



CANADIAN LACROSSE ASSOCIATION APPEALS COMMITTEE

IN THE MATTER OF AN APPEAL BY TAYLOR SMITH FROM THE DECISION OF THE  
CLA U19 WOMEN'S NATIONAL FIELD TEAM 2011 TO RELEASE HER

BETWEEN:

TAYLOR SMITH

APPELLANT

AND

CANADIAN LACROSSE ASSOCIATION

RESPONDENT

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**Memorandum of Decision**

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Panel:

Tom Engel (Chair) – CLA VP Administration

Appearances:

None

### **PART 1: INTRODUCTION**

1. Taylor Smith tried out for the U19 National Women's Field Team for 2011. She was cut and felt she was dealt with unfairly, so she appealed.
2. There were a number of preliminary issues, being:
  - a. Was the appeal in time?
  - b. Should there be a retroactive time extension?
  - c. Were there sufficient grounds for an appeal?
  - d. Is there a right to appeal a decision like this?
3. All of these issues became moot when, after the Chair spoke to Joanne Stanga, the Director of Women's National Team Programs, it was decided by the National Program that, due to information that was unknown to the Selection Committee about Ms. Smith being ill during tryouts, she would have another chance to make the team. This was satisfactory to all parties, so the appeal was abandoned.
4. Despite this, it is appropriate to make some observations which may be of assistance in the future:

### **PART 2: TIMELINES**

5. The player was notified of the decision on September 22, 2009;
6. The player may have been told to appeal through the OLA. If that was the case, it was an error as they appeal is to the CLA;
7. On October 5, 2009, the player requested reasons for the decision. She received them on October 15, 2009;
8. On October 23, 2009, the player was told by a CLA Executive member to review Section 7 of the Operations Manual (Appeals);
9. On November 5, 2009, the CLA reviewed the nature of the appeal and the fees. That way, 2.5 months after the decision and 20 days after getting the reasons. She may or may not have obtained an extension in these circumstances.

### **PART 3: JURISDICTION**

10. Jurisdiction of the AC is found under CLA 7.1.3.
11. Under 7.1.3.1, there is no jurisdiction because CLA 16.2 which governs Team Selection provides for no appeal.
12. Under 7.1.3.2, there is no jurisdiction because this was not a discipline decision.
13. The player would have to resort to Section 7.1.3.3, where the Chair has the discretion to grant leave to appeal. However, it may have been difficult to convince the Chair that the issues were of sufficient specific and general importance to warrant leave.
14. As the appeal was withdrawn due to settlement, the fees were returned.

*Association  
Canadienne  
de crosse*



*Canadian  
Lacrosse  
Association*

Dated this 25<sup>th</sup> day of May, 2010.

**CLA APPEALS COMMITTEE**

Per:

**Tom Engel, Chair**