

## **CFA Protest Procedure:**

As of December 1, 2002, protests filed for a hearing before the CFA Board will be handled under a new procedure which will allow most cases to be resolved at the first Board meeting (new procedure applies to protests alleging show rule or constitutional violations).

CFA's procedure to review a protest regarding a violation of CFA Show Rules, Constitution, or the sale of a sick cat by a CFA breeder, requires that the person who is directly involved complete and SIGN the enclosed CFA Protest Form (Show Rule or Article of Constitution\* allegedly violated must be included-Part II). The name/address of the party you are citing in the complaint must be included-Part I). \*Allegation of forgery (violation of CFA Constitution XV4b): provide us with 10 separate samples of your signature (samples may be in the form of 10 separate checks), prior to date on paperwork in question.

**Note:** Per the October 2003 Board Meeting, the protest filing fee has been eliminated.

### **Please note:**

- if the initial protest is returned to complainant for any reason prior to processing, the filing date then becomes the date it is resubmitted;
- **do not use highlighters** to emphasize wording; highlighted areas do not photocopy;
- if more writing space is required in Part V of the CFA Protest Form, please use white or light-colored paper (letter size);
- it is helpful if the most important points are first or otherwise emphasized;
- because most matters will now be resolved by the written submissions of the parties, it is important that both the protest and the responses be complete. It will be the responsibility of the parties to attach any CFA records necessary to support a claim, including registration documents. Witness statements must be in writing, and included in the filings and
- it is advised that all parties be as thorough as necessary, but please try to include only those matters necessary to understand the case. Name-calling is strongly discouraged. Long, rambling, disjointed recitations, with no relationship to the matters alleged, can be confusing and take away from the impact of the evidence.

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At this time, the Protest Committee does not attempt to evaluate, resolve or offer comments about situations which involve personal or contractual disputes (e.g. dissatisfaction may arise from a variety of reasons including quality of the cat is not what was expected, refunds, reimbursements, replacement of cat, etc.). We suggest you seek legal advice if this is an area of concern to you or seek possible solution through small claims court. CFA does not license or endorse anyone engaged in the commerce of selling pedigreed cats and, therefore, has no control over the business practices of those involved in such transactions. While we attempt to foster sound breeding practices through education and research, our jurisdiction is limited to the practices one must follow to ensure proper identification of cats registered with CFA. Registration, in itself, does not guarantee the quality or health of a cat. However, CFA is always concerned about the sale of a sick cat or a cat with health problems and will accept complaints against a CFA breeder who sells a sick cat.

**The new process begins** by filing the official protest form [along with all evidence, witness statements and supporting documentation]. The matter is assigned a docket number, and a copy of the protest and all supporting documents are sent to the respondent (the party charged), who has 21 days to submit a written response to Central Office. In the absence of a response, a recommendation maybe made on the basis of the strength of the supporting information. This response is then sent to the complainant (the one who filed the protest) who has 14 days to rebut, in writing (to Central Office), any “new” issues raised in the response. Either side could petition the Protest Committee for more time, or permission to submit additional evidence. After the submission of the case, the Protest Committee will determine if probable cause exists for conviction (all recommendations prepared for the CFA Executive Board are confidential). If the recommendation is to find a party guilty, the report would also recommend sentence under the CFA Boards’ guidelines. The Protest Committee report will be presented at the upcoming board meeting. If the CFA Executive Board accepts the recommendation of no probable cause, the case is marked closed and you will receive notification from the central office approximately 2 weeks after the board meeting. If the recommendation is to find a party guilty, the CFA Board will make its tentative rulings based on the Protest Committee report and the written submissions of the parties. After the tentative Board decision, the Complainant(s) and Respondent(s) are notified in writing of both the decision and the proposed sentence. The Respondent(s) have 30 days to pay a \$250.00 “Appeal Fee” to request a full hearing with oral testimony (fee payable to CFA, mail to Central Office Attn: Diane Vetterl; please show assigned docket # on all correspondence); Complainant(s) cannot appeal. Fred Jacobberger (CFA legal counsel) will advise you by letter of the scheduled hearing date. The parties may elect whether the hearing would be closed or public. The hearing would take place in front of a subcommittee of the Executive Board, consisting of at least 5 CFA board members (including the President and the Protest Chair). This hearing would take place the day before the next CFA Board meeting (Friday before October or February Board meetings; Tuesday before the June meeting). This subcommittee would hear and consider any live testimony and/or additional evidence, and present their recommendation to the full Executive Board, along with your complete file. You would not be permitted to testify before the full CFA Board. Following the board meeting, Fred Jacobberger would advise you of the Board's action. Once cited for a hearing, the Protest Committee transfers the case to Fred Jacobberger who handles it from that point on. If a hearing request is not made within 30 days of the tentative decision notification, the tentative Board decision becomes final.

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How "Sick Cat" Complaints are Handled: Your complaint is assigned a docket # and copied to the breeder named, attaching a letter from CFA requesting they submit their comments relative to this complaint and encouraging the breeder to come to some type of settlement or agreement with you. The rebuttal/hearing process does not apply to these matters. This is the most we can do; however, your complaint, along with any response received, is reviewed by the Protest Committee Chairperson and stays on file for CFA private information so that a closer look may be given to a party whose name repeatedly shows up. You will only be notified if your complaint is to receive any action beyond our letter to the breeder.

How Contractual Complaints are Handled:

Complaints submitted to Central Office, relating to contractual issues, are assigned docket #'s and sent to the Protest Committee Chairperson simply for concurrence that it is a contractual matter. The party being accused will receive a letter enclosing the complaint and inviting their response for the record. Complaints/responses are kept on file for CFA private information so that a closer look may be given to a party whose name repeatedly shows up as an "accused" in contractual disputes. The rebuttal/hearing process does not apply to these matters. No further notification will be sent to you and no further action will be taken.

Other agencies which you may want to contact, if applicable, are your local/county department of consumer affairs, the better business bureau, the board of health or the local organization which is empowered to do inspections of premises. Should a local agency deem the situation to be an animal welfare/cruelty case, we ask that you advise us by submitting a copy of the actual report that charges the individual or a newspaper clipping.

Requests for Complaint Information:

We do not dispense information regarding if a complaint has been received against an individual, the number of complaints received, or the content of a complaint. Protest information that is for public review is printed in the CFA Almanac on the Disciplinary/Suspension/Probation list (name, commencing date of suspension, duration and/or fine). This list reflects Show Rule/Constitutional Violations or cases of Animal Welfare/Cruelty that have been brought to the Board and in which the Board suspended and/or fined the party (type of violation is not printed). The list does not reflect complaints regarding, for example, the sale of a sick cat or a breeder that does not provide the promised paperwork. *To subscribe to the CFA Almanac contact the Almanac Dept.*

For additional CFA Protest Forms, you may photocopy the form, call central office and advise your name and address with a request to send a CFA Protest Form, or print-out the form available on-line at <http://www.cfa.org/forms/protest-form.pdf> This procedure letter can be found on-line at <http://www.cfa.org/forms/protest-procedure.pdf>

**Completed and signed protest forms must be mailed to the CFA central office, attention Protest Committee OR (as of the October 2006 Board Meeting) Complaints can be accepted electronically, the protest form must be signed and all documents must be readable.**

Diane L. Vetterl  
Sr. Administrator