

Rule Change Type	Effective Date	Draft Received	Board Action
Standard	4/1/2019	10/15/2018	

## Proposed Change

**GR612 Review of Decisions** [CHAPTER 6-D Post Hearing Procedures]

## GR610 Proceedings Before a Show Committee

## 3. Determination:

f. A party to a protest or charge desiring to appeal a decision of the Show Committee or Competition Management to the Hearing Committee shall file an appeal in writing with the Hearing Committee at the Federation's office **in accordance with GR612.2** ~~within thirty (30) days of the initial decision. The Hearing Committee will not review findings of fact, but will determine whether the rules were properly interpreted and applied.~~

## GR204 Affiliated Associations and Associated Youth Organizations

## 1. Recognized Affiliate Associations

Recognized Affiliate Associations consist of corporations, organizations, and associations in good standing that have been approved by the Board of Directors of the Federation. Recognized Affiliate Associations shall comply with and be bound by these bylaws and the Rules of the Federation and decisions of the Federation including those of the Hearing Committee, and must pay annual fees and/or dues as determined by the Federation. Recognized Affiliate categories shall include:

b. National Associations where the national breed or discipline has competition rules which have been approved by the Board of Directors of the Federation for inclusion in the Federation's Rule Book. The Federation may only recognize one national breed/discipline association for each breed or discipline with competition rules in the Rule Book. If a Recognized National Affiliate Association ceases to affiliate with the Federation, the Board of Directors may in its discretion replace the organization that has seceded or been removed for cause with another association involving the same breed or discipline or the Board of Directors may replace the organization with an appropriate Federation Breed or Discipline Committee. Such Committee shall be deemed a Recognized National Affiliate Association for purposes of Bylaw 303. Recognized National Affiliate Association requirements are established by the Board of Directors from time to time. **A party wishing to challenge decisions concerning Appeals involving the recognition of any association or committee must follow the procedures set forth in Chapter 6 of the Federation rules.** ~~must be made in writing to the National Office within 30 days of the announcement. Appeals will be heard by the Hearing Committee in the same manner as date disputes. The decision of the Hearing Committee shall be final and shall be deemed to have the force and effect of a ruling in arbitration.~~ Recognized National Affiliate Associations are sometimes referred to as "National Affiliates."

## GR303 Competition Fees, Account Review, and Insurance

## 3. Any Licensee who fails to pay sums owed to the Federation, or who makes payment for fees to the Federation

which is not negotiable, will be notified by the Federation of its indebtedness and subject to the applicable policies of the Federation. The Federation will provide Licensees with online access to review their entire competition accounts.

a. If any Licensee affected by GR303.3 disputes that the amounts in question are owed or unpaid, the Licensee may request to have **a procedural review by the Co-Chairs of the** ~~the matter reviewed~~ Hearing Committee **or their designees**, provided his or her written statement specifying the grounds for such review is received at the Federation's office, along with a fee, in accordance with the applicable policies. The fee will be refunded if the dispute is settled in favor of the Licensee.

b. In the event a Licensee makes non-negotiable payment for fees to the Federation on three or more occasions, said Licensee is subject to further disciplinary action.

6. A certificate of insurance for each competition must be received by the Federation office at least 14 calendar days prior to the competition by mail with proof of delivery or submitted electronically via e-mail, or via fax. Competitions faxing their certificate of insurance to the Federation must retain a copy of the fax confirmation. If the certificate is not received 14 days prior to the competition, insurance coverage will be acquired and the competition invoiced. Each certificate must name the Federation as additional insured for each day of the competition, including set-up and takedown days, with minimum limits of \$1,000,000 third party general liability insurance and \$50,000 on equipment and property. Competitions failing to provide proof of such coverage (or such coverage to the extent permitted by local law) will automatically be enrolled in the group policy for competitions and will then be invoiced the then prevailing premium for such insurance. Competitions outside the United States must provide evidence of equivalent coverage of such insurance and will not be enrolled in the group policy.

a. Competitions must notify the Federation in writing of cancellation of their insurance policies by their insurance provider.

