
CHANCELLOR'S REPORT

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POLICIES

I. None

ADVISORIES AND RULINGS OF LAW

II. INTERIM RULING

re: Standing and Jurisdiction in Judicial Matters

Greetings, Your Imperial Majesties, YRM of York, YG of Castille, and Lord Chancellor of York, In response to multiple inquiries received and after exhaustive research, the Chancery is prepared to issue rulings of law regarding standing and jurisdiction in judicial matters in the Adrian Empire. I have included Civil Courts because the issues are equally important and, frankly, the answer is simpler (it is useful to know and as a point of comparison suggesting clarification in the law of Courts of Justice).

A. Civil Courts

Standing

As per Imperial Bylaws XI. A. Civil Courts, "... any member desiring that a rule of law be clarified, expanded, or extrapolated, ... "

Jurisdiction

As cited above, Civil Courts hold jurisdiction over any question of law, further, over qualifications for knighthood. As per Adrian legal tradition, Civil Courts summoned in chartered subdivisions are authorized to interpret that law authoritatively for the chartered subdivision. These rulings may provide useful precedent for other chartered subdivisions. Any appeals of these decisions or any general question of Adrian law may be directed to an Imperial Civil Court, which has authority throughout the Empire.

B. Courts of Justice

Standing

As per Imperial Bylaw XI. B. 1., mundane violations may not be raised unless they occur in an Adrian context and affect Adrian events, nor may they be raised until all mundane proceedings are concluded (see also Article III. A. 2, 3, and 4, Membership revocation, denial and suspension). XI. B. 2., while any member may make a complaint, it must be a member and charges may not follow unless certain conditions are met. XI. B. 2. a, b, and d, for the complaint to rise to charges, it must be brought by, enjoined by, or ordered by the Crown. XI. B. 2. c., a complaint by a member claiming violation of his own rights can result directly in charges provided the member is the actual party harmed (actual standing equals actual harm suffered, the traditional Adrian concept of a noble acting on behalf of his vassals should be construed as limited to advising advocacy, mediation, etc., but cannot sustain a cause of action from the liege alone). XI. B. 2. e. addresses Conduct Unbecoming a Knight; again, any member may bring a complaint, but some member of the Chivalry must enjoin to represent the actual interest of harm which is the reputation of the Order. In each of the above cases, to determine standing simply ask who is actually harmed: if it is an individual, see 2. c.; if it is the Order, see 2. e.; and, if it is the event, authority of the Crown, or violation of law, harm is to Adria or the chartered subdivision and therefore requires Crown intervention. If treason is committed against a non-Crown, the individual or the non-chartered subdivision represented by its Noble is the party harmed (a possible exception to the ordinary construction of Treason).

Jurisdiction

Unfortunately, recent amendments, the Codex Adjudicata, and the Chancellor's Manual do not provide additional answers. Fortunately, the Chancery reports (advisories, rulings, and judicial history) clearly address the issue of jurisdiction. The chain of authority is illustrated in all matters by the November 2002 Report Item II., Imperial Civil Courts (dated 7/21/02) decision, section 5 "... Crown overruling Nobles, Imperial Crown over Royal Crown, ...". November 2002 Report Item VI. Re: Katherine McGuire 12/1/01 counter-charges against Lord Protector of Esperance, as head of chartered subdivision, automatically went to the Imperial Chancery. November 2002 Report Item XI. Re: Allora McDonnon 8/31/02, Imperial jurisdiction exercised over a member of Terre Neuve accused of crimes against members and Crown of Brandenburg, a different subdivision. July 2002 Report Item VI. Re: Sir Gwyllum ap DuDrane, dismissed 6/21/02, Imperial jurisdiction over charges against former Crown of Aragon for acts while Crown. March 2002 Report Item X. Advisory to the Crown Re: Counter-charges versus xxx jurisdiction "the allegations having been made against the (government) for official acts falls clearly under Imperial jurisdiction.

Additional commentary

The Imperial Government has discussed the authority to exercise jurisdiction in any manner brought against an Imperial officer over the performance of his duties. Their Imperial Majesties have considered that former Crowns and 3rd-level Knights may enjoy similar protection, but I know of no cases on record.

