



**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

**IN RE: JUDGE BILLY RAY CHISUM
JUSTICE OF THE PEACE, PRECINCTS 1 & 2, PLACE 1
LEAKEY, REAL COUNTY, TEXAS
(CJC Nos. 03-0306-JP and 03-0307-JP)**

**VOLUNTARY AGREEMENT TO RESIGN FROM
JUDICIAL OFFICE IN LIEU OF DISCIPLINARY ACTION**

This Agreement is being entered into by the undersigned parties pursuant to sections 33.001(b) and 33.032(h) of the Texas Government Code.

WHEREAS on January 9, 2003, complaints (CJC Nos. 03-0306-JP and 03-0307-JP) were opened by the State Commission on Judicial Conduct (hereinafter the "Commission") based on reports that the judge's abuse of alcohol affected his judicial performance, his lack of candor with members of the *Amicus Curiae* Board regarding his recovery status, allegations that he engaged in inappropriate *ex parte* communications, treated offenders disparately on the basis of his bias or prejudice, and heard cases in which he was legally disqualified, and

WHEREAS the parties agree that the allegations of judicial misconduct, if found to be true, would result in further disciplinary action against Judge Chisum, and

WHEREAS no Findings of Fact or Conclusions of Law have been made in these matters, and

WHEREAS the parties to this Agreement are desirous of resolving these matters without the time and expense of further disciplinary proceedings.

IT IS THEREFORE AGREED that Judge Chisum, upon the signing of this Agreement, shall resign his judicial office in lieu of disciplinary action by the Commission, pursuant to sections 33.001(b) and 33.032(h) of the Texas Government Code.

IT IS FURTHER AGREED that, upon the Commission's approval of this Agreement, Judge Chisum shall be forever disqualified from: sitting or serving as a judge in the State of Texas; standing for election or appointment to judicial office in the State of Texas; or, performing or exercising any judicial duties or functions of a judicial office in

the State of Texas, including the performance of weddings pursuant to the authority of section 2.202(a)4 of the Texas Family Code in the State of Texas.

IT IS FURTHER AGREED that any violation of this Agreement by Judge Chisum would constitute willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice in violation of Art. 5, §1-a(6)A of the Texas Constitution and section 33.001(b) of the Texas Government Code.

IT IS FURTHER AGREED that the Commission may enforce this Agreement through any legal process necessary, including injunctive relief; that, Travis County, Texas, shall be the proper venue for any dispute between the parties or proceeding relating to this Agreement; and that Judge Chisum, individually, shall bear the Commission's expense, cost, and any reasonable and necessary attorneys' fees in the event any dispute arising under this Agreement is decided against him by any court or tribunal.

AGREED TO AND ACCEPTED upon its execution by the parties.

Billy Ray Chisum
JUDGE BILLY RAY CHISUM

Kathleen H. Olvaries
Chair, State Commission on Judicial Conduct

Date: 2-7-03

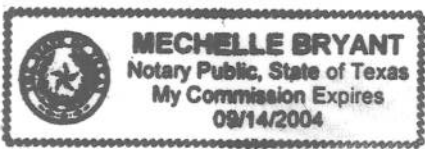
Date: 2-13-03

VERIFICATION

State of Texas §
County of Real §

BEFORE ME, the undersigned authority, on this day personally appeared Billy Ray Chisum, who by me being first duly sworn, on his oath deposed and said that the above "Voluntary Agreement to Resign from Judicial Office in Lieu of Disciplinary Action" is a true and correct recitation of the facts and accurately reflects his understanding of the terms and conditions of, and voluntary consent to enter into, such Agreement.

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 7 day of February, 2003.



Mechelle Bryant
NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

VERIFICATION

State of Texas §
County of Real §

BEFORE ME, the undersigned authority, on this day personally appeared Billy Ray Chisum, who by me being first duly sworn, on his oath deposed and said that the above "Agreed Statement of Facts" is a true and correct recitation of the facts and accurately reflects his understanding of the terms and conditions of, and voluntary consent to enter into, such Agreement.

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 7 day of February 2003.

Mechelle Bryant
NOTARY PUBLIC, IN AND FOR THE STATE
OF TEXAS