b. A fine will be imposed on any competition in the United States for which evidence of adequate insurance is not received at least two weeks prior to the competition. The fine is in addition to the amount of the invoice for the automatic enrollment in the group policy. A competition disputing that the invoice and/or

the fine is properly owing may **request a procedural review** appeal in writing to the Federation within 30 calendar days of management's receipt of the Federation's notice of billing and/or fine, specifying the grounds ~~therefor the appeal~~. The **Co-Chairs of the Hearing Committee or their designees** Federation's CEO or his designee, a special committee appointed by the president or the Hearing Committee will consider the appeal and may waive part or all of the billing and/or fine upon a finding of good cause why the evidence of insurance was not filed timely and/or a finding that extreme hardship results from the automatic penalty.

#### GR 316 License Application Disputes and Resolution

2. License disputes will be decided by the Federation Hearing Committee in accordance with the Federation rules and procedures. **The Hearing Committee may review the decision based upon the record below, in which case the parties may be represented by counsel and may file briefs for the Hearing Committee's review. Or, in its discretion, the Hearing Committee may hold a new hearing at which the parties shall have the right to make written submissions, to be represented by counsel, to appear in person, and to present or cross-examine witnesses. In either case, the Hearing Committee shall only determine if the mileage exemption process was conducted in accordance with the rules. The Hearing Committee shall provide the parties with the opportunity to be heard pursuant to written submissions and shall issue a written decision within 30 calendar days following receipt of the initiation of dispute and response(s) from affected parties. If the Hearing Committee finds a procedural defect, the exemption request will go back through the process beginning at the point where the defect occurred. In the event the Hearing Committee decides to remand the issue, the exemption request would be considered through the normal process.**

3. The Hearing Committee's decision is final and not appealable **within the Federation**.

#### GR612 Review of Decisions

2. Appeal of **proceedings before a Show Committee** decisions made by other than the Hearing Committee

a. When the ~~presiding person, persons, Show Committee or Competition Management other than the Hearing Committee~~ makes an initial decision **pursuant to GR610**, that decision then becomes the decision of the Federation without further proceedings, unless there is a written appeal to the Hearing Committee for review by a party to the proceeding or by the Federation, which must be received within thirty (30) days from the issuance of the ruling being reviewed. ~~On appeal from the initial decision, the Hearing Committee will not review findings of fact, but will determine whether the rules were properly interpreted and applied.~~

#### 3. **Procedural Review**

**a. When a representative or committee of the Federation makes or recommends a determination that addresses an application or other request of a member, or makes a determination of any fine, fee or other penalty under Federation rules, the aggrieved member may request a procedural review by the Co-Chairs of the Hearing Committee or their designees, provided that the request is made in writing to the Federation within 30 days of the determination, specifying the grounds for the procedural review.**

#### GR844 Poling

4. Violators will be automatically penalized by elimination of the horse involved from the class in which it is participating and the next succeeding class in which it is entered. If the violation occurs after the horse has completed its performance in a class or between classes, it will be eliminated from the next two succeeding classes in which it is entered. All such violations must be recorded in the Steward's Report and, if cruelty or abusive behavior is **alleged** ~~evident~~, it will be reviewed by the **Co-Chairs of the Hearing Committee or their designees** for such action as may be deemed appropriate to the particular circumstances.

#### GR913 Unpaid Entries

2. If the person disputes that the amounts in question are owing or unpaid, he or she may request a review of these issues before the **Co-Chairs of the Hearing Committee or their designees**, provided a written statement specifying the grounds for a **procedural** review, accompanied by a fee of \$100 (which will be refunded if the dispute is settled in favor of said person) is received at the Federation's office within said 30 day period. The **Co-Chairs of the Hearing Committee or their designees** ~~is~~ are the only **entity body** that can waive the fines

assessed as the result of this rule.