In Service, Sir William Baine, Chancellor, Adria
March 22, 2003

III. INTERIM RULING re: Are house meetings private?

I respectfully ask:

Does Adria consider a house meeting private, OR are they open for the local Shire to examine? and
Where do I talk to an Adria Lawyer?

Dabhid MacFhearghus
March 12, 2003

Interim Ruling

Good m' lord, I am not immediately aware of any caselaw on the subject. I am aware of no Adrian requirement that house meetings be open to anyone outside the house. Mundanely, you could check local non-profit and open meeting law; but I do not believe that a "house" qualifies as a policy-making body subject to open meeting laws. Conversely, all local and Imperial General Estates meetings and meetings of the BOD probably do. The issue has not been raised as to committees of those bodies--but following mundane examples, they probably are as well. What is an Adrian lawyer? Any licensed attorney, advising any body of the Adrian Empire, Inc. on any mundane legal issue; or, for our own purposes only, the term may apply to any "member" of the Adrian College of Law. The members of which include current and former Crowns, Chancellors and their deputies. We call them "learned in the Law." Subjects of the Empire may consult them for Adrian "legal" advice, however, only current Crowns and their Chancellors may offer authoritative interpretations of our law.

I hope this was helpful.

In Service,
Sir William Baine, Chancellor, Adria
March 17, 2003

IV. ADVISORY

re: Elevation of Consorts to Co-rulers and Non-knight Ducal Crowns

I see in article VIII.D.2.b A Duchy has a right to choose a Ducal crown and the estates general may per Article VI.2.a.iii remove a crown from office. How many votes does it take to name a consort Duchess? 2/3 or a simple majority? Either I missed it, or it isn't in the bylaws.

Thank you for your time. Etain Ihiannan Shee

Advisory

Greetings,

Questions have been submitted to the Chancery regarding elevation of consorts to co-rulers and non-Knight ducal crowns.

A simple majority vote to approve elevation is consistent with precedent from Umbria and the requirement for voting on the acceptability of candidates. While, it is not specifically addressed by the bylaws, this interpretation is compatible with the bylaws and acceptable until the Imperial Estates choose to legislate.

There is a separate issue of qualification. Ordinarily one must be a Knight to hold a ducal crown. There is an exception when no Knight is available (or willing to serve). There is no provision requiring such a ducal crown to be removed when a Knight becomes available.

In Service, Sir William Baine, Chancellor, Adria

Additional Question

If there is a non-Knight sitting on a Ducal Throne and that Duchy is elevated to the status of an Archduchy ... now a Knight requests to challenge the Throne and are eligible to do so as per the bylaws. BUT the current sitting crown is not eligible as per the Bylaws for the position, is the non-knight crown still permitted to run to retain their throne or are they considered forfeit to the seat since as per the Bylaws they are not eligible to hold that seat any longer.

Advisory

Greetings. Please see above advisory. Additionally, while the mere availability of a willing qualified candidate does not remove a sitting Crown who was seated under an authorized exception to the rule (Knight), he may be challenged in the usual ways--civil war or 2/3rds vote of Estates to remove.

In Service, Sir William Baine, Chancellor, Adria
April 28, 2003

V. RULING

re: Agenda item out of order (proposal to restrict reconsideration of approval of successful term of office)

Greetings YIMs Elizabeth and Karl,

The Chancellor of Aragon has requested a ruling regarding whether an agenda item is in order. She ruled that it was not. The Crown was unsure and the request was forwarded to the Imperial Chancery.

The proposal would restrict reconsideration of approval of a successful term of office/retiring title to only those estates that were recognized as of the last month of that sovereign's reign.

