

ADDENDUM VH VIRTUAL HEARINGS

REQUIREMENTS & PROCEDURES:

As a result of Covid-19, the BODA South American Trials Protest Committee (PC) will not hold arbitration meetings, protest and redress hearings in person but will hold them remotely online via Google Meet (<https://meet.google.com>).

This change will require more effort and engagement from all participants.

The PC has created this guideline document to prepare participants for the additional burdens that will be placed on all parties by this new hearing arrangement.

Arbitration meetings conducted pursuant to RRS Appendix T [Arbitration], hearings conducted pursuant to the rules of RRS Part 5, Section B [Hearings & Decisions] and any misconduct hearings conducted pursuant to the rules of RRS Part 5, Section D [Misconduct] shall be conducted virtually using Google Meet and the following guidelines.

Time of the Meeting/Hearing

All meetings, hearings and requests for redress will be posted on the official notice board available here:

<https://www.racingrulesofsailing.org/documents/2559/event?name=boda-south-american-trials>

Parties will receive an electronic invitation with a date and time to join a Google Meet meeting at least **30 minutes** before any Arbitration meeting.

Parties will receive an electronic invitation with a date and time to join a Google Meet hearing at least **30 minutes post Arbitration** in advance of any protest hearing.

Parties will receive an electronic invitation with a date and time to join a Google Meet hearing at least **30 minutes** in advance of any request for redress.

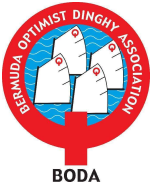
The invitation will have a hyperlink to click on that will take the recipient to the hearing at the appointed time. There will also be a phone number for dial-in access.

Note: hearings will be heard as soon as practicable, but not necessarily on the same day following the incident. The PC will post the hearing's time and date on the official notice board and include the date and time in the email invitation to the hearing.

Google Meet

Google Meet does not require an app, and more information can be found at:

<https://meet.google.com/>. Generally a computer with a modern browser and with video and audio capability will suffice. A fast network connection is preferable.



Connecting to Google Meet

The hearing may be accessed several ways. The PC recommends using a desk top or laptop computer with video and audio capability to connect to Google Meet, but a tablet (iPad, etc.) or smartphone is acceptable. Use of a smartphone which typically has a smaller video screen may adversely affect the ability to make out visual details. Parties to the hearing may use computers and phones without video capability as audio only devices, but will not be able to present or see visual material or diagrams presented in the hearing. Participants may also use a combination of the above devices (e.g., a phone for the audio and a computer or smartphone for the video).

Witnesses

Hearing participants are responsible to make certain any witnesses they intend to call also have access to Google Meet and hardware with Internet access, with at least audio and preferably audio and video capability. It is incumbent upon the protestor and protestee to forward the hearing information and hyperlink to any witnesses they wish to include in the hearing.

Participants and witnesses must be in separate, distinct, physical locations with separate Google Meet access.

During the hearing, no participants or witnesses are allowed coaching from any other person. Collaboration or use of outside materials to help coach participants or witnesses are also not allowed.

Protest Materials

The PC will provide parties copies of the protest form prior to the hearing. Parties are responsible for obtaining their own copies of the Racing Rules of Sailing, the Notice of Race, Sailing Instructions, class rules, or any other rules applicable to the hearing. Parties are also responsible for obtaining any software or other material they require to present a visual representation of the on-water incident.

Judges

The PC will conduct hearings serving as a hearing panel. The PC may use one additional judge to manage the technical issues of the meeting such as moving participants between the hearing room and the waiting room, turning microphones on and off and allowing parties to share their screen to present visuals to the panel, among other things. This technical judge may also be available offline to assist with connection issues. An effort will be made to make the technical judge's email and mobile number available in case there are technical issues during the hearing. The technical judge will not take part in the panel's decision.

Visual Presentation

It is the responsibility of each party to clearly explain and display their view of the incident to the hearing panel. The panel 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:

- Sailboat racing presentation software such as Sail Replay (Mac only) or Boat Scenario. Both are



available free for download online. Each requires some practice and understanding of the commands before the hearing to present effectively. Parties may use their own software provided the diagrams of the incident can be shared with everyone in the hearing.

- Model boats, or paper cutouts, and a camera to display the incident to the PC.
- Detailed drawings or a white board or other artwork of the incident.
- Power Point or other presentation software.

Conduct

All participants, including parties and witnesses are expected to conduct themselves in accordance with the Racing Rules of Sailing and with the Guidelines set forth here. No hearing may be recorded. **Note:** Recording a hearing without the participants expressed permission is strictly prohibited.

The Hearing

- To join a hearing, click on the hyperlink embedded in the Google Meet invitation email.
- Please arrive **at least 10 minutes** early to allow time to get properly connected.
- The hearing will be conducted in accordance with the Racing Rules of Sailing.
- All parties and witnesses must be present at the start of the hearing.
- Each participant must attend the meeting from a unique location that is physically separated from the location of any other participant.
- Except as allowed in the RRS and these guidelines, no party or witness will engage in any verbal or electronic communication during the hearing. This includes texting or emailing each other or any other persons.
- Parties and witnesses will be muted at the outset of the hearing.
- A brief statement will be made before the hearing is started introducing the room, the judges and the process. Questions regarding hearing procedures may be asked at this time before the hearing begins.
- Witnesses will be placed in a “waiting room” at the start of the hearing and will not be able to see or hear each other, or see or hear the proceedings until called upon to testify. Please be patient and be ready to join the meeting when called.
- 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, artwork, white board or through some other means of their own devising.
- Witnesses will be called into the hearing and allowed to testify and answer questions from other hearing participants.
- When it is time for the judges to deliberate, the rest of the participants will be assigned to the waiting room where they will not be able to see or hear each other or the judges.
- Once a decision has been reached, all parties will be invited back into the hearing to hear the decision. The panel will then conclude the hearing.