
CHANCELLOR'S REPORT

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POLICIES

I. IMPERIAL POLICY

Re: Who shall conduct a Rolls Audit

Members need to go through their local subdivision to confirm audits and receive Crown, chancery and steward approval for Knighthood. This policy has been in place for at least one Imperial reign prior to this, and the policy shall stand.

Relative to tracking points for auditing, current Imperial Policy is that the member shall

- Fill in their Merits to Knighthood form
- Submit the document to the Rolls Minister of the subdivision they reside in then request a confirmation from the local Minister of Rolls.

Discussion

We are finishing up the draft of the Imperial Rolls Manual to be published soon. The manual will include language delineating the Imperial Policy relative to who conducts member Audits. We hope in the near future that everything will be on the Imperial website, and anyone can do tracking for an audit. If someone needs to verify what's there, or if something is missing, it will be easy for any rolls minister to help. The member will need only to get confirmation and approval from the local subdivision Steward, Chancellor and Crown.

The most common reason for an audit is to be able to be knighted. In order to do that, you have to have:

- No judicial restrictions
- Required points
- Active membership
- Crown approval

Crown: No other region has the authority to "rule" over someone else's subjects, the local Crown is the only authority over its subjects and because another Crown may not be aware of judicial concerns, membership status, etc, they may inadvertently award a Knighthood to someone under judicial restrictions.

Chancellor: The local chancellor needs to approve the Candidate because that's where those records are kept, and if it's Imperial action, they notify the local chancellor.

Steward: The local steward must determine if the member's points were earned while being a paid member. The Imperial Stewards database may help but the participation reports must be compared to the Stewards report.

It is important that the local Rolls Minister confirm the audit because Imperial Rolls points are distributed by the Imperial Crown and available to the local subdivision's Rolls Minister. Until the Imperial spreadsheet is accessible to all members the local subdivision gets a copy of the Imperial Points for their region.

In all these instances, it's the local subdivision that needs to provide verification. This information is kept on file with the person's home subdivision.

The primary reason for audits to be done in the member's home subdivisions is because that is who is responsible for archiving the local members' points and achievements.

In Service to the Empire,
Dame Marcella Visconti
Imperial Minister of Rolls and Lists

ADVISORIES AND RULINGS OF LAW

II. RULING OF LAW

Re: Pre-agreed judicial bans for return of Adrian property

Your Imperial Chancellor,

I need an interim ruling for the matter of pre-agreed Judicial Ban on non-return of Adrian/Aragon property. The ban would remain until the item is returned or its replacement value is paid for the express purpose of the item being replaced.

Here is the agenda item in question:

Motion: The Kingdom "Blue Books" shall be added to the list of chattel goods maintained by the Steward's Office. Officers and Estate Holders shall sign for these books and be responsible for maintaining their condition. The Kingdom shall be responsible for maintaining their content. The "Blue Books" shall contain copies of the Imperial Bylaws, Writs, Forms and Manuals; the Kingdom Codicils, Writs, Forms and Manuals; the Kingdom Flyer; the Imperial Insurance Binder; reservation information for the CCPR Parks and CCLD Libraries; and, the IRS 501c3.

The Kingdom shall establish a system for tracking the "Blue Book". Officers and Estate Holders shall be issued a copy upon accepting their position. When an Officer or Estate Holder steps down or is replaced they shall return the "Blue Book" to the Kingdom. If an Officer does not return the "Blue Book" or pay for its replacement within 30 days, they shall be not receive their ministry points for that position until such time as they do so. If an Estate Holder does not return the "Blue Book" or pay for its replacement within 30 days, they shall be placed under a judicial ban until such time as they do so. – HE Dame Rose of Aberlone (Tabled pending further information from Chancellor)

Response from the Chancery

Unto our friend Sir Cirus, Chancellor, Aragon, greetings.

