

PART 4.0 APPEALS PROCEDURE**4.1 PURPOSE**

- 4.1.1 To establish a general policy and procedure which ensures that disputes between Members of this League and the Directors of the League and/or the Board will be resolved in a fair and efficient manner, protecting the rights of all parties.

4.2. POLICY

- 4.2.1 It shall be the policy of the League Board to uphold the laws of the MUSL as laid out in the latest revision of its Constitution, Bylaws and Rules & Regulations where these are not in conflict with the rules of the Michigan Soccer Association (MSA), while at the same time insuring that these laws are not applied in an arbitrary or capricious manner.

.3 APPEALS COMMITTEE

- .3.1 Upon receipt of an Appeal, the President shall appoint an Appeals Committee of five (5) members from among the members of the Board and team managers.
- .3.2 No Member of the Appeals Committee hearing a protest or appeal shall be in any manner connected, affiliated or involved with either party to the Protest or Appeal.
- .3.3 The Chair of the Rules Committee shall serve as the Secretary of the Appeals Committee and shall insure that a detailed record of the Hearing is recorded.
- .3.4 Protests of game results based on an infraction of League rules shall be the responsibility of the Director for Competition in the first instance as outlined in Rules & Regulations 3.8.

4.4 PROCEDURE

- .1 Appeals from decisions of a Commissioner or the Board shall be submitted in writing to the Secretary within five (5) days from receipt of the oral or written decision of the Commissioner.
- .2 The appeal must be accompanied by:
a) an Appeals Fee and
b) a Filing Fee.
The amount of these fees shall be determined annually by the Board (see Fees and Fines in APPENDIX A).
- .3 The Appeal must contain
a) The date of the decision or action being appealed,
b) The reason for the appeal, e.g. violation of the Rules Regulations, By-Laws, Laws of the Game, etc.,
c) Any pertinent documentation available to the appellant,
d) A list of any documentation not available to the appellant which might be pertinent to the issue.
- .4 The appellant must send a copy of the appeal to:
a) The respective Director against whose decision the appeal is directed

- b) The other party involved in the case (defendant).
- .5 The Administrator shall make every effort to obtain the documents that were not available at the time the appeal was filed.
- .6 The Secretary shall establish a log of all documentation received, starting with the appeal, followed by the original decision against which the appeal is directed, and all other documentation pertinent to the appeal, including referee reports, copies of Rules, By-Laws, police reports, affidavits and depositions of witnesses.
- .7 Upon receipt by the Secretary of all documentation required, the Appeals Chair shall schedule a hearing of the Appeal, ensuring that both principals in the case are available to attend at the proposed time of the hearing, and providing at least ten (10) days prior notice to the involved parties. The ten (10) day notice may be reduced by the mutual consent of the Appeals Chair and all interested parties.
- .8 The Secretary shall notify all Committee members and the involved principals via e-mail and in writing (via postal service) of the time, date and location of the hearing, and advise the principals of their right to bring witnesses (limited to three (3)) and of their right to representation by their Team Manager.
- .9 The Secretary shall also advise the involved parties that failure to appear at the hearing shall be deemed as conceding the matter under dispute, and as accepting the decision of the MUSL Appeals Committee based on the evidence available at the hearing.

4.5 HEARING FORMAT

- .1 The Chair shall call the hearing to order when the Appeals Committee and the principals are present. Witnesses shall not be present during the hearing of arguments but shall be heard after the presentations of the principals.
- 4.5.2 The Chair shall introduce the subject of the hearing, including:
 - a) The names of the parties to the appeal (appellant(s) and defendant(s))
 - b) The event prompting the decision of the respective Director or the League
 - c) The ground on which the decision is appealed, such as the rules involved or other evidence
 - d) Ask the Secretary to read any documentation that had not been furnished to one of the parties in the matter
- .3 The Appellant shall be asked to present his/her case, including arguments why the decision should not stand, any evidence supporting the appeal, and any witnesses available.
- .4 The Chair and the Committee may question the appellant and/or witnesses.
- .5 The Director *or defendant* shall be asked to present his case.
- .6 The Chairperson and the Committee may question the Commissioner and/or witnesses.
- .7 Any witnesses may be recalled for questioning by the Committee.

- .8 The Appellant may present a closing statement.
- .9 The Commissioner *or defendant* may present a closing statement.
- .10 The contending parties and their witnesses will be excused and the Committee will commence deliberations of its decision in executive session.
- .11 The Committee will render its decision within forty-eight (48) hours to both, Appellant and *Defendant*, including instructions for appeal to the MSA, and turn the file with all documentation pertaining to the case over to the Secretary.
- .12 A written notice of the decision of the Appeals Committee, including the reason for such decision and directions for further appeals shall be sent to the Appellant and Defendant within ten (10) days of the Hearing.
- .13 Appellants whose appeal is upheld by the Appeals Committee shall be refunded the appeal fee. The filing fee shall be retained by the League.