

The Adrian Empire

Defendant	Dame Katherine McGuire (Esperance)
Charges brought by	Sir Jamie the Red (as Lord Protector of Esperance)
Original charges filed	September 7, 2001
Trial held	April 13, 2002
Magistrate	Sir Jehan von Hapsburg
Prosecutor	Sir Terrin Greyphis
Defense Advocate	Dame Katherine Marshal (Sir Patrick Gullidge did not appear)
Judges	Sir Gregoire d'Avallon (Esperance) Sir Robert de la Fonteyne (Esperance) Sir Dagr McGuinness (Esperance)
Charge: Malfeasance of Office	Guilty
Charge: Malfeasance of Office	Guilty
Charge: Malfeasance of Office	Guilty
Charge: Misfeasance of Office	Guilty
Charge: Misfeasance of Office	Guilty
Charge: Misfeasance of Office	Guilty
Charge: Misfeasance of Office	Guilty
Charge: Misfeasance of Office	Guilty
Charge: Misfeasance of Office	Guilty
Conduct Unbecoming a Knight	Guilty
Recommended sentence	Dame Katherine McGuire be immediately removed from the Order of Chivalry, and that all her rights and privileges as a knight be removed, including the striking of her arms from the rolls of the college of arms, her right to wear the regalia of a knight in the Adrian Empire and her right to so style herself. That Dame Katherine McGuire be henceforth and forever barred from the Order of Chivalry in the Adrian Empire. That Dame Katherine McGuire be henceforth and forever barred from holding any ministry position within the Adrian Empire.
Imperial Crown review	
Final sentence	
Notes	Dame Katherine McGuire did not appear for the final adjudication, and no request for postponement was received.
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ORIGINAL CHARGES

To the Lord Chancellor, and the Lord Magistrate

It has come to my attention that a Minister of the Kingdom of Esperance, specifically the Warden, Dame Katherine McGuire (MKA Patricia Fee), has performed acts which must be regarded as both Malfeasance of Office and Misfeasance of Office as follows:

MALFEASANCE OF OFFICE (5 CHARGES)

On July 16th 2001, It came to my attention as Lord Protector that a demo, which had been scheduled for that day had not been published nor attended by any member of the Adrian Empire, nor had the hosts of that demo, the Grand Terrace Library in Riverside county, been informed of Adria's inability to attend. The Warden was contacted and she swore before myself and others that she had not been contacted, nor received any documentation regarding said demo. When she turned over the Warden's box on Saturday, September 1st, she included hard copies of "all correspondence" that she had received as Warden. Included was a copy of an e-mail sent by the then Crowns of Esperance, Sir Cromar Wolfsblot and Dame Willow D'Rara, including most of the pertinent information. As the Warden, it was her duty to acquire the remainder of the information and to ensure that either the demo was properly scheduled or that the host was properly notified of Adria's inability to attend. She did neither. A second demo, which we never did learn about until examining the correspondence she left with us, was also documented in the same manner. When asked about the first said demo, she was also asked if there were any other demos that had been committed to, and she swore that no, there were not. If there were hundreds of pages of correspondence in the Warden's box, a mistake could easily have been made. There were few papers at all, making it unbelievable that it could have been overlooked (an inventory of the papers will be provided).

Because of the serious repercussions of this error, in which the reputation of the Adrian Empire with both the community and with another re-creation organization, whose members were present to see what Adria could do, we believe this to be the more serious crime of Malfeasance of Office. The Warden's failure to follow up on the documented demonstrations is compounded by her oath that she had not received any documentation of the events. This oath is proven to be false by the hardcopy of her own correspondence on the affair.

Additionally, the Warden's box should include copies of all events that were scheduled for the year. It is to include copies of the insurance and any permits that the kingdom needs in order to secure sites and prove that we have complied with mundane law in doing so. The Warden's box did not include a copy of the insurance. The Warden made no effort to correct this problem. The Warden's box did not include any permits. The Warden made no effort to check on the need for such permit and has made no effort to secure copies of any needed permits. These failures put the Kingdom events at risk in terms of Mundane law and must be regarded as Malfeasance of Office.

