

The Chancery recommends the following amendments to the proposed revision of the Codex Adjudicata.

Recommended:

1. Preface:
Amend by substitution: The Codex Adjudicata is a manual for the conduct of Civil Courts and Courts of Justice in the Adrian Empire.
2. Article II (note: following 2. Right of Appeal): Remove “As a practical matter, ...” entirely or amend by substitution: *Historical Note: Civil Courts were called “Article XVI Courts”, after the early bylaw provision that created them.*

Error:

1. Article I.A.2. and I.B.2.: Remove “Approve and” from second bulleted item in each section.
2. Article III.I.5.: Replace “A banished member shall permanently lose...” with “A banished member may permanently lose...” (see XI.B.9.e. and minutes from November 2002, item CH4. “May” should not have been replaced with “shall”)
3. Article IV.: Replace “chancellor” with “Minister of Justice” throughout (see minutes from March 2003, item OB 9 – creation of Ministry of Justice)

Clarification:

1. Article I. Duties
Add: E. Magistrate
The Crown may appoint himself, the Minister of Justice, or another to serve as Magistrate. The Magistrate shall:
 - Insure that no members of the Court are material witnesses or exhibit improper bias
 - Conduct the Court
 - Rule on all points of law
 - Not vote on the outcome(Note: If approved, amend Article III.C.1. to remove “The Crown or the Chancellor shall act as Magistrate ... The Magistrate shall not vote on the outcome.” (Sentences 5-8))
2. Article II.A.: Combine c. and d. into one entitled “Chancellor or Minister of Justice”
3. Article III.: Add “A Court of Justice may be called as per Article XI.B.2 and 7 of the Bylaws.
Article III.A. Royal Court
Remove: *A member who wishes to complain of the conduct of another member, may request the Crown to convene a Royal Court. The Crown may elect to reject the charges if it is self-evident that the charges are without merit.*

CODEX ADJUDICATA

IMPERIAL ESTATES WRIT #2, 12

Adopted January 1992

Amended November 1996, November 2001, July 2005

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Anyone is welcome to point out any error or omission that they may find.

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Change Key:

~~Green with strikethrough~~: Amended or deleted text

Red text : Added or substituted text

(Blue text in parentheses) : Reason or Estates Meeting, agenda item causing change

Other comments:

Due to March 2003, OB 9, which created the Minister of Justice position, the words "Chancellor" and "Chancellory" have been replaced with "Minister of Justice" or "Ministry of Justice", respectively, in the appropriate places.

Also, several sections have been re-numbered to conform to standard Section and outline format. The content of these sections was not changed unless required by an Estates action and will be marked as such.

ESTATES WRIT 2

PREFACE

This Codex Adjudicata is a Manual for the conduct of Justice within the Adrian Empire, compiled in the reign of His Imperial Majesty, Terrance, being the year 9 Anno Imperito by Philip Lord Coirnoir, Prince of Adria, Earl of Adria, Viscount of the Empire, Chancellor of the Empire, Knight of the Realm.

I. DUTIES

A. ~~CIVIL DUTIES~~ (reorganized for clarity and for March 2003, OB 9)

1. ~~IMPERIAL CHANCELLERY~~

- a. ~~Advise the Imperial Crown in the drafting of Imperial Crown writs.~~
- b. ~~Review Imperial Crown writs for conflict with existing Imperial Crown writs and Imperial bylaws.~~
- c. ~~Review chartered subdivision codicils and writs for conflict with Imperial law.~~
- d. ~~Conduct hearings of writ if a member challenges Imperial Crown or Crown writ.~~
- e. ~~Draft model laws for the Imperial Crown, Crowns, and Royal Peers upon request.~~

2. ~~CHANCELLERY OF CHARTERED SUBDIVISIONS~~

- a. ~~Advise the local Crown in the drafting of local Crown writs.~~
- b. ~~Submit chartered subdivision codicils and writs to Imperial Chancellery for review and recording.~~

