TITLE IV
Ecclesiastical Discipline[10]

Canon 1
Of the Nature of Discipline in the Church

The Church has its own inherent right to discipline the faithful who commit offenses. Penalties are established only insofar as they are essential for repentance, reformation, and ecclesiastical discipline and order.

Canon 2
Of Charges against and Godly Admonitions to Bishops, Presbyters, or Deacons

Section 1 - *Concerning Charges*
The following are the charges or accusations on which the Archbishop, a Bishop, a Presbyter, or a Deacon in this Church may be presented:

1. Apostasy from the Christian Faith;
2. Heresy, false doctrine, or schism;
3. Violation of ordination vows;
4. Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power;
5. A conviction by a court of competent jurisdiction for felony or other serious offenses;
6. Sexual immorality;
7. Acceptance of membership in a religious jurisdiction with purpose contrary to that of this Church;
8. Violation of any provision of the Constitution of this Church;
9. Disobedience to, or willful contravention of the Canons of this Church or the constitution or canons of the Diocese in which the charged or accused member of the clergy holds office;
10. Habitual neglect of the duties of the charged or accused member of the clergy's office;
11. Habitual neglect of public worship, and the Holy Communion, according to the order and use of this Church;
12. Willful refusal to follow a lawful Godly Admonition.

Section 2 - *Concerning Godly Admonitions*
A Godly Admonition is a written directive from (a) a Bishop with jurisdiction to a member of the Clergy under his jurisdiction, (b) the Archbishop to a Bishop, or (c) the Dean of the Province to the Archbishop. No Admonition shall be issued until the Bishop, Archbishop, or Dean of the Province (or such person to whom authority has been validly delegated under these canons) shall have met personally with the one receiving the Admonition and the issues have been clearly and fairly discussed. The written Admonition shall be specific concerning the matter complained of

[10] These disciplinary canons shall control disciplinary matters arising until December 31, 2026, after which time the newly revised Title IV, adopted by Provincial Council 2026 and ratified by Provincial Assembly 2026, shall control.

and the canonical or theological basis for the complaint, and shall provide a reasonable time for any required action to be taken. A temporary suspension from the exercise of ministry requires an Inhibition pursuant to Canon IV.9.

In the case of an Admonition to a Bishop, the Archbishop must first obtain the written consent of three of the five senior active diocesan members of the College of Bishops by date of admission (exclusive of the Archbishop, any bishop who is the subject of the Admonition, and any Bishop who may recuse himself) to the contents of the Admonition before its issuance.

In the case of an Admonition to the Archbishop, the Dean of the Province must first obtain the written consent of three of the five senior active diocesan members of the College of Bishops by date of admission (exclusive of the Dean of the Province and the Archbishop, and any Bishop who may recuse himself) to the contents of the Admonition before its issuance.

Canon 3
Of Presentments of Presbyters and Deacons

Section 1 - *Concerning Accusations*

1. An accusation or accusations of conduct believed by the accuser(s) to be in violation of Canon IV.2 may be brought against a Presbyter or a Deacon. Whenever possible the Bishop shall meet with the accuser(s) in person to assess their credibility and the credibility of the accusation(s).
2. The accusation(s) shall be in a writing that contains the facts supporting the allegations of wrongdoing and shall be signed and sworn to by the accuser(s) and delivered to the Bishop.
3. If the Bishop deems the accuser(s) or the accusation(s) to be credible, he shall cause an investigation to be made by a canonical investigator. If the Bishop deems the accuser(s) not to be credible or the accusation(s) to be without any merit, or both, he shall inform the accuser(s) of his determination in writing and the accuser(s) shall have the right, within 30 days of such determination by the Bishop to appeal his decision to the Standing Committee. The Standing Committee shall then have 30 days to determine whether the accuser(s) and the accusation(s) are credible, or to affirm the bishop's decision. If they reverse the bishop's determination, in whole or in part, they shall cause an investigation to be made by a canonical investigator.
4. Whenever the bishop believes he cannot fairly assess the credibility of the accuser(s), the accusation(s), or the accused, or fairly impose sentence, he shall recuse himself and delegate the investigation, presentment, and/or sentencing to another bishop having jurisdiction, or to a bishop formerly having had jurisdiction who is still an active member of the College of Bishops.
5. During the pendency of the investigation, the details of the accusation(s) and the investigation shall be maintained in appropriate confidence.

Section 2 - *Concerning Voluntary Submission to Discipline*

At any time after the receipt of an accusation(s), the accused may confess to the truth of the allegation(s) and submit to the discipline of the Church.

Section 3 - *Concerning Canonical Investigation, Presentment and Trial*

1. Each Diocese shall appoint a canonical investigator to ascertain the merit of the accusations and make a recommendation to the Ecclesiastical authority as to whether further juridical process should be pursued.
2. (a) No presentment shall be made or conviction had for any offense under Canon IV.2 unless the offense shall have been committed within ten years immediately preceding the time of the presentment. Such time may be extended by written permission of the Archbishop.

   (b) For any offense covered by Canon IV.2.5, a presentment may also be made at any time within one year after such conviction.
3. The accused shall be entitled to notice of an ongoing investigation. The accused has the right to retain legal counsel or another representative and may submit his or her defense in writing. The presenters also have the right to retain legal counsel or another representative.
4. The canonical investigator shall report the findings and make a recommendation to the Diocesan authority within a reasonable time.
5. If it is determined by the Ecclesiastical authority that a trial should occur, then a presentment shall be prepared and procedures followed according to the norms of ecclesiastical law. Such procedures shall acknowledge the presumption of innocence of the accused, the right to representation by counsel, the right to confront and examine witnesses and shall be consistent with principles of fairness, due process and natural justice and shall require expeditious handling consistent with those principles. No new rule of procedure shall be made while a matter is pending that would be affected by that rule.
6. The Presbyter or Deacon accused in the presentment has the right to a trial within a reasonable time, unless personally waived.

Section 4 - *Concerning Requirements for a Presentment*

1. When, after investigation of an accusation, the Ecclesiastical authority has determined that the matter should proceed forward, Articles of Presentment shall be prepared and personally served within a reasonable time upon the Presbyter or Deacon against whom the accusation has been made.
2. Each Diocese shall have a person (lay or ordained) appointed by the Bishop for the drafting of presentments and the presentation of the same before the Diocesan Trial Court.
3. The Articles of Presentment shall be made in a writing signed by a representative of the diocesan authority, wherein shall be specified all particulars of time, place, and circumstances alleged.

Canon 4
Of Presentments of Bishops

Section 1 - *Concerning Requirements for Presentment*

A Bishop may be charged under Canon IV.2 by three Bishops of this Church with jurisdiction, or by not fewer than ten Presbyters, Deacons, or adult baptized members of this Church in good standing, of whom at least two shall be Presbyters. One Presbyter and not fewer than six lay persons shall belong either to the Diocese in which the alleged offense was committed or to the

Diocese in which the Bishop is canonically resident. Such charges shall be in writing, signed and sworn to by all the accusers and shall be presented to the Archbishop, the Archbishop's delegate, or the College of Bishops. The grounds of accusation must be set forth with reasonable certainty of time, place and circumstance. The charges shall be referred to the Board of Inquiry.

Section 2 - *Concerning Response to Rumors*
Whenever a Bishop shall have reason to believe that there are in circulation rumors, reports, or allegations affecting his personal or official character, he may, with the consent of two other members of the College of Bishops, demand in writing of the Archbishop, the Archbishop's delegate, or the College of Bishops, that investigation of such rumors, reports and allegations be made.

Section 3 - *Concerning the Board of Inquiry*
The Archbishop upon receipt of a presentment under Section 1 or of a demand under Section 2 shall select a Board of Inquiry of five Presbyters and five adult baptized members in good standing, none of whom shall belong to the Diocese of the accused, of whom eight shall form a quorum, and refer the matter to it.

Section 4 - *Concerning the Process of Inquiry*
The Board of Inquiry shall investigate such rumors, reports, or charges, as the case may be. In conducting the investigation, the Board shall hear the accusations and such proof as the accusers may produce, and shall determine whether, upon matters of law and fact, as presented to them, there are reasonable grounds to put the accused to trial.

Section 5 - *Concerning Testimony and Confidentiality*
The testimony to the Board of Inquiry shall be recorded and transcribed and shall be preserved in the archives of the College of Bishops. The proceedings of the Board as to the investigation of rumors shall be confidential; provided however that if the Board determines that the rumor is unfounded it shall issue to the requesting Bishop a written statement to that effect.

Section 6 - *Concerning the Findings of the Board of Inquiry*
If in the judgment of two-thirds of the Board of Inquiry there is probable cause to present the accused Bishop for trial for violation of Canon 2 of this Title, it shall make a public declaration to that effect.

Canon 5
Of Courts, Membership and Procedures

Section 1 - *Concerning Courts for the Trial of a Presbyter or a Deacon*

1. In each Diocese there shall be an ecclesiastical Trial Court for the trial of any Presbyter or Deacon subject to the jurisdiction of that Diocese.
2. It shall be the duty of each Diocese to provide by canon for the establishment of such court and the mode of conducting trials in the same.
3. In case of conviction by the Trial Court, the Bishop shall not proceed to sentence the accused before the expiration of thirty 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 Courts for the Trial of a Bishop*

1. There shall be a Court for the Trial of a Bishop, whose jurisdiction shall be limited to proceedings against a Bishop of this Church, including the Archbishop, arising under these Canons.
2. The members of this Court shall be three Bishops who are members of the College of Bishops, two Presbyters, and two adult confirmed members in good standing. The members of this Court shall be elected by the Provincial Council, each Order electing its representatives by majority vote of that Order. An equal number of alternate members of this Court shall be elected in the same manner, and such alternate(s) shall serve in the event of any vacancies on the Court or the recusal of a member of the Court. In the event the list of alternates is exhausted for an Order, the Archbishop shall fill those vacancies in consultation with the Executive Committee until the Provincial Council meets to elect members of the court or alternates. The term of each member of the Court shall be three years or until a successor is elected and qualified.
3. The senior diocesan member of the College of Bishops in date of consecration shall be the President of the Court (exclusive of the Bishop under trial and any Bishop who may recuse himself). The Archbishop, or, in the case of a proceeding against the Archbishop, the Dean of the Province, shall also appoint a legal advisor to the Court who shall be trained in canon law, and a prosecutor, also trained in canon law, to bring and prosecute presentments when necessary.

Section 3 - *Concerning the Court of Extraordinary Jurisdiction*

1. There shall be a Court of Extraordinary Jurisdiction, whose jurisdiction shall be limited to proceedings either:
   (a) referred by Bishops of this Church who have oversight of Clergy canonically attached to other Anglican Provinces or Dioceses in those cases where such Provinces or Dioceses have waived their jurisdiction in favor of the Court of Extraordinary Jurisdiction; or
   (b) in which a member of the Clergy who is amenable to presentment under these canons is attached to a Diocese not possessed of a trial court. Cases may be referred to the Court of Extraordinary Jurisdiction by the Bishop under whose authority the accused serves.
2. The members of this Court shall be three Presbyters, three adult confirmed members in good standing, and one Bishop, appointed by the Archbishop. The President of the Court shall be elected by the members of the Court. The Archbishop shall also appoint a legal advisor to the Court who shall be trained in canon law, and a prosecutor, also trained in canon law, to bring and prosecute presentments when necessary. The term of each member of the Court shall be three years or until a successor is elected and qualified.

Section 4 - *Concerning the Provincial Tribunal*

1. There shall be a Provincial Tribunal as provided in the Constitution of the Church. The Provincial Tribunal shall serve: (1) as a court of review in the case of a conviction after trial of a Bishop, Presbyter, or Deacon; and (2) as a court of original jurisdiction: (a) to hear and decide matters in dispute arising from the Constitution and Canons of the Province, except in Title IV prior to the role assigned to it in clause (1) above, (b) to hear and decide disputes between Dioceses, (c) to hear and decide appeals by a bishop pursuant to Canons I.3.3(d) and III.8.7(d) and (d) to issue nonbinding advisory opinions on issues submitted by the College of Bishops, the Provincial Council, or the Provincial Assembly.

2. The Provincial Tribunal shall consist of seven members who shall be elected by the Provincial Council. At least two members shall be Bishops; the senior Bishop in date of admission shall serve as the President of the Court. At least two members shall be lawyers, knowledgeable in canon and ecclesiastical law. The term of each member of the Court shall be three years or until a successor is elected and qualified. An equal number of alternate members of this Tribunal shall be elected in the same manner, and such alternate(s) shall serve in the event of any vacancies on the Tribunal or the recusal of a member of the Tribunal.

