

THE RIGHT TO APPEAL



Appeals are a very important part of the A&D process. On average, they will comprise one-fourth to one-third of the activities of an A&D Committee. Appeals fall into two categories: appeals of a decision of a league officer, typically an age coordinator; or to decisions of a committee, typically the A&D Committee. Protests are related to the actual competition on the field and involve misapplication of the rules or laws. Although they involve vastly different types of matters, the method of handling them is very similar.

The same steps apply here as were comprised in the request for hearing:

1. The request must be made in writing
2. Determination of the merit or validity of the request
3. The Chairman sets the time, date, and place for the appeal hearing
4. The Appeal hearing follows the same guidelines and procedures as the initial hearing

The difference between the initial request for a hearing and a request for an appeal hearing is typically the grounds for the appeal. Typical grounds are:

1. Failure to comply with appropriate bylaws, rules, or regulations
2. Bylaw, rule, or regulation fails to conform with the rules of US Youth, USSF, or FIFA or the rule has been applied arbitrarily under the facts of the appeal
3. Disagreement as to the facts as determined by the entity whose decision is being appealed
4. Failure of the entity whose decision is being appealed to provide the party with due process

Some of the most common reasons appeal hearings are granted and could otherwise be avoided involve a lack of due process. The two most common of those are not having a hearing before a fair and impartial committee; and lack of proper notification of their appeal rights. By following this guide, hopefully, we can avoid unnecessary appeals.

Grounds for game protest are; the Laws of the Game have been misapplied and the referee admits it and the misapplication affects the outcome of the game. (These are subject to the Member Association bylaws.

Sometimes the request for appeal is only a grievance and is more appropriately handled through correspondence.

Should the protest not be accepted, or a hearing not be held for some reason, the appeal or protest fee should be returned.