# TITLE IV

## Ecclesiastical Discipline

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### Canon 1
### General Principles

**Section 1 – Pastoral Resolution**

All members of the Church are called to exercise a ministry of reconciliation (2 Corinthians 5:18 20). It is generally preferable and should be the norm for disputes to be resolved pastorally within each congregation and within the Diocese. Conflicts involving clergy should be dealt with promptly by Diocesan Bishops. Conflicts involving a Bishop should be dealt with promptly by the Archbishop of the Province. Bishops and clergy have a duty whenever it is appropriate to endeavor to reconcile the parties involved in any dispute and achieve an outcome accepted by all the parties through a process of mediation or any other appropriate process of resolution.

Nevertheless, allegations of sexual misconduct involving others or sexual or physical abuse within familial relationships are not susceptible to such a process of reconciliation. Nor is it appropriate to resolve allegations involving serious offenses against the Church and its good order and discipline in such a manner prior to the beginning of a disciplinary proceeding under this Title. Such allegations include, but are not limited to, those involving physical violence, abuse of the vulnerable, conduct amounting to an imminent threat to another individual, or conduct amounting to a felony under applicable criminal law.

**Section 2 – Pastoral Care**

The well-being of the whole Diocese is the Bishop's responsibility, for he is the chief pastor of all within the Diocese, whether laity or clergy (1 Peter 5:1-4). Pastoral care is an important aspect of the disciplinary process and is ordinarily appropriate for a Reporting Party, a member of the clergy concerned or Respondent, and others concerned to receive such care. However, since the Bishop is also responsible for administering discipline over clergy in the Diocese, it is essential that the Bishop should avoid the perception of taking sides. Therefore, while the Bishop remains responsible for ensuring the availability of appropriate pastoral care, he should not personally give pastoral care to anyone connected with a Report of clergy misconduct. Instead, he must ensure that such care is provided by others, including, but not limited to, suffragan and assisting bishops, and through the pastoral care provisions of the Provincial Canons and these canons. This policy is in the interests of fairness to all and will reduce the risk that the Bishop's impartiality could be or appear to be compromised.

Alternatively, the Bishop may establish a rotation among the Bishop and the Suffragan and Assistant Bishops of the Diocese (together, the "College of Bishops of the Diocese"), under which a different bishop oversees each successive Report made under this Title IV, thus sharing

both the burden of disciplinary responsibility and the provision of pastoral care among the College of Bishops of the Diocese. When such a rotation is in effect, the Bishop shall designate in writing the bishop who will oversee each Report (the "overseeing bishop"). The overseeing bishop shall exercise, with respect to that Report and any resulting Presentment, the duties assigned to the bishop by Canons IV.7, IV.8, and IV.10 of these canons, and references in those canons to "the bishop" shall be read accordingly. Each Reporting Party and the member of the clergy concerned shall be notified which bishop will be overseeing the matter. The overseeing bishop shall not personally give pastoral care to anyone connected with the Report; all other bishops, including the Bishop, are free to provide pastoral care.

For matters involving allegations of misconduct by a Bishop, the Archbishop (or the Dean of the Province, as the case may be) must ensure that pastoral care is appropriately provided.

**Section 3 – Duty to Cooperate**

Every Bishop, every member of the clergy, and every lay person must cooperate fully with the disciplinary processes provided for under the Provincial or Diocesan canons, including, but not limited to, providing any information, explanations, documents, and computer and other electronic records that a court, tribunal, or other disciplinary body of the Province or the Diocese requests and by maintaining confidentiality during the investigation of the Report. Failure by a Bishop or member of the clergy to cooperate fully may constitute an independent basis for discipline under this Title IV. Notwithstanding the foregoing, (1) the failure by a Bishop or member of the clergy who is the subject of a Report or is a Respondent (as the case may be) to provide a statement during the investigation of a Report, the adjudication of a Presentment, or an appeal, on its own, will not constitute a failure to cooperate but may be considered relevant during adjudication as a judicial body seeks to determine the truth of a matter. Likewise, failure by a lay person to cooperate in a disciplinary proceeding is not an independent basis for discipline; (2) nothing in this Title should prevent the sharing of otherwise confidential information in a pastoral, counseling, or attorney-client relationship; and (3) nothing in this Title IV should be construed to require the revelation of any communication between a penitent and a confessor made under the sacramental seal of confession.

**Section 4 – Interpretation**

The canons of this title establish processes that are neither civil nor criminal but ecclesiastical in nature, and therefore legal procedures and constitutional guarantees associated with secular court proceedings are ordinarily inapplicable. These canons should be interpreted and applied to provide for the just resolution of every disciplinary proceeding, to determine the truth, to secure fairness in administration and simplicity in procedure, and to minimize undue expense and delay.

**Section 5 – Public Notice, Confidentiality, and Conflicts of Interest**

In all proceedings under this title, balance must be maintained between appropriate public notice and the maintenance of proper confidentiality. Perceived or actual conflicts of interest should be

avoided through the use of recusals. Canon IV.11 provides guidelines for maintaining the balance between notice and confidentiality and for determining the propriety of a recusal.

**Section 6 – Mandatory Reporting Duties under Secular Law**

Any Report regarding the abuse of a minor or vulnerable adult shall be reported to the appropriate civil authorities consistent with applicable laws and subject to civil exemptions and protections. Nothing in this section limits any broader reporting obligation imposed by the policies of the Diocese.

**Section 7 – The Role of a Chancellor in Title IV**

The Chancellor of the Diocese is counsel to the Diocese. While it is appropriate in the execution of a Chancellor's duties to advise the Bishop on matters affecting the Diocese, the chancellor shall not serve as Proctor or legal advisor to a Bishop or member of the clergy who is the subject of a Report under this Title IV, nor shall the Chancellor serve on a court, tribunal, or other disciplinary body within the Diocese.

**Section 8 – Presumption of Innocence**

A member of the clergy concerned, and any Respondent, shall be accorded the presumption of innocence during the investigation of a Report and the adjudication of any Presentment, and all appropriate steps are to be taken to protect his or her reputation. If an allegation is not substantiated, every appropriate step possible is to be taken to restore his or her good name, should it have been harmed. The presumption of innocence does not limit the inhibition of a member of the clergy under Canon IV.10, the giving of public notice under Canon IV.11, the reporting duties under section 6 of this Canon, or the provision of pastoral care to any Reporting Party.

## Canon 2
## Definitions

Unless the context requires otherwise, in this title:

"admonition," or "godly admonition," means a written warning of a pastoral nature from one with authority to one under his authority, the failure to follow of which may give rise to an offense such as failure to follow one's ordination vows;

"Advisor" means a Reporting Party Advisor or a Respondent Advisor appointed under Canon IV.5.3 or Canon IV.5.4;

"Appellant" means a Respondent who has appealed to the Provincial Tribunal a finding and/or order of a diocesan court or tribunal, including the Ecclesiastical Trial Court of the Diocese;

"clear and convincing evidence" means evidence of such weight that it produces in the mind of the trier of fact a firm belief or conviction, without hesitancy, as to the truth of the allegations sought to be established;

"College of Bishops of the Diocese" has the meaning given in Canon IV.1.2;

"consent order" means a sentencing order made by the Bishop under Canon IV.7.4 after a Respondent confesses to the truth of the allegation(s) and submits to the discipline of the Diocese – in other words, an order that follows an admission of guilt;

"deposition" or "to be deposed" means the Respondent's permanent removal from all rights, responsibilities, and duties of holy orders;

"deprivation" means the Respondent's permanent removal from a particular office or appointment, such as being the rector of a Congregation;

"Diocesan Reports Investigation Committee" means the committee whose members are designated to investigate Reports for the Diocese, to determine whether a Report should be referred to the Ecclesiastical Trial Court of the Diocese, and to formulate the Presentment for any Report so referred;

"Diocesan Reports Receivers" means the persons appointed under Canon IV.5.1 to receive Reports of misconduct and to perform the other functions assigned to them by this Title IV;

"Diocese" means the Diocese of Christ Our Hope, a member of the Anglican Church in North America;

"Disciplinary Bodies" means, with respect to the Diocese, the Diocesan Reports Investigation Committee and the Ecclesiastical Trial Court of the Diocese;

"Church" or "the Church" means the Anglican Church in North America;

"fair synopsis" means an appropriately redacted summary of an allegation of clergy misconduct or, in the case of an order or finding of a Disciplinary Body, a document conveying:

- The substance of the Report(s) including nature of the canonical offense alleged,
- The relevant circumstances, including time and place of alleged offense(s),
- The date the initial complaint(s) was received, and
- The actions to be recommended by the Disciplinary Body;

"inhibition" means the temporary disqualification of a member of the clergy from exercising some or all ministerial functions;

"interlocutory order" means an order from any lower tribunal issued during the course of an inquiry that decides a specific issue or provides temporary relief, but does not finally resolve a Presentment;

"legally qualified" means that a person has a degree in canon law, was or is a judge in Canada, Mexico, or the United States, or has been licensed to practice civil law for at least 5 years (either currently or at any point in the past) in any part of Canada, Mexico, or the United States;

"lower tribunal" means the Ecclesiastical Trial Court of the Diocese or other Diocesan court or tribunal, when considered for purposes of an appeal to the Provincial Tribunal;

"member of the clergy concerned" means a member of the clergy who is the subject of a Report, whether or not a Presentment has been referred;

"non-adversarial" means an occasion for hearing from one person, without any other person who may be adversely interested being given notice or having an opportunity for contestation;

"pastoral resolution" means the resolution of a disciplinary case through means such as mediation, counseling, supervised rehabilitation, or negotiated agreements that promote healing, repentance, forgiveness, restitution, justice, amendment of life, and reconciliation among those alleging misconduct, the affected clergy, the affected community, other persons, and the Church;

"Presenting Proctor" means a Proctor appointed by the Diocesan Reports Investigation Committee under Canon IV.7.3.12 to present evidence and argument on its behalf to the Ecclesiastical Trial Court of the Diocese;

"Presentment" means a Report that has been formulated by the Diocesan Reports Investigation Committee and referred by it to the Ecclesiastical Trial Court for the Diocese or other Disciplinary Body;

"prima facie case" means, for purposes of this Title IV, that an investigative body finds both (1) that there is sufficient evidence to support a finding that a canonical offense has been committed, if evidence to the contrary is disregarded, and (2) that taking the evidence as a whole, there is a rational basis to believe a canonical offense has or may have been committed;

"Proctor" means a legally qualified or otherwise suitably qualified person admitted to practice before the Ecclesiastical Trial Court for the Diocese or other Disciplinary Body;

"public notice" means the publication of information on the primary website of the Diocese that is openly observable or accessible to the general public, redacted in accordance with Canon IV.11.1.4;

"reasonable grounds" means, for purposes of this Title IV, a finding of two things by an assessor of a Report: (1) that there is a rational and objective basis for believing based on the face of the Report that an offense under Canon IV.3 has been committed, and (2) that this belief is reasonable when assessed in light of the totality of the circumstances known to the assessor of a Report, including but not limited to the Reporting Party's basis of knowledge, the consistency of the Report, and any corroboration of the Report by other Reports;

"rebuke" means a formal written reprimand of the Respondent that is imposed as a sentence;

"Report" means any complaint or complaints or allegation or allegations touching or apparently touching upon the conduct (whether by act or omission), behavior, performance, or affairs of any Bishop or member of the clergy with respect to an offense under Canon IV.3;

"Reporting Party" means a person who brings a Report to the attention of the Diocesan Reports Receivers;

"Reports Administrators," when used in this Title IV with respect to the Diocese, means the Diocesan Reports Receivers, and when used with respect to the Province, means the persons appointed under Canon IV.5.1 of the Provincial Canons;

"Respondent" means any member of the clergy with respect to whom a Presentment has been referred to the Ecclesiastical Trial Court of the Diocese or other Disciplinary Body;

"Respondent's Proctor" means a Proctor appointed by the Respondent at Respondent's discretion to present evidence and argument on his behalf to the Ecclesiastical Trial Court of the Diocese or other Disciplinary Body;

"Standing Committee" or "Standing Committee of the diocese" means the Diocesan Council, which serves as the Standing Committee of the Synod under Article III, Section 2 of the Constitution of the Diocese;

"suspension" means the temporary taking away for a definite period, not to exceed five years of the Respondent's authority to perform all ministerial functions and/or the functions of a particular office or appointment;

"vulnerable adult" means a person 18 or older who lacks legal capacity because they are substantially unable to take care of himself or herself, or to protect himself or herself from harm or exploitation due to advanced age, illness, mental or physical disability, or other circumstances that impair one's capacity to make decisions or advocate for one's own well-being.

For the purposes of this title, unless otherwise expressly indicated, the term "member of the clergy" refers to a presbyter or deacon of the Anglican Church of North America.

## Canon 3
## Canonical Offenses

1. To ensure that all those in holy orders may by their life and doctrine declare God's glory and set forward the salvation of all people, a person in holy orders is subject to disciplinary action upon committing the following offenses:

a. Teaching or espousing any doctrine contrary to the doctrine or creeds of this Church (such as, but not limited to, doctrine expressed in the Fundamental Declarations of the Province and the standards of Christian Marriage and Sexual Morality and Ethics set forth in Canon II.7-8 of the Provincial Canons); removing oneself from the communion of the church; or abandoning the Christian faith;

b. Willful or negligent dereliction of any duty of the clergy. Such conduct includes, but is not limited to, any duty established by:

i. the canons of the province;

ii. the canons of this diocese;

iii. an ordination vow, including the oath of conformity;

iv. an inhibition;

v. an order issued by a provincial, diocesan, or special jurisdiction court, tribunal, or other disciplinary body; or

vi. a sentence of suspension, deprivation, or deposition.

c. Conduct unbecoming to the sacred calling of one in holy orders that an impartial member of the Church would reasonably determine to be not in accordance with the moral duty to provide pastoral care to the people of God. Such conduct includes, but is not limited to:

i. Physical misconduct, such as violent or threatened physical harm to another person, such as physical assault;

ii. verbal misconduct, such as harassment, slander, or habitually abusive language;

iii. sexual misconduct, which shall not be restricted only to intercourse but shall include inappropriate behaviors including but not limited to unchastity, adultery, fornication, abuse within familial relationships, indecency, and other forms of inappropriate sexual, physical, or emotional intimacy, abuse, or exploitation;

iv. sexual harassment, which includes, but is not limited to, a pattern of unwelcome verbal or physical conduct or communication or undesired physical contact;

v. financial misconduct, such as theft, embezzlement, fraud, or the diversion of church funds or property for one's own gain;

d. the abuse of ecclesiastical power through a pattern of intimidation, excessive control, manipulation, coercion, isolation, domination, censorship of decision making, or exploitation;

e. any action or behavior in any capacity that, if known, would give just cause for scandal within the Church or would cause the Church to be brought into disrepute, including the abuse of ecclesiastical power or financial malfeasance not otherwise actionable;

f. A conviction by a court of competent jurisdiction for felony or other serious offenses;

g. Acceptance of membership in a religious jurisdiction with purpose contrary to that of this Church;

h. Violation of any provision of the Constitution of this Church;

i. Disobedience, or willful contravention of the Canons of the Province or of the constitution or canons of the Diocese; and/or

j. Habitual neglect of public worship, and the Holy Communion, according to the order and use of this Church.

## Canon 4
## The Ecclesiastical Trial Court of the Diocese

### Section 1. Ecclesiastical Trial Court Established, Composition, Number of Members, Mode of Election and Term of Office

There shall be an Ecclesiastical Trial Court (the "Court") of the Diocese consisting of nine members elected by the Synod of the Diocese upon the nomination of the Diocesan Council for a term of three years. Four members shall be chosen from the laity and five from the clergy. No member may serve more than two consecutive terms. Staggered terms may be provided. The Diocesan Council shall fill vacancies that arise between Synods. The Court is the diocesan tribunal or court required by Canon IV.7.1.2 of the Provincial Canons, and references in this Title IV or in the Provincial Canons to the diocesan Disciplinary Tribunal for a Presbyter or Deacon refer to the Court.

### Section 2. Court Advisor

The Bishop may appoint an attorney at law to advise the Court as to its procedures. The Court Advisor must satisfy the conflict-of-interest provisions in Canon IV.11.2 of the Provincial Canons and may not be the Chancellor of the Diocese.

### Section 3. Court Officers and Recorder of Proceedings

The Court shall elect its President and Secretary from its members, and shall appoint a recorder of proceedings, which recorder may be a court reporting agency not affiliated with the Diocese.

