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MEMORANDUM OF UNDERSTANDING

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JUDICIAL DISCIPLINE
AND
DISABILITY COMMISSION

This Memorandum of Understanding is made between H. Paul Jackson, part-time Municipal Court Judge, Berryville, Arkansas and the Judicial Discipline & Disability Commission (hereinafter referred to as Commission).

There are three complaints pending before the Commission against Judge Jackson. These complaints are: (1) Case No. 90-128 which alleges that Judge Jackson was charged with an information for unlawfully operating a motor vehicle while intoxicated, violating the implied consent law, and operating a motor vehicle without a valid driver's license. This case resulted in Judge Jackson being suspended from his judicial office by the Arkansas Supreme Court on May 7, 1990. The underlying allegations in this complaint remain open and will not be further considered by the Commission until resolution of the pending criminal charges; (2) Case No. 90-128-1 alleges: (a) that on or about September 1, 1989, Judge Jackson presided at a hearing wherein he assessed himself a fine for not having a valid driver's license; (b) that in the matter of traffic tickets issued to Harold L. Scates, Judge Jackson has failed to promptly dispose of the court's business and gave preferential treatment to Harold Scates; (c) that in the matter of DWI traffic tickets issued to Verdon D. Smith, Judge Jackson failed to promptly dispose of the court's business, improperly exceeded his discretionary authority by returning Verdon Smith's driver's license prior to adjudication, and gave preferential treatment to Mr. Smith; and (d) that Judge Jackson failed to properly administer the court and comply with selected Arkansas statutory provisions; (3) Case No. 90-160 alleges that in the case of Lumber Country vs. Greg Anderson and Judy Anderson, No. SC 88-408, Judge Jackson signed an order in his judicial capacity which he prepared in his capacity as an attorney, canceling a lien on the land owned by your private client, Judy Anderson. This complaint is presently pending before the Commission at a Formal Disciplinary Hearing.

Prior to any further proceedings in these matters, the parties agree to this Memorandum of Understanding.

Judge Jackson will submit his resignation as part-time Berryville Municipal Court Judge, Berryville, Arkansas, effective immediately. Judge Jackson furthermore agrees that he will not serve in a judicial office or run for judicial office in the State of Arkansas.


Upon execution of this Memorandum of Understanding, the above noted complaints shall be dismissed by the Commission.

It is further agreed between the parties that if Judge Jackson violates the terms of this agreement the Commission may reinstate the above noted complaints in accordance with Amendment 66 of the Arkansas Constitution, Arkansas statutes, and the Rules of Procedure of the Arkansas Judicial Discipline & Disability Commission.


It is understood by the parties that all final actions taken by the Commission in a complaint, including this document, become public information.

WITNESS our signatures, this the 13 day of November 1990.

FOR THE COMMISSION:



Paul Jackson



James A. Badami
Executive Director