

RULE NO. 10 [o-r]

Adjudicatory Hearings

(o) Testimony of all witnesses shall be taken under oath or affirmation. The form of the oath or affirmation shall be: “Do you solemnly affirm that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?” The oath or affirmation shall be administered by the Chairman or Board of Bishops member designated by the Chair to administer oaths.

(p) At an adjudicatory hearing, the burden of proof rests on Prosecuting Authority to establish the facts alleged in the Statement of Alleged Violation by clear and convincing evidence. However, Prosecuting Authority need not present any evidence regarding any count that is admitted by the Respondent or any fact stipulated.

(q) As soon as practicable after all testimony and evidence has been presented, the Board of Bishops shall consider each count contained in the Statement of Alleged Violation and shall determine by a majority vote of its members whether each count has been proved. If a majority of the Board of Bishops does not vote that a count has been proved, a motion to reconsider that vote may be made only by a member who voted that the count was not proved. A count that is not proved shall be considered as dismissed by the Committee.

(r) If the Board of Bishops by majority of those Bishops registered and present vote and determine that any count has been proved, then the Board of Bishops shall determine appropriate sanctions pursuant to Article VIII, § D, ¶ 2(j) of the Official Manual.