

Book of Courts of AnkoRaGahn

This book regulates how to sit in judgement at a court in the AnkoRaGahn Empire.

According the amendment to Frosttal to the book of rights, there could be differences in Frosttal.

Kinds of Courts

There are four kind of courts:

1. Vehmgericht
2. Low Court
3. High Court
4. Imperial Court

Vehmgericht

The Vehmgericht is a court which will be founded on the spot. It can judge about only red-handed delinquents. The Vehmgericht has to be chaired by a sheriff, counsellor, Imperial Revee, commissioned officer or a nobleman. Additionally, there have to be six free citizens as assessors.

The vehmgericht can judge after the guilty plea of the delinquents or on testimony of two freeman.

If they cannot find a verdict, they have to transfer the case to a permanent court.

If they sentence a capital punishment, this has to be confirmed by a High Court.

The vehmgericht can only judge if six of seven jurymen agree.

Nobleman can claim to be judged by a High Court. High Nobleman can claim to face a charge in front of the Imperial Court.

Low Court

Low Court have to kept in every fief and in any town.

They are chaired by an appointed magistrate, who will get two randomly assigned assessors out of the freeman of the fief or town for any case.

Low courts cannot judge if the offense could be sentenced with capital punishment. They have to transfer the case to a high court.

The low Court can judge if the magistrate and both assessors agree.

Nobleman can claim to be judged by a High Court. High Nobleman can claim to face a charge in front of the Imperial Court.

High Court

Every town has to keep a high court. The high court is chaired by one of three appointed magistrates. He will get two randomly assigned assessors out of the freeman of the town for any case.

The high court can sentence any punishment, if the magistrate and both assessors agree.

High Nobleman can claim to face a charge in front of the Imperial Court.

Imperial Court

The Imperial Court meets in Karan, if the supreme magistrate is requested by other courts, if a high nobleman claims this or if the crime is high treason.

The high court is chaired by the supreme magistrate. The assessors are two randomly assigned councillors of the High Council, two randomly assigned councillors of the Imperial Court, two randomly assigned high or landed nobleman.

The Imperial Court can sentence any punishment, if six of seven members of the Imperial Court agree.

How to sit in judgement at a court

1. The Prosecutor
2. The Respondent
3. The Witness
4. The Chairman, or Magistrate
5. The Clerk
6. The Judging
7. The Verdict
8. The Costs

The Prosecutor

Everyone can be prosecutor at a vehngericht. At other courts only concerned persons, descendants, relatives or civil servants of the Empire can be prosecutors.

He prosecutor can take a lawyer to support him.

He has to submit the accusation before the court comes together and at the beginning of the hearing. He is allowed to name witnesses and can interrogate the witnesses after permission of the chairman or magistrate.

At the end he is summing up and request a punishment.

If there is no prosecutor, the magistrate submits the accusation.

The Respondent

The respondent has generally to be present to any hearing, except at the Imperial Court.

The respondent can take a lawyer to support him.

The respondent shall comment on the accusation at the beginning of the hearing.

He is allowed to name witnesses and can interrogate the witnesses after permission of the chairman or magistrate.

After the proclamation of sentence, he will have the last words.

The Witnesses

The witnesses that are cited to the court have to appear. They have to tell the truth in front of the court and do not have to conceal anything they know about the case.

They will be told by the chairman or magistrate, that lying or concealing is an offense against the Empire, that will be prosecuted hard.

If witnesses know about a crime or offense they have to come forward to the court if possible and have to inform the apparitor early enough.

The Chairman or Magistrate

The magistrate or chairman of a vehmgericht (coav) chairs the hearing.

He gives or refuses the floor, except to the associate judges or assessors. These shall support him and forward question to the case to him.

The magistrate (coav) an order fines against offenses against the conventions at the court, as long as these are not higher than one silver per offense. In case of higher fines, more than half of the associate judges or assessors have to agree.

If a hearing is vulnerable for interruption, it could be executed in camera.

The magistrate (coav) opens and ends the examination of witnesses.

He interrupts the hearing if required, and at his behest judges and assessors leave for the counselling about the judgment.

The magistrate (coav) chairs the counselling about the judgment and will ballot about the judgement. If the necessary consensus is reached, he will continue the hearing and will pass the sentence on the respondent.

After the proclamation of sentence, he will inform about the reasons given for the judgement. Then he gives the respondent the floor.

The Clerk

There has to be a clerk at any hearing which judges about offenses against the Empire, against the live, against property, or an offense that could be sentenced with capital punishment.

The clerk has to put the hearing down to paper. The maxim of any question and answer has to be recorded most accurately, to be reviewed in case it is needed.

The clerk will be paid through the court cashier if not salaried.

How Judges and Assessor should Judge

Principally they have to respect if the offense or crime was done deliberately, so that the delinquent knew what he did and wanted to do it or if he did it wantonly negligent, the proceedings happened because of a want of care.

Another possibility to do it besotted, like being intoxicated, by an emotion or through other circumstances.

The witnesses shall be rated according their reputation individual and as a whole according their congruence and discrepancy.

In case of an unfree witness they have to rate besides a good repute especially the behaviour.

Hereafter the judges are responsible the laws and the assessor are responsible their conscience.

The Verdict

The judge will be executed after one night.

If the judges and assessors did not fully agree, the respondent is entitled to let review the verdict by a higher court.

It leaves to the discretion of the court, to consider a plea of guilty in mitigation, by reducing the degree of penalty mentioned in the book of penalties or in case of capital punishment to grant a retentor.

A review of non-concordant verdict of the Imperial Court, will be done through court out of the five not involved members of the High Court and two wo randomly assigned judges.

The Costs

The party that did not get right will have to pay the costs. If this party is not able to pay the costs,

upon request the costs could be paid by the Empire or a volunteer. These costs could be decreased by earned fines of this hearing.

Belonging to these costs:

- Costs for the magistrates and judges
- Costs for the clerk
- Costs for the whole paperwork
- Costs for the apparitor
- Costs for the deathsman
- Costs for material for the punishment

Every party has to pay for their own lawyer.

General

All courts make generally public hearings.

Hearings due to high treason could be a secret or closed session.

Upon request a defendant nobleman could get a closed session.

The enforcement of a judgment will be public.

Upon request of a convicted nobleman or his parents, the enforcement of a judgment could be a closed session.

Conventions at the Court

Following are counted among the conventions:

- Quiet
- not to eat
- not to drink
- not to urinate
- not to spit
- Prohibition of carrying animals, which do not belong to the conduct of the hearing.
- Clean clothing