

## **Notice of Hearing Panel Proceedings**

### **ECCT Title IV matter #2019-5**

This Notice is required pursuant to Title IV.13.2 of the Canons of the Episcopal Church.

**Please note that the written statement prepared by the Church Attorney in this matter is attached and/or enclosed with this notice.**

**Mailing date of Notice: June 8, 2020**

#### **Notice issued to:**

Respondent: The Rev. James Kowalski, 3105 Grafton Road, Townshend, VT 05353

Respondent's Advisor: The Rev. Margaret Hodgkins, Trinity Church, 651 Pequot Ave., Southport, CT, 06490

Respondent's Counsel: Phillip Harris, waived his right to notice by mail pursuant to an email message on Tuesday, June 2, 2020, and accepts notice by email at: philharris358@gmail.com.

#### **Nature and purpose of the Hearing Panel proceedings:**

The purpose of Hearing Panel proceedings are to resolve the allegations of Offenses set forth in the attached statement of the Church Attorney. The Church Attorney appears on behalf of the Episcopal Church in Connecticut (ECCT) and bears the burden of proving the allegations by clear and convincing evidence. The respondent is presumed not to have committed an Offense. Both parties, the Respondent and Church Attorney, are obligated to participate in a process to allow discovery of evidence in preparation for the Hearing in accordance with the canons and the deadlines and limitations ordered by the Hearing Panel. All testimony is to be given under oath or solemn affirmation and will be subject to cross-examination. The Hearing Panel will determine the credibility, reliability and weight to be given to all testimony and other evidence. At the conclusion of the evidence, the Hearing Panel will deliberate privately and issue an Order. All proceedings before the Hearing Panel except their private deliberation shall be open to the public.

**Be advised that Respondent is required to file a written response with the Hearing Panel by July 8**, which is within 30 days of the mailing date of this notice as required by IV.13.2 (a).

**Pursuant to Canon IV.19.6, Failure to file a response with the Hearing Panel within 30 days** or to appear before the Hearing Panel permits the Hearing Panel, in its discretion, to proceed in the absence of the Respondent. The failure of Respondent to file a written response or to appear, does not in and of itself, provide the basis for a finding -----that any Offense

alleged in the Church Attorney's statement has been committed. It can be the basis for a finding of an Offense specifically arising from such failure to appear or file.

**Members of the Hearing Panel:**

The Rev. E. Page Rogers, President

R. Jill Foster

The Rev. Joseph Shepley

**Mailing address for Hearing Panel:**

The Rev. E. Page Rogers,

President of the Title IV Hearing Panel

c/o The Commons of the Episcopal Church of Connecticut

290 Pratt Street

Meriden, CT 06450

**Others who will receive a copy of this Notice:**

Complainant: [REDACTED]

Complainant's Advisor: The Rev. Lucy LaRocca