In addition, there were very few copies of any documentation pertaining to events in the Warden's box. Notably missing were the copies of the permits, and all other documentation related to the Sheep War scheduled for September 29th and 30th. (Upon further searching, the original request for demo, signed by myself, was misfiled with the 1999 demos.) Without that documentation, we may be unable to hold this event, costing the kingdom money for the reservation of a park we cannot use because we don't have a copy of our permit. Also, those who have worked so hard to organize and plan this event may not receive the points due them for their efforts, because there is no proof that this event was ever scheduled. Were I not personally aware that I did indeed acknowledge and approve of the event in the past, it might be refused because there are not now 30 days advance notice for the event. This action, because of the serious repercussions, both mundane and in-game, and the possible financial burden to the kingdom must also be regarded as Malfeasance of Office.

I, as the Lord Protector, have been in communication with Dame Katherine on several occasions regarding the site for the Crown War (second weekend in November). During each conversation, I was told that it was in process, and was given a verbal list of which parks had been contacted, etc. One such response was that Prado Park required the Lord Protector because he was "the leader of the group" and that the park had problems with Adria because we are so messy. There is nothing to back up any of her statements about places she had contacted. In fact, Prado Regional Park, as of early August, 2001, maintains that they have not spoken with anyone from Adria. They also maintain they do not have a problem with our group and do not remember us using their facility. At the time of the conversation with Prado in August, there was no reason to believe that Dame Katherine was not pursuing it, so no action was taken to secure the site. Had I been aware of the failure of Dame Katherine, we could have secured the site and not be placed in this position. The result of this lack of information (or provision of false information) leaves Esperance in direct violation of the bylaws. Per the bylaws, Esperance must announce the site of the war 60 days in advance of the war. That required date is Saturday, September 8, 2001. I have had less than a week in which to try and find a site so that we can be in compliance with the bylaws. It is a holiday week and I have not been able to secure a site. By her neglect of this task, and by her lying to me about her progress, the Kingdom of Esperance is put into jeopardy. This failure, which places the kingdom in such an untenable situation, also constitutes a charge of Malfeasance of Office.

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ORIGINAL CHARGES (CONTINUED)

In going through the Warden's box, several items were found that were illegally in the possession of Dame Katherine McGuire. There were original sign-in lists for several demos and events, as well as the tourney lists with the winners for two events. Dame Katherine was asked on several occasions if she had any of this type of documentation, and denied it each time. In her duties as Listmistress, she was bound to give the lists over to the Minister of Rolls, or War/Joust at the completion of the event. There is no reason for her to have had in her possession the sign-in sheets for any event, demo, or collegium. The dates on these papers are from March and June, 2001. The papers from June were illegally in her possession as she was relieved of her duties as Listmistress in May by the former Crown. Her possession of these documents and her refusal to surrender them or even admit her possession of them, because it impacts the advancement of members of the kingdom and also of foreign lands who participated at those events, must also be regarded as a charge of Malfeasance of Office.

MISFEASANCE OF OFFICE (4 CHARGES)

The Warden is in charge of maintaining the kingdom's calendar. Maintaining that calendar is her primary duty. When the Warden's box was turned over, the calendar which was included was woefully incomplete. It included very few of the events which had transpired. It did not include updates in regard to events which had been postponed or cancelled. It did not include those events, which are known to be on the calendar, but which have not yet occurred. In short, she did not fulfill her primary duty. This omission is regarded as Misfeasance of Office.

Also, the Warden's box does not include complete records of the demonstrations and events which have occurred and been approved this year. Many events, which have been scheduled, are not documented at all. In at least one case, a major event (the Sheep War) has received Crown approval, but the follow-up documentation for this event was not in the Warden's box. Therefore, though I personally remember signing the form for approval, the other forms are missing and there is no physical evidence that it was ever completed or signed. In future, should a dispute arise over the events for which we have no documentation, there is nothing to support that these events even took place, or that they were approved by the crown and so a vehicle during which members could earn points toward knighthood. If there is ever such a dispute, there is little means of resolution, due to the missing documentation. Again, this failure of the Warden to fulfill her duties is regarded as Misfeasance of Office.