### Section 4. Quorum and Composition of Court

A panel of no fewer than seven members of the Court shall be necessary for the conduct of a trial or for a judgment. Any panel of the Court shall comprise an odd number of members with one more clergy than laity.

### Section 5. Judgment of the Court

An affirmative vote of seventy-five percent (75%) of the members of a panel of the Court shall be required for any judgment. The Court shall apply the standard of clear and convincing evidence as set forth in Appendix A, Rule 10, of these Diocesan Canons and Canon IV.7.5.5 of the Provincial Canons.

### Section 6. Effect of Judicial Decisions of the Trial Court

The Court shall sit as an arbitral panel and its judgments shall have the legal effect of an arbitral award under federal and applicable state law. The Court may order such interim relief as it may deem fit in any particular case. Judgment upon an arbitration decision may be entered in any court otherwise having jurisdiction. The decisions of the Court shall be subject to review only in

accordance with the Constitution and Canons of the Anglican Church in North America and only by the reviewing bodies of the Anglican Church in North America, including without limitation the Provincial Tribunal under Canon IV.9 of the Provincial Canons. The decisions of the Court or any reviewing body of the Anglican Church in North America shall not be subject to review in any federal or state court. The law that shall govern any dispute brought before the Court shall be the Constitution and Canons of this Diocese and the Constitution and Canons of the Anglican Church in North America. The Court may consider, in its sole discretion, any other law or authorities it determines should be applied to the particular case before it, including the arbitration rules of any other body. This Title IV shall be the sole remedy with regard to any controversy or claim arising out of the Articles of Incorporation and the Constitution and Canons of the Diocese of Christ our Hope. Any person subject to this Title shall have no right to file a lawsuit in any civil court with regard to such disputes, except to enforce an arbitration decision.

**Section 7. Disqualification of Members of the Trial Court**

On motion of any party, any individual having been asked to serve on a panel in an active case should disqualify himself or herself in a proceeding in which their impartiality may reasonably be questioned, including but not limited to instances where:

- The panel member has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceedings;
- The panel member has an interest that could be substantially affected by the outcome of the proceeding;
- The panel member is likely to be a material witness in the proceeding.

In addition to the foregoing, the recusal provisions of Canon IV.11.2 of the Provincial Canons shall apply. Nothing in this Canon shall preclude a panel member from disqualifying him or herself from participating in any proceeding upon their own initiative. Also, a panel member potentially disqualified by the terms of this Canon may, instead of withdrawing from the proceeding, disclose on the record the basis of his or her potential disqualification. If, based on such disclosure, the parties and lawyers, on behalf of their clients and independently of the panel member's participation, all agree in writing that the panel member's basis for potential disqualification is immaterial or insubstantial, the panel member is no longer disqualified, and may participate in the proceeding. The agreement, signed by all lawyers, shall be incorporated in the record of the proceeding. For purposes of this section, pro se parties shall be considered lawyers.

**Section 8 – Court Rules and Procedures**

The rules governing proceedings in the Court are set forth in Appendix A of these Diocesan Canons. In addition to the powers granted to the Court by these Diocesan Canons and Appendix A, the Court may exercise the case-management and procedural powers set forth in Canons IV.6.6 and IV.11.6 of the Provincial Canons, subject to and supplemental to the rules in

Appendix A, as contemplated by Canon IV.7.5.1 of the Provincial Canons. To the extent any rule of procedure in Appendix A conflicts with a mandatory requirement of the Provincial Canons, the Provincial Canons shall control.

**Section 9 - Attorneys**

1. The Presenting Proctor appointed by the Diocesan Reports Investigation Committee under Canon IV.7.3.12 shall have the responsibility of preparing the Articles of Presentment and presenting the evidence to the Court, and shall serve as the Trial Attorney for purposes of Appendix A. The Presenting Proctor shall not be the Chancellor of the Diocese.

2. The Respondent shall have the right to an attorney. The Diocesan Council, in its discretion, may authorize the payment in whole or in part of the legal fees incurred by a Respondent. In accordance with Canon IV.1.7 of the Provincial Canons, the Chancellor of the Diocese shall not serve as the attorney, Proctor, or legal advisor to a Respondent under this Title.

## Canon 5
## Diocesan Reports Receivers, Reports Investigation Committee, and Advisors

**Section 1. Diocesan Reports Receivers**

1. The Diocesan Council shall appoint, or consent by majority vote to the appointment by the Bishop of, at least two persons to be Diocesan Reports Receivers. Persons so appointed must have reporter care and response training that enables them to address reports of misconduct in a way that is pastorally sensitive to the impact of alleged misconduct, fosters safety, builds trust, and empowers individuals to engage in processes without fear of further injury. At least one of the Diocesan Reports Receivers shall be a lay person. In no event shall any Chancellor of the Diocese serve as a Diocesan Reports Receiver. The Diocesan Council may remove a Diocesan Reports Receiver by a two-thirds vote.

2. The Diocesan Reports Receivers shall perform the functions assigned in this Title IV to the Diocesan Reports Receivers and to the Reports Administrators of the Diocese, including the receipt and processing of Reports under Canon IV.7.2, the appointment of Advisors under sections 3 and 4 of this Canon, and the maintenance of the register under Canon IV.12.1. In any matter, the Diocesan Reports Receivers may act through two or more of their number designated for that matter, at least one of whom is a lay person, and any determination of the Diocesan Reports Receivers under Canon IV.7.2 shall be made by those so designated acting jointly.

3. The Diocesan Reports Receivers may engage independent reporting hotlines, external safeguarding organizations, and third-party report intake services, provided the Diocesan Reports Receivers maintain their discretion under Canon IV.7.2.1.

4. Any member of the clergy, employee of the Diocese, or member of a committee of the Diocese (including any committee of the Diocese concerned with ethics or safeguarding) who

receives an allegation of misconduct by a member of the clergy in the course of his or her diocesan duties shall promptly refer it to the Diocesan Reports Receivers.

5. Any report received regarding the abuse of a minor or vulnerable adult shall be reported to the appropriate civil authorities as provided in Canon IV.1.6.

6. A Report of misconduct by a presbyter or deacon shall be received, evaluated, and either dismissed or advanced in accordance with Canon IV.7.2.

7. The Diocese shall facilitate provision of pastoral care, consistent with Canon IV.1.2, for those making Reports not dismissed under Canon IV.7.2.3, as well as for the clergy who are the subject of such Reports.

8. Upon receipt of a report of misconduct by a layperson, the Diocesan Reports Receivers shall inform the Bishop. The Diocesan Reports Receivers shall also, in consultation with the Bishop, inform a Warden and/or the member of the clergy in charge of the congregation such layperson attends or in which the alleged misconduct occurred for the matter to be addressed at the level of the congregation with support, as needed, from the Diocese.

9. Upon receipt of a report of misconduct by a bishop, the Diocesan Reports Receivers shall refer the report to the Reports Administrators of the Province for processing under Canon IV.6 of the Provincial Canons.

10. The details of a Report and of any subsequent investigation shall be maintained in appropriate confidence as provided in Canon IV.7.3.9.

**Section 2. Diocesan Reports Investigation Committee**

(a) There shall be a Reports Investigation Committee of the Diocese consisting of no fewer than five members and no more than nine members, including:

a. at least one legally qualified person (meaning a person who has a degree or license in canon law, was or is a judge in Canada, Mexico, or the United States, or has been licensed to practice law for at least 5 years in any part of Canada, Mexico, or the United States);

b. At least one person with experience and training as a human resources practitioners;

c. At least one person with experience and training in conducting investigations;

d. At least one person with experience and training in psychology, psychiatry, or mental health counseling; and

e. At least one person with experience and training in child and adolescent development.

The membership of the Diocesan Reports Investigation Committee shall be as close to equal in number of male and female members as is reasonably practicable. A member of the Diocesan Reports Investigation Committee may be removed by majority vote of the

Diocesan Council if the Diocesan Council determines that a conflict of interest has arisen or for other material cause.

A member who has multiple qualifications may be counted multiple times for purposes of this requirement. The members so elected or appointed (as the case may be) shall hold office for three years and shall be eligible for re-election or re-appointment.

(b) Two members of the Diocesan Reports Investigation Committee shall be nominated by the Bishop and confirmed by the Synod. All other members shall be nominated by the Diocesan Council and confirmed by the Synod.

