

# HEARING CHECK LIST

Case Number: \_\_\_\_\_

**Note:** 'N/A' means **Not Applicable**; 'N/C' means **Not Completed** or **Not Considered** by the protest committee.  
See instructions for completing the checklist on page 2

|   |  |
|---|--|
| <b>(1) BEFORE THE HEARING (parties not present)</b>   |  |
| 1.1 Protest hearing scheduled and posted (63.2)?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/C   | 2.12 Any penalties taken?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/C   |
| 1.2 Hearing under App B or Add Q?<br><input type="checkbox"/> App B <input type="checkbox"/> Add Q <input type="checkbox"/> N/A   | 2.13 Request to withdraw protest (63.1)?<br><input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Approved <input type="checkbox"/> Denied                 |
| 1.3 No interested party on jury (63.4)?<br><input type="checkbox"/> None <input type="checkbox"/> Judge(s) recused _____  | 2.14 Will parties be calling any witnesses?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/C   |
| 1.4 International Jury properly constituted (App N)?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/C   | <b>(3) VALIDITY</b>  |
| 1.5 Contents (61.2)<br>(a) Protestor and protestee identified?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> N/C      | 3.1 Contents – parties, incident (61.2, 62.2)<br><input type="checkbox"/> OK <input type="checkbox"/> Corrected <input type="checkbox"/> N/C   |
| (b) Incident identified<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> N/C   | 3.2 Protest delivered within time limit (61.3, 62.2)?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Extended: _____                             |
| (c) Reason for requesting redress identified<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> N/C                        | 3.3 Hail (61.1)?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A _____  |
| 1.6 Parties available<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Postponed: _____   | 3.4 Flag displayed (61.1)?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A _____  |
| 1.7 Jury witnesses? Judge saw the incident?<br><input type="checkbox"/> Yes <input type="checkbox"/> Identified <input type="checkbox"/> No <input type="checkbox"/> N/C                  | 3.5 If no hail, Protestee properly informed (61.1)?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A _____                                     |
| 1.8 Is TV coverage available?<br><input type="checkbox"/> Yes <input type="checkbox"/> Obtained <input type="checkbox"/> Unknown <input type="checkbox"/> No <input type="checkbox"/> N/C | 3.6 For Part 2, protestor involved in or saw incident (60.1(a))?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> N/C |
| <b>(2) HEARING PRELIMINARIES (parties present)</b>  |  |
| 2.1 Observers and Instructions<br><input type="checkbox"/> Verbal <input type="checkbox"/> Handouts <input type="checkbox"/> N/A  | 4.1 <input type="checkbox"/> Each party gives evidence (M3.2)  |
| 2.2 Understand English / Help Needed?<br><input type="checkbox"/> Done <input type="checkbox"/> N/A <input type="checkbox"/> N/C  | 4.2 <input type="checkbox"/> Parties question each other (M3.2) <input type="checkbox"/> N/A   |
| 2.3 Correct hearing and participants<br><input type="checkbox"/> Done <input type="checkbox"/> N/A <input type="checkbox"/> N/C   | 4.3 <input type="checkbox"/> Witnesses of parties (63.6 & M3.2) <input type="checkbox"/> N/A   |
| 2.4 Policy on recordings<br><input type="checkbox"/> Done <input type="checkbox"/> N/A <input type="checkbox"/> N/C   | 4.4 <input type="checkbox"/> Witnesses questioned (M3.2) <input type="checkbox"/> N/A  |
| 2.5 Record names (from accreditation)<br><input type="checkbox"/> Done <input type="checkbox"/> N/A <input type="checkbox"/> N/C  | 4.5 <input type="checkbox"/> Jury evidence (63.6) <input type="checkbox"/> N/A   |
| 2.6 Party(s) present?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Proceed under 63.3(b)  | 4.6 <input type="checkbox"/> Jury questions (M3.2)   |
| 2.7 Boat's rep on board for Part 2, 3 or 4 (63.3)   | 4.7 <input type="checkbox"/> Summaries (last opportunity) (M3.2) <input type="checkbox"/> N/C  |
| <b>(5) DECISION</b>   |  |
| 5.1 Parties present (65.1)<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partial _____   |  |

