, the board found the following factors present: a prior disciplinary record, a pattern of misconduct, multiple offenses, vulnerability of the victims (Ms. Tolbert and Mr. Mathews), substantial experience in the practice of law, and illegal conduct. In mitigation, the board found the following factors present: personal or emotional

---

<sup>4</sup> In its original report, the committee had indicated that there was lack of evidence in the record to confirm that respondent voluntarily surrendered his license in July 2018. However, respondent testified, and the records reflect, that he changed his status to inactive on July 1, 2018. Respondent further testified that he briefly returned to active status solely to move to be placed on interim suspension. The bar rolls reflect that respondent returned to active status on September 23, 2019.

problems,<sup>5</sup> full and free disclosure to the disciplinary board and a cooperative attitude toward the proceedings,<sup>6</sup> character or reputation, physical disability (affecting his failure to cooperate with the 2017 investigations),<sup>7</sup> and remorse.

After further considering this court's prior jurisprudence addressing similar misconduct, the board recommended respondent be suspended from the practice of law for eighteen months, retroactive to the date of his interim suspension. The board also recommended respondent be ordered to make restitution to Ms. Tolbert and Dr. Mathews or participate in the Louisiana State Bar Association's ("LSBA") fee dispute resolution program. The board further recommended respondent be assessed with the costs and expenses of these proceedings.

Neither respondent nor the ODC filed an objection to the disciplinary board's recommendation.

## DISCUSSION

Bar disciplinary matters fall within the original jurisdiction of this court. La. Const. art. V, § 5(B). Consequently, we act as triers of fact and conduct an independent review of the record to determine whether the alleged misconduct has been proven by clear and convincing evidence. *In re: Banks*, 09-1212 (La. 10/2/09), 18 So. 3d 57. While we are not bound in any way by the findings and

---

<sup>5</sup> Respondent testified that after his wife left with his children in April 2016, he went through divorce and custody proceedings. Then, following the COVID-19 outbreak in 2020, respondent had to move from his sober living house in order to be in a more isolated environment due to his multiple medical conditions.

<sup>6</sup> Although respondent did not respond to the complaints during the ODC's investigation, after formal charges were filed, respondent cooperated fully, including joining in the motion for interim suspension and stipulating to the charges against him.

<sup>7</sup> Respondent suffered a series of medical events between December 2016 and October 2017. Based on his testimony and the medical exhibits provided, respondent fractured his hand in a fall in December 2016 and was diagnosed with vertigo; he underwent hand surgery in January 2017; he suffered a heart attack and underwent a procedure to insert five stents in June 2017; he underwent biopsies of his vocal cords in July 2017; he underwent surgery to remove a mass from his chest in August 2017; and he was hospitalized for pneumonia in October 2017.

recommendations of the hearing committee and disciplinary board, we have held the manifest error standard is applicable to the committee's factual findings. *See In re: Caulfield*, 96-1401 (La. 11/25/96), 683 So. 2d 714; *In re: Pardue*, 93-2865 (La. 3/11/94), 633 So. 2d 150.

The underlying facts of this matter are not in dispute, having been stipulated to by the parties. Respondent neglected legal matters, failed to communicate with clients, failed to refund unearned fees, practiced law while ineligible to do so, was arrested for DWI, and failed to cooperate with the ODC in its investigation. Respondent also admitted to violating the Rules of Professional Conduct as charged, and the record supports those rule violations.

Disciplinary proceedings are designed to maintain high standards of conduct, protect the public, preserve the integrity of the profession, and deter future misconduct. *In re: Hingel*, 20-0992 (La. 11/10/20), 303 So. 3d 1029. The discipline to be imposed depends upon the facts of each case and the seriousness of the offenses involved considered in light of any aggravating and mitigating circumstances. *In re: Smothers*, 20-0244 (La. 6/22/20), 297 So. 3d 743. The purpose of lawyer disciplinary proceedings is not so much to punish the attorney as it is to maintain appropriate standards of professional conduct in order to protect the public and the administration of justice. *Louisiana State Bar Ass'n v. Powell*, 439 So. 2d 415 (La. 1983).

Respondent violated duties owed to his clients, the public, the legal system, and the legal profession. His misconduct was at least grossly negligent, if not knowing, and caused actual harm to his clients. The baseline sanction for this type of misconduct is suspension. The record supports the aggravating and mitigating factors found by the disciplinary board.

In 2009, we considered the case of *In re: Baer*, 09-1795 (La. 11/20/09), 21 So. 3d 941, which involved an attorney who was twice arrested for DWI. She signed

a JLAP recovery agreement, but thereafter failed to comply with its requirements. In our opinion, we reviewed the sanctions imposed in prior DWI cases and provided the following guidance:

We have imposed sanctions ranging from actual periods of suspension to fully deferred suspensions in prior cases involving attorneys who drive while under the influence of alcohol. However, as a general rule, we tend to impose an actual suspension in those instances in which multiple DWI offenses are at issue, as well as in cases in which the DWI stems from a substance abuse problem that appears to remain unresolved.

Applying these precepts to Ms. Baer, we concluded that a one year and one day suspension, with no portion of the suspension deferred, was appropriate in light of her two DWI arrests and the fact that her substance use disorder was unresolved. We further noted:

Should respondent wish to resume the practice of law in the future, she will be required to go through the reinstatement process set forth in Supreme Court Rule XIX § 24 and demonstrate to our satisfaction that she is healthy enough to resume the representation of her clients in a competent fashion.

In subsequent cases in which attorneys with substance use disorders are not participating in JLAP or otherwise able to prove their substance abuse problems have been resolved, we have consistently imposed one year and one day suspensions, with no time deferred.<sup>8</sup>

In light of his relapse, respondent is no longer compliant with his JLAP recovery agreement. Therefore, his substance abuse problem remains unresolved. Considering the guidance set forth in *Baer*, and the application of *Baer* in similar

---

<sup>8</sup> See *In re: Anzalone*, 17-0387 (La. 5/12/17), 219 So. 3d 311 (one year and one day suspension imposed upon an attorney who was twice convicted of DWI and tested positive for cocaine); *In re: James*, 12-2701 (La. 3/1/13), 108 So. 3d 747 (one year and one day suspension imposed upon an attorney who was twice convicted of DWI where the attorney stopped participating in JLAP); *In re: Guidry*, 11-1208 (La. 9/23/11), 71 So. 3d 256 (one year and one day suspension imposed upon an attorney who was twice arrested for DWI and once arrested for possession of illegal drugs where the attorney was not participating in JLAP).

matters, we agree that respondent should be required to demonstrate his fitness to practice law in a formal reinstatement proceeding. At that time, respondent will have the opportunity to demonstrate to the court's satisfaction that he is healthy enough to return to the practice of law.

Under the circumstances, we will accept the board's recommendation and suspend respondent from the practice of law for eighteen months, retroactive to November 19, 2019, the date of his interim suspension.

### **DECREE**

Upon review of the findings and recommendations of the hearing committee and disciplinary board, and considering the record, it is ordered that George Randy Trelles, Louisiana Bar Roll number 20059, be suspended from the practice of law for eighteen months, retroactive to November 19, 2019, the date of his interim suspension. It is further ordered that with respect to his clients subject of the formal charges, respondent shall either make full restitution or participate in the Louisiana State Bar Association's Fee Dispute Resolution Program and refund any fees as ordered by the arbitrator. All costs and expenses in the matter are assessed against respondent in accordance with Supreme Court Rule XIX, § 10.1, with legal interest to commence thirty days from the date of finality of this court's judgment until paid.