B. ~~PARLIAMENTARY DUTIES~~ reorganized for clarity

1. ~~IMPERIAL CHANCELLERY~~

- a. ~~Act as chairman of the Imperial Estates.~~
- b. ~~Approve and execute Imperial Estate writs on behalf of the Imperial Estates.~~
- c. ~~Assist the Imperial Estates in drafting law.~~
- d. ~~Advise the Imperial Estates of potential conflict between the Imperial bylaws and proposed Imperial Estate writs or law.~~

2. ~~CHANCELLERY OF CHARTERED SUBDIVISIONS~~

- a. ~~Act as chairman of the local Estates.~~
- b. ~~Approve and execute local Estate writs on behalf of the local Estates.~~
- c. ~~Assist the local Estates in drafting local law.~~
- d. ~~Advise the local Estates of potential conflict between the Imperial bylaws and proposed local Estate writs or law.~~

C. JUDICIAL DUTIES**1. IMPERIAL CHANCELLERY REORGANIZED FOR CLARITY**

- a. Draft charges of violation of law on behalf of the Imperial Crown.
- b. Act as prosecutor if the Imperial Crown is the complainant.
- c. Determine if the Statute of Limitations applies.
- d. Organize the Imperial court and assist the Imperial Crown in its conduct if a member other than the Imperial Crown is the complainant.
- e. Advise accused members of their rights.
- f. Assist chancellors of chartered subdivisions in conducting courts.

2. CHANCELLERY OF CHARTERED SUBDIVISIONS

- a. Draft charges of violation of law on behalf of the local Crown.
- b. Act as prosecutor if the local Crown is the complainant.
- c. Determine if the Statute of Limitations applies.
- d. Organize the local court and assist the local Crown in its conduct if a member other than the local Crown is the complainant.
- e. Advise accused members of their rights.

A. CHANCELLOR (IMPERIAL)**1. CIVIL DUTIES**

- Advise the Imperial Crown in the drafting of Imperial Crown writs.
- Review Imperial Crown writs for conflict with existing Imperial Crown writs and Imperial bylaws.
- Review chartered subdivision codicils and writs for conflict with Imperial law.
- Conduct hearings of writ if a member challenges Imperial Crown or Crown writ.
- Draft model laws for the Imperial Crown, Crowns, and Royal Peers upon request.

2. PARLIAMENTARY DUTIES

- Act as chairman of the Imperial Estates.
- Approve and execute Imperial Estate writs on behalf of the Imperial Estates.
- Assist the Imperial Estates in drafting law.
- Advise the Imperial Estates of potential conflict between the Imperial bylaws and proposed Imperial Estate writs or law.

B. CHANCELLOR (CHARTERED SUBDIVISION)**1. CIVIL DUTIES**

- Advise the local Crown in the drafting of local Crown writs.
- Submit chartered subdivision codicils and writs to Imperial Chancellory for review and recording.

2. PARLIAMENTARY DUTIES

- Act as chairman of the local Estates.
- Approve and execute local Estate writs on behalf of the local Estates.
- Assist the local Estates in drafting local law.
- Advise the local Estates of potential conflict between the Imperial bylaws and proposed local Estate writs or law.

C. MINISTER OF JUSTICE (IMPERIAL)

- Draft complaints of violation of law on behalf of the Imperial Crown.
- Act as prosecutor if the Imperial Crown is the complainant.
- Determine if the Statute of Limitations applies.
- Organize the Imperial court and assist the Imperial Crown in its conduct if a member other than the Imperial Crown is the complainant.
- Advise accused members of their rights.
- Assist chancellors of chartered subdivisions in conducting courts.

D. MINISTER OF JUSTICE (CHARTERED SUBDIVISION)

- Draft complaints of violation of law on behalf of the local Crown.
- Act as prosecutor if the local Crown is the complainant.
- Determine if the Statute of Limitations applies.
- Organize the local court and assist the local Crown in its conduct if a member other than the local Crown is the complainant.
- Advise accused members of their rights.

