



## **R8 EXPEDITED APPEALS**

These provisions may be used as an expedited appeals process for US Sailing Protected Competition, as defined in US Sailing Regulation 12.03 and permitted by Regulation 12.03, Section B, Procedures for Protected Competitions. To find this process on line, go to: [appeals.ussailing.org](http://appeals.ussailing.org)

### **APPELLANT'S RESPONSIBILITIES**

R8.1 An appeal of a protest committee's decision or its procedures shall be sent by e-mail to the US Sailing Race Administration Director at [raceadmin@ussailing.org](mailto:raceadmin@ussailing.org), with a copy to the protest committee chairman.

R8.2 The appeal shall be sent no later than 24 hours after the protest time limit on the last day of the event, or 24 hours after receiving the written decision being appealed or the protest committee's decision not to reopen a hearing, whichever is latest.

R8.3 The appeal shall include: a) the grounds for the appeal; i.e., why the appellant believes the protest committee's decision or its procedures were incorrect; and b) the names and e-mail addresses of the parties to the hearing and the chairman of the protest committee.

R8.4 US Sailing charges a fee of \$25 for an appeal by a member of US Sailing or another national authority, and \$75 for all others. The fee must be paid before the appeal will be considered, and can be paid by credit card online: [http://bit.ly/appeal\\_fee](http://bit.ly/appeal_fee). The fee can also be paid by contacting the director.

### **US SAILING RACE ADMINISTRATION DIRECTOR'S RESPONSIBILITIES**

R8.5 Upon receipt of the appeal, the director will as soon as reasonably possible

- a) forward the appeal to the US Sailing Appeals Committee,
- b) send a written acknowledgement of the appeal via email, and
- c) send a copy of the appeal via email to the parties to the hearing and the protest committee chairman unless satisfied that they already have received it. In the acknowledgement letter, the director will inform the parties and protest committee chairman of the name and contact information of the chairman of the appeals committee.

### **PROTEST COMMITTEE'S RESPONSIBILITIES**

R8.6 The protest committee shall e-mail to the chairman of the appeals committee as soon as reasonably possible the following documents and information:

- (a) a copy of the decision being appealed;
- (b) the written protest(s) or request(s) for redress;
- (c) a diagram if relevant, prepared or endorsed by the protest committee, that conforms to rule R2.2(c);



- (d) the notice of race, sailing instructions, any other documents governing the event, and any changes to them, unless previously sent to the appeals committee chairman; and
- (e) any other relevant documents.

R8.7 The protest committee shall, within the deadline set by the appeals committee, supply any additional documents, facts or other information when requested to do so by the appeals committee. If directed to do so by the appeals committee, the protest committee shall at the first reasonable opportunity conduct a hearing of the protest or request for redress, or reopen the hearing of the protest or request for redress. The appeals committee may direct the protest committee to conduct a hearing to consider redress for the appellant or other party to the hearing.

#### **COMMENTS**

R8.8 The parties to the hearing and the protest committee may make comments on the appeal or on any of the documents listed in rule R8.6 and R8.7. Comments shall be sent by e-mail to the appeals committee, with copies to the parties to the hearing and the protest committee chairman. The comment period for the appeal and each document is 72 hours from the time the appeals committee sends the appeal or document unless the appeals committee sets a different deadline. The appeals committee need not consider comments sent after that time or comments on comments.

#### **APPEALS COMMITTEE'S RESPONSIBILITIES**

R8.9 The appeals committee shall send by e-mail to all parties to the hearing, and to the protest committee, copies of all relevant documents and comments it has received, except those supplied by that party or committee, unless satisfied that they have already received them.

R8.10 The appeals committee shall accept the protest committee's finding of facts except when it decides they are inadequate. In that case it shall require the protest committee to provide additional facts or other information, or to reopen the hearing and report any new finding of facts, and the protest committee shall do so at the first reasonable opportunity.

January 1, 2017