|  |   |
|--|---|
| <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> N/C</p> <p>2.8 Introduce Jury?</p> <p><input type="checkbox"/> Done <input type="checkbox"/> N/C</p> <p>2.9 Objections on grounds of interest (63.4)?</p> <p><input type="checkbox"/> None <input type="checkbox"/> Yes <input type="checkbox"/> Valid <input type="checkbox"/> Invalid <input type="checkbox"/> N/C</p> <p>2.10 Copy of protest form - time to prepare (63.2)?</p> <p><input type="checkbox"/> Done <input type="checkbox"/> Extend: _____ <input type="checkbox"/> N/C</p> <p>2.11 Parties understand procedure?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Explained <input type="checkbox"/> N/C</p> | <p>5.2 Decision date and time on form and jacket</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5.3 Request for copy of decision?</p> <p><input type="checkbox"/> Verbal <input type="checkbox"/> Written <input type="checkbox"/> No <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p> <p><b><u>(6) SUMMARY</u></b></p> <p>6.1 Any concerns or unusual procedures?</p> <p><input type="checkbox"/> No <input type="checkbox"/> Yes Explain (cont. reverse side): _____</p> <p>_____</p> |
|--|---|

Recorded by:

Panel Chairman:

Recorder's Signature:

Date:

Time:

## Instructions for Hearing Checklist

### 1 Before the Hearing (no parties present)

- 1.1 Verify protest schedule was posted with enough time between posting and the hearing. See RRS 63.2
- 1.2 Hearing conducted under RRS App B or Add Q. Otherwise N/A.
- 1.3 Usually 'None'. If necessary, replace a panel member who is an interested party.
- 1.4 Chair checks the constitution of the panel under RRS App N1 and applicable ISAF Regulations.
- 1.5 Contents
  - (a) Protestor and protestee(s) properly identified. Can be corrected under 3.1.
  - (b) Description of incident is acceptable. Cannot be corrected later.
  - (c) Reasons for redress meet RRS 62.2. Can be corrected under 3.1.
- 1.6 Are the parties available? Decide whether to proceed or postpone the hearing time.
- 1.7 Did any panel member witness the incident? Chair instructs panel members. RRS 63.3(a) applies.
- 1.8 Could there be media (TV, tracking) evidence available as useful evidence? Can it be obtained?

### 2 Hearing Preliminaries (parties present)

- 2.1 Observers present? If so, provide the rules and instructions for the observer(s).
- 2.2 Do the parties understand / speak English. Is an interpreter needed? Provide instructions to the interpreter.
- 2.3 "This is an incident between <who> at <where> <when>. Is this correct?"
- 2.4 Explain the policy on recording. Usually no video or audio recording. Cell phones off.
- 2.5 Obtain the full names of the parties. Obtain full names of witnesses when they appear.
- 2.6 Are all parties present? If not, recheck notification procedures. Postpone or continue under RRS 63.3(b).
- 2.7 For incidents involving RRS Part 2, 3 or 4, verify that the representatives were on board. RRS 63.3
- 2.8 Introduce panel members.
- 2.9 Are there any objections to member(s) of the jury on grounds of being an interested party?
- 2.10 Does protestee have a copy of the protest? Needs time to prepare? Ready to proceed? RRS 63.2
- 2.11 Parties understand the protest procedure? If not, chair explains process.
- 2.12 Have any penalties been taken? If yes, go to 2.13.
- 2.13 Yes if the protestor wants to withdraw the protest and the panel approves. Can happen out of sequence.
- 2.14 Ask if any party will be calling a witness(es).

### 3 Validity

- 3.1 Review contents and any issues from 1.5 with the parties.
- 3.2 Yes, if filed before the PTL. If extended, provide reason. Use 6.1 if necessary to describe reasons.
- 3.3 If N/A, provide reason or rule, e.g., "RC protest", 61.1(a)(1), 61.1(a)(4), etc.
- 3.4 If N/A, provide reason or rule, e.g., "< 6m", 61.1(a)(2), 61.1(a)(4), etc.
- 3.5 Applies mainly to RC and PC protests.
- 3.6 Protestor's representative was involved in or saw the incident. RRS 60.1(a).
- 3.7 For boards only, the protestor informed the RC in compliance with RRS B5.

### 4 Evidence

Follows RRS App M and ISAF Judges Manual.

### 5 Decision

- 5.1 Yes, all present. No, none present. Partial, at least one present. If N/A, explain.
- 5.2 Form is dated and signed.
- 5.3 No, unless a verbal or written request for a copy is received by the panel before closing the case. Grant all requests with the possible exception of hearing decisions involving misconduct.

### 6 Summary

- 6.1 Provide notes on any unusual procedures or other relevant items. \_\_\_\_\_

---

---

---