II. CIVIL COURTS

Civil courts are convened to resolve a member's qualification for knighthood, or at the request of any member desiring that a rule of law be clarified, expanded or extrapolated, unless the Ministry of Justice determines that no significant question of law has been raised. Civil Courts are extremely powerful having the right to rule on the intent of the estates as well as extrapolate new law by examining the intent of one or more Imperial bylaws as they apply to a set of facts. (From the Bylaws of the Adrian Empire, Article XI.A.) (Amended by July 2004, OB 39)

Civil Courts are extremely powerful, having the right to rule on the intent of the estates as well as extrapolate new law by examining the intent of one or more Imperial bylaws as they apply to a set of facts.

1. Calling a Civil Court

- a. A member may call for a civil court to resolve his own qualifications for knighthood.
- b. Any member may call for a civil court to clarify, extrapolate, or expand a ruling of law, unless the Chancellor determines that no significant question of law has been raised.

2. Right of Appeal

A determination made by a Civil Court may be appealed by:

- Any member who would be directly affected by the ruling
- The Crown

The chain of appeal shall be as follows:

1. Local Civil Court
2. Imperial Civil Court
3. Imperial Estates General

An appeal is filed by in writing to the Imperial Chancellor, who shall determine if a significant question of law exists. (The Imperial Chancellor's determination may be appealed in writing to the Imperial Crown.) If there is a significant question of law, the Imperial Crown shall convene an Imperial Civil Court.

An appeal of an Imperial Civil Court ruling is made in writing to the Imperial Crown, who shall direct the Imperial Chancellor to place the item on the agenda for the next-scheduled meeting of the Imperial Estates.

As a practical matter such courts are called when a member of lesser power disputes an action or ruling of a member of greater power. A historical note for future Chancellors, Civil Courts are also called "Article XVI" courts, after the bylaw provision that created them in the early bylaws.

A. RULES FOR CONVENING A CIVIL COURT

1. The request must be in writing and presented to (The party receiving the petition shall become the Presiding Justice of the court.) either:
 - a. The Crown
 - b. A landed Royal Peer
 - c. The Imperial Chancellor
 - d. The Regional Chancellor
2. The request must clearly state the rule of law to be evaluated, and the reason for the evaluation.
3. The Presiding Justice must determine that the petition represents a legitimate point of ambiguity, and is not an attempt to interfere with the Royal right to create Crown Writ. The Presiding Justice may consider, among other things, whether or not the dispute involves a clear or ambiguous by-law provision, his own knowledge of Case Law and custom, as well as his own common sense. If the Presiding Justice rules the petition invalid, the complaining party may appeal to a single higher authority. Only one such appeal may be made.
4. The Presiding Justice must determine if he will hold an emergency court or a full court. An emergency court may be convened on the spot, but its ruling affects only the event in which the court occurs. A full court may create law, as in a Writ, until the next meeting of the Estates.
5. A full court is held not less than 30 days from the date of the petition. As indicated the ruling of the Court becomes Law until accepted or rejected by the Estates. The rulings of an Emergency Court are effective only during the event in which they are held.

B. MEMBERS OF THE COURT

The presiding justice shall select two (2) members of either the Royal or Great Estates. Any such peer who plans to give testimony to the Court shall be excused. The petitioner shall further have the right of rejection over one selection of the presiding justice. Preference in selection shall be given to (in order of preference):

1. Royal peers
2. Counts royal and countesses royal (formerly earls and countesses)
3. Landed great peers
4. ~~Then~~ all other peers.

In the event that an emergency court is to be held, and only two (2) acceptable peers are available, the senior Knight present (and able to serve) may substitute for a great or royal peer. A court shall not be held with less than two (2) such peers. In the event that the presiding justice is not a royal or great peer then the court must contain two (2) such peers.

C. CONDUCT OF THE COURT

The Court shall be afforded a quiet place to meet and confer. ~~The presiding Herald of the event, or a herald~~ selected by the Presiding Justice, shall act as Bailiff. The Bailiff shall administer an oath of fidelity and good faith to the Court. The Herald shall then compile a list of all members wishing to give testimony. The court shall hear from each such member, and may pose questions to them. The Petitioner shall speak second to last, and the Crown or Noble whose actions are to be effected shall speak last. When all testimony has been heard the court shall meet and confer, and render its decision in writing.