This proposal is patently in conflict with the Ruling of the October Civil Court which establishes the test of whether the governmental interest outweighs the right in question. Here, while no particular governmental interest is argued; we assume that it is, that the estates with direct knowledge of the reign in question make such an important decision--the creation of a permanent vote (locally and Imperially). The right affected is that of the present estates to vote on any issue before the body. It goes to the fundamental franchise rights of the membership. Ignoring practical considerations of which estates may have been around then who are not extant today; or even whether an estate created at the end of a reign is any more qualified than one created afterward; **therefore the rights of the members to form estates and to be represented in all business before said estates, as granted by Imperial Law, are of such weight that only action of the Imperial Estates may abridge them. The proposal is out of order.**

In Service,
Sir William Baine,
Chancellor, Adria
May 11, 2003

WRITS

VI. Imperial Writ:

Conduct of Archery at Memorial Weekend War 2003

A. Scheduling

Archery need not be held on the same day or place as other tournament and war activities, and may be scheduled as completely separate activity. Archery activities that cannot be held due to lack of facilities, or acts of God (i.e. weather) may be rescheduled and or made up. This applies but is not limited to Crown tournaments, Events, and Wars, and Imperial tournaments, Events, and Wars.

B. Wars

Should it become necessary to hold War Target Archery lists offsite, or on a different day from the rest of the war, the Crown presiding over the War shall lay out in Writ the time, place, and conditions of the Target Archery, with the course being set by the Minister of Joust and War, bearing in mind the facilities available to different subdivisions in the case of Imperial Wars (i.e. set ranges and course that may be conducted under even the most limited conditions). The tallying must be completed prior to the start of the on site War, with the course being set by the minister of Joust and War with the advice of the Minister of Archery, bearing in mind the facilities available to different subdivisions in the case of Imperial Wars.

Pursuant to current law, the archery war point and tournament may be conducted off-site and on different days if facilities are not available at the war site. The archery war point and Imp tournament for said Imperial War for those sites which cannot provide on-site archery will be conducted as follows. It will be shot at any practice or tournament conducted between April 15 and May 20. Scores will be collected by the local archery minister or, in absence of the minister, the Crown or any Knight the Crown designates for this purpose.

The standard 60cm FITA target will be used. If the 60cm is not available you may use an accurate facsimile. All courses to be fired at 20 yards. A score sheet with game name, real name and candidate that is being supported will be forwarded to the Imperial Archery Minister, and the Emperor not later than May 20th via e-mail. Participants must either pre-register for the war paying the registration fee, postmarked by May 8th, or register at the site by close of Saturday Ministers may carry registration to war sight if they wish but scores must be E-mail delivered by May 20th no exceptions. For your scores to count and to receive any points you must register. If formatting fails the scores can not be counted so be alert for correspondence concerning formatting.

The course of fire will be:

- One (1) Masters' Tournament War Point:
- 6 arrows at 20 ids (possible score 60), combined score of all Masters list (Bowman).
- One (1) Knights' War Point: 6 arrows at 20 ids (possible score 60); combined score of all Knights list (Huntsman)
- One (1) Open Tournament War Point: 6 arrows at 20 ids(possible score 60); combined score of all masters list and knights list . (this is to be fired in addition to the two list mentioned above)
- And one (1) Champion's Match War Point: 6 arrows at 20 ids(possible score 60); highest score of any individual declaring for a candidate. The Candidate need not declare a champion but the highest score of his/her supporters will be the score for the champions point .
- For the separate Imperial Archery tournament: 6 arrows at 20 ids (possible score 60) Bowman's and Huntsman list.

All targets for the Imperial Memorial Weekend War & Imperial Archery Tournament targets will be scored as follows:

- the inner yellow circle 10X
- the middle yellow circle: 10
- the outer yellow circle: 9
- the inner red circle: 8
- the outer red circle: 7
- the inner blue circle: 6
- the outer blue circle: 5
- the inner black circle: 4
- the outer black circle: 3
- the inner white circle: 2
- the outer white circle: 1

Should an unforeseen event arise this writ may be used at the discretion of the Imperial Minister of Archery in conjunction of the Deputy Imperial Minister of Joust and War East for the Imperial Memorial Weekend War East.