Section 5 - *Concerning Appeal*

1. An appeal may be made within thirty days of the decision of a Court for the Trial of a Presbyter or a Deacon, the Court for the Trial of a Bishop, or the Court of Extraordinary Jurisdiction. The appeal shall be made in writing to the Bishop who is the Presiding Officer of the Provincial Tribunal, stating the nature of the case and the reason(s) for the appeal.
2. The Provincial Tribunal shall, within thirty days, request the entire transcript of the trial and upon receipt of the transcript shall notify promptly all parties of the time and place for the hearing of the appeal which shall be within three months but not fewer than two months from the date of notification, unless agreed otherwise by all the parties.
3. The Provincial Tribunal shall render its decision on the appeal within thirty days of the hearing. The expenses of the appeal shall be paid by the appellant, unless the appellant is successful or the Provincial Tribunal orders otherwise.

Section 6 - *Concerning the Process of the Appeal*

1. The Provincial Tribunal shall hear the appeal based solely upon the record in the trial court. The parties may submit written briefs and may request oral argument. The Provincial Tribunal may reverse or affirm, in whole or in part, the appealed decision, or, if in its opinion justice shall require, may grant a new trial.
2. Should the appellant fail to appear for the hearing, the Provincial Tribunal shall, at its discretion, dismiss the appeal, or proceed to hear and determine the appeal.

Section 7 - *Concerning Procedures*

The Provincial Tribunal, the Court for Trial of a Bishop, the Court of Extraordinary Jurisdiction, and the Trial Courts of the several Dioceses shall establish their own procedures, to include the appointment of a recorder of proceedings. Such procedures shall acknowledge the presumption of innocence of the accused, the right to representation by counsel, the right to confront and examine witnesses and shall be consistent with principles of fairness, due process and natural justice and shall require expeditious handling consistent with those principles. No new rule of procedure shall be made while a matter is pending that would be affected by that rule. In all courts of original jurisdiction, the standard of proof shall be by clear and convincing evidence. Unless a higher standard is required by diocesan Canon for a Diocesan Trial Court, the affirmative vote of not fewer than a majority of the members of a Court shall be required for any determination by that Court.

Canon 6
Of a Member of the Clergy in Any Diocese Chargeable with Offense in Another

If a member of the Clergy belonging to any Diocese shall have conducted himself in another Diocese in such a manner as to be liable to presentment under the provisions of Canon 2, the Ecclesiastical Authority thereof shall give notice of the same to the Ecclesiastical Authority where the member of the Clergy is canonically resident, exhibiting, with the information given, reasonable ground for proceeding. If the Ecclesiastical Authority of the alleged offender, after due notice given, shall omit, for the space of three months, to proceed against the offending member of the Clergy, or shall request the Ecclesiastical Authority of the Diocese in which the offense or offenses are alleged to have been committed to proceed against him, it shall be within the power of the Ecclesiastical Authority of the Diocese within which the offense or offenses are alleged to have been committed to institute proceedings as provided by the canons of that Diocese.

Canon 7
Of Renunciation of Ministry

If a member of the Clergy making a declaration of resignation or renunciation of the ministry under Canon III.6.4, be under accusation or presentment for any canonical offense, or if they shall have been placed on trial for the same, the Ecclesiastical Authority to whom such declaration is made, 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 Ecclesiastical Authority to whom such declaration is made 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 Ecclesiastical Authority, be placed on trial for such offense, notwithstanding such declaration of resignation or renunciation of the ministry.

Canon 8
Of Sentences

Section 1 - *Concerning the Sentencing of a Presbyter or a Deacon*

The Bishop alone has the authority to pronounce sentence on a Presbyter or a Deacon convicted, whether by trial or voluntary submission to the discipline of the Church, as indicated in these canons. The Bishop may, upon recusing himself, delegate the sentencing to another Bishop having jurisdiction or to a bishop formerly having had jurisdiction who is still an active member of the College of Bishops. If there is no Bishop, the Archbishop or another Bishop designated by the Archbishop shall pronounce sentence.

Section 2 - *Concerning the Sentencing of a Bishop*

The College of Bishops, speaking through the Archbishop or his designate, has the sole responsibility and authority to pronounce sentence on a Bishop convicted, whether by trial or voluntary submission to the discipline of the Church, as indicated in these canons.

Section 3 - *Concerning Range of Sentencing*

Sentence shall be:

1. Censure and/or admonishment;
2. Suspension, for a definite period, not to exceed five years;

3. Suspension for life; or
4. Deposition from the sacred ministry.

In addition, other measures for restoration of the accused may be required.

Section 4 - *Concerning Length of Sentences*
Upon a showing of good cause:

1. A sentence of suspension of a Presbyter or a Deacon may be terminated or shortened by the Bishop of the Diocese in which the Presbyter or Deacon was convicted with the advice and consent of the Archbishop, in consultation with the Executive Committee;
2. A sentence of suspension of a Bishop may be terminated or shortened by the College of Bishops with the consent of the Archbishop.

Canon 9
Of Inhibitions

Section 1 - *Concerning Inhibitions*
An Inhibition is a temporary suspension of a Bishop (including the Archbishop), a Presbyter, or a Deacon from the exercise of ministry, in whole or in part, when one having authority under these canons believes, upon reasonable grounds, that the accused has engaged in conduct upon which the accused may be presented and that it is in the best interests of the Church to do so, pending an accusation, canonical investigation, presentment, trial or voluntary submission to discipline under these canons. An Inhibition may be used alone or in conjunction with a Godly Admonition (Canon IV.2.2). An inhibition shall be in writing, signed by one having authority under this canon or one to whom authority has been validly delegated under these canons.

Section 2 - *Concerning Inhibition of a Presbyter or a Deacon*
1. A Bishop may temporarily Inhibit a Presbyter or a Deacon under this canon. Such temporary Inhibition shall last no longer than sixty (60) days. With the advice and consent of the Standing Committee or its equivalent, any Inhibition of a Presbyter or a Deacon may be extended until such time as the Bishop lifts the Inhibition (with notice to the Standing Committee or its equivalent), any charges arising from a presentment are dropped, action is taken by a Trial Court, or the accused voluntarily submits to the discipline of the Church.
2. Upon application by a Presbyter or a Deacon who has been Inhibited under this Canon and upon a showing of good cause, the Archbishop or his designate may modify or revoke the Inhibition. Such decision shall be rendered within thirty (30) days of the application.

Section 3 - *Concerning Inhibition of a Bishop*
1. The Archbishop may temporarily Inhibit a Bishop under this canon. Prior to such temporary Inhibition, the Archbishop must first obtain the written consent of the four of the five senior active diocesan members of the College of Bishops by date of admission (exclusive of the Archbishop, the Bishop who is the subject of the Inhibition, and any Bishop who may recuse himself). Such temporary Inhibition shall last no longer than sixty (60) days.
2. With the written consent of four of the five senior active diocesan members of the College of Bishops by date of admission (exclusive of the Archbishop, the Bishop who is the subject of the Inhibition, and any Bishop who may recuse himself), any Inhibition of a Bishop may be

extended until the Archbishop lifts the Inhibition (with notice to the Standing Committee of the Diocese of the Bishop inhibited and the panel of Bishops which authorized an extension of the Inhibition), any charges arising from a presentment are dropped, action is taken by a Court for the Trial of a Bishop, or the accused voluntarily submits to the discipline of the Church.

3. Upon application by a Bishop who has been Inhibited under this Canon and upon a showing of good cause, the five senior active diocesan members of the College of Bishops by date of admission (exclusive of the Bishop who is the subject of the Inhibition, any Bishop involved in the original Inhibition, and any Bishop who may recuse himself) may by majority vote modify or revoke the Inhibition in writing. Such decision shall be rendered within thirty (30) days of the application.

Section 4 - *Concerning Inhibition of the Archbishop*

1. The Dean of the Province may temporarily Inhibit the Archbishop under this canon. Prior to such Inhibition, the Dean of the Province must first obtain the written consent of four of the five senior active diocesan members of the College of Bishops by date of admission (exclusive of the Archbishop, the Dean of the Province, and any Bishop who may recuse himself). Such temporary Inhibition shall last no longer than sixty (60) days. Notice shall be given to the Standing Committee of the Diocese of the Archbishop within twenty-four (24) hours of such Inhibition.

2. With the written consent of four of the five senior active diocesan members of the College of Bishops by date of admission (exclusive of the Archbishop, the Dean of the Province, and any Bishop who may recuse himself), any Inhibition of the Archbishop may be extended until the Dean of the Province lifts the Inhibition (with the notice to the Standing Committee of the Archbishop's Diocese and the panel of Bishops who authorized an extension of the Inhibition), any charges arising from a presentment are dropped, action is taken by a Court for the Trial of a Bishop, or the accused voluntarily submits to the discipline of the Church.

3. Upon application by the Archbishop and upon a showing of good cause, the five senior active diocesan members of the College of Bishops by date of admission (exclusive of the Archbishop, any Bishop involved in the original Inhibition, and any Bishop who may recuse himself) may by majority vote modify or revoke the Inhibition in writing. Such decision shall be rendered within thirty (30) days of the application.

Canon 10
Of Notification of Disciplinary Action Taken

The Bishop or Archbishop pronouncing sentence shall within thirty (30) days after the sentence becomes final and not subject to appeal, notify the Office of the Archbishop, who shall notify all Bishops with jurisdiction and shall maintain a permanent record of the action. The sentencing Bishop shall also notify all of the clergy in the diocese in which the deacon or presbyter has been sentenced. Such required notice shall be limited to the offence under Canon IV.2 for which the member of the clergy has been presented, tried, and convicted, or voluntarily submitted to the discipline of the Church, and the sentence imposed under Canon IV.8. Should a sentence be amended or terminated, notification of such amendment or termination shall also be reported to the Office of the Archbishop who shall promptly give notice to all Bishops with jurisdiction and record the amendment or termination in the permanent record.

Canon 11
The Provincial List

1. The Office of the Archbishop shall maintain a list of all those clergy who have been tried and convicted, or who have voluntarily submitted to the discipline of the Church, for any offense listed in Canon IV.2.
2. The list shall include (a) the name of the clergyperson, (b) the offense under Canon IV.2 for which they were presented, tried and convicted, or voluntarily submitted to the discipline of the Church, (c) the sentence imposed under Canon IV.8 and any other measures required for the restoration of the clergyperson and the victims, (d) the date of the sentence, and (e) the name of the Bishop who imposed the sentence.
3. It is the responsibility of each Bishop with jurisdiction to ensure that the diocesan records are complete and accurate and that the information required under this canon has been provided to the Office of the Archbishop pursuant to Canon IV.10.
4. Those marked on the list will be informed of its entry and its content by the Office of the Archbishop.
5. The Provincial List may be accessed only by the Archbishop, Bishops having jurisdiction, Provincial Chancellors and Diocesan Chancellors, provided however that the Archbishop and Bishops having jurisdiction may designate in writing such persons on their respective staffs who shall have access to the Provincial List for the limited purposes of administration of the list or screening candidates for deployment.
6. Where a sentence has been shortened or terminated for a clergyperson under these canons, the Office of the Archbishop shall note the date and name of the Bishop who shortened or terminated the sentence in the entry for that clergyperson.

TITLE IV
Ecclesiastical Discipline[11]

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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 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. Conflicts involving the Archbishop should be dealt with promptly by the Dean 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 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 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 ordinary's responsibility, for he is the chief pastor of all within that diocese or special jurisdiction, 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 Respondent, and others concerned to receive such care. However, since the bishop ordinary is also responsible for administering discipline over clergy in the diocese or special jurisdiction, it is essential that he should avoid the perception of taking sides. Therefore, while the bishop ordinary 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 Canon 5.9.3. of Title I.

For matters involving allegations of misconduct by a bishop or the Archbishop, 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, member of the clergy, and lay person in the Church must cooperate fully with the disciplinary processes set forth by provincial, diocesan, or special jurisdiction canons. This cooperation includes but is not limited to: (1) providing any information, explanations, documents, and computer and other electronic records requested by a court, tribunal, or other disciplinary body of the province, diocese, or special jurisdiction and (2) maintaining confidentiality during the investigation of a Report. Failure by any party to cooperate may be considered relevant during adjudication as a disciplinary body seeks to determine the truth of a matter. 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 is the subject of a Report or a Respondent to provide a statement during 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 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.

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

Except where the constitution or canons of a diocese provide to the contrary, a chancellor of a province, diocese, or special jurisdiction is counsel to the province, diocese, or special jurisdiction. While it is appropriate in the execution of a chancellor's duties to advise the bishop with jurisdiction on matters affecting the province, diocese, or special jurisdiction, no chancellor shall 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. A chancellor shall also not serve on a court, tribunal, or other disciplinary body within their diocese or, in the case of a provincial chancellor, for the province.