After review of Imperial Bylaws Article XI, Imperial Estates Writ 12, and the Codex Adjudicata, there is no basis in law for the imposition of a Judicial Ban without the filing of charges (Chancery evaluation) and risk of evidence tampering (Magistrate determination) or as part of a sentence of a duly constituted Adrian Court of Justice (and Imperial Crown review).

Their Imperial Majesties shall be advised.

HIH Dame Maebd and Sir Pavo are hereby requested to post this Interim Ruling.

In Service,
Sir William Baine,
Chancellor, Adria
12/05/02

III. ADVISORY

Re: Conduct of estates meetings without chancellor

Request received from Guillaume Marchand du Fleur:

As I'm sure you're aware, our Interim Lord Protector has decided to cancel a meeting of our local Estates that has been planned for a month. He has cited the fact that he is under the weather and a couple others (though he does not provide names of the people in question), as well as citing the fact that the Imperial Estates Meeting Agenda for March has not been published to discuss at our local meeting. HIM Karl has graciously responded to this latter concern, and I do not think that will be an issue any longer.

We would like to proceed with this meeting. According to the bylaws, if the chancellor is not available to conduct the meeting, the senior estate member may conduct it. Also it states that votes can be sent by proxy to the meeting.

The confirmation I would like is thus: Are we reading the bylaws correctly and can we conduct a meeting of the body without the chancellor / Lord Protector?

I thank you in advance for a reply from the Chancery.

Response from the Chancery

Father Guillaume, in answer to your queries:

1. Please refer to Imperial Bylaws XIV C Lord/Lady Protector, line 8 ". . . the Estates at whose pleasure the Lord Lady Protector reigns." and lines 6-7 ". . . shall reign until removed by the appropriate body of Estates," from these provisions we understand that removal may be by majority (not 2/3rds), the Protector is not a "Crown." This can be done anytime the body is in session--it may not require an agenda item but it is advisable to do it (to reduce chance of appeal). It is possible the Estates may do this regularly, but it's a bad idea to be constantly changing governments.
2. As per VI D Chartered Subdivision Governing Body; Summoning Meetings, Paragraph 3, ". . . may also be summoned by three members of that body." As such meetings are subject to other law, notice or waiver of notice (2/3rds of those present, having achieved quorum) is required. If such a meeting is called, the chancellor/protector cannot block it, but can chair it. Interference may be a chargeable act. (Was such a meeting called, or merely discussed?)
3. Notice of reconsideration, following general rules of reconsideration, if the body votes to appoint the Protector, and one member of the prevailing side (those voting in favor if it passes) moves to reconsider during the same meeting, and anyone seconds the motion, a vote to reconsider the issue is in order (it is also debatable). If approved the body considers the original proposal. Regardless, see 1 above, replacing the Protector may always be in order.
4. VIII D 2 Archduchies and Duchies does not directly address the appointment of the Duke/Duchess, 2 b i states "A Duchy has the right to choose a Ducal Crown or Crowns." No particular procedure is called for, but all Duchy business is subject to the Imperial Crown. Therefore, any method acceptable to the Imperial Crown appears to be in order. The majority of the Estates could recommend a candidate to the Imperial Crown through a simple resolution or even by petition. Or, the Imperial Crown could order a War, Election, or some other method. Precedent requires confirmation by the Imperial Crown.

In Service,
Sir William Baine,
Chancellor, Adria
2/20/03

IV. RULING OF LAW

Re: Do pax regiums extend to co-rulers?

Unto TIMs Dame Elizabeth and Sir Karl,

Your servant, Sir William, sends greetings and the following ruling on law, as commanded.

HRM Dame Aislynne de Chartier, Queen of Umbria, requested a ruling of law: If a seated Crown successfully bids for a second consecutive reign, but wins the Crown with a new co-ruler, one Crown is in his or her second reign and the other is in his or her first. A second reign has no pax regium, but a first reign does. Does the Crown who is seated for a first reign forfeit his or her right to a pax regium by virtue of the fact that the co-ruler does not have one?"