III. COURTS OF JUSTICE

There are two types of Courts of Justice, although their function is identical, Royal Courts ~~and Hundreds Courts.~~ and Courts of Chivalry. A Royal Court is conducted by a Crown. ~~A Hundreds Court is conducted by a Ruling Noble.~~ A Knight may elect to be tried by a Court of Chivalry. It is the obligation of the Crown to advise the Knight of this right. The ~~Chancellery~~ Minister of Justice shall have the obligation to fairly and impartially assist either, or both, parties in preparing their case.

The court is held not less than 30 days from the date of the notice. As indicated the ruling of the Court becomes Law until accepted or rejected by the higher authority hearing an appeal.

A. ROYAL COURT

A member who wishes to complain of the conduct of another member, may request the Crown to convene a Royal Court. The Crown may elect to reject the charges if it is self-evident that the charges are without merit.

1. CONDUCT OF THE COURT

The Court shall be afforded a quiet place to meet and confer. ~~The presiding Herald of the Event (or~~ A herald selected by the Crown/Ruling Noble shall act as Bailiff. The Bailiff shall administer an oath of fidelity and good faith to the Court. The Bailiff shall then compile a list of all members which a party, or their counsel will call to give testimony. The court shall hear from each such member, and may pose questions to them. The Complainant shall speak second to last, and the accused shall speak last. When all testimony has been heard the court shall meet and confer, and render its decision in writing. Either party may appoint another member to represent them. *. (Amended to comply with Nov. 2002, CRB 2)*

~~B. HUNDREDS COURT (REMOVED BY JULY 2002, CH 3)~~

A member who wishes to complain of the conduct of another member, but does not wish to invoke a full Royal Court may request that the Ruling Noble having jurisdiction over the offending party convene a Hundreds Court. The Ruling Noble conducting the Court may elect to reject the charges if it is self-evident that the charges are without merit. The charging party may appeal to higher authority.

There are two major restrictions on Hundreds Courts:

- a. ~~A Hundreds Court may not assess a penalty which deprives a member of any award, order, rank, title, or membership rights.~~*
- b. ~~A Hundreds Court may only assess a penalty which can be completed by the member at the same event in which the penalty was assessed. In the event that the member elects not to complete the penalty in the same event, or to appeal the ruling to a Royal Court he shall remain under Judicial Ban until such a time as the appeal is heard or the penalty completed.~~*

(From the [Bylaws of the Adrian Empire, Article XI.B.8](#). November 2001.)

2. CONDUCT OF THE COURT

The Court shall be afforded a quiet place to meet and confer. ~~The presiding Herald of the Event (or a herald selected by the Crown/Ruling Noble)~~ shall act as Bailiff. The Bailiff shall administer an oath of fidelity and good faith to the Court. The Bailiff shall then compile a list of all members which a party, or their counsel will call to give testimony. The court shall hear from each such member, and may pose questions to them. The Complainant shall speak second to last, and the accused shall speak last. When all testimony has been heard the court shall meet and confer, and render its decision in writing. Either party may appoint another member to represent them.

C. COURTS OF CHIVALRY

~~Knights are afforded the right to be judged by their peers. A Court of Chivalry is conducted by a Magistrate and three (3) Knights. It has been established that commoners may also be judged by a Court of Chivalry. This may be at the commoners' request or at the order of the Crown. Note that the Imperial bylaws do not require the Crown to agree to a commoner's request to a Court of Chivalry~~

Knights are afforded the right to be judged by their peers. A Court of Chivalry is conducted by a Magistrate and three (3) Knights. Commoners may be judged by a Court of Chivalry, at the commoners' request (if granted by the Crown) or the order of the Crown. (Note: the Imperial bylaws do not require the Crown to agree to a commoner's request to a Court of Chivalry.) The Court of Chivalry is an alternate court of justice, and those procedures apply, except as provided here, or in the Bylaws. (Amended by July 2004, OB 49)

1. MEMBERS OF THE COURT

The accused Knight shall designate one Knight to act as his advocate on the Court. The complainant shall likewise designate one Knight. The advocates shall meet and confer and select a third Knight to act as Arbiter. A vote of any two Knights shall be binding. The Crown or the Chancellor shall act as Magistrate. The Magistrate shall insure that none of the Knights on the Court are material witnesses or exhibit a bias for or against a party to the case. The Magistrate shall conduct the Court, and rule on all points of law. The Magistrate shall not vote on the outcome. A vote of any two members of the council shall be binding. If the Court determines the accused is guilty they shall recommend a punishment to the Crown. The Crown shall not reject the recommendation of the Court without just and stated cause.