#### GR1003 Review

3. Following an adverse decision by the Licensed Officials Committee with regard to a non-renewal or revocation only, an applicant may request the Hearing Committee to review the decision or to consider a hearing de novo, provided such application is made in writing within 20 days of receipt of the Licensed Officials Committee decision, and provided a nonrefundable fee of \$500 payable to the Federation accompanies the application. The Hearing Committee may review the decision **based upon the record below, in which case the parties may be represented by counsel and may file briefs for the Hearing Committee's review. Or, in its discretion, the Hearing Committee may hold a new hearing at which the parties shall have the right to make written submissions, to be represented by counsel, to appear in person, and to present or cross-examine witnesses.** In either case, both the applicant and the Licensed Officials Committee shall be parties to the proceeding and shall have the right to make written submissions, be represented by counsel, and in the event of a hearing, to appear in person and present or cross-examine witnesses.

#### GR1009 Special Judge

6. Application must be received in the Federation office at least 14 days prior to the start of the competition. In cases where special applications are received prior to the competition, but less than 14 days prior, the competition must pay a processing fee of \$50. If management disputes that the application was not timely filed or that the above fine is not properly owing, it may **request a procedural review of these issues before the Co-Chairs of the Hearing Committee or their designees, provided that the request is made** appeal in writing to the Federation within 30 days of management's receipt of the Federation's notice of fine, specifying the grounds for the **procedural review** appeal. The Federation's CEO or his designee, a special committee appointed by the President or the Hearing Committee will consider the appeal. **The Co-Chairs of the Hearing Committee or their designees** and may waive a part or all of the fee upon a finding of good cause why the application was not timely filed and/or a finding that extreme hardship results from the fee.

#### GR1010 Guest Cards

3. The application for a Guest Card must be received in the Federation office at least 21 days prior to the start of the competition. In cases where the Guest Card application is received prior to the competition, but less than 21 days prior, the competition must pay a processing fee of \$50. If management disputes that the application was not timely filed or that the above fee is not properly owing, it may **request a procedural review of these issues before the Co-Chairs of the Hearing Committee or their designees, provided that the request is made** appeal in writing to the Federation within 30 days of management's receipt of the Federation's notice of fine, specifying the grounds for the appeal. **The Co-Chairs of the Hearing Committee or their designees** Federation's CEO or his designee, a special committee appointed by the President or the Hearing Committee will consider the appeal and may waive a part or all of the fee upon a finding of good cause why the application was not timely filed and/or a finding that extreme hardship results from the fee.

#### GR1015 Special Steward

1. A Special Category 1 steward is an individual already enrolled as a Recorded 'r' Category 1 steward, to whom

the Licensed Officials Department has granted permission to officiate as a Registered 'R' steward at a National

f. If management disputes that the application was not timely filed or that the above fine is not properly owing, it may **request a procedural review of these issues before the Co-Chairs of the Hearing Committee or their designees, provided that the request is made** appeal in writing to the Federation within 30 days of management's receipt of the Federation's notice of fine, specifying the grounds for the appeal. **The Co-Chairs of the Hearing Committee or their designees** Federation's CEO or his designee, a special committee appointed by the President or the Hearing Committee will consider the appeal and may waive a part or all of the fine upon a finding of good cause why the application was not timely filed and/or a finding that extreme hardship results from the automatic penalty.

g. It is the responsibility of competition management to assure the eligibility of all stewards.

#### GR1119 Disputes

2. Any participant wishing to dispute a tabulation or qualification or disqualification must appeal the issue in writing specifying the reasons for disputing the tabulation or qualification or disqualification (the "Dispute"). Said Dispute must be received by the Federation by December 15 (should the 15th fall on a weekend, the deadline will be set for the following Monday) following the competition year in question, except for the Paso Fino Division for which the deadline is September 15. A Dispute must be accompanied by the required fee which is not refundable. Disputes will be referred to the CEO or his designee for a ruling in the first instance, who will determine if the information which is provided in the Dispute is sufficient to alter the tabulation or qualification or disqualification. If the participant is dissatisfied with the CEO's or his designee's ruling, the participant may **request a procedural review of these issues before the Co-Chairs of the Hearing Committee or their designees, provided that the request is made in writing and** submit a written request for an appeal. An appeal must be accompanied by the required fee, which will be refunded if the appeal is upheld. Appeals will be referred to the Hearing Committee or a special committee appointed by the President, whose decision is final.

