

BEFORE THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:

STATE OF ALABAMA JUDICIAL INQUIRY COMMISSION

V.

THE HONORABLE TRACIE A. TODD
CIRCUIT JUDGE, BIRMINGHAM DIVISION,
CRIMINAL DIVISION, JEFFERSON COUNTY, ALABAMA

*
*
*
*
*
*
*
*
*
*

FILED

DEC 22 2021

COURT OF THE JUDICIARY
Rebecca C. Oates
Secretary

Case # 58

**MOTION TO ENJOIN DISCONTINUANCE OF HEALTHCARE
BENEFITS**

Comes now, Judge Tracie A. Todd, by and through counsel, and requests this Honorable Court to clarify its ruling. As a consequence of the Court's order suspending and reinstating Judge Todd simultaneously, Judge Todd's family health insurance through her employer will end January 1, 2022. She has been placed by the Administrative Office of Courts in "Leave Without Pay." Per the Court's order, Judge Todd is not on leave, and has been ordered to return to work. Under these circumstances, Judge Todd is working without pay and must assume \$1,500 a month for health insurance for her family, or in the alternative work at her own risk. Judge Todd has defended against two state agencies with personal funds.

We pray that the Court will enjoin the State Employee's Insurance Board and the Administrative Office of Courts from discontinuing Judge Todd's healthcare and all other benefits related to her employment. The Court noted that Judge Todd was on leave since April, 2021 with pay. Judge Todd did not request to be on leave, but by operation of law was required to forego her elected duties. To punish Judge Todd for complying with State law in this regard would be unjustly punitive. The concurrent status of suspension and reinstatement has created additional

penalties for Judge Todd that we do not believe that this honorable Court intended.

Respectfully submitted by Counsel for Judge Todd:

/s/ Richard Rice

THE RICE FIRM, LLC
PO BOX 453, Birmingham, AL 35201
P: 205.618.8733
F: 888.391.7193
E: rrice@rice-lawfirm.com

We hereby certify that we have on this 22nd day of December 2021 electronically filed the foregoing with the Court of the Judiciary, and that we have further served a copy by placing the same in the U.S. mail postage pre-paid, and properly addressed as follows:

Elizabeth Bern
Attorney for the Commission
elizabeth.bern@jic.alabama.gov

John Seldon
Attorney for the Commission
john.seldon@jic.alabama.gov

Respectfully Submitted,

/s/ Richard Rice