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;

"Appellant" or "Appellee" means a party who has appealed or is responding to an appeal to the Provincial Tribunal;

"bishop" means a member of the College of Bishops of the Anglican Church in North America;

"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;

"clergy" means a presbyter or deacon of the Church;

"consent order" means an order issued by a Disciplinary Body after an admission of guilt;

"**day**" means a calendar day that is not a Saturday, Sunday, or legal public holiday recognized by the federal government of the United States, provided that when the last day of a prescribed period falls on a Saturday, Sunday, or such a holiday, the period shall run until the end of the next day that is not a Saturday, Sunday, or holiday;

"deposition" 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 bishop of a diocese or the rector of a congregation;

"Diocesan Reports Investigation Committee" means the committee designated to investigate Reports for a diocese, to determine whether a Report should be referred to a court or tribunal, and to formulate the Presentment for any Report so referred;

"Diocesan Reports Receivers" means the persons designated by a diocese to receive Reports of misconduct;

"diocese" means a duly constituted diocese under the canons of the province and, for purposes of this Title only, any special jurisdiction, with the bishop of any special jurisdiction deemed a "diocesan bishop" only for purposes of this Title IV;

"Disciplinary Bodies" means the Reports Investigation Committee, the Disciplinary Tribunal for a Bishop, a Sentencing Review Board, and the Provincial Tribunal;

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

"inhibition" means the temporary disqualification of a bishop or 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 a panel of the Disciplinary Tribunal for a Bishop or a diocesan court or tribunal;

"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 bishop or clergy, the affected community, other persons, and the Church;

"Presenting Proctor" means a Proctor appointed by the Reports Investigation Committee to present evidence and argument on its behalf to the Disciplinary Tribunal for a Bishop;

"Presentment" means a report that has been formulated by the Reports Investigation Committee and referred by it to the Disciplinary Tribunal for a Bishop in accordance with this Title, or a report formulated by the Diocesan Reports Investigation Committee and referred by it to the diocesan or special jurisdiction court or tribunal;

"prima facie case" means a finding by an investigative body (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 Disciplinary Tribunal for a Bishop and the Provincial Tribunal;

"public notice" means the publication of information on the primary website of the province, diocese, or special jurisdiction, as the case may be, 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 Reports Administrators, or to the attention of the Diocesan Reports Receivers;

"Reports Administrators" means the persons either appointed under Canon IV.5.1 to oversee the administration and management of Reports of misconduct and the maintenance of required records under this Title IV, and serves or appoints a delegate to serve as court administrator for the Disciplinary Tribunal for a Bishop and the Provincial Tribunal;

"Reports Investigation Committee" means the committee established under Canon IV.5.2 to investigate Reports within the province, to determine whether a Report should be referred to the Disciplinary Tribunal for a Bishop, and to formulate the Presentment for any Report so referred;

"Respondent" means any bishop with respect to whom a Presentment has been referred to the Disciplinary Tribunal for a Bishop, or any member of the clergy with respect to whom a Presentment has been referred to a diocesan court or tribunal;

"Respondent's Proctor" means a Proctor appointed by the Respondent at Respondent's discretion to present evidence and argument on his behalf to the Disciplinary Tribunal for a Bishop;

"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 is 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 his or her capacity to make decisions or advocate for his or her own well-being.

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); 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:

      (1) the canons of this province;

      (2) the canons of the relevant diocese;

      (3) an ordination vow, including the oath of conformity;

      (4) an inhibition;

      (5) an order issued by a provincial or diocesan court, tribunal, or other disciplinary body; or

      (6) 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:

      (1) Physical misconduct, such as violent or threatened physical harm to another person, such as physical assault,

      (2) verbal misconduct, such as, harassment, slander, or habitually abusive language;

      (3) 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;

      (4) sexual harassment, which includes, but is not limited to, a pattern of unwelcome verbal or physical conduct or communication;

      (5) 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; and/or

(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.

2. By duly enacted canons, a diocese may add offenses not inconsistent with the offenses set forth above.

Canon 4
Judicial Disciplinary Bodies of the Province

Section 1 – *Provincial Tribunal*

1. The Provincial Tribunal shall consist of seven members: two bishops (not domiciled or serving in the same diocese), two members of the clergy (not domiciled or serving in the same diocese), and three lay members (who are not resident in the same diocese). At least two members must be legally qualified, at least three members must be female, and at least three members must be male. Except as provided in Canon IV.13.4.7, the members of this Tribunal shall be elected by the Provincial Council, voting by orders by majority vote of that order.

2. An equal number of alternate members of the Tribunal shall be elected in the same manner, and these alternates shall be available to serve in the event of any vacancies or recusals on the Tribunal, with best efforts made to maintain at least two legally qualified members. The president of the Provincial Tribunal shall have authority to choose which alternate will fill a vacancy. In the event the list of alternates is exhausted for an order, the Executive Committee shall fill those vacancies until the next meeting of the Provincial Council, when members or alternates shall be elected by the Provincial Council to fill a vacancy for the remainder of the unexpired term of the vacant position.

3. Members and alternates shall hold office for six years and shall be eligible for re-election. The Provincial Council may elect further alternate members should the imminent need arise.

4. The senior bishop by date of admission shall be the president of the Tribunal. In the event that this bishop recuses himself or is unable to serve as president, the other bishop shall serve as president. In the event each bishop recuses himself or is unable to serve as president, the alternate bishops, in order of seniority by date of admission, shall serve as president. If each alternate bishop recuses himself or is unable to serve as president, the Executive Committee shall appoint a bishop to fill such vacancy until the next meeting of the Provincial Council.

5. The Provincial Tribunal is granted jurisdiction over, and its jurisdiction is limited to, (1) proceedings authorized by Canon IV.9; (2) appeals by the Archbishop or bishop regarding determinations of incapacity under Canons I.3.3.4 and III.8.7.4; and (3) upon petition by the Standing Committee of one or more dioceses or special jurisdictions, the resolution of disputes arising between dioceses or special jurisdictions regarding the meaning of the constitution and canons of the province. In disputes between dioceses or special jurisdictions, the Provincial Tribunal exercises discretionary original jurisdiction.

6. The Provincial Tribunal may regulate procedure on the hearing of any matter before it, and a copy of any rules of procedure made by it, if any, must be publicly available and searchable in electronic form

and must be published before the beginning of the commencement of a matter. Such rules can be altered as needed during a proceeding provided all parties consent to such alteration.

Section 2 – *Disciplinary Tribunal for a Bishop*

1. The Disciplinary Tribunal for a Bishop shall consist of nine members: three bishops (not domiciled or serving in the same diocese), three members of the clergy (not domiciled or serving in the same diocese), and three lay members (not resident in the same diocese). At least three members must be legally qualified and at least three members shall be female and three members must be male. Except as provided in Canon IV.13.4.8, the members of this Disciplinary Tribunal shall be elected by the Provincial Council, voting by orders, by majority vote of that order.
2. An equal number of alternate members of the Disciplinary Tribunal shall be elected in the same manner, and these alternates shall be available to serve in the event of any vacancies or recusals on the Disciplinary Tribunal with the president of the Disciplinary Tribunal granted authority to choose which alternate will fill a vacancy. In the event the list of alternates is exhausted for an order, the Executive Committee shall fill those vacancies until the next meeting of the Provincial Council when members or alternates shall be elected by the Provincial Council to fill a vacancy for the remainder of the unexpired term of the vacant position.
3. The members and alternates shall hold office for six years and shall be eligible for re-election. The Provincial Council may elect further alternate members should the imminent need arise.
4. The senior bishop by date of admission shall be the president of the Disciplinary Tribunal. In the event that this bishop recuses himself or is unable to serve as president, the next most senior diocesan bishop by date of admission shall be the president of the Disciplinary Tribunal. In the event each of the bishops recuses himself or is unable to serve as president, the alternate bishops, in order of seniority by date of admission, shall serve as president. In the event each alternate bishop recuses himself or is unable to serve as president, the Executive Committee shall appoint a bishop to fill such vacancies until the next meeting of the Provincial Council.
5. The Disciplinary Tribunal is granted jurisdiction over, and its jurisdiction is limited to, proceedings authorized by Canon IV.6.5-7.
6. The Disciplinary Tribunal may regulate procedure on the hearing of any Presentment before it, and a copy of any rules of procedure made by it must be publicly available and searchable in electronic form and must be published before the beginning of the commencement of a matter. Such rules can be altered as needed during a proceeding provided all parties consent to such alteration.

Section 3 – *Sentencing Review Board*

1. A Sentencing Review Board is convened to review a recommended sentencing order under Canon IV.6.4 or Canon IV.6.7.4. The Board shall consist of the three senior active diocesan bishops by date of admission exclusive of the following:
   (a) the Archbishop,
   (b) the Respondent,
   (c) any bishop who previously consented to an admonition or inhibition of the Respondent,
   (d) any bishop who previously served on a Sentencing Review Board that reviewed a recommended sentencing order for the Respondent,

(e) any bishop who is a member or alternate of the Disciplinary Tribunal for a Bishop or the Provincial Tribunal, and

(f) any bishop who may recuse himself.

2. The president of the Disciplinary Tribunal for a Bishop shall have the responsibility and authority to ensure that the members of the Board meet the requirements of this section.

Canon 5
Other Disciplinary Bodies of the Province

Section 1 – *Reports Administrators*

1. The Executive Committee shall appoint at least 2 persons to be Reports Administrators for the purposes of this title. 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 Reports Administrators shall be a lay person.

2. The Executive Committee may remove a Reports Administrator by a two-thirds vote.

Section 2 – *Reports Investigation Committee*

1. The Reports Investigation Committee shall consist of nine members. Except as provided in Canon IV.13.4.9, two members of the clergy and two lay members shall be elected by the Provincial Council, and one member of the clergy and four lay members shall be appointed by the Executive Committee. The Executive Committee should endeavor to ensure by its appointments that

   (a) at least three members of the Reports Investigation Committee are legally qualified;

   (b) at least two members 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;

   (c) at least one member has experience in conducting investigations; and

   (d) at least three members are female and three members are male.

   A member who has multiple qualifications may be counted multiple times for purposes of these requirements. 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. A member of the Reports Investigation Committee may be removed by majority vote of the Executive Committee if the Executive Committee determines that a conflict of interest has arisen or for other material cause.

2. Any vacancy by death, resignation, removal, or continued unavailability to perform committee duties for more than three months shall be filled as soon as conveniently possible by the Executive Committee. 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 Provincial Council, when members shall be elected by the Provincial Council to fill a vacancy for the remainder of the unexpired term of the vacant position. The Executive Committee shall ensure that any appointment to fill a vacancy otherwise complies with the requirements of section 2.1 of this canon.

3. The quorum for meetings of the Reports Investigation Committee shall be six persons and decisions may be made by majority vote of those present. Any meeting of the 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.
4. The Reports Investigation Committee may delegate any or all of its functions and powers to subcommittees of its own members as it considers appropriate. Any subcommittee must include at least one member of the clergy and two laypersons, and in the exercise of its delegated functions and powers it must conform to any regulations that may be imposed on it by the Reports Investigation Committee. Decisions of subcommittees as to whether to file a Presentment must be affirmed by a majority vote of the entire Reports Investigation Committee subject to the quorum rules in section 2.3 of this canon.
5. The Executive Committee shall appoint a chairperson of the Reports Investigation Committee from among the members of the Reports Investigation Committee. The Reports Investigation Committee shall itself select a vice-chairperson from among its members.
6. Prior to the beginning of each fiscal year the Reports Investigation Committee shall prepare and submit to the Executive Committee an annual budget for that fiscal year. The Executive Committee may approve, with or without amendment, the annual budget and may provide in its discretion for such funds to be placed in a designated fund that may accumulate. The Reports Investigation Committee may, if it considers it necessary to do so, undertake an interim review of its annual budget, and following this review submit an amended or supplementary budget to the Executive Committee for approval, with or without amendment.
7. The Reports Investigation Committee shall submit to the Executive Committee a biannual income and expenditure statement, and it shall submit the two most recent statements to the Provincial Council, not less than one month before the regular annual meeting of the Provincial Council.

Section 3 – *Reporting Party Advocate*

1. In any matter involving allegations of clergy misconduct, abuse, or harm, the Reports Administrators may appoint, upon request, a Reporting Party Advocate (an "Advocate") to assist the reporting parties on a voluntary basis. When an Advocate is appointed in a matter, he or she shall become the point of contact to assist all reporting parties for that matter.
2. The Advocate shall provide the reporting parties with clear and timely information about the nature, stages, and expected timeline of the proceedings as received from the Reports Administrators and assist reporting parties in understanding their rights and options at each stage of the process.
3. The Advocate shall maintain confidentiality in accordance with applicable law and canonical norms.
4. The Advocate shall not be a member of any Disciplinary Body or proctor for any party.
5. The Advocate 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.