2. CONDUCT OF THE COURT

~~The Court shall be afforded a quite place to meet and confer. The presiding Herald of the Event (or a herald selected by the Crown/Ruling Noble shall act as Bailiff. The Bailiff shall administer an oath of fidelity and good faith to the Court. The Bailiff shall then compile a list of all members which a party, or their counsel will call to give testimony. The court shall hear from each such member, and may pose questions to them. The Complainant shall speak second to last, and the accused shall speak last. When all testimony has been heard the court shall meet and confer, and render its decision in writing. Either party may appoint another member to represent them.~~

The conduct of the court shall be identical to that of a Royal Court.

D. COURTS OF JUSTICE V. MUNDANE LAW

~~A Court of Justice shall never convene for violation of a mundane law, ordinance or code unless the infraction occurred in an Adrian Empire context and affected an Adrian Empire event and all mundane procedures relating to the infraction have been concluded. In the event that a member is arrested or charged by mundane authorities for a crime that may have occurred in an Adrian Empire context, the Crown shall have the right to suspend the members participation rights until mundane court procedures are concluded. (From the Bylaws of the Adrian Empire, Article XI.B.1, March 2003.)~~

A Court of Justice shall never convene for violation of a mundane law, ordinance or code unless:

- *The infraction occurred in an Adrian Empire context and affected an Adrian Empire event*
- *All mundane procedures relating to the infraction have been concluded.*

If a member is arrested or charged by mundane authorities for a crime that may have occurred in an Adrian Empire context, any member shall have the right to request suspension of the members participation rights until mundane court procedures are concluded (refer to Article III.A.4.). (Amended by Nov. 2004, OB 24)

E. CALLING A COURT OF JUSTICE

Courts of Justice may be called for the following reasons:

- a. ~~A member has committed an act or caused an action that so disturbed the harmony, order and enjoyment of the activities of the Adrian Empire as to warrant Crown intervention.~~
A member is accused of disharmony, which is defined as having committed an act (or caused an act) that so disturbed the harmony, order and enjoyment of the activities of the Adrian Empire as to warrant Crown intervention. (Amended by Nov. 2004. OB 25)
- b. ~~A member is accused of treason against the Crown or the member's Liege Lord. Treason is defined as the taking of any action or aiding any others in acting in a manner which damages or thwarts the legitimate interests of the individual's Liege Lord. Participating in a crown civil war by an individual who is not in personal fealty to the Crown shall not be construed as treason.~~
A member is accused of treason, which is defined as committing any acts or aiding others in acting in a manner which damages or thwarts the legitimate interests of the Crown or Liege Lord. Participating in a crown civil war by a member who is not in personal fealty to the Crown shall not be construed as treason. (Amended by Nov. 2004. OB 25)
- c. *A member accuses another member of violating their rights and the ~~individuals~~ members themselves cannot resolve the matter. (Amended by Nov. 2004. OB 25)*
- d. *Evidence is presented to the Crown that a member has willfully (or through gross negligence) violated the Imperial bylaws, local codicils, or crown writ. (Amended by Nov. 2004. OB 25)*
- e. *Conduct Unbecoming a Knight, which ~~for this purpose and consistent with Judicial precedent,~~ is defined as willful violation of Article I.B. Standards of Conduct. (Added by July 2002, CRB 2 and amended by Nov. 2004. OB 25)*
- f. *A member is accused of:*
- *Nonfeasance of office which is defined as nonperformance of duties and responsibilities*
 - *Misfeasance of office which is defined as poor performance of duties and responsibilities*
 - *Malfeasance of office which is defined as deliberately bad performance of duties and responsibilities (Added by Nov. 2004. OB 25)*

