

MANUAL
OF
COURT PROCEDURES

This work compiled in the year A.I. IX, being 1999 in the Vulgar

As with any organization with rules and regulations, the Empire of Chivalry and Steel has procedures for insuring that members who are suspected of breaking the laws of the organization may have the chance to defend themselves and prove guilt or innocence. The methods of judicial resolutions listed below are the methods maintained for dealing with minor transgressions (Courts of Low Justice), insuring adherence to laws (Courts of High Justice) and to the Code of Chivalry (Courts of Chivalry).

For all Courts, some common rules apply. All officers of the court must be paid members of the ECS in good standing. No officer may hold more than one court office at any time. An oath must be taken at the beginning of the proceedings to adhere to fairness and impartiality at all times and to search for the truth. Courts proceed in their business in the following manner:

First, the members of the Court are selected. These are the Magister, the Bailiff, the Prosecutor, the Defense, and the Jurors. The Magister acts as 'judge' of the court and insures that procedures are followed and the court moves smoothly. The Bailiff acts as sergeant of Arms and both keeps order at the behest of the Magister and administers the oaths to the rest of the Court. The Bailiff also calls witnesses and announces the proceedings. The Prosecutor is the individual bringing charges upon another member or that person's appointed speaker. The Defense is the individual who has had charges brought upon them or that person's appointed speaker. The Jurors are the group of 3 people selected by the Magister or by other means (see specific Courts) to determine guilt or innocence of the charged party..

Court Proceedings:

The Magister will act as chair and recognize any statements put forward by the Prosecutor or Defense. The Bailiff will sit or stand at the magister's right and administer the Oath of Justice to all members of the court in public prior to the Court commencement as well as to any witnesses called before the Court. The Prosecutor will put forward their evidence, calling any willing witnesses as appropriate. The Defense will then put forward their evidence, calling any willing witnesses as appropriate. The Jury will then retire for deliberation to a private area. The Jury will appoint a member of that body to act as speaker when the verdict is reached. It is traditional that members of the Jury not speak of the deliberations or the final votes cast. If guilt is determined, the Jury will sentence the Defendant. Any sentence may be appealed to the Crown Estates of that territory for a revised sentence, with a 2/3rds majority required for modification. If the member feels that the proceedings of the court were irregular, then the member may petition the Imperial Court of Appeals to hear the case. To do this, the member sends the petition in writing to the Imperial P.O. Box and it will be reviewed at the next Imperial Estates meeting.

Courts of Low Justice:

Courts of Low Justice are called for minor transgressions against rules or acts of impropriety. These courts may be called by any Landed Estate holder to resolve minor disputes in which no judgement regarding the member's status or Rank within the group will be made. Quite often these types of courts are held for fun (Courts of Love) or for such transgressions as losing a cloth favor, accidentally stepping on the Queen's gown, etc.

The Landed Estate holder serves as Presiding Noble and three members of the Populace acceptable to both the accused and accuser serve as the Jury; if the accused and the accuser cannot agree on three persons, the Presiding Noble will choose jurors as required.

If the accused is found guilty, the Noble is to render a sentence which must be Medieval in nature, performable at the next event; and appropriate to the offense. Please note that no sentence issued by a Court of Low Justice may affect a member's status within the Group. If the accused feels that the sentence is too harsh, it may be appealed to the Sovereign for a revised sentence.

Generally, Courts of Low Justice are a Medieval way to handle minor disputes that are not serious enough to really warrant organizational action. Consider it an ECS version of a 'small claims court'.

Courts of High Justice:

A Court of High Justice is a rather more serious matter than the courts of Low Justice. The only acts that require a Court of High Justice are

1. A member is accused of disrupting the activities of the Territory to an extent requiring the Sovereign's or the Estates' involvement in its resolution.
2. A member is accused of connoting an Act of Treason against the Sovereign or the member's Liege Lord.
3. Evidence is presented to the Sovereign or the Crown Estates that a member has voluntarily violated appropriately recorded rules.