(c) Any vacancy by death, resignation, removal, or continued unavailability to perform committee duties for three months shall be filled as soon as conveniently may be by Diocesan Council. Any person appointed to fill the vacancy of an appointed member of the Reports Investigation Committee shall serve for the remainder of the unexpired term of the vacant position. Any person appointed to fill the vacancy of an elected member of the Reports Investigation Committee shall hold office until the next meeting of the Diocesan Council, when members shall be elected by the Diocesan Council to fill a vacancy for the remainder of the unexpired term of the vacant position. All appointments must otherwise satisfy this Title.

(d) The quorum for meetings of the Diocesan Reports Investigation Committee shall be a majority of appointed members. Decisions may be made by majority vote of those present. Any meeting of the Diocesan Reports Investigation Committee at which a quorum is present shall be competent to exercise all the functions and powers conferred upon the Committee by this title.

(e) The Diocesan Council shall appoint a chairperson of the Diocesan Reports Investigation Committee from among the members of the Committee. The Diocesan Reports Investigation Committee shall itself select a vice-chairperson from among its members.

**Section 3 – Reporting Party Advisor**

1. In any matter involving allegations of clergy misconduct, abuse, or harm, the Diocesan Reports Receivers may appoint, upon request, a Reporting Party Advisor (an "Advisor") to assist the Reporting Parties on a voluntary basis. When an Advisor is appointed in a matter, he or she shall become the point of contact to assist all Reporting Parties for that matter.

2. The Advisor shall provide the Reporting Parties with clear and timely information about the nature, stages, and expected timeline of the proceedings as received from the Diocesan Reports Receivers and assist Reporting Parties in understanding their rights and options at each stage of the process.

3. The Advisor shall maintain confidentiality in accordance with applicable law and canonical norms.

4. The Advisor shall not be a member of any Disciplinary Body or proctor for any party.

5. The Advisor may accompany the Reporting Parties to any proceeding, hearing, or meeting they are required or permitted to attend but shall not participate in such proceeding, hearing, or meeting.

**Section 4 – Respondent Advisor**

1. In any matter involving allegations of clergy misconduct, abuse, or harm, the Diocesan Reports Receivers may appoint, upon request, a Respondent Advisor (an "Advisor") to assist the member of the clergy concerned or the Respondent (as the case may be) on a voluntary basis. When an Advisor is appointed in a matter, he or she shall become the point of contact to assist the member of the clergy concerned or the Respondent for that matter.

2. The Advisor shall provide the member of the clergy concerned or the Respondent with clear and timely information about the nature, stages, and expected timeline of the proceedings as received from the Diocesan Reports Receivers and assist him or her in understanding his or her rights and options at each stage of the process.

3. The Advisor shall maintain confidentiality in accordance with applicable law and canonical norms.

4. The Advisor shall not be a member of any Disciplinary Body or proctor for any party.

5. The Advisor may accompany the member of the clergy concerned or the Respondent to any proceeding, hearing, or meeting he or she is required or permitted to attend but shall not participate in such proceeding, hearing, or meeting.

## Canon 6
## Of a Member of the Clergy of Another Diocese Chargeable with an Offense in this Diocese

If a member of the clergy canonically resident in another diocese shall have conducted himself in this Diocese in such a manner as to be liable to a Presentment for an offense under Canon IV.3, the Bishop (or, if the see is vacant, the Ecclesiastical Authority of the Diocese) shall give notice of the same to the Ecclesiastical Authority of the diocese in which the member of the clergy is canonically resident, exhibiting, with the information given, reasonable grounds for proceeding. If that Ecclesiastical Authority, after due notice given, shall omit, for the space of three months, to proceed against the member of the clergy, or shall request this Diocese to proceed against him, the Diocese may institute proceedings as provided by these canons. This Canon is subject to Canon IV.13.2.

## Canon 7
## Discipline of Presbyters and Deacons

### Section 1 – The Duties of the Bishop and of the Diocese

1. It is the duty of the bishop to provide wise discipline, to banish from the Church all erroneous doctrine contrary to the Holy Scriptures, and to maintain as much as he is able quietness, love, and peace among all people. In the exercise of these duties, the bishop of the diocese must act in accordance with the canon law of both the diocese and the province.

2. The Diocese must ensure that it has a disciplinary process for receiving and investigating Reports of clergy misconduct. To that end, and as permitted by Canon IV.7.1.2(a) of the Provincial Canons, the Diocese adopts by this Canon the disciplinary process set forth in sections 2 through 5 of Canon IV.7 of the Provincial Canons, as adapted in this Canon.

3. A bishop may recuse himself from acting in any disciplinary proceeding for significant personal reasons, such as impending retirement or health concerns, or if he has personal bias or prejudice concerning the Reporting Party, a member of the clergy concerned, or the Respondent (as the case may be) that would make fair judgment impossible. However, knowledge or opinions formed by a bishop in the course of the performance of his official duties or in the course of the process established by this canon do not make recusal necessary. A bishop must recuse himself from acting under this canon if his spouse, parent, child, sibling, any person within the third degree of relationship (great-grandparent, grandparent, parent, uncle, aunt, brother, sister, child, grandchild, great-grandchild, nephew, or niece), or any person in the bishop's household

a. is the Reporting Party;

b. is a member of the clergy concerned or the Respondent (as the case may be); or

c. is, to the bishop's knowledge, likely to be a material witness. Any bishop recusing himself under this section 1.3 must delegate his episcopal duties related to a Report and/or Presentment to the bishop of a diocese, or to a retired bishop of a diocese, for whom there is no conflict of interest. This section does not limit the designation of an overseeing bishop under Canon IV.1.2.

### Section 2 – Processing of Reports

1. Any person who has personal knowledge or experience of, or has received information regarding, the circumstances that may constitute misconduct, or who holds an office for which one of the duties is reporting alleged misconduct, may bring to the attention of the Diocesan Reports Receivers any Report of misconduct by a member of the clergy by means of a written submission. If the Diocesan Reports Receivers receive an allegation in a manner other than a written submission, they may, in their absolute discretion, choose to deem the allegation to be a Report and treat it accordingly. Any party making a report must certify that they agree to

cooperate with any investigation or adjudication of such report in accordance with Canon IV.1.3., including the duty to maintain confidentiality during the investigation of the Report.

2. Where a Report is made against a member of the clergy, the Diocesan Reports Receivers shall, in the first instance, consult with the bishop and together they shall determine whether reasonable grounds have been disclosed to believe that the member of the clergy has committed a canonical offense under Canon IV.3.

3. If the bishop and the Diocesan Reports Receivers are of the opinion that the Report discloses no reasonable grounds, then, subject to obtaining the written approval of the Vice-Chair of the Diocesan Council, the Diocesan Reports Receivers may dismiss the Report. Because the Bishop serves as Chair of the Diocesan Council, the Vice-Chair shall act in place of the chair of the Standing Committee for purposes of this section; if the Vice-Chair is recused or unavailable, the Diocesan Council shall designate another lay member of the Diocesan Council to act. The decision of the bishop and the Diocesan Reports Receivers to dismiss must be unanimous. If the Report is dismissed, the Diocesan Reports Receivers shall notify the Reporting Party in writing. Such a dismissal is not a defense to a subsequent Report in relation to the same or substantially the same matters.

4. If the agreement to dismiss is not unanimous, or if the Vice-Chair of the Diocesan Council (or other member designated under section 2.3 of this Canon) does not give written approval, the Report shall not be dismissed.

5. If a Report has not been dismissed under Canon IV.7.2.3, the bishop shall determine whether pastoral resolution is appropriate, subject to Canon IV.1.1. If the bishop determines, in his sole discretion, that pastoral resolution is not appropriate, or if an outcome acceptable to a reasonable number of Reporting Parties, in the sole discretion of the bishop, is not reached within 42 days after initiating pastoral resolution, the Diocesan Reports Receivers shall convey the Report to the Diocesan Reports Investigation Committee for investigation. This time period may be extended for a time certain by the bishop in his sole discretion, not to exceed 180 days in the aggregate.

6. The Diocesan Reports Receivers shall keep a confidential record of all Reports received, all notices provided under this section 2, and all dismissed Reports, for reference by the Diocesan Reports Receivers, the bishop, and the Disciplinary Bodies.