F. STATUTE OF LIMITATIONS

~~The charges must be filed against a member within 30 days of the occurrence of the offense discovery being when the complainant knew or should have known of the offense. (From the Bylaws of the Adrian Empire, Article XI.B.3, November 2001.)~~

A complaint must be filed with the Ministry of Justice within forty-five (45) days of discovery of the offense. Mediation must be attempted within twenty (20) days of the complaint being filed. If mediation fails, or is refused by either party, and if the Minister of Justice finds sufficient cause for charges to be filed, the complaint shall become a set of charges no later than fifteen (15) days of the mediation (or attempt at same). (Amended by Nov. 2002, OB 1)

G. JUDICIAL BAN

The purpose of Judicial Ban is to insure that a member accused of an infraction can not act to destroy evidence, interfere with the judicial process or attempt to alter the law to their benefit. Because of the severity of a Judicial Ban it is not automatic upon the filing of charges. The Presiding Justice shall at his sole discretion determine if the facts presented warrant this drastic measure. Only the Imperial Estates General may place the Imperial Crown under a Judicial Ban. One third of all Imperial Estates combined as signified by petition, or one third of all Imperial Estates in attendance at a meeting of the Imperial Estates General, shall be sufficient to place the Imperial Crown under Judicial Ban. If the Imperial Estates General are in session, and they place the Imperial Crown under Judicial Ban, they must immediately appoint an interim Lord/Lady Protector. If the Judicial Ban is placed by petition, the signatories shall appoint an interim Lord/Lady Protector. Lord/Lady Protectors serve until replaced by the Imperial Estates General, or until the Imperial Crown is no longer vacant. A member under Judicial Ban may not:

- a. — Hold landed estate or office, but such shall be restored to him at the conclusion of judicial process, outcome permitting.*
- b. — Vote in any Estate Meeting.*
- e. — Sit on any Civil Court or Court of Justice.*

A member under Judicial Ban retains all other rights and privileges described in the Bylaws; the member shall not be prevented from the same access to the Courts as accorded any other member. (From the Bylaws of the Adrian Empire, Article XI.B.4. November 2001.)

The purpose of Judicial Ban is to insure that a member accused of an infraction cannot act to destroy evidence, interfere with the judicial process, or attempt to alter the law to their benefit. Because of the severity of a Judicial Ban, it is not automatic upon the filing of complaints or determination that Charges are warranted. In all cases involving seated co-rulers, complaints against each Crown will be considered independently to determine if Judicial Ban is warranted. A complaint filed against one co-ruler does not automatically implicate the remaining co-ruler. If a Magistrate is to be appointed to officiate over complaints against the Imperial Crowns, they will be appointed at the sole discretion of the Imperial Minister of Justice.

1. PROCESS

a. Imperial Crown

The Imperial Minister of Justice (or appointed Magistrate) must, at his sole discretion, determine if the facts presented warrant this action. The determination must be made during the evaluation of the complaint to determine if Charges are warranted. The Imperial Minister of Justice (or appointed Magistrate) must determine that a Judicial Ban is warranted before action is taken. An appeal of the decision must be presented in writing, upon which a Civil Court must be convened.

Only the Imperial Estates General may place the Imperial Crown under a Judicial Ban. Such a Judicial Ban may only be imposed by:

- One-third of the Imperial Estates General, either by petition or physically present at an Imperial Estates Meeting, if the Imperial Minister of Justice (or appointed Magistrate) recommends such a ban, or
- A majority of the Imperial Estates General, either by petition or physically present at an Imperial Estates Meeting, if the Imperial Minister of Justice (or appointed Magistrate) does not recommend such a ban.

If the Imperial Crown is placed under Judicial Ban, the Imperial Chancellor shall become the Lord/Lady Protector, and serve until replaced by the Imperial Estates General, or until the ban is removed.

b. Other Crowns

The Imperial Minister of Justice (or appointed Magistrate) must, at his sole discretion, determine if the facts presented warrant this action. The determination must be made during the evaluation of the complaint to determine if Charges are warranted. If the Imperial Minister of Justice (or appointed Magistrate) determines that a Judicial Ban is warranted, the ban is immediately imposed.

