

OFFICE OF THE CHANCERY THE ADRIAN EMPIRE

A Civil Court was convened at 11:25 am on Saturday, September 1, 2001 to answer the following questions:

First Issue:

Writ: 12 Conduct of the Courts - July 1999

c. The Magistrate/Chancellor will then request the defendant to choose a date for their trial. This date must be acceptable to the Magistrate/Chancellor, Crown and plaintiff as well as the defendant.

d. 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.

My question is what happens if the defendant refuses to choose a date?

Second Issue:

Article I.

B. CORE VALUES

- Integrity
- Fairness
- Loyalty
- Respect

C. Operating Principles

- Always serves the best interests of our communities
- Measure actions by what is in the best interests of the Organization
- Communicate openly, honestly and directly
- Be visionary: Encourage innovation and learn from our mistakes
- Be positive: Seek solutions and be open to the views of others
- Support each other in balancing work, family and community
- Support and reward excellence, teamwork, productivity and growth
- Be accountable and honor commitments

Are Knights to be held to the above statements as a minimum standard for Knightly conduct? Is Knightly code of conduct only based on each individual's code of conduct or is there some minimum behaviours that all Knights (and possibly all members) reasonably should maintain? Are there any general contexts where conduct could be construed as criminal?

ISSUE 3: No Bylaws address this:

What kind of reasons cause a [affirmative] defense. In this case, does the defendant need to provide the plaintiff their list of accusations/reasons they are using?

IN ATTENDANCE:

Petitioner: HE Dame Juliana Hirsch

For the Court: HIIH Dame Katherine Marshal, Chancellor of Adria

HIIH Sir Karl von Katzberg, Vice-Chancellor of Adria

HE Sir Gregoire d'Avellon, *Amicus Curiae*

HE Sir Patrick Gullidge, *Amicus Curiae*

Judges: HIIH Sir Jehan Alexandre Chrysostom Antoine Michel de Saint Albain-Annecy von Hapsburg, Prince of Adria (Presiding Judge)

HG Sir Jamie the Red, Lord Protector of Esperance

HRG Dame Gwenliann Derwen, Archduchess of Sangreal

Also Present: HIM Sir Erik the Aweful, Emperor of Adria

HIIH Dame Maedb Hawkins of the Drakonja, Crown Princess of Adria

RULING OF THE COURT:

ISSUE 1:

The court notes the following:

- The bylaws guarantee justice for members of the Adrian Empire. Therefore, no law or writ may be construed in a way to abrogate that guarantee.
- Previous court decisions, as well as Adrian Empire practice, has established that failure to appear at a trial does not prevent the conduct of that trial.
- The rights granted in section “c” of this writ [cited *supra*] are not absolute rights but are limited because they have an effect on others.

Therefore, it is the opinion of this court that a defendant (or any other participant in the process) cannot indefinitely delay conduct of a trial through failure to set or accept a trial date. This court interprets the intent of the writ in the following manner:

Section “c” is the initiatory mechanism for choosing a trial date. If this mechanism fails, section “d” [cited *supra*] requires the Magistrate/Chancellor, acting on behalf of the Crown, to proceed by selecting the time and place of the trial, provided that immediate justice was not called for. “Time” is construed in this case to include date.

In addition, once a court has been constituted and convened, it is the Crown’s court and only agents of the Crown have the authority to continue [hereinafter, “postpone”] its proceedings.

ISSUE 2:

- A. When an individual accepts the accolade of knighthood, that person enters a society dedicated to upholding certain ideals including those articulated in Adria’s Core Values and Operating Principles [cited *supra*]. Although these statements in and of themselves do not constitute a code of conduct, they are behaviors and

values toward which all knights ought to strive. It is the duty of the chivalry to determine whether an individual is successful in that striving and whether any failure is worthy of prosecution. Specifically, the chivalry has an obligation to determine whether or not the conduct of its individual members is becoming to the whole or not.

- B.** It is the opinion of this court that the knightly code of conduct is not an individual's personal standard, but is the property of the chivalry as a whole. Therefore, there are minimum behaviors that all knights are expected to maintain. This is reflected in the fact that medieval writers such as de Charny and Lull promulgated chivalric ideals as the common culture of all knights. In addition, modern mundane society also has minimal standards of behavior that must be met irrespective of the individual's personal, ethical, and moral standards. Adrian society can do no less.
- C.** It is the court's opinion that, should the chivalry find the behaviors of one or more of its members sufficiently egregious, the chivalry has a duty to pursue by whatever means necessary redress of the wrong and restoration of the individual to a proper standing within the order of knighthood.

ISSUE 3:

This court finds that when an affirmative defense is used, a burden of proof similar to that placed on the original plaintiff then falls upon the defense. A witness list, specific points of law, and supporting documents pertinent to the defense must be made available to the court and the plaintiff during the discovery phase of the proceeding. If an affirmative defense is offered at a trial without prior notice, the Magistrate has the prerogative either to postpone the trial until discovery has been made or reject the change of plea. The Court requests the Imperial Chancellor's office to insert clarifying language concerning affirmative defense into the section of the writ pertaining to discovery.

The Court adjourned at 5:00 pm.

[signed]

Jehan
Sir Jamie the Red
Dame Gwenliann Derwen

Scribe for the court:
Dame Katherine Marshal