

ANGLICAN DIOCESE OF ALL NATIONS RULES OF THE ECCLESIASTICAL TRIAL COURT

– PREAMBLE –

As the Standing Committee of the Anglican Diocese of All Nations promulgates these Rules for the operation of the Ecclesiastical Trial Court (the “Court”) of this Diocese, it affirms the Provincial and Diocesan preference for resolution of complaints against clergy of the Diocese by the Diocesan Bishop (the “Bishop”) and prior to presentment of the Accused, whenever possible, through one or more of a.) the Accused’s voluntary submission to discipline pursuant to ACNA Title IV, Canon 3, Section 2; b.) canonical investigation pursuant to ACNA Title IV, Canon 3, Section 3; c.) Godly Admonition pursuant to ACNA Title IV, Canon 2, Section 2; and d.) Inhibition pursuant to ACNA Title IV, Canon 9. None of the Rules or other provisions set forth in this document should be conflated with or otherwise used to obstruct the right of a parish vestry to fire a clergyman, with or without cause.

RULE 1. SCOPE OF RULES

These Rules shall govern all canonical disciplinary proceedings brought in the Anglican Diocese of All Nations Ecclesiastical Trial Court. They shall be applied and interpreted to assure justice to all parties who come before the Court.

RULE 2. AMENDMENTS

These Court Rules are promulgated by the Standing Committee of the Anglican Diocese of All Nations and may be amended from time to time by order of a judicial panel with prior consent of the Diocesan Bishop. No such amendment, however, shall be made from the time an Accused is served with a presentment until the completion of the Accused’s case or trial.

RULE 3. COMPOSITION OF JUDICIAL PANEL

Judicial panels shall consist of three judges, which shall be selected by the Bishop upon determination that a trial is necessary. The Presiding Judge, a member of the judicial panel, must be a member of the Anglican Diocese of All Nations or another diocese of the Anglican Church in North America. The Presiding Judge shall lead the judicial panel, decide all evidentiary matters, and rule on all objections at trial.

RULE 3.1 CONFLICTS OF INTEREST

No judicial panel member shall be related to, a close friend of, in business with, or have any actual or apparent conflict of interest with the Accused, the Prosecutor, or the Complainant(s).

RULE 4. PROSECUTOR

The Chancellor of the Diocese shall serve as Prosecutor. If, however, the Chancellor has a conflict of interest or otherwise declines to serve in that capacity, the Bishop shall appoint another legal officer of the diocese or a legal officer from another diocese of the Anglican Church in North America to serve as Prosecutor in the Chancellor's stead.

RULE 4.1 CONFLICTS OF INTEREST

No Prosecutor shall be related to, a close friend of, in business with, or have any actual or apparent conflict of interest with the Accused or the Complainant(s).

RULE 5. COMMENCEMENT OF ACTION

An action is commenced when the Prosecutor files a signed sworn presentment with the Bishop. The presentment shall be short and in plain language and shall be as fact specific as possible, indicating which provisions of Title IV of the Anglican Church of North America Constitution and Canons have been violated.

RULE 5.1 SERVICE ON ACCUSED

The presentment, along with an explanatory letter and any other related documents, shall be served on the Accused by the Prosecutor electronically, or through personal service by a process server, or by certified mail return receipt requested. The explanatory letter shall include information stating that the Accused may represent himself or hire an attorney at his own expense, and that he has 20 days to file a written answer with the Prosecutor. Following the initial service on the Accused, all succeeding pleadings shall be served electronically. A copy of all documents served on the Accused shall be transmitted to the Bishop the same day, and the Bishop shall transmit those documents to the judicial panel.

RULE 6. SCHEDULING ORDERS

Once the Accused has been served, the Presiding Judge, after consultation with the Prosecutor and the Accused or his attorney, shall issue a scheduling order for all trial events, which order shall only be amended by the Presiding Judge, when necessary, in the interest of justice.

RULE 7. MOTIONS

Any pretrial motion filed by the Accused shall be accompanied by a written memorandum in support thereof and shall be filed electronically with the Presiding Judge and served electronically on the Prosecutor. The Prosecutor, if he wishes to file a written memorandum in response to any such pretrial motion, may file same within 10 days of being served with the Accused's pretrial motion. Memoranda in support of, or in opposition to, a pretrial motion shall not exceed 3 pages in length.

RULE 8. DISCOVERY

The Presiding Judge may, but is not obligated to, permit limited discovery if a pretrial motion is made requesting same. If discovery is permitted, the Presiding Judge will issue an order regulating said discovery.

RULE 9. EVIDENCE

The Presiding Judge shall attempt to follow general principles of fairness, due process, and natural justice in deciding evidentiary matters both in advance of and during trial.

RULE 10. TRIAL EXHIBITS

Trial exhibits shall remain in the custody of the Presiding Judge, who shall retain them until the appellate period under Title IV of the ACNA canons has expired.

RULE 11. REQUESTS FOR WITNESSES, DOCUMENTS, AND OTHER ITEMS

The Presiding Judge may, but is not obligated to, issue written requests for witnesses at trial, specific documents, or other items if he wishes, or if he is requested to do so by the Prosecutor or Accused. A written request shall be served by one of the service options listed in Rule 5.1.

RULE 12. TRIALS

Ecclesiastical trials are not public events. No parties except the Judicial Panel, Prosecutor, Accused, counsel for the Accused, the witnesses, and the Clerk, if any, may attend. Trials shall, however, be recorded for appeal purposes.

RULE 13. WITNESSES

Witnesses shall not be permitted to hear the trial testimony of other witnesses, and, therefore, shall be segregated away from the courtroom until it is time to give their own testimony.

RULE 14. METHOD OF TRIAL

Trials may take place physically in a specific location or virtually.

RULE 15. DEFAULT

If the Accused refuses to defend himself, refuses to comply with the orders of the Presiding Judge, refuses to appear for trial, or in any other manner attempts to disrupt the orderly flow of the judicial proceedings against him, the judicial panel shall proceed to deliberate and render its verdict.

RULE 16. JUDGMENT

When the Prosecutor and Accused have rested their respective cases, the judicial panel shall proceed to deliberate and render its verdict to the Bishop within 5 days. Such verdict is not to

be made public by the judicial panel and may only be disclosed by the Bishop. If the judicial panel's verdict is "Guilty," the Bishop shall disclose it when he is ready to hand down his final decision as to canonical punishment.

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As approved by a unanimous decision of the Diocesan Standing Committee on May 17, 2026.