Alternatively, the Imperial Minister of Justice (or appointed Magistrate) may place the Crown under Judicial Ban to compel production of any evidence during investigation or judicial proceeding. A ban placed in such a manner shall be removed once said evidence has been produced.

If the Crown is placed under Judicial Ban, the Chancellor shall become the Lord/Lady Protector and serve until replaced by the Estates General, or until the ban is removed.

c. Other Members

- i If the member is facing judicial action, the Minister of Justice (or appointed Magistrate) shall determine if the facts presented warrant this action. If the Minister of Justice (or appointed Magistrate) determines that a Judicial Ban is warranted, the ban is immediately imposed.
- ii The Crown may place a member (usually a Minister) under Judicial Ban to compel production of property or documents belonging to the Adrian Empire. A ban placed in such a manner shall be removed upon production.

2. RESTRICTION OF RIGHTS

Whether it is imposed as above or as part of a judicial sentence, a Judicial Ban may include any of the following restrictions:

- a. Inability to hold any Estate or office, but such shall be restored at the conclusion of judicial process, outcome permitting.
- b. Inability to vote in any Estates Meeting.
- c. Inability to sit on any Civil Court or Court of Justice.

A member under Judicial Ban retains all other rights and privileges described in the Bylaws; the member shall not be prevented from the same access to the Courts as accorded any other member.

3. REMOVAL

A Judicial Ban placed upon any member is automatically removed if the outcome of a judicial proceeding does not call for the Judicial Ban to remain in place. A Judicial Ban may also be removed by the following:

- a Imperial Crown
 - Two-thirds of the Imperial Estates General, either by petition or physically present at an Imperial Estates Meeting, if the Imperial Minister of Justice (or appointed Magistrate) determined that such a ban was warranted
 - A majority of the Imperial Estates General, either by petition or physically present at an Imperial Estates Meeting, if the Imperial Minister of Justice (or appointed Magistrate) determined that such a ban was not warranted.
- b Other Crowns

A Judicial Ban imposed during investigation or judicial proceeding can be removed by the Imperial Minister of Justice (or appointed Magistrate) upon the production of all evidence requested.

c Other Members

A Judicial Ban imposed during investigation or judicial proceeding can be removed by the Crown or Minister of Justice (or appointed Magistrate) upon the production of all evidence requested.

(Amended by July 2005, CH 5)

H. RIGHT OF APPEAL

~~*A member shall have the right to appeal a finding of guilt to a higher court so long as they shall do so in writing within 30 days. All penalties shall be in effect, except that a banished member shall be allowed to attend those events necessary to prepare for his appeal, but shall not be permitted to participate in the activities of the event. A member whose rights have been effected by any court may appeal to the local crown or the Imperial Crown. The final Court of Appeal shall be the Imperial Estates General. (From the Bylaws of the Adrian Empire, Article XI.B.5, November 2001.)*~~

A member who has been found guilty if a judicial court may appeal that finding to the Imperial Crown, in writing, within thirty (30) days. Within thirty (30) days of the written request for appeal, the Imperial Crown shall review the charges and evidence. Either 30-day deadline may be extended for cause.

A banished member shall be allowed to attend those events necessary to prepare for his appeal, but shall not be permitted to participate in the activities of the event.

The final Court of Appeal shall be the Imperial Estates General, whose decision shall be binding. The judgment of the local court shall remain in effect until the Imperial Crown has rendered a decision. The decision of the Imperial Crown may only be appealed to the Imperial Estates General. (Amended by July 2004, OB 46)

The Complainant shall have no right to appeal an adverse ruling. The decision of the Imperial Crown is final.

I. PUNISHMENT

The judicial court may provide a recommendation of punishment to the Crown. (Added by July 2004, OB 47)
The right to decide a member's punishment who is found guilty by a Court of Justice is solely the Crowns. All such writs of punishments must be reviewed by the Imperial Crown.

1. CENSURE AND APOLOGY

The member is publicly required to admit their guilt and apologize to the membership.