**Section 3 – Investigation of Reports**

1. When the Diocesan Reports Receivers convey a Report to the Diocesan Reports Investigation Committee, the Committee shall investigate the Report in order to decide whether a prima facie case exists that the member of the clergy concerned is liable to disciplinary action for an offense under Canon IV.3. The Diocesan Reports Investigation Committee must complete the investigation as expeditiously as possible and may take such actions and have such powers set forth for any provincial investigation committee as set forth in Canon IV.6.3 of the Provincial Canons, including the requiring of oaths.

2. Before reaching a decision as to whether a prima facie case exists, the Diocesan Reports Investigation Committee must provide to the member of the clergy concerned and the Reporting Party:

a. a fair synopsis of the Report prepared by the Diocesan Reports Receivers properly redacted;

b. brief details of the material then before the Diocesan Reports Investigation Committee and upon which it proposes to base its decision as to whether a prima facie case exists; and

c. an opportunity to make such written representations to the Committee as the member of the clergy concerned or Reporting Party may consider appropriate to the deliberations of the Diocesan Reports Investigation Committee.

3. If the Diocesan Reports Investigation Committee gives the member of the clergy concerned, the Diocesan Reports Receivers, or the Reporting Party a non-adversarial opportunity to be heard before the Committee, it must offer a like but separate opportunity to each of them.

4. The Diocesan Reports Investigation Committee may contract for additional expertise and services, provided that:

a. any such contracts must be approved by the Standing Committee of the diocese, and

b. the Diocesan Reports Investigation Committee itself is solely responsible to determine whether a prima facie case exists.

5. If the Diocesan Reports Investigation Committee determines that no prima facie case exists with respect to any Report, the Report shall be dismissed. The Diocesan Reports Investigation Committee must notify in writing the member of the clergy concerned, the bishop of the diocese, the Diocesan Reports Receivers, the Standing Committee of the diocese, and any Reporting Party, and provide the reasoning for such determination. If, and only if, the member of the clergy concerned requests such public notice of dismissal, the Committee shall provide public notice that the Report has been dismissed, subject to the confidentiality and redaction rules of Canon IV.11.

6. If the Diocesan Reports Investigation Committee determines that a prima facie case exists, it shall in its absolute discretion:

a. refer the whole or part of the Report to the Ecclesiastical Trial Court of the Diocese as a Presentment in terms formulated by the Committee;

b. recommend to the bishop of the diocese a different resolution for the whole or part of the Report, such as reconciliation or mediation, subject to Canon IV.1.1, to be completed by a date certain, or deferral of consideration of the whole or part of the Report on specified terms and conditions; or

c. decide that, notwithstanding such prima facie case, further consideration of the whole or part of the Report be deferred in exceptional circumstances and for a time certain on such terms and conditions as the Committee considers appropriate.

d. decide that no Presentment may be referred to the Ecclesiastical Trial Court of the Diocese pursuant to Canon IV.7.3.11, regarding the statutes of limitation. In such a case, the Committee may seek the necessary approval to refer a Presentment or defer consideration of the Report until such time as it shall become eligible for referral under the terms of Canon IV.7.3.11(d).

The Diocesan Reports Investigation Committee must notify in writing the member of the clergy concerned, the bishop, the Diocesan Council, the Diocesan Reports Receivers, and the Reporting Party that a prima facie case exists against the member of the clergy concerned, and which course of action, of those listed in this subsection, the Diocesan Reports Investigation Committee intends to take.

7. If the Diocesan Reports Investigation Committee determines that a Presentment shall be referred to the Ecclesiastical Trial Court of the Diocese, it shall

a. provide a copy of such Presentment to the member of the clergy concerned and the Reporting Parties, properly redacted pursuant to Canon IV.11.

b. give public notice of the referral in the manner it determines to be appropriate, subject to the confidentiality and redaction rules of Canon IV.11.

Any Presentment referred under this canon must include a plain, concise, and definite written statement of the essential facts constituting the offense(s) alleged to have been committed, including reference to the particular provision of Canon IV.3 that has been violated. These requirements are meant to inform the Respondent of the conduct charged, to enable the Respondent to prepare a defense, and to protect the Respondent against being subject to multiple Presentments for the same offense. A Presentment may contain several charges. Each charge should allege a single offense, except in the case of an offense arising under Canon IV.3.1(d) in which case the charge should include both the underlying offense and the facts establishing an abuse of ecclesiastical office.

Any Presentment must also include plain, concise, and definitive statements of

- any exculpatory material obtained during the investigation, with a certification by the chair of the Diocesan Reports Investigation Committee that all such material has been described; and
- any portion of a Report that was not referred in the Presentment and the reasons for such non-referral.

8. If a different resolution is recommended to the bishop of the diocese, he shall choose, in his absolute discretion, whether to pursue the recommended resolution, or some other resolution, or else to direct the Diocesan Reports Investigation Committee to refer the whole or part of the

Report to the Ecclesiastical Trial Court of the Diocese as a Presentment in terms formulated by the Diocesan Reports Investigation Committee.

9. The details of a Report and of any subsequent investigation must be maintained in appropriate confidence until the Report is dismissed for no reasonable grounds in accordance with Canon IV.7.2.3, the Diocesan Reports Investigation Committee takes action under Canon IV.7.3.6-7, the Diocesan Reports Investigation Committee refers a Presentment under Canon IV.7.3.7 or 8, or the bishop determines that a different resolution has been achieved under Canon IV.7.3.8. If the bishop directs a process of reconciliation or mediation to be completed by a date certain, the details of the Report and of any subsequent investigation must be maintained in appropriate confidence until the specified date or the conclusion of the process, whichever is later.

10. In the event the Diocesan Reports Investigation Committee takes action under Canon IV.7.3.6, the Diocesan Reports Investigation Committee refers a Presentment under Canon IV.7.3.7 or 3.8, or the bishop determines that a different resolution has been achieved under Canon IV.7.3.8, the bishop or his designate shall give public notice of the action taken in the manner he or his designate determines to be appropriate. The bishop or his designate may give public notice of the outcome of any process of conciliation or mediation.

11. Except as noted below, no Presentment may be referred to the Ecclesiastical Trial Court of the Diocese for any offense unless it shall have been committed within 10 years prior to the date of the referral of the Presentment.

a. A Presentment for an offense under Canon IV.3.1 involving sexual misconduct may be referred to the Court at any time.

b. A Presentment that includes allegations that a member of the clergy willfully concealed evidence or otherwise obstructed the discovery of misconduct or investigation into reported misconduct, may with the written approval of the bishop be referred to the Court, notwithstanding any limitation imposed by this section.

c. In the event of a criminal conviction or civil judgment against a member of the clergy, a Presentment for an offense under Canon IV.3 involving the same conduct may be referred to the Court within three years after this conviction or judgment becomes final, notwithstanding any limitation imposed by this section.

d. Upon request by the Diocesan Reports Investigation Committee, the bishop may extend the time for bringing a Presentment with respect to a specific Report under these canons, provided he first obtain the unanimous written consent of the Standing Committee (exclusive of any members of the Standing Committee who may recuse themselves).

12. If the Diocesan Reports Investigation Committee refers a Presentment to the Ecclesiastical Trial Court of the Diocese, the Diocesan Reports Investigation Committee may appoint one of its

members as the Presenting Proctor to present evidence and argument in support of the Presentment, or it may appoint another person to be the Presenting Proctor on its behalf.

**Section 4 – Consent Orders**

1. At any point between the Diocesan Reports Investigation Committee's referral of a Presentment under Canon IV.7.3.7 and its hearing, or between the Diocesan Reports Investigation Committee's recommendation of a different resolution under section 3.6(b) of this canon and the bishop's determination, the Respondent may in writing confess the truth of the Presentment and submit to the discipline of the Church. This written confession shall be sent to the bishop, who shall immediately convey it to the chairperson of the Diocesan Reports Investigation Committee and the President of the Ecclesiastical Trial Court of the Diocese.

2. If a Respondent does not confess to the truth of all of the charges in the Presentment, this confession does not affect the continuation of the process described in this canon with respect to other charges to which the Respondent has not confessed.

3. If the Respondent makes a confession and submission as described in section 4.1 of this canon, the Diocesan Reports Investigation Committee must provide to the bishop of the diocese the following information and recommendations:

a. a summary of the investigation;

b. the Presentment;

c. a recommendation as to one or more of the orders that the Ecclesiastical Trial Court of the Diocese would have power to recommend with respect to a Respondent upon finding a Presentment proved, with such terms and conditions as the Diocesan Reports Investigation Committee may consider appropriate; and

d. a recommendation as to the date on which the order should take effect.

