

We recommend making a copy of this for your judges.

Reference: Protest Arbitration & Open Hearings

It is highly recommended that you plan to incorporate both Protest Arbitration and Open Hearings, in appropriate situations. These are educational, informal options particularly well suited to junior events. Both Arbitration and Open Hearings should be conducted by people familiar with the process.

The material below is reprinted from the *Judges Manual*. Please note that the material here is only an *excerpt* from the complete how-to found in the *Judges Manual*. Every certified judge should have a *Judges Manual*.

Protest Arbitration

Arbitration is simply a short meeting between sailors involved in a protest and an experienced judge (the arbitrator) that takes place before a protest hearing. The purpose of arbitration is to speed up the protest process and to give sailors a chance to take a less severe penalty than disqualification when they realize that they have broken a rule. Because sailboat racing is a self-policing sport, protest-ing is the legitimate process whereby rules disputes are resolved. But too often, competitors involved in a breach of the rules are not willing to protest because the process of resolving the problem is too formal and intimidating, and often takes too much time. Some competitors would rather ignore a breach of the rules than give up their social time after a race to attend a protest hearing. Arbitration is fast, informal and much less intimidating.

The judge who will arbitrate should be a highly qualified and experienced judge with a strong command of the rules.

Open Hearings

Permitting observers, such as other competitors, prospective judges, parents and coaches, at protest hearings is called "open hearings." This practice is becoming more common, and is very beneficial to all concerned. It is especially useful for juniors, whose concerns about protest hearings can be diminished by attending an open hearing.

The major thrust of holding open hearings is educational. In an open hearing, observers' knowledge of the rules will be enhanced, and they will gain a better understanding of due process and proper protest hearing procedures.