#### GR1212 Prize Lists

3. If management disputes that the prize list was not timely filed or that the above fine is not properly owing, it may **request a procedural review of these issues before the Co-Chairs of the Hearing Committee or their designees, provided that the request is made** appeal in writing to the Federation within 30 days of management's receipt of the Federation's notice of fine, specifying the grounds for the appeal. **The Co-Chairs of the Hearing Committee or their designees** Federation's CEO or his designee, a special committee appointed by the President or the Hearing Committee will consider the appeal and may waive a part or all of the fine upon a finding of good cause why the prize list was not timely filed and/or a finding that extreme hardship results from the automatic penalty. See Chapter 9 for requirements regarding prize lists.

#### GR1214 Results

5. If management disputes that the results were not timely filed or that the above fine is not properly owing, it may **request a procedural review of these issues before the Co-Chairs of the Hearing Committee or their designees, provided that the request is made** appeal in writing to the Federation within 30 days of management's receipt of the Federation's notice of fine, specifying the grounds for the appeal. **The Co-Chairs of the Hearing Committee or their designees** Federation's CEO or his designee, a special committee appointed by the President or the Hearing Committee will consider the appeal and may waive a part or all of the fine upon a finding of good cause why the application was not timely filed and/or a finding that extreme hardship results from the automatic penalty.

#### GR1301 General

4. Any member or non-member who fails to pay sums owing to the Federation or who makes payment for fees to the Federation which is not negotiable will be notified by the Federation of his or her indebtedness and warned that unless settlement is made within two weeks he or she will automatically be fined the sum of \$250 to be paid to the Federation; and further, that he or she and any horses owned by him or her and any horses and/or persons for which payment has not been made or for which the non-negotiable sums have been paid will automatically be barred from taking any part whatsoever in Licensed Competitions until payment or settlement is made of the total indebtedness to the Federation. Publication of the suspension will be published on the Federation's web site.

a. If any individual affected by GR1301.4 disputes that the amounts in question are owed or unpaid, he or she may request a **procedural** review of these issues **by before the Co-Chairs of the Hearing Committee or their designees**, provided his or her written statement specifying the grounds for the review is received at the Federation's office within said two week period accompanied by a fee of \$100, which will be refunded if the dispute is settled in favor of said person.

EV118.7 Inquiries, Protests and Appeals

7. A party to a protest or charge desiring to appeal a decision of the Appeal Committee to the Hearing Committee must file an appeal in writing with the Hearing Committee at the Federation's office within fifteen (15) days of the initial decision. ~~The Hearing Committee will not review the findings but will determine whether the rules were properly interpreted and applied.~~

Proponent Details	Contact Information
Hearing Committee	Emily Pratt epratt@usef.org

**Rule Change Intent**

Members have raised questions and sought clarification regarding the various review and appeal rights under the rules. In an effort to ensure uniformity and clarity in all references, this rule change proposes the more appropriate designation of "procedural review" in instances where the Hearing Committee is simply ensuring all procedural requirements, such as timeliness, were appropriately followed and rules were applied.

Linked Rules	Comments
	<b>Web:</b> review of decisions

Committee Actions	
Andalusian/Lusitano	
Draft 1: No Action	Draft 1: No Comments
Draft 2: No Action	Draft 2: No Comments
Council - Admin & Finance	
Draft 1: No Action	Draft 1: No Comments
Draft 2: No Action	Draft 2: No Comments
Council - Intl Discipline	
Draft 1: No Action	Draft 1: No Comments
Draft 2: No Action	Draft 2: No Comments
Council - Natl Breed & Discipline	
Draft 1: No Action	Draft 1: No Comments
Draft 2: No Action	Draft 2: No Comments
Licensed Officials	
Draft 1: No Action	Draft 1: No Comments
Draft 2: No Action	Draft 2: No Comments
National Hunter Committee	
Draft 1: No Action	Draft 1: No Comments
Draft 2: No Action	Draft 2: No Comments
Paso Fino	
Draft 1: No Action	Draft 1: No Comments
Draft 2: No Action	Draft 2: No Comments
Shetland	
Draft 1: No Action	Draft 1: No Comments
Draft 2: No Action	Draft 2: No Comments

**Draft 1:** No Action  
**Draft 2:** No Action

**Draft 1:** No Comments  
**Draft 2:** No Comments