

INTERIM RULING

re: Public Record vs. Privacy Issues as Pertaining to Estates Membership

Requested by Sir Pavo Rosalia of Umbria, similar questions have arisen in Aragon.

RE: Does everyone have the right to see the names and expiration dates of each member belonging to each estate in the subdivision they belong to?

Current Law

The Imperial Bylaws do not address this issue. The current policy of the Imperial Steward's Office is to include member name, persona name, and expiration date. The information is broken down by chartered subdivision. Mundanely, members' names and expiration dates are matters of public record and appear to raise no privacy issues.

Interpretation

In consultation with Their Imperial Majesties, and in reviewing excellent commentary by Sir Terrin, the issues of purpose and legitimate privacy must be considered. Privacy: while the members' names and expiration dates are a matter of public record contact information is not, nor unnecessary information that is likely to be improperly used. Purpose: Some confusion exists between the householder's report (formerly sire's report) and the Estate Roster. The householder's report is for the verification of participation and to update the rolls; circulation is limited to the Crown and Minister of Rolls. The Estates Roster validates the existence of an Estate and establishes the right of the Estate representative to vote; the roster is primarily used by the Crown and Chancellor. In order to be as accurate as possible householder reports and many rosters may include a good deal of personal information. HIM Dame Maedb adds that the Steward's office also has valid use of the information. In addition, other ministries may maintain similar list of information (i.e. the Minister of Joust and War maintaining lists of those authorized in combat and with what, autocrats need for contact information to promote events, or the Hospitaller having extensive contact information for new and prospective members). In all these cases, the point is that the information is used by officials for legitimate purposes and not improperly made available to others. The exception is above in "current law".

Ruling

The short answer is yes, simple Estates rosters are a matter of public record.

Any information provided to the Office of Rolls must be reserved for legitimate internal use. That Office has a duty to those members to safeguard their privacy by not releasing the information to others.

The duty of the Chancellor to validate Estates arises when an Estate is first recognized, or if an audit is requested by a majority of the Estates or by the Crown.

Individual members of the Estates may not challenge the validity of another Estate. Any member may raise the issue but only a majority of the Estates, the Chancellor or the Crown may properly challenge Estates validity. The Chancellor, the Crown or the Estates itself may provide for when such a challenge may be raised. The issue of validity may be determined by providing the Chancellor with a roster bearing the members' names and expiration dates (containing at least enough to satisfy the required numbers to maintain the estate), and that the membership does not conflict with the roster of another Estate. The Chancellor may verify the expiration dates with the Steward's Office. If the roster is in conflict with the roster of another Estate, specifically if two or more Estates claim the same member other than as part of subsidiary Estates (houses within baronies, etc.), the Chancellor or Crown must determine to which Estate that member is actually a part. If this determination is to be made by contacting the member in question, contact information may have to be provided.

Membership in the Adrian Empire, Inc. is a matter of public record. Membership of the chartered subdivisions is a matter of public record.

Membership of the Estates, because they exercise voting privileges, is a matter of public record. However, that public record is limited to mundane name (not persona name) and expiration date. The Chancellor upon request must provide this information in a reasonable time and manner, but its release does not change the authority to validate the Estates. It may be necessary for the Chancellor to edit the rosters to remove contact

information. The Chancellor and the Crown retain the authority to validate Estates. It is not the place of one Estate to police another. Interfering with the membership of another Estate, just like actively recruiting the membership of another Estate, may constitute a crime under Adrian Law.

*In Service,
Sir William Baine, Chancellor, Adria
February 11, 2002*

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