

Icenian pre-trial court proceedings act

This amendment aims to upgrade the efficiency of the Icenian courts as well as eliminate frivolous lawsuits.

Section 1: Magistrature members

1. Replace section V paragraph 2 of the constitution of the Third republic of Icenia with the following :

The Magistrates' Court shall handle most cases entering the judicial system. Each case shall be presided over and decided by an individual Magistrate assigned by the Chief Magistrate from the Magistrates' Bench. The Bench shall consist of at least four Icenians whose citizenship rank is "Citizen" or higher, appointed by the Senate.

Magistrates are appointed by a simple majority vote from the senate and serve for life, until resignation or dismissal by the senate. The chief magistrate is appointed by the senate from the members of the magistrates bench.

2. Replace section V (a) of the constitution of the third republic of Icenia with the following :

Players may request a redress of grievances in the #trial-requests Discord channel by stating as clearly as possible who they are suing and on what grounds. Should the plaintiff or defendant(s) be unable to access the Discord, such as by being banned, then they are permitted to find a legal representative who does have access to represent them.

The Chief magistrate must then choose whether or not to permit the case to trial, a decision that must consider whether the plaintiff has standing and whether their allegations, if true, would rise to a claim which relief can be granted. If the trial is permitted, the Chief magistrate must then decide whether the case should be assigned to the Magistrates' Court or escalated to the Supreme Court. Both parties must be notified (with pings) if and when proceedings begin.

At the start of a trial, the Chief magistrate of the Senate must be diligent to assign an impartial Judge to oversee the proceedings and maintain order. Should either the defense or the plaintiff wish to do the trial via voice chat they must notify the

Court so that arrangements can be made. If the Chief magistrate is unable to assign an impartial Judge or ensure an impartial Jury, the President, with the advice of the Senate, the plaintiff, and the defense, is empowered to resolve the issue to ensure a fair trial.

3. Replace section V(E), paragraph 1 and 2, of the Constitution of the Third republic of Icenia, with the following :

The Courts should typically defer to the Chief magistrate's decision to permit the case to trial if and when there are questions on the matter of justiciability.

Should any trial request regard internal State grievances, the Chief Magistrate should refer the case to that State's respective judicial system. Only if the State refuses the case or the case is being appealed should the Chief Magistrate accept the case and assign it to the Magistrates' Court or the Supreme Court respectively.