With charges of this gravity, only the Sovereign of a Crown Territory (Kingdom or Principality) or 2/3rds of the Crown Estates of that territory may call a Court of High Justice. Numbers 1 and 3 earlier are fairly clear, but 'treason' is not. The Imperium defines Treason as the taking of any action or assisting others that violates the rights of the member's Sovereign or Liege Lord; however, exercising the member's right to participate in Crown or Civil Wars or to legally depose a Noble shall be exempt from a charge of Treason. Therefore, following the bylaws to remove a ruler or estate holder is valid while using methods other than what is specified in the rules is not.

A Court of High Justice is held in similar manner to Low Justice, save that the Sovereign is the Magister and the three jurors must be Peers of the Realm. Jurors are chosen from among the Peerage in the same ratio as to Low Justice (one by the prosecutor, one by the defense, and the third either agreed upon by both or by the Magister). The Court shall be capable of rendering any verdict up to and including Banishment (see Section XII). Possible sentences are listed later in this article.

Courts of Chivalry:

As the ECS strives to promote honor and chivalry (hence our name), these courts are occasionally called to decide questions of chivalry and its adherence. A Court of Chivalry may be called for by any Estate Holder, Knight, or the Sovereign at the request of any member desiring resolution of an issue regarding Chivalry. The notification requirements are similar to a Court of High Justice.

The Court of Chivalry is to be held as a Court of High Justice, save that the Magister is the Senior Knight of the Crown Territory and the jury of three Peers are to be selected from the appropriate tier at issue (Combat, Arts, or Ministry). If three Knights are not available for that tier, then replacements are to be garnered in the following order: Sovereign, Knights of other tiers, and finally Senior Ranks short of Knighthood in the tier at issue. Note that some issues of unchivalrous behavior may cover more than one tier, in which case each tier at issue's Knights are available for the jury pool. Sentencing is as per a Court of High Justice.

Charges on a Ruler:

Rulers of territories are not above courts of justice or chivalry. Charges may be brought against a Sovereign of a Territory without fear of direct repercussions for the accuser, and the Sovereign shall be excluded from the judging or mediation of the Court provided such charges are not frivolous. If such is the case and the ruler feels that the charges are frivolous the final decision on the propriety of the charges rests with the Crown Estates.

Notification:

As noted earlier, all requests for, notification of, and judgements of Courts of High Justice and Chivalry shall be sent by Certified mail, return receipt requested, and published in the territorial newsletter. This helps to insure that all are properly notified of such proceedings and that attendance can be prepared.

Some Possible Sentences of Courts:

The following are the sentences that Courts may impose on members found guilty of various crimes and misdemeanors.

Low Sentence: This is any sentence that does not affect a member's rank, title, or station. It can be of any measure, but must be Medieval in nature and performable at the next Event. This sentence is the only one allowed for Courts of Low Justice.

Rank Reduction: This is the reducing of rank and/or points of the guilty party in whichever fields (Ministry, Arts, Combat) that is deemed appropriate by the Jury.

Title Reduction: This is the reduction or removal of non-landed titles and/or awards earned by the guilty party in the manner deemed appropriate by the Jury.

Ministerial Ban: This sentence does not affect a member's rank or title status except insofar as existence, but reduces the rights of the guilty party in the following manner:

The member may not hold or be a member of an Estate smaller than a Sovereign or Subject Territory, hold Crown or lower offices, vote upon the Estates General by virtue of permanent Estate vote (i.e. non-landed title or 2nd or 3rd level Knighthood) or hold official events as defined as such by the Imperial Bylaws. The guilty party may still earn points, but rank advancement further than the rank held prior to the ban is prohibited. The sentence can be for up to one year, with the possibility of removal or extension to 3 years by the Crown Estates

Banishment: This sentence is the same as a Ministerial Ban, but also prevents the guilty party from attending any events within the Territory and prevents them from earning points, rank, or title. The sentence can be for up to one year, with the possibility of removal or extension to 3 years by the Estates General. This may also be followed by a recommendation to the Board of Directors of the ECS, Inc. for permanent revocation of membership.

Courts are how the Empire both regulates adherence to our laws and ideals and provides a forum in which members may defend their rights and actions in as fair and just manner as possible.