Canon 6
Discipline of Bishops

Section 1 – *Right to Make a Report*

1. Any person who has personal knowledge or experience of, or has received information regarding, circumstances that may constitute misconduct, or who holds an office for which one of the duties is reporting alleged misconduct, may report such information to a Reports Administrator in writing. 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.
2. If a Reports Administrator receives an allegation in a manner other than a written submission, a Reports Administrator may, in his or her absolute discretion, choose to deem the allegation to be a Report and treat it accordingly.
3. Reports Administrators may engage independent reporting hotlines, external safeguarding organizations, and third-party report intake services, provided the Reports Administrators maintain their discretion under section 1.2 of this canon.

Section 2 – *Processing of Reports*

1. Where a Report is made against a bishop, the Reports Administrators shall first consult with the Archbishop (or in the case of a Report made against the Archbishop, with the Dean of the Province) after first redacting the name of the accused bishop and any identifying information and together they shall determine whether the Report sets forth reasonable grounds to believe that the bishop may have committed an offense under Canon IV.3. The Reports Administrators may, in their discretion, combine multiple Reports into a single Report for purposes of referral under this section 2. If the report involves allegations of misconduct by the Archbishop, the Reports Administrators shall consult with the Dean of the Province.
2. If both the Archbishop (or Dean of the Province as the case may be) and the Reports Administrators are all of the opinion that the Report does not disclose reasonable grounds, then, subject to obtaining the written approval of the chairperson of the Reports Investigation Committee, the Reports Administrators may dismiss the Report. The agreement to dismiss must be unanimous. If the Report is dismissed, the Reports Administrators shall so 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. Any matter so dismissed may be referred to the Archbishop for oversight of pastoral care.
3. If the agreement to dismiss is not unanimous, or if the chairperson of the Reports Investigation Committee does not give written approval for dismissal, the Report shall not be dismissed.
4. If a Report has not been dismissed under section 2.2 of this canon, the Archbishop (or as the case may be, the Dean of the Province) shall determine whether pastoral resolution is appropriate subject to Canon IV.1.1. If the Archbishop (or the Dean of the Province, as the case may be) determines, in his sole discretion, that pastoral resolution is not appropriate, or if a pastoral resolution acceptable to a reasonable number of the Reporting Parties, in the Archbishop's sole discretion, is not reached within 42 days after initiating pastoral resolution, then the Reports Administrators shall convey the Report to the Reports Investigation Committee for investigation. This deadline may be extended by the Archbishop in his sole discretion for specified periods of time not to exceed 180 days in aggregate. If a pastoral resolution acceptable to a reasonable number of the Reporting Parties, in the Archbishop's sole discretion, is reached, the Report shall be dismissed.

5. The Reports Administrators shall keep a confidential record of all notices provided under this Section 2 and all dismissed Reports for reference by the Reports Administrators and the Disciplinary Bodies.

Section 3 – *Investigation of Reports*

1. Where a Report has been conveyed to the Reports Investigation Committee by the Reports Administrators, the Reports Investigation Committee shall investigate the Report as expeditiously as possible and decide if a prima facie case exists that the bishop concerned has committed a canonical offense under Canon IV.3.
2. Before reaching a decision as to whether a prima facie case exists, the Reports Investigation Committee must provide to the bishop and any Reporting Party concerned:
   (a) a fair synopsis of the Report conveyed by the Reports Administrators properly redacted;
   (b) brief details of the material then before the 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 it as the bishop and any Reporting Party concerned may consider appropriate to the deliberations of the Committee.
3. When investigating a Report, the Reports Investigation Committee may also take actions that it considers appropriate to its investigation, including the following:
   (a) provide the Reports Administrators opportunities to make written representations;
   (b) provide the Reports Administrators, the bishop concerned, and any Reporting Party non-adversarial opportunities to be heard in accordance with section 3.4 of this canon, with the transcripts of any such hearings reviewed, corrected, and signed by the party offering testimony;
   (c) communicate with additional persons who might have relevant information concerning the conduct alleged in the Report, and provide opportunities to make written representations and/or non-adversarial opportunities to be heard;
   (d) submit questions in writing to the bishop concerned, the Reporting Party, or any other person who might have relevant information, requesting answers in writing;
   (e) request from any person who might have relevant information the submission of documents, computer or other electronic records, or other evidence, including relevant financial transactions, bank records, and other financial documents;
   (f) examine physical evidence, including digital devices and electronic data; and,
   (g) access publicly available records, including court or tribunal records.

   All parties receiving requests for information from the Reports Investigation Committee must cooperate fully pursuant to Canon IV.1.3., including the duty to maintain confidentiality during an investigation.

   Any written submissions or oral responses must be given under oath as provided in Appendix 2.

   In cases involving allegations of sexual misconduct or abuse that occurs within familial relationships, Reporting Parties and witnesses shall have the right to provide only written submissions to the Reports Investigation Committee, rather than in-person testimony.

4. If the Reports Investigation Committee conducts interviews, it shall
   (a) conduct them in a balanced and fair manner;
   (b) utilize techniques that minimize possible further harm to those who may have experienced abuse;
   (c) ensure that all parties, especially Reporting Parties and the bishop concerned, are heard and understood fairly and impartially; and
   (d) in determining whether a prima facie case has been made out, not afford any particular statement greater evidentiary weight due to whether they are a Reporting Party or otherwise.
5. If the Reports Investigation Committee gives the Reports Administrators, the bishop concerned, or any Reporting Party a non-adversarial opportunity to be heard before the Committee, it must offer a like but separate opportunity to each of them.
6. The Reports Investigation Committee may contract for additional expertise and services, provided that:
   (a) any expenditures incurred are in accordance with the budget approved for the Reports Investigation Committee;
   (b) any contracting parties, or persons who perform work under such a contract, satisfy the conflict of interest provisions in Canon IV.11.2;
   (c) the Reports Investigation Committee itself is solely responsible to determine whether a prima facie case exists; and
   (d) any such contracts must be expressly identified in and appended to the income and expenditure statements submitted by the Reports Investigation Committee to the Executive Committee and must be expressly identified and summarized in the income and expenditure statements submitted to the Provincial Council.
7. If the Reports Investigation Committee determines by majority vote that no prima facie case exists with respect to any Report, the Report shall be dismissed. The Reports Investigation Committee must notify in writing the Reports Administrators, the bishop concerned, and any Reporting Party, and provide the reasoning for such determination. If, and only if, the bishop concerned requests such public notice, the Committee shall provide public notice that the Report has been dismissed, subject to the confidentiality and redaction rules of Canon IV.11.
8. If the Reports Investigation Committee determines by majority vote, that a prima facie case does exist, it may in its absolute discretion:
   (a) draft a Presentment based on the whole or part of the Report and its investigation thereof and refer such Presentment to the Disciplinary Tribunal for a Bishop;
   (b) recommend to the bishop concerned and any Reporting Party that they seek reconciliation or mediation for whole or part of the Report, subject to Canon IV.1.1, to be completed by a date certain, after which date the Committee may select one or more courses of action of those listed in this section or decide that no further action be taken on the Report or on any specified part of it;

(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; or

(d) decide that no Presentment may be referred to the Disciplinary Tribunal for a Bishop pursuant to Canon IV.6.3.10 regarding the statutes of limitation. In such a case, the Committee may seek 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.6.3.10.

The Reports Investigation Committee must notify in writing the Reports Administrators, the bishop concerned, and any Reporting Party that a prima facie case exists against the bishop concerned, and inform them which course of action, of those listed in this subsection, the Reports Investigation Committee intends to take.

9. If the Reports Investigation Committee determines that a Presentment shall be referred to the Disciplinary Tribunal for a Bishop, it shall

(a) provide a copy of such Presentment to the bishop concerned and the Reporting Parties, properly redacted and subject to strict confidentiality pursuant to Canon IV.11.4.

(b) give public notice of the referral in the manner it determines to be appropriate, subject to the 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 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.

10. Except as noted below in this section, no Presentment may be referred to the Disciplinary Tribunal for a Bishop for any offense unless it shall have been committed within ten (10) years prior to the date of the Report.

(a) A Presentment for an offense under Canon IV.3.1 involving sexual misconduct may be referred to the Disciplinary Tribunal for a Bishop at any time.

(b) A Presentment that includes an offense which involves allegations that a bishop willfully concealed evidence or otherwise obstructed the discovery of misconduct or investigation into reported misconduct, may, with the written approval of the Archbishop (or the Dean of the Province, as the case may be), be referred to the Disciplinary Tribunal for a Bishop, notwithstanding any limitation imposed by this section.

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

(d) Upon request by the Reports Investigation Committee with regard to a specific Report, the Archbishop (or the Dean of the Province, as the case may be) may extend the time for bringing a Presentment under these canons, provided he first obtains the unanimous written consent of the three senior active diocesan members of the College of Bishops by date of admission (exclusive of the Archbishop, the bishop who is the subject of the Presentment, and any bishop who may recuse himself).

11. The Reports Investigation Committee may appoint a Proctor to act as its canonical adviser in the investigation of a Report.

12. If the Reports Investigation Committee refers a Presentment to the Disciplinary Tribunal for a Bishop, the Committee shall appoint a Proctor to present evidence and argument in support of the Presentment on its behalf, and to appear on any appeal to the Provincial Tribunal. This Proctor may be the Proctor appointed under section 3.11 of this canon and may be, but is not required to be, a member of the Reports Investigation Committee.

13. The Respondent may appoint at his discretion a Proctor to represent him before the Disciplinary Tribunal for a Bishop or may request that one be provided for him. If the Respondent does not appoint a Proctor or does not ask for one to be provided for him, references to the "Respondent's Proctor" shall be understood to refer to the Respondent.

Section 4 – *Consent Orders*

1. At any point between the referral of a Presentment by the Reports Investigation Committee and its hearing, 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 Archbishop (or the Dean of the Province, as the case may be), who shall immediately convey it to the chairperson of the Reports Investigation Committee and the president of the Disciplinary Tribunal for a Bishop.

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 charges to which the Respondent has not confessed.

3. Within 7 days of receiving the written confession and submission described in section 4.1 of this canon, the president of the Disciplinary Tribunal for a Bishop shall convene a Sentencing Review Board in accordance with Canon IV.4.3.

   The Reports Investigation Committee must promptly provide to the Sentencing Review Board 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 Disciplinary Tribunal for a Bishop would have power to recommend with respect to a Respondent upon finding a Presentment proved, with such terms and conditions as the 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 Reports Investigation Committee, the Sentencing Review Board shall within 28 days

   (a) adopt the recommended order, or

   (b) adjust the order by unanimous vote as it may, in its absolute discretion, consider appropriate to prevent manifest injustice, and

   (c) convey the adopted or adjusted order and the rationale for any adjustment made to the Reports Investigation Committee.

   The order made by the Sentencing Review Board shall be deemed a consent order. From this order there is no appeal under Canon IV.9, except for an appeal for excessive sentence.

5. The Reports Investigation Committee shall provide a copy of the consent order to the Reports Administrators, the Respondent, and the Reporting Party. The consent order must be accompanied by a notice identifying the members of the Sentencing Review Board and the rationale presented for any adjustment made by the Sentencing Review Board.

6. The Reports Investigation Committee shall publish each consent order in the manner it determines to be appropriate. In addition, it must ensure the publication of each consent order in the Journal of the Provincial Council (except that it may, in its absolute discretion, choose instead to publish a synopsis redacted as provided in Canon IV.11.1.4).

Section 5 – *Appointment of a Panel of the Disciplinary Tribunal for a Bishop*

1. Within 14 days of the referral of a Presentment to the Disciplinary Tribunal for a Bishop by the Reports Investigation Committee, the president of the Disciplinary Tribunal shall appoint a panel of the Disciplinary Tribunal to hear the Presentment. The panel shall consist of an odd number of members, normally three, with at least one bishop, one member of the clergy, and one layperson selected from among the members, or if necessary, the alternates, of the Disciplinary Tribunal for a Bishop. At least one member of the panel should be legally qualified, provided, however, that if no member of the panel is so qualified, the president of the Disciplinary Tribunal may appoint a canonical adviser to aid in the adjudication of a Presentment.

2. Before appointing any person to the panel, the president of the Disciplinary Tribunal must be satisfied that the person has no conflict of interest with respect to the Presentment in accordance with Canon IV.11.2.

3. Unless otherwise agreed by a majority of the panel, the chairperson of the panel shall be the bishop (or if there is more than one bishop, the senior bishop by date of admission). The chairperson shall preside and rule on all matters of procedure and evidence before the panel. Rulings of the chairperson may be overruled by a majority of the panel.

4. If for any reason, any member of the panel becomes unable to act, the president of the Disciplinary Tribunal for a Bishop shall select another person of the same order from the Disciplinary Tribunal members or, if necessary, the alternates, to act in his or her place, ensuring if practicable that at least one member of the panel is legally qualified.

