



## COURT OF APPEALS PROCEDURES

**Date:** February 1, 2007 [FASTRACK]  
**Subject:** Court of Appeals Procedures  
**From:** The National Court of Appeals

The General Competition Rules provide a means for an individual to appeal an action by Stewards of the Meeting (SOM) in which they are a named party. The SOM action will have been initiated at a Competition event sanctioned by the Club Racing Department of the SCCA. The following is an explanatory guide to the appeal process for reference only.

First, and most important, your letter of appeal must be sent within ten (10) days of the date you are notified of the decision of the SOM. The date of your appeal is determined by the U.S. Post Office cancel date on the envelope. You may also send your appeal by Express Mail and/or by fax. All appeals should be addressed to the Court of Appeals c/o SCCA Club Racing. If you fax your appeal, include a Visa or Master Card account number for your appeal fee to be billed. Your ten (10)-day period normally starts with the weekend day you were informed by the SOM of their decision. However, if that decision is not made because, for example, components needed to be checked at an off-site location sometime after the event, the ten (10)-day period would start from the date the Chairman, SOM, advises you orally or in writing of the final decision. The Chairman will advise the National Office of the decision via the Observers Report or an addendum to that report.

Secondly, you need to state your "case" in writing at the same time that you advise the Court of Appeals of your intention to appeal. A letter stating you intend to appeal and "details to follow" is NOT an appeal under the rules contained in Section 8.4 of the GCR. You will need to submit all materials you wish the Court to consider within the ten (10)-day period allowed by the GCR. You will normally not be contacted by the Court for additional information. The Court presumes you have provided all the information you feel is important at the time you appeal. If you feel other individuals can provide information that could be beneficial to your case, it is your obligation to contact those individuals and see that the Court receives their statements within the time allowed.

Third, your rights to file an appeal do not contain any rights to be heard "in person" either by phone or at a Court of Appeals hearing. The Appeals Court is not established to simply hear the same things again that the SOM have already heard, but to: A. Review the process followed by the SOM to determine if all parties involved followed the GCR rules. B. Review any new information that was not available, or not known, which became available to you after the SOM hearing. C. Decide whether or not there is sufficient evidence presented to warrant changing the SOM decision.

Fourth, if you file an appeal in a case involving another person, such as a driver-to-driver protest involving an alleged violation of the GCR, you should be aware that the individual will receive notification of your appeal and be given a brief period to respond to the appeal. The Chief Steward and Chairman, SOM are also notified. This procedure assists the Court in understanding all sides to the case.

Fifth, in appeals involving alleged violations of car preparation specifications, the Court will maintain confidentiality of all specifications to insure that a competitor does not learn preparation "secrets" of another competitor by filing a tear-down protest or appeal. All materials distributed, as part of the appeals process, will have measurements, specifications, etc. deleted.

Sixth, videotapes are frequently part of the appeals process. The Court can only accept unedited tapes. Tapes furnished by the SOM and/or you to the Court may be retained by SCCA as a permanent part of the record if the case goes to appeal.

Seventh, several Divisions have assigned Stewards to assist individuals in reviewing the appeals process so that you can proceed in the most effective manner. These individuals are listed in various Regional or Divisional publications. If you do not know who these individuals are in your Division, contact your Divisional Executive Steward to obtain this data.