



Eastport Yacht Club

Protest Procedure Guidelines & Code of Conduct for Remote Hearings

Protest Procedure Guidelines

Eastport Yacht Club will follow State of Maryland social distancing guidelines for the health and safety of members and competitors. In support of this, protest hearings will be conducted remotely, online using a free video conferencing application. It is the intent of the Protest Committee (PC) to conduct hearings as closely to accepted and familiar hearing protocols as possible under the circumstances.

1. Filing a Protest

Paper or electronic protests will be accepted. Paper documents, including diagrams for electronically posted protests, will be scanned and emailed to the PC and to the parties to the hearing.

2. Time of the Hearing

Protests received and hearing times will be posted to the Official Notice Board. Parties to a hearing will receive via email the login details to join the video conference.

3. Hearing Requirements

All parties, as well as witnesses, should have a computer or tablet with the latest version of the designated app installed, a web camera, and audio capability. Use of a smartphone as the primary access device is discouraged.

4. Witnesses

Audio participation without video for witness will not be allowed. Parties and witnesses must be in separate, distinct, locations with separate video conference access. Coaching from third parties, collaboration or use of outside materials to help coach parties during the hearing are not allowed.

5. Protest Materials

Parties will be provided 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.

6. Hearing Obligations

It will be the responsibility of each party to clearly explain and display their view of the incident to the PC. The PC 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. The committee will have these programs available to "share" with the parties during the hearing, but to use them effectively participants must be proficient in operating the software beforehand. Parties may use their own software provided it can be shared with everyone in the hearing; or,
- Model boats, or paper cutouts, and a camera to display the incident to the PC; or,
- Detailed drawings, a white board, or other artwork of the incident.

7. Conduct

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





Protest Procedure Guidelines & Code of Conduct for Remote Hearings

8. The Hearing

- Please join the video conference meeting at least 10 minutes early to allow time to get properly connected. The call will be active 30 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. Just before 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" or wave a piece of white piece paper in front of your camera if 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 the judges.
- A technical judge will be able to control each party's microphone and/or video camera, and will bring parties in and out of the hearing.
- Parties will be given the opportunity to 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 allowed to testify according to the Rules. A witness will be excused once they have presented their testimony, or they may wait in the waiting room for the decision.
- When it is time for the judges to deliberate, parties will be assigned to the waiting room and 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.

Code of Conduct for Remote Hearings

To ensure fair proceedings, the Protest Committee (PC) relies upon the participants to abide by this Code of Conduct for Remote Hearings, whether as a party or a witness.

Unless the PC specifically approves otherwise, during the hearing:

- Each party and witness agree they shall not record, transmit or convey audio or video of the hearing. Individual screen-capture of scenario images is permitted for your own records only.
- Each party and witness shall ensure that they are not observed or overheard by any witness or anyone who might have an interest in the proceedings.
- No party shall communicate or share information with anyone outside of the hearing by any means or technology.
- A party shall not communicate or share information with a witness, except when the witness is giving testimony in the presence of the PC.

At the beginning of the remote hearing, you will be asked if you understand and agree to abide by this Code of Conduct for Remote Hearings. Please take that opportunity to ask any questions you may have regarding what is expected of you.

A party or witness to the hearing that breaks an element of this Code, risks disciplinary action under the Rules.