5. If the Provincial Tribunal orders a rehearing of a Presentment under Canon IV.9.3.2, the rehearing shall be by a new panel of the Disciplinary Tribunal for a Bishop, appointed by its president in

accordance with section 5.1 of this canon. When a Presentment is reheard, none of the members of the original panel may be appointed.

6. If a panel of the Disciplinary Tribunal for a Bishop has commenced the hearing of a Presentment before the expiration of the term of the members of the panel, notwithstanding this expiration, the panel may continue to act with reference to the Presentment until it is either dismissed in accordance with Canon IV.6.7.3, or an order is issued in accordance with Canon IV.6.7.4.

Section 6 – *Hearing of the Presentment*

1. As soon as practicable after its appointment, the panel of the Disciplinary Tribunal for a Bishop must notify the Reports Investigation Committee, the Respondent, and the Reporting Party of the date, time, and place or mode of communication fixed for the hearing of the Presentment. The date fixed must be no sooner than 30 days and no later than 90 days from the date of this notification.
2. Subject to any rules that may be adopted under Canon IV.4.2.6, the panel, after conferring with the Presenting Proctor and Respondent's Proctor, shall set a timetable for written submissions. The written submissions of the Presenting Proctor and the Respondent's Proctor shall contain the full position each party takes with regard to the Presentment and whatever evidence the party wishes the panel to consider (including those witnesses the party wishes the panel to hear from and a summary of their expected testimony) in hearing the Presentment.
3. After receiving the written submissions of the Presenting Proctor and Respondent's Proctor, the panel shall notify the parties as to
   (a) the issues on which the panel will consider evidence;
   (b) the nature of the evidence the panel requires to decide those issues; and
   (c) how any evidence, including testimony, is to be presented.
4. At least 28 days in advance of the hearing, the Presenting Proctor must provide the Respondent's Proctor:
   (a) a summary of the arguments to be presented by the Presenting Proctor;
   (b) copies of all exhibits, documents, or other materials, if any, that the Presenting Proctor intends to rely on;
   (c) a list of the witnesses the Presenting 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 Reports Investigation Committee, if any.
5. At least 21 days in advance of the hearing, the Respondent's Proctor must provide the Presenting Proctor:
   (a) a summary of the arguments to be presented by the Respondent's Proctor;
   (b) copies of all exhibits, documents, or other materials, if any, that the Respondent's Proctor intends to rely on during the hearing; and
   (c) a list of the witnesses the Respondent's 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, in its absolute discretion, allow the Presenting Proctor or the Respondent's Proctor to raise an argument or rely on a document or exhibit that was not included in the material delivered in sections 6.4 and 6.5 of this canon, or to call a witness not included in the list of witnesses so delivered. Prior to allowing any such evidence or testimony, the panel shall ensure that the opposing party has a reasonable opportunity to review any document or exhibit.
7. Where a witness statement is to be presented at the hearing, the panel must direct that such statements be provided to the panel, the Presenting Proctor, and the Respondent's Proctor at least 3 days in advance of the hearing unless the panel considers that there is good reason not to do so. A witness statement must be signed and dated by the witness and given under oath as provided in Appendix 2.
8. Where a witness is to give oral testimony the witness's testimony must be given under oath as provided in Appendix 2. A witness who gives oral evidence at the hearing may be questioned by the Presenting Proctor and the Respondent's Proctor and the panel. The panel, in its discretion, may limit such questioning. 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.
9. The panel shall give the Presenting Proctor, the Respondent, and the Respondent's Proctor the opportunity to attend the hearing of the Presentment and, within the scope of section 6.3 of this canon,
    (a) present witness statements and other relevant evidence;
    (b) call and cross examine witnesses as permitted by the panel; and
    (c) make oral argument on points requested by the panel.
10. The panel may, in its discretion, accept testimony from expert witnesses. Prior to accepting any evidence into the hearing record, the chairperson of the panel shall determine whether testimony, either written or oral, or evidence is relevant to the issues raised in the Presentment. The chairperson may exclude any evidence or testimony during the hearing if such evidence is determined to be irrelevant, cumulative, repetitive, or immaterial to the issues raised by the Presentment or concludes that such exclusion is necessary to protect a witness from harassment or intimidation. The chairperson's decision to accept or exclude any testimony or evidence may be overruled by a majority of the panel.
11. Unless on a witness list for either the Presenting Proctor or the Respondent's Proctor and subject to Canon IV.11.5, any Reporting Party may attend the hearing of the Presentment as an observer even if the panel determines that the hearing shall be conducted in private.
12. If neither the Respondent nor the Respondent's Proctor attends the hearing, then the chairperson of the panel may, in the chairperson's absolute discretion, either:
    (a) proceed to hear the Presentment in their absence, provided that the panel is satisfied that the Respondent was given notice of the hearing; or

(b) adjourn the hearing to such other date, time, and place or mode of communication as the chairperson of the panel may, in the chairperson's absolute discretion, determine.

The panel must give notice of any such adjournment to the Presenting Proctor, the Respondent's Proctor, and the Reporting Party.

13. A Presentment may be withdrawn only by majority vote of the panel appointed to hear it.

14. 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.

Section 7 – *Findings and Orders of the Disciplinary Tribunal for a Bishop*

1. Following the hearing on a Presentment, the panel of the Disciplinary Tribunal shall promptly meet in closed session to determine whether the allegations in the Presentment are supported by clear and convincing evidence. In making such determination, the panel shall base its decision only upon the evidence and witness testimony presented at the hearing.

2. As part of its deliberations, the panel may take notice of any criminal conviction or civil judgment against the Respondent, or any entry of a plea of guilty or no contest to any offense alleged in the Presentment. A final criminal conviction or final civil judgment shall be regarded as conclusive proof that the allegations contained in criminal conviction or civil judgment are true. The Respondent shall have a reasonable opportunity to be heard by the panel as to any matters in extenuation and mitigation.

3. If a majority of the members of the panel find that the Presentment has not been proved by clear and convincing evidence, it shall dismiss the Presentment.

4. If a majority of the panel finds that the Presentment has been proved in whole or in part, the panel may recommend a Sentencing Order in accordance with Canon IV.8, or else, in extraordinary cases, 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 nature and seriousness of the Presentment, any previous Report and/or order that has been made against the Respondent, and any other circumstances the panel considers relevant. The panel shall provide a written explanation in support of its recommendation and promptly transmit the recommendation and explanation thereof to the president of the Disciplinary Tribunal for a Bishop.

   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.

5. Within 7 days of receiving the panel's recommendation, the president of the Disciplinary Tribunal for a Bishop must convene a Sentencing Review Board in accordance with Canon IV.4.3. Upon receiving the recommended Sentencing Order and the record of the case, the Sentencing Review Board shall within 28 days

   (a) adopt the recommended order, or

   (b) adjust the recommended order by unanimous vote as it may, in its absolute discretion, consider appropriate to prevent manifest injustice, and

   (c) convey the adopted or adjusted order and the specific rationale for any adjustment made to the president of the Disciplinary Tribunal for a Bishop.

If a Sentencing Order was adjusted by the Sentencing Review Board, the order must identify the members of the Sentencing Review Board and the specific rationale presented for any adjustment made by the Sentencing Review Board.

The Sentencing Order made by the Sentencing Review Board shall be deemed the final Sentencing Order, subject to appeal under Canon IV.9.

6. Following either dismissal of the Presentment or the receipt of the final order from the Sentencing Review Board, the Disciplinary Tribunal for a Bishop shall issue an order detailing its findings and the rationale for (a) dismissal of the Presentment or (b) a finding that the Presentment was proved by clear and convincing evidence announcing sentence and convey its finding and/or order to the Reports Investigation Committee, the Respondent, the Reports Administrators, and any Reporting Party.

   The Disciplinary Tribunal for a Bishop shall publish the full text of its finding and/or order. 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 panel's decision.

7. In addition, the Reports Administrators must ensure the publication of any finding and/or order of the panel in the Journal of the Provincial Council (except that it may, in its absolute discretion, choose instead to publish a fair synopsis redacted in accordance with Canon IV.11.1.4).

8. Subject to Canon IV.9.1, the final order shall take effect at the expiration of the 21-day filing period for appeal.

9. Within 28 days after a Sentencing Order takes effect, a copy of all pleadings and documents filed in any proceedings before the panel must be filed in the register maintained by the Reports Administrators as set forth in Canon IV.12.

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 of each diocese (sometimes called the "bishop ordinary") or special jurisdiction 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 or special jurisdiction must act in accordance with the canon law of both the diocese and the province.

2. Each diocese or special jurisdiction must ensure that it has a disciplinary process for receiving and investigating Reports of clergy misconduct. To that end, a diocese or special jurisdiction must either:

   (a) Adopt by canon or policy the disciplinary process in sections 2 through 5 of this canon, subject to adaptation as needed; or

   (b) Employ another disciplinary process that it regards as of at least equal fairness, transparency, and integrity.

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 any 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.

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 any 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 approval of the chair of the diocesan Standing Committee, the Diocesan Reports Receivers may dismiss the Report. The decision to dismiss must be unanimous. In the case of matters arising in any special jurisdiction, the Archbishop must grant approval for such dismissal. 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 chair of the Standing Committee, or, in cases arising in any special jurisdiction, the Archbishop does not give his approval, the Report shall not be dismissed.
5. If a Report has not been dismissed, 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.

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 and decide if 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 the powers set forth for any provincial investigation committee as set forth in Canon IV.6.3, 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 any Reporting Party concerned:
   (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 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, or the Executive Committee in the case of any special jurisdiction; 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 is of the opinion 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, 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 is of the opinion that a prima facie case does exist, it shall in its absolute discretion:
   (a) refer the whole or part of the Report to the diocesan Disciplinary Tribunal for a Presbyter or Deacon 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;

(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; or

(d) decide that no Presentment may be referred to the diocesan Disciplinary Tribunal 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 of the diocese, the Diocesan Reports Receivers, the Standing Committee and the Reporting Party that a prima facie case exists against the member of the clergy concerned, and inform them 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 Disciplinary Tribunal for a Presbyter or Deacon, it shall

   (a) provide a copy of such Presentment to the member of the clergy concerned and any 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 from 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 diocesan Disciplinary Tribunal for a Presbyter or Deacon 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.7.3.7-8, 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 diocesan Disciplinary Tribunal for a Presbyter or Deacon 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 diocesan Tribunal 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 Diocesan Tribunal, 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 diocesan Tribunal 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), or the Archbishop in the case of any special jurisdiction.
12. If the Diocesan Reports Investigation Committee refers a Presentment to the diocesan Disciplinary Tribunal for a Presbyter or Deacon, the Diocesan Reports Investigation Committee may appoint one of its members as a Proctor to present evidence and argument in support of the Presentment, or it may appoint another person to be a 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 3.8 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 diocesan Disciplinary Tribunal for a Presbyter or Deacon.
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 diocesan Disciplinary Tribunal for a Presbyter or Deacon 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.8.1, 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, 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.

6. The Diocesan Reports Investigation Committee shall publish each consent order in the manner it determines to be appropriate.

Section 5 – *Hearing of the Presentment and Sentencing*

1. All powers and duties of the diocesan Disciplinary Tribunal for a Presbyter or Deacon specified in this section may be exercised by a panel of the Tribunal appointed to hear a Presentment and the term Tribunal in this section 5 shall be deemed to refer to such panel. In lieu of adjudication by a panel of the Tribunal, the diocese may provide for adjudication by the entire Tribunal. Disciplinary Tribunals 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, subject to and in addition to powers granted to them by their respective diocesan canons.

2. The Tribunal 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 Tribunal 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 examining necessary witnesses as permitted by the Tribunal; and

   (c) making oral submissions on points requested by the Tribunal.

3. The Tribunal 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 Tribunal may also exclude evidence if it concludes that such exclusion is

necessary to protect a witness from harassment or intimidation. If the Tribunal concludes that there is an undue risk of one or more of these dangers, instead of excluding testimony, the Tribunal may, in its absolute discretion, regulate the mode and order of examining witnesses.

4. The Tribunal may, on application of the Proctor for the Diocesan Reports Investigation Committee 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.

5. If a majority of the Tribunal or panel thereof finds that the Presentment has been proved in whole or in part by clear and convincing evidence, 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 Tribunal's decision.

6. The Tribunal 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 Tribunal 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.8.1, or else an order that no further action be taken on the Presentment. In choosing the sentence it considers appropriate, the Tribunal shall have regard to the office and duties of the Respondent, 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 Tribunal considers relevant. The Tribunal may also, in its absolute discretion, provide any Reporting Party an opportunity to be heard by the Tribunal as to the impacts of any alleged misconduct. The Tribunal shall provide a written explanation of the reasons supporting its recommendation. The Tribunal shall promptly transmit the recommendation with the explanation to the bishop of the diocese.