4. Upon receiving the information and recommendations of the Diocesan Reports Investigation Committee, the bishop of the diocese shall within 28 days impose the sentence he thinks fit in accordance with Canon IV.8.2, and he shall as soon as practicable convey the order to the Diocesan Reports Investigation Committee. The sentencing order made by the bishop shall be deemed a consent order. From this order there is no appeal under Canon IV.9 of the Provincial Canons, except for an appeal for excessive sentence.

5. The Diocesan Reports Investigation Committee must provide a copy of the consent order to the Respondent, the Diocesan Reports Receivers, and the Reporting Party.

**Section 5 – Hearing of the Presentment and Sentencing**

1. All powers and duties of the Court specified in this section shall be exercised by a panel of the Court constituted under Canon IV.4.4 to hear a Presentment. The Court may manage judicial proceedings and require the exchange of discovery between the parties in a manner similar to the provisions for provincial disciplinary tribunals set forth in Canons IV.6.6 and IV.11.6 of the

Provincial Canons, subject to and in addition to the powers granted to it by Canon IV.4.8 and Appendix A.

2. The panel will ordinarily adjudicate a Presentment based upon written statements and other evidence submitted to the panel by the Proctor for the Diocesan Reports Investigation Committee and any Proctor for the Respondent. In addition, the panel shall give the Proctor for the Diocesan Reports Investigation Committee, as well as the Respondent or any Proctor for the Respondent, the opportunity of:

a. attending and being heard at the hearing of the Presentment;

b. calling and cross-examining necessary witnesses as permitted by the panel; and

c. making oral submissions on points requested by the panel.

3. In cases involving allegations of sexual misconduct or sexual abuse, the panel may, in its absolute discretion, (a) allow for testimony to be offered in camera, or (b) provide in exceptional circumstances (such as when a witness is a minor or vulnerable adult) that such witness may provide only written testimony and respond only to written interrogatories from the Respondent.

4. At least 28 days in advance of the hearing, the Proctor for the Diocesan Reports Investigation Committee must provide the Proctor for the Respondent: (a) a summary of the arguments to be presented; (b) copies of all exhibits, documents, or other materials, if any, that the Proctor intends to rely on; (c) a list of the witnesses the Proctor intends to call at the hearing, their contact information, and a summary of their expected testimony, with any expert witnesses so designated; and (d) copies of any exculpatory evidence obtained by the Diocesan Reports Investigation Committee, if any.

5. At least 21 days in advance of the hearing, the Proctor for the Respondent must provide the Proctor for the Diocesan Reports Investigation Committee: (a) a summary of the arguments to be presented; (b) copies of all exhibits, documents, or other materials, if any, that the Proctor intends to rely on; and (c) a list of the witnesses the Proctor intends to call at the hearing, their contact information, and a summary of their expected testimony, with any expert witnesses so designated.

6. The panel may determine whether evidence is relevant, and it may exclude otherwise relevant evidence, including testimony by witnesses, if it concludes that its probative value is substantially outweighed by a danger of confusion of issues, undue delay, waste of time, or needless presentation of cumulative evidence. The panel may also exclude such evidence if it concludes that such exclusion is necessary to protect a witness from harassment or intimidation. If the panel concludes that there is an undue risk of one or more of these dangers, instead of excluding testimony, the panel may, in its absolute discretion, regulate the mode and order of examining witnesses.

7. The panel may, on the application of the Presenting Proctor and before the commencement of the hearing, agree to the amendment of the terms of a Presentment, provided it is satisfied that the Respondent would not be unfairly prejudiced thereby.

8. If, during the course of hearing a Presentment, it becomes apparent to the panel that the Respondent may be liable to disciplinary action under Canon IV.3 in relation to matters not the subject matter of the Presentment, it may amend the terms of the Presentment to include those additional matters or it may bring those matters to the attention of the Diocesan Reports Receivers. If the panel decides to amend a Presentment, it may, on the application of the Respondent or the Proctor for the Diocesan Reports Investigation Committee, adjourn the hearing for such period of time as may seem fit in the circumstances.

9. If the panel, by the vote required by Canon IV.4.5, finds that the Presentment has been proved in whole or in part by clear and convincing evidence, with the panel basing its decision only upon the evidence and witness testimony presented at the hearing, it shall make a finding to that effect; but if it finds that the Presentment has not been proved by clear and convincing evidence, it shall dismiss the Presentment. A final finding or order should concisely convey a fair summary of the charges made, the evidence considered for and against such charges, and the rationale for the Court's decision.

10. The panel may take notice of any criminal conviction or civil judgment against Respondent, which shall be regarded as conclusive proof that he or she committed that crime or civil violation, provided that he or she must be given a reasonable opportunity to be heard as to any matters in extenuation and mitigation.

> If the panel makes a finding that a Presentment has been proved in whole or in part, it may recommend to the bishop of the diocese an order in accordance with Canon IV.8.2, or else an order that no further action be taken on the Presentment. In choosing the sentence it considers appropriate, the panel shall have regard to the office and duties of the Respondent, the panel's views as to the nature and seriousness of the Presentment, any previous Report with respect to which a finding and/or order have been made against the Respondent, and any other circumstances that the panel considers relevant. The panel may also, in its absolute discretion, provide any Reporting Party an opportunity to be heard by the panel as to the impacts of any alleged misconduct. The panel shall provide a written explanation of the reasons supporting its recommendation. The panel shall promptly transmit the recommendation with the explanation to the bishop of the diocese.

11. Upon receiving any such recommendation, the bishop of the diocese must, subject to Canon IV.8.1.2, promptly impose a sentence, which may be different than that suggested by the panel, in accordance with Canon IV.8.2, and must give notice of the sentence as required by Canon IV.8.3, including notice of the right to appeal the determination of the Court, the sentence imposed by the bishop, or both. Upon imposition of sentence, the final order and sentence imposed shall be published.

12. The disciplinary process in sections 2 through 5 of this canon does not limit other forms of inquiry or action, such as an episcopal visitation or an inquiry by the bishop of a diocese or the Standing Committee (or their designates) into the spiritual and temporal state of a congregation or of the diocese, including but not limited to obtaining information about the well-being and the effective administration of congregations or of the diocese.

**Section 6 – Certification of Compliance**

1. The Standing Committee must certify to the Executive Committee of the Provincial Council by December 1, 2026, that the diocese has complied with the requirements of Canon IV.7.1.2 of the Provincial Canons. The form for this certification, as well as any supporting materials, shall be prescribed by the Executive Committee.

2. The Diocese may request that the Executive Committee, in its absolute discretion, authorize an extension of time to submit the certification required by Canon IV.7.6.1 of the Provincial Canons. Any such extension may not extend further than two years from the date required by Canon IV.7.6.1 of the Provincial Canons.

3. Whenever a new bishop of the diocese is installed, within one year of his installation, the Standing Committee of the diocese must recertify to the Executive Committee that the diocese has complied with the requirements of Canon IV.7.1.2 of the Provincial Canons.

## Canon 8
## Sentences

**Section 1 - Concerning the Role of the Bishop in Sentencing**

1. The Bishop alone has the authority to pronounce sentence on a Presbyter or Deacon convicted, whether by trial or voluntary submission to the discipline of the Church, as indicated in these canons, except that where an overseeing bishop has been designated under Canon IV.1.2, the overseeing bishop shall pronounce sentence in that matter. The Bishop may, upon recusing himself, delegate the sentencing to another Bishop having jurisdiction. If there is no Bishop, the Archbishop or another Bishop designated by the Archbishop shall pronounce sentence.

2. In case of conviction by the Trial Court, the Bishop shall not proceed to sentence the accused before the expiration of 30 days after he shall have been served with notice of the decision of the court, nor in case an appeal is taken shall sentence be pronounced pending the hearing and determination thereof.

**Section 2 - Concerning Range of Sentencing**

1. If an offense is found to be proven by the Court or under the terms of a consent order, the following sentences may be imposed in conformity with Canon IV.8.1 of the Provincial Canons:

a. Deposition, that is, the Respondent’s permanent removal from all rights, responsibilities, and duties of holy orders;

b. Deprivation, that is, the Respondent's permanent removal from a particular office or appointment;

c. Suspension, that is, the temporary taking away for a definite period not to exceed five (5) years of the Respondent's authority to perform all ministerial functions and/or the functions of a particular office or appointment; or

d. Rebuke, that is, a formal written reprimand.