2. LOSS OF AWARDS, ORDERS, RANKS, AND/OR TITLES

3. SERVICE

4. JUDICIAL BAN

5. BANISHMENT

*The member is barred from attending any event within the Empire **up to** for 1 year. The Imperial Crown may extend the punishment **for up to** three years. The Imperial Estates General may extend the punishment **for up to** life. A banished member may petition the Crown and Estates for readmittance after one year. A banished member shall permanently lose the highest rank, title or station held upon readmittance. A banished member shall be under judicial ban for **up to** two (2) years after readmittance. (Amended by Nov. 2002, CH 4)*

J. NO DOUBLE JEOPARDY

No member may be tried more than once for the same crime or tort arising out of the same alleged actions. (From the Bylaws of the Adrian Empire, Article XI.B.10, November 2001.)

IV. CONDUCT OF JUDICIAL COURTS

(Imperial Estates Writ 12)

~~Once charges have been filed with the appropriate chancellor or Magistrate and those charges have been found to be legitimate and warrant trial the following procedure shall be followed:~~

Once complaints have been presented in writing to the appropriate Chancellor or Magistrate, the Chancellor shall have no more than 60 days to evaluate them and determine if they are legitimate charges and warrant trial, unless proper cause is submitted in writing to the Crown and Imperial Chancery that more time is necessary. If they are so determined, the following procedures shall be followed: (Amended by Nov. 2002, CRB 4)

1. *The chancellor shall notify the named defendants in writing. This shall be down in any of the following methods:
 - i. *Hand delivered*
 - ii. *Via fax*
 - iii. *Via e-mail*
 - iv. *Via mail*
 - v. *Via phone conversation (in order to setup a meeting to hand deliver)**

Notification of a vassal's Liege-Lord shall qualify as notification of the individual.

2. ~~*Once notified the defendant shall be informed that the date of the trial shall not be less than thirty days of this notification unless the defendant requests Immediate Justice. Immediate Justice shall be defined as the very next Scheduled Adrian event in the Chartered Subdivision. This is to include: Normal Crown and Canton events, feasts, Estate Meetings and Wars. They do NOT include fighter/arts practices, collegia or subdivision meetings (i.e. a meeting of such and such barony).*~~
Once notified the defendant shall be informed that the date of the trial shall not be less than thirty days of this notification unless the defendant requests Immediate Justice. Immediate Justice shall be defined as within 30 days. If the trial is to be held concurrent to a sanctioned event, the trial shall not be conducted during any scheduled activities at an event, but shall occur during breaks, before, or after the event itself. (Amended by Nov. 2002, CRB 2)
3. *The Magistrate/Chancellor will then request the defendant to choose a date for their trial. This date must be acceptable to Magistrate/Chancellor, Crown and plaintiff as well as the defendant.*
4. *The Magistrate/Chancellor shall select the time and place of the trial, provided Immediate Justice was not called for, in which case it will take place during the next Scheduled event. The Date, Time and Place of this trial shall be published in the Adrian Herald as well as announced at the next Crown Event, unless Immediate Justice is demanded.*
5. *The Defendant shall be afforded every opportunity to prepare a defense. This will include but not be limited to reviewing evidence and questioning witnesses. The Plaintiff shall also be afforded this same opportunity to prepare their case. This 'Period of Discovery' shall continue until forty-eight (48) hours prior to trial at which point all witness lists and evidence lists shall be frozen and reviewed by the Magistrate. This may be appealed by the Magistrate during the trial, and the opposing council shall have an opportunity to argue against such an appeal, after which the Magistrate shall decide if the added testimony/evidence shall be heard.*
6. *All open judicial proceedings shall be videotaped, audiotaped (or equivalent), and copies of the tapes provided to the Imperial Chancery. (Added by Nov. 2002, CRB 3)*

7. *Lastly, it shall be understood throughout Adrian Courts that the primary responsibility of the Court is to determine the Truth of the Matter. That this Search for the truth shall be the over-riding determinate in the process, and not procedure. Objections due to procedure should be discouraged if they may be used to hide or diffuse the Truth.”*