7. Upon receiving any such recommendation, the bishop of the diocese must promptly impose a sentence, which may be different than that suggested by the Tribunal, in accordance with Canon IV.8.1. The bishop must give notice of the sentence as required by Canon IV.8.2, including the right to appeal both the determination of the Tribunal for the Discipline of a Presbyter or Deacon or the sentence imposed by the bishop or both. Upon imposition of sentence, the final order and sentence imposed shall be published.

8. 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 of each diocese 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. The form for this certification, as well as any supporting materials, shall be prescribed by the Executive Committee.

2. A 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. Any such extension may not extend further than two years from the date required by Canon IV.7.6.1.
3. Whenever a new bishop of a 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.

Canon 8
Sentences

Section 1 – *Sentences*

1. If an offense is found to be proven by any court, tribunal, or other disciplinary body of the province or diocese, or under the terms of a consent order, the following sentences may be imposed:
   (a) deposition;
   (b) deprivation;
   (c) suspension; or
   (d) rebuke.
2. 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.
3. If the bishop, court, tribunal, or other disciplinary body finds that two or more offenses have been proven, the sentencing authority may consider the aggregate culpability of the Respondent in imposing sentence.
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.
5. By duly enacted canons, a diocese may add sentences not inconsistent with the sentences prescribed above.

Section 2 – *Notification of Sentences*

1. When a sentence is pronounced, the bishop, court, tribunal, or other provincial or diocesan disciplinary body pronouncing it must within 7 days notify:
   (a) the Office of the Archbishop, which must within 7 days of receipt of notification notify all bishops having jurisdiction;
   (b) the Reports Administrators, who must record the sentence in the register;
   (c) the Standing Committee of the diocese in which the sentenced bishop or member of the clergy is domiciled or serving; and
   (d) all members of the clergy of the diocese in which the sentenced bishop or member of the clergy is domiciled or serving.
2. The notices required by this section 2 are public, must identify the sentenced bishop or 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.

Canon 9
Appeals

Section 1 – *Interlocutory Appeals*

1. During the pendency of a matter before a lower tribunal, either the Respondent or the Proctor appointed by the Reports Investigation Committee may seek an "interlocutory" appeal of an order of a lower tribunal. Interlocutory appeals shall be made to the Provincial Tribunal. Prior to filing an interlocutory appeal, the party desiring to appeal must first request permission from the Provincial Tribunal. Upon receiving a request to initiate an interlocutory appeal, the Provincial Tribunal shall have 2 days to grant or deny the appealing party leave to submit the appeal by majority vote. Three members of the Provincial Tribunal may be appointed by the president of the Provincial Tribunal to serve as a panel to hear and decide by majority vote the interlocutory appeal. If the Provincial Tribunal declines to hear the interlocutory appeal, the appeal shall be dismissed, and the lower tribunal shall continue its consideration of the case.
2. The Provincial Tribunal may grant permission to file an interlocutory appeal only when:
   (a) the right to relief from the order is clear;
   (b) there is no other adequate means to attain relief during the pendency of the proceedings before the lower tribunal; and
   (c) granting the relief is appropriate under the circumstances.
3. If the Provincial Tribunal permits an interlocutory appeal, subject to any rules adopted under Canon IV.4.1.6, the Provincial Tribunal shall set forth the schedule and manner in which the interlocutory appeal shall be considered or heard. The Provincial Tribunal may consider an interlocutory appeal either through written submissions or oral argument, in its absolute discretion. The order of the lower tribunal shall have no effect from the date the Provincial Tribunal grants permission to file the interlocutory appeal until the Provincial Tribunal makes a final decision on the appeal, or the appeal has been dismissed or withdrawn.
4. The Provincial Tribunal must issue its final decision whether to grant or deny the interlocutory appeal within 10 days after any hearing or receipt of the last permitted written submission. Should the Provincial Tribunal fail to issue a decision on the interlocutory appeal within 10 days, the interlocutory appeal shall be considered denied, and the order of the lower tribunal shall stand.

Section 2 – *Appeals from Final Orders of Lower Tribunals*

1. A Respondent may appeal a final order of a lower disciplinary tribunal (including a sentence imposed by a bishop) to the Provincial Tribunal based on any of the following grounds:
   (a) the final order was based on a finding that was not supported by the evidence;
   (b) the sentence imposed is excessive or inappropriate; or
   (c) the lower tribunal committed a serious error in conducting the proceeding before it, including:

i. an erroneous interpretation or application of the constitution and canons of the province or of a diocese;

ii. a failure to decide all issues requiring resolution; or

iii. a material failure to follow the procedures set forth in Title IV.

2. A Respondent who wishes to appeal a final order of a lower tribunal must submit to the president of the Provincial Tribunal a notice of appeal within 21 days of receipt of the order. The notice of appeal must include a concise statement of the grounds of appeal. Once submitted, the Respondent may not amend the grounds for appeal, except with the permission of the Provincial Tribunal.

3. If an appeal is filed in accordance with section 2.2 above, the order of the lower tribunal shall not become effective until the appeal has been determined by the Provincial Tribunal, or the appeal has been withdrawn. A final order of the Provincial Tribunal on any appeal shall become the final order on a matter.

4. During an appeal before the Provincial Tribunal, the Respondent shall be referred to as the Appellant. If the Appellant is not represented by a Proctor during the appeal, references to the "Proctor appearing on behalf of the Appellant" shall be understood to refer to the Appellant.

Section 3 – *Hearing of Appeals from Lower Tribunal Findings*

1. The Provincial Tribunal may, in its absolute discretion, provide for oral argument to be heard on an appeal or consider the appeal by means of written submissions from the parties. Within 14 days after receiving notice of appeal, the Provincial Tribunal must notify the Appellant, the Presenting Proctor, and the Reporting Parties of either the date, time, place, and mode of communication fixed for the hearing of the appeal, or the date for making written submissions. The date for the oral argument or making written submissions must be within 90 days after the Provincial Tribunal receives notice of appeal, except in exceptional circumstances as determined by the Provincial Tribunal.

2. In the case of either a hearing on oral arguments or the presentation of written submissions, subject to any rules that may be adopted under Canon IV.4.1.6, the Appellant shall submit a written brief detailing its legal arguments to the Provincial Tribunal and the Presenting Proctor within 60 days from the date that notice of appeal was given to the Provincial Tribunal. The Proctor for the Reports Investigation Committee or his or her designee shall then have 30 days to submit a written response brief to the Appellant's submission. The Provincial Tribunal may, in its discretion, extend these time periods upon request by either party.

3. Grounds for an appeal shall be limited to:

   (a) An Appeal on the grounds that a final order is not supported by substantial evidence. When a final order is not supported by substantial evidence the decision of the lower tribunal may set aside or modify such order.

   (b) An Appeal on the grounds that a sentencing order is excessive or inappropriate. When a sentencing order is not supported by substantial evidence and is found to be excessive or inappropriate, the decision below may set aside or modify such order.

   (c) Appeals on grounds that a lower tribunal committed serious error. When a decision below is found to have been clearly erroneous, the decision/order below may be set aside or modified.

4. In considering appeals, the Provincial Tribunal must conduct its review

(a) using the Substantial Evidence Standard of Review when the appeal is based on the grounds outlined in section 3.3(a) or 3.3(b) of this canon;

(b) using the Clearly Erroneous Standard of Review when the appeal is based on the grounds outlined in section 3.3(c) of this canon.

These standards of review are defined as follows: The Substantial Evidence Standard of Review shall be defined as a standard of review that is deferential to the lower tribunal and does not involve the re-weighing of the evidence (not a *de novo* review). For there to be substantial evidence in the record that is sufficient to affirm the findings of a lower tribunal, the Provincial Tribunal must find, when reviewing all of the evidence considered by the lower tribunal, regardless of its source and nature, that the evidence upon which the lower tribunal based its decision was such that a reasonable mind might accept such evidence as adequate to support a conclusion. Substantial evidence must be more than a mere scintilla and means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.

The Clearly Erroneous Standard of Review means that when reviewing the decision of a lower tribunal, the Provincial Tribunal shall determine whether the decision below was based upon a clear error in the proceedings which resulted in a materially unjust result or that materially affected the integrity of the proceedings, or resulted in a clear miscarriage of justice, or where there was an erroneous interpretation or application of the canons by the lower tribunal that resulted in a miscarriage of justice.

5. In addition to the grounds for appeal in section 3.3 of this canon, the Appellant may argue to the Provincial Tribunal that a factual finding or order of the lower tribunal should be dismissed or reconsidered based on newly discovered evidence. The Provincial Tribunal may grant a request to consider newly discovered evidence only if it determines that the Appellant was unaware of the evidence during the proceedings in the lower tribunal, that the Appellant could not have discovered the evidence before the end of those proceedings through the exercise of reasonable diligence, and that consideration of the newly discovered evidence could have reasonably led to a different factual finding or order of the lower tribunal.
6. In the event the Provincial Tribunal grants an appeal based on newly discovered evidence, the Provincial Tribunal shall return the matter back to the lower tribunal to reopen the evidentiary hearing for the limited purpose of considering the newly discovered evidence. The hearing on newly discovered evidence shall be conducted under the provisions of Canon IV.6. or IV.7 in the case of a diocesan matter.
7. The Reporting Party may attend the hearing of the appeal, if any, as an observer even if the Provincial Tribunal determines that the hearing shall be conducted in private.
8. If the Appellant fails to attend the hearing of the appeal, if held, then the Provincial Tribunal may, in its absolute discretion, either:

   (a) dismiss the appeal, provided that the Provincial Tribunal is satisfied that the Appellant received notice of the hearing; or

   (b) adjourn the hearing of the appeal to such other date, time, place, or mode of communication as it may, in its discretion, determine.

   The Provincial Tribunal must give notice of any such dismissal or adjournment to the Appellant, the Presenting Proctor, and the Reporting Party.

9. If, while considering an appeal, the Provincial Tribunal becomes aware that the Appellant may be subject to disciplinary action for an offense under Canon IV.3 regarding matters unrelated to the appeal, it shall bring those matters to the attention of the Reports Administrators.

Section 4 – *Orders of the Provincial Tribunal*

1. On any appeal, the Provincial Tribunal may affirm, modify, or set aside any finding or order of a lower tribunal with respect to which the appeal was brought under this canon.
2. The Provincial Tribunal, in its absolute discretion, due to extraordinary circumstances and to avoid manifest injustice to the Appellant, may also order that the Presentment (or any part thereof) which is the subject of the appeal be reheard by a new panel of the lower tribunal.
3. If the Provincial Tribunal orders the rehearing of the Presentment (or any part thereof), unless otherwise directed by the Provincial Tribunal, the rehearing shall be conducted *de novo*, without regard to the evidence considered during the previous hearing, or any finding and/or order that resulted from it.
4. The Provincial Tribunal shall convey its order on the appeal to the Appellant, the Reports Investigation Committee, the Reports Administrators, the lower tribunal, and any Reporting Party.
5. The Provincial Tribunal shall publish its findings and/or order in the manner it determines to be appropriate, and it must ensure the publication of any finding or order of the Provincial Tribunal is included in the Journal of the Provincial Council. The Provincial Tribunal may, in its absolute discretion, choose to publish a fair synopsis of any finding or order.
6. An order of the Provincial Tribunal shall take effect from the date thereof unless, in its absolute discretion, the Provincial Tribunal determines that the order shall take effect from some other date (not being earlier than the date of the order appealed against).
7. Within 28 days of the Provincial Tribunal's order taking effect, the Reports Administrator shall file a copy of all pleadings and documents submitted to the Provincial Tribunal in the register maintained by the Reports Administrators. All such pleadings and documents shall be open to inspection by the Appellant and the Reporting Party, if any, in the proceedings in question and, at the discretion of the Reports Administrators, by any other person.

Section 5 – *Appeals from Diocesan Tribunals*

In the case of an appeal from a diocesan tribunal or court, the references in this canon to the "Reports Investigation Committee" shall be understood to refer to the Diocesan Reports Investigation Committee. Where no such entity is clearly identified in the diocesan canons or policies, these references shall be understood to refer to the diocesan chancellor.

Canon 10
Admonitions and Inhibitions

Section 1 – *Admonitions*

1. The bishop of a diocese may warn and instruct a member of the clergy under his authority as to performance of his or her pastoral responsibilities or official duties.
2. A 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.