2. In any proceeding in which the Bishop or the Court may impose a sentence of suspension or deprivation, a sentence of both suspension and deprivation may be imposed.

3. Only one sentence may be imposed with respect to any one offense that has been proven or under the terms of a consent order, except that a sentence of suspension and deprivation may be imposed with respect to a single offense.

a. If the bishop or court finds that two or more offenses have been proven, the sentencing authority may consider the aggregate culpability of the Respondent in imposing sentence.

b. Upon a showing of good cause, a sentence of suspension of a Presbyter or Deacon may be terminated or shortened by the Bishop with the advice and consent of the Archbishop, in consultation with the Diocesan Council.

4. As part of the sentencing order, the bishop, court, tribunal, or other disciplinary body pronouncing sentence may require the Respondent to do or to refrain from doing an act and may require other measures for restoration of the Respondent, a Reporting Party, or other persons.

**Section 3 - Notification of Sentences**

1. When a sentence is pronounced, the bishop or court pronouncing it must within 7 days notify:

(a) the Bishop;

(b) the Diocesan Reports Receivers, who must record the sentence in the register; and

(c) the Standing Committee of the diocese in which the sentenced member of the clergy is domiciled or serving.

2. The notices required by this section are public, must identify the member of the clergy, state the offenses proven or confessed, provide sufficient details to indicate the nature of the finding and/or order, and state the sentence imposed. Unless the contrary is apparent, the notice must indicate that the sentence has not become final and is subject to appeal.

3. Nothing in this section limits the notices required by Canon IV.8.2 of the Provincial Canons.

**Section 4 – Renunciation of Ministry**

If a member of the Clergy making a declaration of resignation or renunciation of the ministry under Title III, Canon 5.9, be under accusation or presentment for any canonical offense, or if they shall have been placed on trial for the same, the Diocesan Council shall not consider or act upon such declaration until after the accusation or presentment shall have been dismissed, or the trial shall have been concluded and sentence, if any, pronounced. If the Diocesan Council shall have ground to suppose that the member of the Clergy making the same is liable to presentment for any canonical offense, such member of the Clergy may, in the discretion of the Diocesan Council, be placed on trial for such offense, notwithstanding such declaration of resignation or renunciation of the ministry.

A purported resignation made by a Presbyter or Deacon following the making of a Report shall be reported to the Archbishop or his designate for inclusion on the Provincial List as required by Canon IV.12.2.1(c) of the Provincial Canons.

## Canon 9
## Appeals

Appeals of the Ecclesiastical Trial Court's decision may be made to the Provincial Tribunal in accordance with Canon IV.9 of the Provincial Canons. However, there is no right to appeal a consent order, except for an appeal for excessive sentence as permitted by Canon IV.7.4.4 of the Provincial Canons.

## Canon 10
## Admonitions and Inhibitions

**Section 1 – Admonitions**

1. Nothing in these canons may be interpreted as limiting the ability of the Bishop to warn and instruct a member of the clergy under his authority as to performance of pastoral responsibilities or official duties.

2. The Bishop may issue an admonition (also called a godly admonition) to a member of the clergy under his jurisdiction. The admonition must be in writing, specify the matter complained of and the canonical or theological basis for the warning, and provide a reasonable time for the member of the clergy to take any required action. Before issuing an admonition, the Bishop must meet with the member of the clergy concerned to discuss the basis for the admonition, unless there are exceptional circumstances that prevent this meeting, and those circumstances are fully described in the admonition.

**Section 2 – Inhibitions**

1. An inhibition is any temporary and involuntary disqualification of a member of the clergy from exercising some or all ministerial functions other than a suspension under Canon IV.8 of these Diocesan Canons. No inhibition may be issued except pursuant to this section 2.

2. Upon referral of a Presentment to the Ecclesiastical Trial Court of the Diocese under Canon IV.7, a member of the clergy shall be inhibited until (a) the Presentment is resolved by way of a consent order; (b) the Presentment is found not proven; or (c) the Presentment is found proven in whole or in part and a sentencing order is made.

3. After a Report is made against a member of the clergy, the bishop may inhibit the member of the clergy concerned as follows.

(a) If the Bishop considers that great scandal is likely to arise from the member of the clergy against whom a Report has been made continuing to perform the duties of that member of the clergy's office, or there is imminent danger to the Reporting Party, to a third person, or to the process of investigating a Report, the Bishop may inhibit the member of the clergy concerned for up to 90 days. An inhibition must be in writing, and must state the reasons why it was issued, state its terms specifically, and describe in reasonable detail the act or acts restrained or required. Any member of the clergy so inhibited shall be entitled to that member of the clergy's full stipend for the period of the inhibition. If required by the Bishop, however, the member of the clergy must deliver up all keys, passwords, access codes, credentials for electronic systems, and any other property, other than a parsonage or rectory, held by virtue of that member of the clergy's office.

(b) With the approval of the Diocesan Council, an inhibition may be extended in increments of up to 90 days, with or without amendments.

4. An inhibition of a member of the clergy is terminated as soon as one of the following occurs:

(a) the Bishop chooses to lift it before its expiration;

(b) the inhibition expires by its own terms; or,

(c) with respect to the matter of the inhibition,

- a Report is dismissed for no reasonable grounds (as under Canon IV.7.2.3),
- a Report is dismissed for lack of a prima facie case (as under Canon IV.7.3.5),
- a Presentment is resolved by way of a consent order (as under Canon IV.7.4),
- a Presentment is found not proven (as under Canon IV.7.5.9), or
- a Presentment is found proven in whole or in part and a sentencing order is made (as under Canon IV.7.5.11).

5. An inhibition may be issued alone or together with an admonition.

## Canon 11
## Norms for Disciplinary Bodies of the Diocese

### Section 1 – Public Notice

1. Under the canons of this title, the Diocesan Reports Investigation Committee must give public notice when it determines that a prima facie case exists (Canon IV.7.3.7(b)) and must publish its consent orders. The Diocesan Reports Investigation Committee may, only upon request of the member of the clergy concerned, give public notice when it determines that a prima facie case does not exist. The Ecclesiastical Trial Court of the Diocese must publish its findings and orders (Canon IV.7.5.11). In addition to these forms of notice, the register containing the orders of each Disciplinary Body shall be available for public inspection (Canon IV.12.1).

2. In addition to the forms of notice and information listed in section 1.1 of this canon, each Disciplinary Body shall communicate to the province the status of its proceedings in the manner and frequency it determines to be appropriate. As appropriate, these communications should include the current status of a proceeding (for example, Presentment filed, date for hearing of Appeal set), recently taken actions, and an outline of next steps in the process.

3. Public communications under section 1.1 of this canon must provide timely and accurate information and be factual and devoid of speculation. These communications must not disclose information that could compromise an investigation or prejudice a hearing, reveal the identity of reporting parties or witnesses (unless the reporting party or witness has testified in a public hearing or otherwise made his or her identity a matter of public record), or impair the safety or reasonable expectation of privacy of any person involved. These communications must also comply with applicable laws and regulations protecting the privacy of any person involved.

4. Any public notice or communication made under this Title IV, and any accompanying document must be redacted prior to public release to remove the name of and identifying information for any minor, vulnerable adult, victim of sexual assault, or Reporting Party.

5. Upon a referral of a report of alleged sexual misconduct, sexual abuse, or sexual harassment to an investigation committee, the Bishop may, in his sole discretion, provide a factual public statement to the effect that an investigation into such allegations has begun. Such public statement may include the name of the accused clergy and shall clearly indicate that such public statement does not verify the truthfulness of any allegation.

### Section 2 – Recusal

1. No person who has personal bias or prejudice concerning the Reporting Party or the Respondent or member of the clergy concerned, or who has personal knowledge of disputed evidentiary facts concerning the proceeding, may participate as a member of a Disciplinary Body in that particular matter. Even in the absence of actual bias, prejudice, or personal knowledge, a member of a Disciplinary Body should recuse himself or herself from any matter in which that member's impartiality might reasonably be questioned or for significant personal reasons, such

as impending retirement or health concerns. A member of a Disciplinary Body must recuse himself or herself if that member's spouse, parent, child, sibling, any person within the third degree of relationship (great-grandparent, grandparent, parent, uncle, aunt, brother, sister, child, grandchild, great-grandchild, nephew, and niece), or any person in that member's household

(a) is the Reporting Party,

(b) is the member of the clergy concerned or Respondent (as the case may be); or

(c) is, to the member of the Disciplinary Body's knowledge, likely to be a material witness.

