

HEARING PANEL
Disciplinary Board
Episcopal Church in Connecticut

The Episcopal Church in Connecticut

v.

ECCT Title IV Matter 2021-1

The Reverend Amjad Samuel,
Respondent

The Episcopal Church in Connecticut's Opposition to Respondent's Motion to Disqualify Hearing Panel Member Tom Smith or Alternatively for Mr. Smith to Recuse Himself from this Title IV Matter

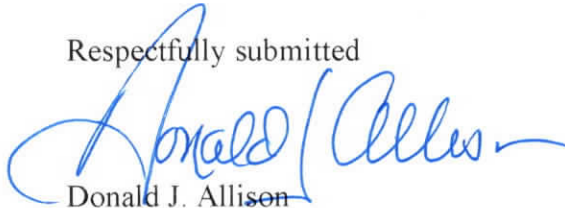
The Episcopal Church in Connecticut ("ECCT"), through counsel, opposes Respondent's Motion to Disqualify Hearing Panel Member Tom Smith. As more fully set forth below, Respondent's Motion is based entirely on a tortured and misleading interpretation of a simple question posed by Mr. Smith at a prior hearing in this matter. Respondent's motion lacks any basis in fact and should therefore be denied.

Respondent cites in his motion a litany of Canons of both the Episcopal Church and the Diocese of Connecticut that stand for the unassailable proposition that Respondent is entitled to a fair hearing and an impartial Hearing Panel. In this case Respondent will receive both.

In his motion, Respondent baldly claims that Mr. Smith has prejudged this matter and therefore should be disqualified based upon a question Mr. Smith asked at an October motion hearing in this case. During his argument in that hearing, Respondent's counsel referred to what he claimed were "false allegations" made against Respondent. According to Respondent, in response Mr. Smith asked "I don't understand how that can be said. Would that be an adjudication in his mind".

Far from showing a lack of impartiality, Mr. Smith's question can only fairly and reasonably be understood to be the belief, on Mr. Smith's part, that the truth or falsity of any factual allegation can only be determined by the appropriate fact finders after a hearing; that is, an "adjudication". It borders on the absurd for Respondent to suggest that Mr. Smith "has prejudiced this matter and has already decided there is no way that it can be said that the allegations made against the Respondent are false". To the contrary, Mr. Smith's question demonstrates his impartiality. As Mr. Smith noted, it is too early in the process to be "adjudicating" the truth or falsity of any allegation in this matter. Respondent's motion should be denied.

Respectfully submitted



Donald J. Allison
Church Attorney

cc: Michael, F. Rehill, Esq.
Dr. Pamela L. Lutz