Many members of the populace have complained of the difficulty of finding or receiving forms from the Warden. When she turned over the box, she claimed that she only had a single copy of the requisite form. Upon searching the box, there were six copies of the form. While this may be considered a minor mistake, several members of the populace have been denied forms, because the Warden would not search for them, she simply answered off the top of her head that she had none. The implication is that she was simply unwilling to go get them. Many members of the populace have had difficulty meeting the 30-day notice requirement for events, in part because they were not able to secure forms in a timely manner and did not know what information to include in an e-mail to submit the event via that route. This chronic failure to provide the forms necessary for the populace to follow the procedures defined by the Warden's Office for the Warden's benefit constitutes another charge of Misfeasance of Office.

She was asked, on several occasions (the latest of which was Wednesday, August 30) what progress she had made toward securing a site for Royal Coronation (first weekend in December). Her response was to verbally list a series of places she had contacted, including information about why they were unacceptable. She was instructed to leave all her notes in the box for the next person to begin following up. There was only one page of notes, which was a list of places "not contacted." This failure, which places the kingdom in a difficult situation in regard to finding a site for this event, also constitutes a charge of Misfeasance of Office.

The accumulation of minor failures comprises a case of neglect of her office and her duties.

Given these facts, I, Sir Jamie the Red, Lord Protector of Esperance (MKA Steve Eldredge), find that I have no choice but to formally charge Dame Katherine McGuire (MKA Patricia Fee), former Royal Warden of Esperance, of the crimes of Malfeasance of Office and Misfeasance of Office, being nine counts total.

Given the fact that Dame Katherine McGuire has lied about the contents of her warden's box, and her knowledge of events, I must also charge her with conduct unbecoming a knight. While this is a charge that is largely undefined, it is universally accepted that a knight's word is his bond, placing a knight's sworn oath above all else in this organization.

With Regret,

Sir Jamie the Red

Lord Protector of Esperance

The Adrian Empire

COURT FINDINGS

Unto your Royal Majesty, Connal, King of Esperance do your knights send greetings.

We three knights met at as a court of chivalry to judge the matter of Sir Jamie the Red's complaint against the conduct of Dame Katherine McGuire.

After great consideration, it is our unanimous verdict that Dame Katherine McGuire was guilty of all charges brought against her as subsequently amended by the magistrate, Sir Jehan, to wit three (3) counts of Malfeasance of Office, six (6) counts of Misfeasance of Office and one (1) count of Conduct Unbecoming a Knight.

Having heard and reviewed the testimony and evidence in the matter of Dame Katherine McGuire's conduct in this particular set of events, and having reviewed Dame Katherine McGuire's prior convictions, one in the Kingdom of Terre Neuve, and another within House Hedgehog (held as a Hundred's Court in accordance with Article XI.B.8 of the bylaws) we have reached a well considered recommendation for sentence.

We believe our recommendation, though harsh, is just and fair, as Dame Katherine McGuire's previous two convictions indicate dishonesty and untruthfulness, as does her conduct in this most recent matter. It has always been the case that a knight's word is her bond. It is a long standing tradition of the Adrian Empire that a knight's word is good, a value upheld in no uncertain terms in the period treatises on chivalry.

Dame Katherine McGuire's conduct in this matter and previous matters show a repeated disregard for the Empire's Core values and operating principles (Bylaws Art. I, sections B & C). Her conduct has been lacking in Integrity, in that she has told repeated untruths, it shows a lack of loyalty in her failure to perform her duties and then lying about it as the Lord Protector of Esperance's Warden, and her failure to fulfill the rudimentary duties of her office including record keeping, show a lack of respect for the efforts and work of other members, who were dependant on the proper function of her office. Likewise we are of the opinion that she has violated the operating principles, her conduct was most definitely not in the best interest of the Kingdom or it's subjects, her communications were dishonest, and she did not honor the general commitment made when taking the office, nor specific commitments to individuals after taking the office of warden.

It is with deep sadness and regret that we make the following recommendation:

1. Dame Katherine McGuire be immediately removed from the Order of Chivalry, and that all her rights and privileges as a knight be removed, including the striking of her arms from the rolls of the college of arms, her right to wear the regalia of a knight in the Adrian empire and her right to so style herself.
2. That Dame Katherine McGuire be henceforth and forever barred from the Order of Chivalry in the Adrian Empire.
3. That Dame Katherine McGuire be henceforth and forever barred from holding any ministry position within the Adrian Empire.

So say we:

Gregoire d'Avallon

Robert de la Fonteyne

Dagr McGuiness