2. No member of the Diocesan Reports Investigation Committee may participate in the investigation of a Report who is a witness to any of the conduct alleged in it, or who has formed or expressed a definite opinion about the veracity of the allegations in the Report.

3. Each Disciplinary Body may adopt additional regulations to ensure impartiality and objectivity, including further specification of conflicts of interest that preclude a person's participation as a member of a Disciplinary Body in a particular matter.

4. No person may be a member of more than one Disciplinary Body at the same time. Nor may any person be a member of a Disciplinary Body and at the same time be a Diocesan Reports Receiver, an Advisor, a member of the Diocesan Council, or a member of the Committee on Constitution and Canons.

**Section 3 – Improper Communications**

1. The Diocesan Reports Receivers and the members of each Disciplinary Body must act with impartiality and objectivity at all times, not influenced by personal biases or outside pressures. No person shall attempt to influence, coerce, or privately pressure any Diocesan Reports Receiver or any member of a Disciplinary Body with respect to an investigation, adjudication, or appeal.

2. No member of a Disciplinary Body may engage in private communication with any person involved in a Report, Presentment, or appeal that is under consideration or will foreseeably be under consideration by that Disciplinary Body. These persons include the subject of an investigation or Respondent, a Reporting Party, a witness or potential witness, or a representative (whether formal or informal) of any such person.

3. The deliberations of a Disciplinary Body are confidential. No member of a Disciplinary Body may disclose any statement made by any party or incident that occurred during the body's deliberations.

4. Violation of these duties, or solicitation of another person to violate these duties, may constitute a basis for recusal and/or ecclesiastical discipline.

**Section 4 – Confidentiality of Investigative Proceedings**

The details of a Report and of any subsequent investigation must be maintained in confidence as provided in Canon IV.7.3.9. Any Presentment provided to any party must be kept in strict confidence until public notice of the referral is given under Canon IV.7.3.7(b).

**Section 5 – Oath Requirements**

Parties required to take an oath shall do so using the form prescribed by the Provincial Canons or, if none is prescribed, a form adopted by the Disciplinary Body before which the oath is taken.

Each Diocesan Reports Receiver and each member of a Disciplinary Body may not perform any of the duties of the office until having signed the following declaration:

I, ____, [do solemnly declare that I am a baptized, confirmed, and communicant member of a congregation in the Anglican Church in North America, and]* being fully sensible how important it is that Reports involving members of the clergy of the Anglican Church in North America be adjudicated fairly and impartially, undertake that I will faithfully and to the best of my knowledge and power perform my duties [as a Diocesan Reports Receiver or as a member of _____] without fear or favor or affection or ill-will toward any person, and that I will uphold the Constitution and Canons of the Anglican Church in North America and of the Diocese of Christ our Hope for the glory of God, the good of his church, and the welfare of his people. So help me God.

* The words in the first set of brackets shall be omitted when the declaration is made by a bishop or a member of the clergy.

## Canon 12
## Disciplinary Records

**Section 1 – Register**

1. The Diocesan Reports Receivers must maintain a register of all orders made by the Diocesan Reports Investigation Committee and the Ecclesiastical Trial Court of the Diocese and its panels, including consent orders. The Diocesan Reports Receivers must also use their best efforts to record in the register every sentence pronounced by any bishop, court, tribunal, or other diocesan disciplinary body. The Diocesan Reports Receivers must ensure that the register is open to inspection by members of the public.

2. If any person believes that an error has been made in any entry in the register, he or she may apply to the Diocesan Reports Receivers to have the error rectified. Upon determining that an error has been made, the Diocesan Reports Receivers must duly rectify the register. When a correction is made, the change and the reasons supporting it shall be recorded in a separate corrections log. The corrections log shall not be public but shall be available for inspection upon request.

## Canon 13
## Other Provisions

### Section 1 – Indemnity

1. The Diocesan Reports Receivers, the Advisors, the members of the Disciplinary Bodies, and any proctors shall be indemnified by the Diocese from all losses and expenses incurred by them that arise directly from the discharge of their respective duties, not to exceed applicable limits in the diocesan insurance policies, except for any loss or expense caused by their own intentionally dishonest conduct, fraud, willful violations of law, or criminal misconduct.

2. No member of a Disciplinary Body or proctor shall be liable for any act, omission, or default of any other member of a Disciplinary Body or proctor unless that act, omission, or default results from his or her own intentionally dishonest conduct, fraud, willful violations of law, or criminal misconduct.

### Section 2 – Reports Involving Multiple Jurisdictions

1. Except as noted in this section 2, a Report respecting a member of the clergy should be processed, investigated, and adjudicated by the diocese in which the Respondent is domiciled as provided in Canon III.1.3 of the Provincial Canons.

2. A Report alleging a member of the clergy committed misconduct while functioning as a presbyter or deacon in a diocese other than the member of the clergy's own domicile shall be processed as follows.

> (a) If both dioceses are members of the province, the Report may be processed and investigated, and any Presentment adjudicated, by either diocese. If the bishops of the two dioceses do not agree as to which diocese should proceed in the matter, authority to proceed belongs to the diocese in which the member of the clergy was functioning as a presbyter or deacon at the time of the alleged misconduct. In the event of a disagreement between the bishops of the dioceses about the application of this section 2.2(a), the matter shall be referred to the archbishop, who shall determine, in his absolute discretion, which diocese has authority to proceed.
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> (b) If the domiciliary diocese is not a member of the province, the Report must be processed and investigated, and any Presentment adjudicated, by the non-domiciliary diocese. Nevertheless, the bishop of the non-domiciliary diocese may forward the Report to the archbishop, requesting that the Report be processed and investigated, and any Presentment adjudicated, by the disciplinary bodies of the province. If the archbishop is of the opinion that the Report and any Presentment should be addressed by the disciplinary bodies of the province, subject to obtaining the written approval of the Dean of the Province, he may forward the Report to the Reports Administrator of the province, immediately notifying the bishop of the non-domiciliary diocese that the Report has been removed to the disciplinary bodies of the province. In determining whether the Report

and any Presentment should be addressed by the disciplinary bodies of the province, the archbishop and the Dean of the Province shall have regard to the office and duties of the member of the clergy concerned, the nature and seriousness of the Report, the relationship of the province with other provinces or ecclesial bodies, and any other circumstances that they consider relevant. In the event of an offense being found to be proven by the Ecclesiastical Trial Court of the Diocese, a sentence may be imposed, except that a sentence of deposition may not be imposed, though it may be recommended to the bishop of the domiciliary diocese.

3. In this section 2, the references to a "member of the clergy" shall be understood to include a clergyperson whose domiciliary diocese is not a member of the province.

**Section 3 – Admissions**

The Ecclesiastical Trial Court may admit persons to practice as proctors before the Ecclesiastical Trial Court and provide for the removal of same, under such regulations as it may adopt, consistent with Canon IV.4.9 and Appendix A.

No person who has served as a member of the Ecclesiastical Trial Court of the Diocese may serve as a proctor in any proceeding involving a Presentment referred to the Ecclesiastical Trial Court within 3 years of the termination of such person's membership on the Court.

**Section 4 – Transitional Provisions**

1. This Title IV shall take effect on January 1, 2027, the effective date of the revised Title IV of the Provincial Canons. Until that date, Title IV of these canons as in effect before its amendment by the Synod of 2026 (the "previous Title IV") shall remain in effect.

2. Any accusation or Report made, and any proceeding commenced, under the previous Title IV before January 1, 2027, shall continue to be governed by the previous Title IV.

3. No member of the clergy may be subject to disciplinary action on grounds that would not have rendered him or her liable to disciplinary action under the Constitution and Canons of the Anglican Church in North America and of the Diocese in effect at the time of the alleged conduct, and no sentence may be imposed that was not provided for in those Constitutions and Canons at that time.

4. Pending the first confirmation by the Synod of members of the Diocesan Reports Investigation Committee, the Diocesan Council may appoint persons nominated in accordance with Canon IV.5.2(b) to serve as members of the Committee until the next meeting of the Synod.