3. The Archbishop may issue an admonition to a bishop, provided that the admonition complies with the requirements of section 1.2 of this canon. In addition, before issuing the admonition, the Archbishop must obtain the written consent to the admonition's contents of three of the five senior active diocesan bishops by date of admission (exclusive of the Archbishop, the bishop concerned, and any bishop who may recuse himself).
4. The Dean of the Province may issue an admonition to the Archbishop, provided that the admonition complies with the requirements of section 1.2 of this canon. In addition, before issuing the admonition, the Dean of the Province must obtain the written consent to the admonition's contents of three of the five senior active diocesan bishops by date of admission (exclusive of the Dean of the Province, the Archbishop, and any bishop who may recuse himself).

Section 2 – *Inhibitions*

1. An inhibition is any temporary and involuntary disqualification of a bishop or member of the clergy from exercising some or all ministerial functions other than a suspension under Canon IV.8.1. No inhibition may be issued except pursuant to this Canon IV.10.2.
2. Upon referral of a presentment to a disciplinary tribunal under Canons IV.6. or IV.7 of this Title, a bishop or 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) a 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 of the diocese may inhibit the member of the clergy concerned as follows.
   (a) If the bishop considers that great scandal is likely to arise from that member of the clergy continuing to perform the duties of their 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 for up to 90 days. The 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 his 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 their office.
   (b) With the approval of the Standing Committee of the diocese (or the Archbishop in the case of any special jurisdiction), an inhibition may be extended in increments of up to 90 days, with or without amendments.
4. After a Report is made against a bishop, the Archbishop may inhibit the bishop as follows.
   (a) If the Archbishop considers that great scandal is likely to arise from that bishop continuing to perform the duties of his office, or there is imminent danger to the Reporting Party, to a third

person, or to the process of investigating a Report, the Archbishop may inhibit the bishop for up to 90 days. Prior to such inhibition, the Archbishop must obtain the written approval of four of the five senior active diocesan bishops by date of admission (exclusive of the Archbishop, the bishop to be inhibited, and any bishop who may recuse himself). Any bishop so inhibited shall be entitled to his full stipend for the period of the inhibition. If required by the Archbishop, however, that bishop must deliver up all keys, passwords, access codes, credentials for electronic systems, and any other property, other than an episcopal residence, held by virtue of his office.

(b) With the written approval of four of the five senior active diocesan bishops by date of admission (exclusive of the Archbishop, the bishop to be inhibited, and any bishop who may recuse himself), an inhibition may be extended in increments of up to 90 days, with or without amendments.

5. In the case of a Report made against the Archbishop, if the Dean of the Province considers the standard in section 2.4(a) of this canon to be met, he may inhibit the Archbishop, provided that the inhibition complies with the requirements of that subsection, with the Dean of the Province recused from serving as an approving bishop. Any extension of the inhibition by the Dean of the Province must comply with the requirements of section 2.4(b) of this canon, with the Dean of the Province recused from serving as an approving bishop.

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

   (a) the bishop issuing the inhibition 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,

      i. a Report is dismissed for lack of a prima facie case (as under Canon IV.7.3.6),

      ii. a Presentment is resolved by way of a consent order (as under Canon IV.7.4),

      iii. a Presentment is found not proven (as under Canon IV.7.5.5), or

      iv. a Presentment is found proven in whole or in part and a sentencing order is made (as under Canon IV.7.5.6-7).

7. An inhibition of a bishop is terminated as soon as one of the following occurs:

   (a) the Archbishop (or as the case may be, the Dean of the Province) chooses to lift the inhibition before its expiration;

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

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

      i. the Reports Investigation Committee dismisses the Report for lack of a prima facie case (as under Canon IV.6.3.6),

      ii. the Reports Investigation Committee decides that further consideration of the whole of the Report be deferred or decides after conciliation or mediation that no further action be taken on the Report (as under Canon IV.6.3.7);

      iii. the Report is resolved by way of a consent order (as under Canon IV.6.4),

iv. the Disciplinary Tribunal for a Bishop dismisses the Presentment (as under Canon IV.6.7.3), or

v. the Disciplinary Tribunal for a Bishop makes a finding that the Presentment has been proved in whole or in part and makes an order under Canon IV.6.7.4.

Canon 11
Norms for Disciplinary Bodies of the Province

Section 1 – *Public Notice*

1. Under the canons of this Title,

   (a) the Reports Investigation Committee, whether provincial or diocesan, must give public notice when it determines that a prima facie case exists (Canon IV.6.3.9(b) and IV.7.3.7(b)), must publish its consent orders (Canon IV.6.4.6 and IV.7.4.6), and may, only upon request of the bishop or member of the clergy concerned, give public notice when it determines that a prima facie case does not exist;

   (b) a Disciplinary Tribunal for a Bishop or for a Presbyter or Deacon must publish its findings and orders (Canon IV.6.7.6 and IV.7.5.7), and

   (c) the Provincial Tribunal must publish its findings and orders.

   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), and the Journal of the Provincial Council (Canon I.6) and the Provincial List (Canon IV.12.2) shall be publicly available and searchable in electronic form.

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 factual information without speculation and without disclosing 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 Archbishop (or the Dean of the Province or the bishop of a diocese, as the case may be), 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 bishop or clergy concerned but shall clearly indicate that such public statement does not verify of 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 bishop 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 or serve a contractor for any such body. 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 a Reporting Party,
   (b) is the bishop or 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 or otherwise concerned in the proceeding.
2. No member of the Reports Investigation Committee who is a witness to any of the conduct alleged in a Report, or who has formed or expressed a definite opinion about the veracity of the allegations in a Report may participate in the investigation of a Report. Nor may any member of the Reports Investigation Committee who is a member of the clergy domiciled or serving in a diocese in which the bishop concerned is either domiciled or serving or is a layperson who is a member of a congregation in such diocese participate in the investigation of a Report.
3. No member or alternate of the Disciplinary Tribunal for a Bishop who was previously a member of the Reports Investigation Committee that investigated a Report that is the subject of a Presentment shall be eligible for appointment to the panel adjudicating that Presentment. No member of the clergy domiciled or serving in a diocese in which the Respondent is either domiciled or serving, nor layperson who is a member of a congregation in such diocese, shall be eligible for appointment to the panel.
4. No member or alternate of the Provincial Tribunal may participate in the determination of an appeal if they were previously concerned with investigating or adjudicating the Report or Presentment which is the subject of the appeal, whether as a former member of the Reports Investigation Committee, a Diocesan Reports Investigation Committee, or a lower court or tribunal. Nor may any member or alternate of the Provincial Tribunal participate in the determination of an appeal who is a member of the clergy domiciled or serving in a diocese in which the Respondent is either domiciled or serving, nor layperson who is a member of a congregation in such diocese.
5. 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.
6. 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 Reports Administrator or a member of the Executive Committee or a member of the Provincial Constitutions and Canons Committee.

Section 3 – *Improper Communications*

1. The Reports Administrators and 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 the Reports Administrators 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 Disciplinary 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 until the Report is dismissed for no reasonable grounds in accordance with Canon IV.6.2.2 or the Reports Investigation Committee takes action under Canon IV.6.3.7-8. Any presentment provided to any party must be kept in strict confidence.

Section 5 – *Public Nature of Judicial Proceedings*

1. All hearings by a panel of the Disciplinary Tribunal for a Bishop or the Provincial Tribunal in which testimonial evidence is received will ordinarily be held using remote meeting software such as Zoom and must be open to the public in manner determined by such Tribunal in its discretion unless the Disciplinary Tribunal or the Provincial Tribunal, in its absolute discretion, determines that conducting the whole or part of the hearing in public would be inappropriate. It is ordinarily only appropriate for Tribunals to conduct a hearing in private when a Report is made by or on behalf of a minor or vulnerable adult, or to conduct the relevant part of a hearing in private when receiving testimony by or concerning a minor or vulnerable adults.
2. Not later than 14 days before the date set for such a hearing, an application to have the whole or part of the hearing conducted in private may be made to the appropriate Tribunal by any Reporting Party, Respondent, Appellee, Appellant, or the Reports Investigation Committee.

   On receipt of such an application, the Tribunal will inform all parties of the fact that application has been made and invite the parties to make such written submissions, if any, as they wish in relation to whether or not the hearing (in whole or part) should be conducted in private.

   In addition, the Tribunal may, in its absolute discretion, give any parties an opportunity of being heard before it in relation to whether or not the hearing (in whole or part) should be conducted in private. If the Tribunal gives this opportunity to any of such persons, it must offer a like opportunity to each of them. Any such hearing shall be in private.
3. When it is not possible to accommodate the number of persons entitled or expected to attend a public hearing, the president of the Provincial Tribunal or the chairperson of a panel of the Disciplinary

Tribunal for a Bishop may, in his or her absolute discretion, permit contemporaneous or near-contemporaneous online or closed-circuit video or audio transmission to permit viewing or hearing by the public or, in the case of a private hearing, persons entitled to attend the proceeding.

4. A Tribunal may require any person attending a hearing (whether conducted in public or private) to give his or her name and address.

5. A Tribunal may expel from a hearing any person who is or becomes disruptive to its proceedings or who fails to comply with section 5.4 of this canon.

Section 6 – *Management of Proceedings*

1. The Provincial Tribunal and any panel of a Disciplinary Tribunal for a Bishop must further the aims of Canon IV.1.4 by actively managing proceedings to ensure the expedient, fair, and just resolution of any matter before it. Such active management includes:

   (a) encouraging any persons concerned in the proceedings to cooperate with each other in the conduct of the proceedings;

   (b) identifying the issues at an early stage;

   (c) deciding promptly which issues (if any) should be part of the hearing of the Presentment or appeal (as the case may be), and accordingly disposing of others summarily or on consideration of the written submissions;

   (d) deciding the order in which issues are to be resolved;

   (e) setting timetables or otherwise controlling the progress of the proceeding;

   (f) considering whether the likely benefits of taking a step justify the cost of taking it;

   (g) dealing with as many aspects of the proceeding as possible on the same occasion;

   (h) making effective use of technology; and

   (i) giving directions to ensure that the hearing is conducted quickly and efficiently.

2. Except where the canons of this Title provide otherwise, the Provincial Tribunal and any panel of a Disciplinary Tribunal for a Bishop may:

   (a) extend or shorten the time for compliance with any rule or order (even if an application for extension is made after the time for compliance has expired);

   (b) give permission to amend any pleading or document on such terms (including the giving of any further public notice) that it considers just;

   (c) call, adjourn, or reschedule a hearing;

   (d) conduct a hearing and receive evidence by telephone or another mode of direct oral communication, such as Zoom or Microsoft Teams;

   (e) direct that proceeding may be bifurcated to address any part of a matter in a separate proceeding;

   (f) stay the whole or part of any proceeding or order either generally or until a specified date or event;

   (g) consolidate proceedings;

(h) hear two or more Presentments or appeals (as the case may be) on the same occasion;

(i) direct a separate hearing on any issue;

(j) decide the order in which issues are to be considered in the hearing of a Presentment or appeal (as the case may be);

(k) exclude an issue from consideration;

(l) determine any preliminary issue, and accordingly dismiss in whole or part any Presentment or appeal (as the case may be);

(m) direct that any person or ecclesiastical or other entity believed by the Tribunal to have a special interest in the proceeding be notified of it;

(n) confer as a Tribunal without the presence of non-members to deliberate, discuss, and resolve any matter before it, whether substantive or administrative;

(o) appoint a Proctor to act as its canonical adviser on the hearing of any Presentment or appeal (as the case may be); and

(p) take any other step or make any other order for the purpose of managing the proceeding and furthering the aims of Canon IV.1.4.

3. The list of powers and duties in this canon are not exhaustive and are conferred in addition to any that may be given to the Provincial Tribunal or the Disciplinary Tribunal for a Bishop by the canons of this Title or by any rules made under Canon IV.4.1.6 or Canon IV.4.2.6, respectively.

Section 7 – *Oath Requirements*

Parties required to take an oath shall do so using the form in Appendix 2.

The Reports Administrators 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]*[12] being fully sensible how important it is that Reports involving members of the clergy and bishops 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 Reports Administrator* 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 for the glory of God, the good of his Church, and the welfare of his people. So help me God.

Canon 12
Disciplinary Records

Section 1 – *Register*

1. The Reports Administrators must maintain a register of all orders made by the Reports Investigation Committee, the Disciplinary Tribunal for a Bishop and its panels, and the Provincial Tribunal, including consent orders. The Reports Administrators must also use best efforts to record in the register every sentence pronounced by any bishop, court, tribunal, or other provincial or diocesan

[12] The words in brackets shall be omitted when the declaration is made by a bishop or a member of the clergy.

disciplinary body. The Reports Administrators 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 Reports Administrators to have the error rectified. Upon determining that an error has been made, the Reports Administrators 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.

