



NYYC 2021 Virtual Protest Procedure Guidelines

Filing a Protest

As specified in the Sailing Instructions, all protests shall be communicated to the Race Committee at the first reasonable opportunity after the protesting boat finishes until acknowledged by the Protest Committee. Completed protests forms shall be filed electronically; send to sailingoffice@nyyc.org.

Time of the Hearing

Any protest that comes in will be posted to the online Official Notice Board. Parties will be notified by email of the time and a Zoom link for the virtual protest hearing. Notice of a hearing's time and date will be posted on the online Official Notice Board. The Protest Committee will attempt to hear protests in the order received.

Pre-Hearing Expectations

It is incumbent upon parties and witnesses to have a working computer with web cam and audio capability, and also have access to ZOOM. The ZOOM app can be downloaded at no cost at:

<https://zoom.us>

If you already have ZOOM installed, check to see what version you have. Please be sure to upgrade to the latest version. You will need to have a working computer camera. Audio participation alone will not suffice.

A laptop computer is recommended, but a tablet (iPad, etc.) with a camera is acceptable. Use of a smartphone as the primary access device is discouraged though possible.

Witnesses

Parties are responsible to make certain that any witnesses they intend to call also have access to ZOOM and a computer with access to the Internet and video and audio capability. Audio participation alone by a witness will not be allowed.

Parties and witnesses must be in separate, distinct, locations with separate ZOOM access. Witnesses will be placed in a Zoom "Waiting Room" until called.

Coaching from third parties, collaboration or use of outside materials to help coach parties during the hearing are not allowed. Such use may result in a discipline.

Protest Materials

Parties will be provided electronic copies of the protest prior to the hearing. Parties are responsible for obtaining their own copies of the Racing Rules of Sailing, the Notice of Race, the Sailing Instructions, and class or handicap rules.

Hearing Obligations

It will be the responsibility of each party to clearly explain and display their view of the incident to the protest committee, as we will not have the ability to place and move model boats around on a table for all to see. We suggest the following range of options for how you may present your case:

- Yacht racing presentation software such as Sail Replay (Mac only) or Boat Scenario. Both are available free for download. Each requires some practice and understanding of the commands to use effectively. Parties may use their own software provided it can be shared with everyone in the hearing.
- Model boats, or paper cutouts, and a camera to display the incident to the Protest Committee.
- Detailed drawings or a white board or other artwork of the incident that can be viewed with a camera.

Conduct

Competitors and witnesses are expected to conduct themselves in accordance with the Rules and with the Guidelines. Parties and witnesses shall not communicate during a hearing. No hearing may be recorded by any party or the Protest Committee. Loud and abusive behavior will not be tolerated. Violations of these principles are subject to discipline under the Rules.

The Hearing

- To join a hearing, click on the hyperlink embedded in the ZOOM invitation.
- Please arrive at least 5 minutes early to allow time to get properly connected. The Zoom call will be active 10 minutes before the scheduled start of the hearing.
- All parties and witnesses must be present at the start of the hearing.
- Parties and witnesses will be muted at the outset of the hearing.
- At the start of the hearing witnesses will be placed in a “waiting room” and will not be able to see or hear the proceedings until called in to testify.
- The Committee Chair or the Administrative Judge will unmute participants when appropriate.

- Be prepared to “raise your hand” in Zoom or wave a white piece of paper in front of your camera if you wish to be recognized.
- Once in the hearing, a brief statement will be made introducing the room and the judges before the hearing is started and conducted much as an in-person hearing would be conducted.
- Parties will be able to see and hear each other and all of the judges.
- An administrator will be able to control all parties’ microphones and video cameras and will bring parties in and out of the hearing.
- Parties will be given the opportunity to speak and visually present their argument, much like using model boats in an in-person hearing, by using the boat regatta software mentioned earlier or with their artwork or white board or through some other means of their devising.
- Witnesses will then be called and they will be allowed to testify. Once they have presented their testimony they are excused or they may wait in the waiting room for the decision.
- When it is time for the judges to deliberate, parties will again be assigned to the waiting room where they will not be able to see or hear the judges.
- Once a decision has been reached, all parties will be invited back into the hearing to hear the judges’ decision and the hearing will be concluded.