Ruling

Yes. I have reviewed of the relevant law. Imperial Bylaws VI.F.3.The Crown, b.Royal Crown; XIV. Term of Office, B.King/Queen; XV.A.Pax Regium; these sections are all silent on this issue. However, VIII.B.General Requirements for Crowns/Ruling Nobles, 1.h. is explicit, "*Their reign is limited to two (2) years consecutive, removing the Royal Crown Pax Regium in the second year.*" No exception is made for the first-term co-ruler.

Discussion

When the bylaws were amended to permit the second term, the issue was hotly and thoroughly debated. Strong opposition to two term Crowns was accommodated by elimination of a second Pax Regium. This was to safeguard the ability of the populace to prevent an entrenched and irremovable Crown/government.

In a worse case, the 2/3rds vote of the Estates to remove a Crown, can be interfered with by manipulation of Estates composition; but, the Civil War remedy would still be available. Civil War against one Co-ruler could result in the government being unchanged. Further, to address the issue of fairness, it is the decision of the first term co-ruler to run with the second and therefore forfeit the right to a Pax Regium.

In Service,
Sir William Baine,
Chancellor, Adria
2/25/03

WRITS

V. None

JUDICIAL PROCEEDINGS

VI. JUDICIAL PROCEEDING

Re: Richard de Vere (Somerset)

September 13, 2002: Relieved of duties as Viceroy of Somerset

October 2, 2002: Request for suspension of membership filed with Board of Directors

October 4, 2002: Membership suspended, charges filed

November 11, 2002: Trial held

Summary

A Royal Court was convened 11 November 2002 at 7:55 pm EST at Dabhid MacFergus' residence. Acting as Bailiff was Lt. Thomas Bolitho, as Magistrate Sir Arthur O'Tyne, as Justicar Friar Matthew (Adrian name in progress), Dabhid MacFergus as Crown Advocate, Gwerith verch Albrecht as Defense Advocate, and Sorche Kyrkeby as Scribe.

Complaints against Richard de Vere, former Viceroy of Somerset, concerning the performance of his duties were presented to the Imperial Crown. The Imperial Crown delegated the matter to Sir Arthur O'Tyne, the Viceroy of Somerset. The Viceroy and Acting Chancery, Miguel Alonso Garcia de la Mar and Lt. Thomas Bolitho, investigated the complaints in consultation with The Imperial Crown and Chancery and evaluated the complaints. They were found legitimate and warranted trial.

The Defendant was notified of the charges by email at his active address. The Defendant responded and refused to participate. The Defendant claimed that the alleged offenses occurred beyond the statute of limitations. The claim was without merit; the complaint was filed in a timely manner. Trial date was set and notification was emailed to the Defendant at his active email address. The Defendant has presented no defense, either in person, in writing, or by appointing an advocate. The Crown has appointed an Advocate to protect the rights of the Defendant. The Defendant has chosen not to review the evidence.

As per Imperial Bylaws Article XI. B. 2. a & c (disharmony and violation of rights), in addition, he is charged with malfeasance, misfeasance, and nonfeasance of office, based on the allegations.

The first 10 charges and Number 13 had numerous emails submitted in evidence; charges 11 and 12 by deposition.

Justicar indicated he is ready to deliver his verdict: guilty of malfeasance as follows: mishandling of funds (charges 1, 2, 3, 5, 6, and 9); exceeding authority (charges 4, 8, 9, 10, and 13); and harm (charge 7); he is also found guilty of causing disharmony as per Imperial Bylaw Article XI.B.2.a in charges 8, 11, and 13. Violation of rights (XI.B.2.c) was dropped by the Crown due to a lack of evidence (charge 12).

Sir Arthur makes recommendation to the Crown that a public apology and banishment for 3 years from date of apology, restitution of misappropriated funds, and a lifetime ban on ministerial positions be the Defendant's sentence.

END OF CHANCELLOR'S REPORT