Section 2 – *Provincial List*

1. The Archbishop or his designate must maintain a list, which is publicly available and searchable in electronic form, of all bishops and members of the clergy:
   (a) upon whom a sentence of deposition, deprivation, and/or suspension has been imposed by any bishop, court, tribunal, or other provincial or diocesan disciplinary body, and whose sentencing order has become final and not subject to appeal; and/or
   (b) who have agreed to a consent order under Canon IV.6.4 or Canon IV.7.4 (or its diocesan equivalent) that includes deposition, deprivation, and/or suspension; and/or
   (c) who have purported to resign from the ordained ministry of this Church following the making of a Report to the Reports Administrators involving such bishop, or to the Diocesan Reports Receivers of a diocese involving such member of the clergy.
2. In the case of a bishop or member of the clergy upon whom sentence has been imposed or who has agreed to a consent order under Canon IV.6.4 or Canon IV.7.4 (or its diocesan equivalent), the list must include:
   (a) the name of the bishop or member of the clergy;
   (b) the offense(s) specified in the Presentment or the consent order;
   (c) the sentencing order or consent order, including any order or other measure in addition to the sentence;
   (d) the date of entry and effective date of the sentencing order or consent order; and
   (e) the name of the bishop, court, tribunal, or other disciplinary body that made the sentencing order or consent order.
3. In the case of a bishop or member of the clergy who has purported to resign from the ordained ministry of this Church following the making of a Report, the list must include:
   (a) the name of the bishop or member of the clergy;
   (b) the diocese in which the bishop or member of the clergy was domiciled or serving;
   (c) a brief description of the offense(s) specified in the Report; and
   (d) the date of the purported resignation.

   Each such entry must be marked "purported resignation for disciplinary reasons."
4. It is the duty of the Standing Committee of each diocese to ensure that diocesan records related to sentences, consent orders, and purported resignations are complete and accurate and that the information required under this canon is provided to the Archbishop or his designate.

5. When including a person on the list, the Archbishop or his designate must take all reasonable steps to inform the person in writing both that this has been done and of the particulars recorded.
6. The Archbishop or his designate must review the inclusion of a person on the list if requested to do so by the person concerned or by any bishop of a diocese. The Archbishop or his designate must correct an entry if he or she concludes that it contains errors, or remove an entry if he or she concludes that it was included erroneously, that it should be removed from the list to correct or prevent manifest injustice, or that it should be removed because inclusion is no longer necessary to fulfill the purposes of ecclesiastical discipline. 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.
7. The purpose of this list, which is distinct from the register authorized under Canon IV.12.1, is to provide public notice of certain occurrences related to the disciplinary process that may be taken to bear on a person's suitability for future ministerial office.

Canon 13
Other Provisions

Section 1 – *Indemnity*

1. The Province shall indemnify the Reports Administrators, the members of the Disciplinary Bodies, and any proctors 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 province's 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.
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.
    (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 Administrators 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 Disciplinary Tribunal for a Presbyter or Deacon, 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 – *Admission of Proctors*

The Provincial Tribunal may admit persons to practice as proctors before the Disciplinary Tribunal for a Bishop (or panels thereof) and the Provincial Tribunal and provide for the removal of same under such regulations as it may adopt.

No person who has served as a member of the Provincial Tribunal or the Disciplinary Tribunal for a Bishop may serve as a proctor in any proceeding involving a Presentment referred to a Disciplinary Tribunal for a Bishop within 3 years of the termination of such person's membership on such tribunal.

Section 4 – *Transitional Provisions*

1. This title ("revised Title IV") shall take effect on January 1, 2027.
2. During the transition period from ratification of the revised Title IV by the Provincial Assembly until its effective date, the provisions of Title IV in effect as of the close of Provincial Assembly ("previous Title IV"), shall continue to be in effect.
3. The provisions of the previous Title IV pertaining to the discipline of presbyters and deacons shall remain in effect with respect to any diocese until the Standing Committee of the diocese makes the certification required by Canon IV.7.6.1.
4. Any proceedings commenced by the filing of a Presentment of a bishop with the Archbishop, the Archbishop's delegate, or the College of Bishops before January 1, 2027, shall continue to be governed by the provisions of the Constitution and Canons of the Anglican Church in North America in effect on the date of such filing.
5. No bishop or member of the clergy may be subject to disciplinary action on grounds that would not have rendered the bishop or member of the clergy in question liable to disciplinary action under the Constitution and Canons of the Anglican Church in North America in effect at the time of the occurrence of the alleged event giving rise to the disciplinary action.
6. Notwithstanding anything in this title, no sentence may be imposed on a bishop or member of the clergy by a panel of the Disciplinary Tribunal for a Bishop or the Provincial Tribunal unless the sentence was provided for in the Constitution and Canons of the Anglican Church in North America

in effect at the time of the occurrence of the event that rendered the bishop in question liable to the sanction.

7. The Provincial Tribunal is comprised of seven members. Those serving on the Provincial Tribunal as of December 31, 2026, shall have their term of service terminate on that date and those serving on that date may be considered for appointment under this canon 4.7.

   Notwithstanding the provisions of Canon IV.4.1, on January 1, 2027, the Executive Committee shall appoint four of the members and alternates of the Provincial Tribunal to a six-year term, and three of the members and alternates of the Provincial Tribunal to a three-year term. Thereafter, the members and alternates of the Provincial Tribunal shall serve staggered terms of six years, with either four or three being elected every three years.

8. The Disciplinary Tribunal for a Bishop is comprised of nine members. Those serving on the Court for the Trial of a Bishop as of December 31, 2026, shall have their term of service terminate on that date and those serving on that date may be considered for appointment under this canon 4.8.

   Notwithstanding the provisions of Canon IV.4.2, on January 1, 2027, the Executive Committee shall appoint three of the members and alternates of the Disciplinary Tribunal for a Bishop to a six-year term, three of the members and alternates of the Disciplinary Tribunal for a Bishop to a four-year term, and three of the members and alternates of the Disciplinary Tribunal for a Bishop to a two-year term. Thereafter, the members and alternates of the Disciplinary Tribunal for a Bishop shall serve staggered terms of six years, with three being elected every two years.

9. The Reports Investigation Committee is comprised of nine members. Notwithstanding the provisions of Canon IV.5.2.1, on January 1, 2027, the Executive Committee shall appoint three of the members of the Reports Investigation Committee to a three-year term, three of the members to a two-year term, and three of the members to a one-year term. Thereafter, the members and alternates of the Reports Investigation Team serve staggered terms of three years, with three being elected every year.

Forms

Form 1 – *Form of Report*

To the Reports Administrators:

I, ___ *[name]*, of ___ *[place]*, agree to cooperate with the investigation, and make the following report of misconduct by a bishop of the Anglican Church in North America. As a Reporting Party, I have personal knowledge of or have received information concerning the matters alleged below and they are true and correct to the best of my knowledge and belief:

[state the factual basis of the Report]

Signed: _____

Name: _____, Reporting Party

Date: _____

Form 2 – *Form of Presentment*

In the Disciplinary Tribunal for a Bishop

In the Matter of the Rt. Rev. _____, Diocese of _____

Respondent

We, the members of the Reports Investigation Committee of the Anglican Church in North America, have investigated certain allegations against the Respondent, and conclude that there is sufficient proof to support a finding that a canonical offense has been committed, disregarding any evidence to the contrary; and, taking the evidence as a whole, we further conclude that there is a rational basis to think the Respondent has committed a canonical offense. We therefore refer the following charge to the Disciplinary Tribunal for a Bishop for action in accordance with Canon IV.6 of the provincial canons.

Charge

In that _____ *[Respondent's name]* did, at or near _____ *[place of offense]*, on or about _____ *[date or time period of offense]*, _____ *[specific allegations]*, in violation of Canon IV.3. __ of the provincial canons *[specify offense]*, to wit: *[concise details of allegations]*.

We decline to refer the following allegations to the Disciplinary Tribunal for a Bishop for failure to reach the required standard of proof based on the following findings:

The Reports Investigation Committee also received the following exculpatory testimony and evidence:

On behalf of the Reports Investigation Committee,

Signed: _____

Name: _____, chairperson *[or vice-chairperson]* Date: _____

Form 3 – *Form of Appeal*

In the Provincial Tribunal

In the Matter of the Rt. Rev. _____, Diocese of _____

Respondent

I, the Right Reverend _____, Respondent in the Disciplinary Tribunal for a Bishop, do hereby appeal from the finding(s) and/or order of the said Tribunal, pronounced in the said cause on the day of _____.

This appeal is based upon the following grounds:

[state the grounds of the appeal, clearly identifying one or more of the grounds in Canon IV.9.1.1].

I require my appeal to be heard by the Provincial Tribunal.

Signed: _____

Name: _____, Appellant

Date: _____

Form 4 – *Form of Diocesan Certification*

Certification of Diocesan Compliance with Canon IV.7.

To: The Executive Committee of the Provincial Council

I certify that as of the ____ day of _____, 20__, the synod of this diocese has adopted canons or policies providing for Diocesan Reports Receivers, a Diocesan Reports Investigation Committee, and a diocesan tribunal or court in accordance with Canon IV.7.1.2.

Furthermore, I certify that as of the ____ day of _____, 20__, the synod of this diocese has adopted by canon or policy the disciplinary process in Canon IV.7.2-5, subject to adaptation as needed.

[or]

Furthermore, I certify that as of the ____ day of _____, 20__, the synod of this diocese has adopted by canon or policy a disciplinary process that it regards as of at least equal fairness, transparency, and integrity to that in Canon IV.7.2-5.

Signed: _____

Name: _____, Bishop/Registrar/Diocesan Secretary *[indicate one]*

Diocese: _____

Date: _____

Appendix 1: Drafting Presentments

A Presentment 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.3.1 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.

A Presentment must also include plain, concise, and definitive statements of any exculpatory material obtained during the investigation, and any portion of a Report that was not referred in the Presentment and the reasons for such non-referral.

Examples:

Charge 1

In that the Rt. Rev. Samuel Smith, at or near Minot, North Dakota, on or about June 15, 2027,[13] was willfully derelict in his episcopal duty, in violation of Canon IV.3.1(b) of the provincial canons, to wit:[14] Bishop Smith knew of his duty under Canon III.6.2 of the provincial canons to disclose to a bishop accepting the transfer of a member of the clergy from Bishop Smith's diocese any past or existing disciplinary matter or other impediment affecting the ministry of the transferring member of the clergy; Bishop Smith knew that the Rev. John Jones, a presbyter in his diocese, had been previously presented and tried for the offense of conduct unbecoming to a member of the clergy because of having an inappropriate relationship with a parishioner, Ms. J.B.V., then 17 years old;[15] and Bishop Smith willfully failed to inform the Rt. Rev. Abner Adams of this past disciplinary matter before Bishop Adams accepted the transfer of the Rev. Jones into his diocese.

[13] The date, time, and location of the commission of the offense charged should be stated with sufficient precision to enable the Respondent to understand what particular act or omission is alleged and to prepare a defense.

[14] In any charge alleging the willful or negligent dereliction of any duty of the clergy in violation of Canon IV.3.1(b), the document establishing the duty and the specific terms of the duty should be described in the charge with sufficient specificity to understand which duty has been alleged and to enable the Respondent to prepare a defense.

[15] In the case of an offense against the person or property of a person, the first name, middle initial, and last name or, if the alleged victim is a minor, the first, middle, and last initials of such person should be alleged, if known.

Charge 2[16]

In that the Rt. Rev. Samuel Smith did, at or near Minot, North Dakota, on March 3, 2027,[17] engage in conduct unbecoming to the sacred calling of one in holy orders, specifically financial malfeasance by diverting church funds for his own gain, in violation of Canon IV.3.1(c).5d of the provincial canons, to wit: Bishop Smith submitted to Frank Mammon, the diocesan treasurer, a personal expense for reimbursement from the diocesan discretionary fund, namely, an eight-day stay at an Airbnb in Denver, Colorado in February 2027, amounting to $1473, for a personal trip that was unrelated to official duties.

Example of exculpatory material:

Example of a report not referred to a disciplinary tribunal:

[16] A single charge need not be numbered, but in the event that there are multiple charges in a single Presentment, the charges should be numbered sequentially.

[17] If the conduct alleged extended over a period of time, it is proper to allege that it occurred, for example, "from about June 15, 2027, to about November 4, 2027," or "on diverse occasions between June 15, 2027, and November 4, 2027."

Appendix 2: Forms of Oaths

For testimony made in the presence of a Disciplinary Body:

“Do you solemnly affirm that the [statement / testimony] you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?”

For written statements:

"I have read or have had read to me this statement. I fully understand the contents of the entire statement, and the statement is true. I have made this statement freely, voluntarily, without hope of benefit or reward, without threat of punishment, and without coercion or unlawful inducement."

Declarant then signs, dates, and at least one witness signs and dates, and the statement should be notarized to ensure authenticity.