

IN THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:

TRACIE TODD
CIRCUIT JUDGE,
BIRMINGHAM DIVISION
CRIMINAL DIVISION
JEFFERSON COUNTY, AL

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CASE NO. 58

FILED

AUG 11 2021

COURT OF THE JUDICIARY
Rebecca C. Oates
Secretary

**MOTION TO ISSUE A SCHEDULING ORDER AND
SET A TRIAL DATE**

The Judicial Inquiry Commission (hereinafter “the Commission”) requests that this Honorable Court issue a scheduling order and set a date for trial in this matter. As grounds for this motion, the Commission states as follows:

1. This Court denied Judge Tracie A. Todd’s “Amended Petition for Relief and Motion to Reconsider” on July 9, 2021.
2. Since the filing of the Complaint on April 6, 2021, and, more particularly, since this Court’s status conference on May 18, 2021, Judge Todd has not made any demands or overtures to the Commission seeking to discuss any alternate dispute resolution of this Complaint pursuant to Rule 10.A., Ala. R. P. Jud. Inq. Comm’n.

3. An express goal of the Rules of Procedure for the Alabama Court of Judiciary is “prompt disposition of the proceedings.” See Rule 7, Ala. R. P. Ct. Jud.

4. More particularly, Rule 8, Ala. R. P. Ct. Jud., provides:

The Court shall fix a date for hearing upon the complaint as expeditiously as possible. Notice of the date, time and place of the hearing shall be served upon the judge and any counsel designated by him not less than thirty (30) days prior to the date upon which the hearing is set unless otherwise agreed to by the parties and the Court.

Based on the foregoing, the Commission submits that this matter is ready for a scheduling order and the setting of a date for trial.

RESPECTFULLY submitted this 11th day of August, 2021.

/s/ Elizabeth C. Bern

Elizabeth C. Bern

Attorney for the Commission

Alabama Judicial Inquiry Commission

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CERTIFICATE OF SERVICE

I hereby certify that I have, on this 11th day of August, 2021, electronically filed the foregoing with the Court of the Judiciary, and that I have further served a copy upon the following by placing same in the United States Mail, postageprepaid and properly addressed and/or via email as follows:

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/s/ Elizabeth C. Bern
OF COUNSEL