

## **RULE 14 Protest and Appeals Procedure:**

A. Violations of the Charter, Constitution, By-Laws, and Rules and Regulations of this Association, misapplication of the "Laws of the Game", violations of league rules and regulations, or violations of National rules shall be proper subjects for the protest and appeals procedure, provided these misapplications fall within the framework of the Charter, Constitution, By-Laws and Rules and Regulations of this Association.

In matters involving disputes between members of the association (i.e. Players, coaches, teams, clubs, leagues), the association encourages the involved parties to meet, discuss and settle disputes among themselves. If the matter is pursued, both parties may be called into mandatory mediation sessions. (10/04)

### **B. Steps in the process**

1. In all League matters, protests must be sent to the League President and Secretary with a postmark date within seventy-two (72) hours of the event triggering the protest. The League Protest and Appeals Committee will render a decision within twenty (20) days of the postmark date of the protest letter. For purposes of this rule, "League matters" shall include disciplinary actions taken against Association members registered with the League in connection with games conducted by another USSF affiliated association, whether in Hawaii or out of state, unless the League Chairperson, pursuant to Rule 3, Division I, Rules of Order, has referred the matter in the first instance to the State Protest and Appeals Committee. (Rev 10/04)

2. The League Protest and Appeals Committee's decision may then be appealed to the State Protest and Appeals Committee. The appeal must be sent to HYSA with a postmark date within seventy-two (72) hours of the receipt of the league Committee's decision. The State Protest and Appeals Committee will render a decision within twenty (20) days of the postmark date of the appeal letter.

3. Any decision of the State Protest and Appeals Committee may be appealed to the full Board of Directors of the State. The appeal must be sent to HYSA with a postmark date within seventy-two (72) hours of the receipt of the Committee's written decision, and must be accompanied by a filing fee of fifty dollars (\$50.00). The fee shall be returned if the protest or appeal is upheld. If the protest or appeal is not upheld, the fee shall be retained by the State Association. The Secretary and President of the State shall set a date for a meeting of the Board of Directors for such a hearing. The hearing must take place within thirty (30) days of the date of the appeal of the State Protest and Appeals Committee's decision.

4. The decision of the State Board of Directors of the Association may be appealed to the United States Soccer Federation in accordance with USSF Rules. (Rev 10/04)

5. When computing a period of time prescribed by this rule, the day of the event from which the period begins to run shall be excluded. The last day of the period shall be included, unless it is a Saturday, Sunday, or federal or State holiday, in which case the period extends to the end of the next day that is not a Saturday, Sunday or federal or State holiday. Whenever any period of time specified by this rule is less than seven days, intervening Saturdays, Sundays, or federal or State holidays shall not be included in the computation. (10/04)

C. At each step in the process, the Protest and Appeals Committee or Board involved shall consider all pertinent information pertaining to the case. The parties involved shall have the opportunity to present their cases. In cases of appeals, the appealing party shall provide all pertinent documentation in writing, and the Chairperson of the Protest and Appeals Committee or the Disciplinary Authority which rendered the previous decision shall present the findings of that body. After all testimony has been presented, the involved parties will be excused from the meeting and the Protest and Appeals Committee or Board shall then render a written decision, which shall forward to all involved parties within seventy-two (72) hours. All written correspondence shall be sent by certified mail, return receipt requested, or hand-delivered with a statement acknowledging receipt. A copy of the decision shall be filed with the State Association and with the involved League(s).

#### D. Exhaustion of Remedies (USYSA Bylaw 704)

Section 1. No member of HYSA, official, league, club, team, player, coach, administrator or referee may invoke the aid of the courts of the United States or the State of Hawaii without first exhausting all available remedies within the appropriate soccer organizations, and as provided within USYSA.

Section 2. For a violation of this bylaw, the offending party shall be subject to suspension and fines, and shall be liable to HYSA, for all expenses incurred by HYSA and its officers and members of the Board of Directors in defending each court action, including the following:

- 1) court costs;
- 2) attorney's fees;
- 3) reasonable compensation for time spent by HYSA officials and employees in responding to and defending against allegations in the action, including responses to discover and court appearances;
- 4) travel expenses; expenses for holding special Board Meetings necessitated by court action.