*This 1st Day of April being 2003 C.E
Elisabeth, Imperatrix, Karl, Kaiser*

VII. Imperial Writ: Conduct of Archery at Imperial War 2003

Archery need not be held on the same day or place as other tournament and war activities, and may be scheduled as completely separate activity. Archery activities that cannot be held due to lack of facilities, or acts of God (i.e. weather) may be rescheduled and or made up. This applies but is not limited to Crown tournaments, Events, and Wars, and Imperial tournaments, Events, and Wars.

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Pursuant to current law, the archery war point and tournament may be conducted off-site and on different days if facilities are not available at the war site. The archery war point and Imp tournament for said Imperial War for those sites which cannot provide on-site archery will be conducted as follows. It will be shot at any practice or tournament conducted between July 15 and August 26. Scores will be collected by the local archery minister or, in absence of the minister, the Crown or any Knight the Crown designates for this purpose.

The standard 60cm FITA target will be used. If the 60cm is not available you may use an accurate facsimile. All courses to be fired at 20 yards. A score sheet with game name, real name and candidate that is being supported will be forwarded to the Imperial Archery Minister, and Emperor not later than **Aug. 26** via e-mail. Participants must either pre-register for the war paying the registration fee, postmarked by **Aug.1**, or register at the site by close of Saturday Ministers may carry registration to war sight if they wish but scores must be E-mail delivered by **Aug. 26** no exceptions. For your scores to count and to receive any points you must register. If formatting fails the scores can not be counted so be alert for correspondence concerning formatting.

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All targets for the Imperial War & Imperial Archery Tournament targets will be scored as follows:

- | | |
|--------------------------------|-----------------------------|
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| • the middle yellow circle: 10 | • the inner black circle: 4 |
| • the outer yellow circle: 9 | • the outer black circle: 3 |
| • the inner red circle: 8 | • the inner white circle: 2 |
| • the outer red circle: 7 | • the outer white circle: 1 |
| • the inner blue circle: 6 | |

Should an unforeseen event arise this writ may be used at the discretion of the Imperial Minister of Archery in conjunction of the Deputy Imperial Minister of Joust and War East for the Imperial Crown War East.

*This 10th Day of July being 2003 C.E
Elisabeth, Imperatrix, Karl, Kaiser*

JUDICIAL PROCEEDINGS

VIII. Re: Dabhid MacFhearghus (Somerset)

May 12, 2003: Charges filed

May 15, 5003: Member resigned from Adria

June 6, 2003: Charges "held"

Charges

DISRUPTION OF HARMONY(Article XI.B.2.a)

The first charge of Disharmony is for making disparaging statements about the Crown and the Crown's officers to members of the Empire outside of the Duchy of Somerset on multiple occasions. Since there is written evidence of this activity, this charge of disharmony has been levied.

The second charge of Disharmony is for slandering the Crown repeatedly in e-mail statements made to other members of the Duchy of Somerset. Since there is written evidence of this activity, this charge has been levied.

TREASON AGAINST THE CROWN(Article XI.B.2.b)

The first charge of Treason is for making a statement of intention to file charges against the Crowns of Somerset for the breaking of Adrian Rules and By-Laws; evidence of this was not submitted within a reasonable time frame, nor was a retraction submitted. Since there is written evidence of this activity, this charge of treason has been levied.

The second charge of Treason against the Crown is for misrepresenting the Crown's and the Crown's officers' activities to those outside of the Duchy of Somerset in an attempt to slander the Crown. Since there is written evidence of this activity, this charge of treason has been levied.

These are the four charges that will be discussed in the Royal Court that will be held in the next thirty days. You can request Immediate Justice, which will cause the Court to be at the next Event, per the Codex Adjudica VI.b. You are allowed to request a date for your trial, it will then have to be approved by Chancellor and Crown. If you refuse, then the Chancellor will set the date and place.

You are suggested to review the Codex Adjudica and the By-laws to be aware of your rights. You may reply via e-mail at xxx.

Sincerely, Miguel Alonso Garcia de la Mar, Chancellor

Summary

On May 15, 2003, the defendent resigned from Adria. It was decided by the Somerset Crown and Chancellor to hold the charges open, rather than try him in absentia. If the defendent ever returns to Adria, his first act will be to complete this judicial proceeding.

END OF CHANCELLOR'S REPORT