

# MCSA Midwinters 2021 Hearing Procedures

Hearings will at the 2021 MCSA Midwinter Championship will be held primarily via Zoom. Please read this document to understand the procedure to be used to facilitate these hearings.

## 1 Filing a protest

- 1.1 Per Sailing Instruction 15.1, Hearing Request Forms are available at the race office or using the US Sailing Racing Rules app.
- 1.2 Sailing Instructions 14.4 and 15.5 and Racing Rules 61.3 and 62.2 discuss the time limits for hearing requests
- 1.3 Protests may be delivered to the race office, to PRO Rick Trester, or via email to Chief Judge John Porter at [jp@scowracers.net](mailto:jp@scowracers.net).

## 2 Diagrams

- 2.1 A diagram on your Hearing Request Form is not required.
- 2.2 After you deliver your hearing request or have been named as a party to the hearing, please find Chris Kubicek to create your diagram.
  - 2.2.1 Chris is not a member of the Jury. His role is not to decide or opine on any rule that may or may not have been broken. His role is to assist you in creating a diagram that sufficiently explains your recollection of the situation.
  - 2.2.2 You will use model boats to create a diagram of the situation.
  - 2.2.3 Once **YOU** are satisfied with the diagram, Chris will send a picture of your diagram to the Jury.

## 3 The hearing

- 3.1 All hearings, including arbitration hearings under Appendix T, will be hosted via videoconference. Zoom will be the primary software used with Microsoft Teams as a backup.
- 3.2 The primary method for connecting to the videoconference will be in person at a table with a camera in the Lake Eustis Sailing Clubhouse.
- 3.3 If you are unable or unwilling to attend in person and would prefer to use your own resources to attend, you are responsible for providing your own device, internet connection, anything required to attend. If your resources are inadequate, the committee may proceed according to Racing Rule 63.3(b).
- 3.4 If you attend using your own resources, you agree:
  - 3.4.1 Any failure of your resources may cause the Jury to continue the hearing without your presence under Racing Rule 63.6(b).
  - 3.4.2 The committee will not permit your participation if you are:
    - 3.4.2.1 In a noisy environment
    - 3.4.2.2 In the presence of a witness, coach, or any other person
    - 3.4.2.3 Operating a motor vehicle
    - 3.4.2.4 Any other condition that clearly violates safety, the ability to conduct a fair hearing, or violates a racing rule, sailing instruction, or MCSA Bylaw.

## 4 Objections to procedure

- 4.1 After all testimony, the Jury will ask if there are any objections to procedure directly related to the use of videoconference technology.
- 4.2 If you do not object under 4.1 when asked, any later objection to procedure due to the videoconference technology shall not be grounds for reopening, redress, or appeal.