

RRS 68

The Latest News from the Judges' Committee

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WELCOME TO THE JUDGES' NEWSLETTER

Sarah Ashton

This edition includes some insight into Mark Room, reopening hearings, and another ever-so-popular Mark's Rules of Sailing Quiz.

You are receiving two formats of RRS 68: a PDF and a link that allows the Quiz diagram to be animated.

Just a reminder - judge certification renewal is four months away. Do you know what you need to renew?

Your feedback is valuable. If you have any suggestions for RRS 68, please share them with us. We're here to listen and improve. You can reach out to me at ashtonsh@bellsouth.net.



CHAIRMAN'S CORNER

Edith Collins

Happy September! Or "Sweatember" as they call it here in Georgia. I think we are all ready for cooler temperatures and more reliable winds.

Congratulations to Rob Davis in Area A for his upgrade to Regional Judge, Charlene Feeney of Area A for her upgrade to Regional Judge, and Paul Gilamn also of Area A for his upgrade to Regional Judge. RAJ Bill Collins is setting a good pace for recruiting new folks! Also, congratulations to Area F RAJ Shannon Wood Bush for being appointed as an International Judge by World Sailing!!!

In anticipation of the 2028 Summer Olympics in Los Angeles, World Sailing will be conducting the first International Measurers Clinic in conjunction with the IJ seminar later in September. 50-60 folks will need to be trained before the event. Hopefully we will get more advanced notice before the next event.

US Sailing has transitioned its primary two-year background check process to NCSI (not to be confused with the Jethro Gibbs NCIS). The interim one-year background checks will continue to be performed by Accurate, so if you get an email from them, it is legit. US Sailing will be getting information for the RAJ's to distribute to their flock regarding the change.

We have always stressed that it is very important for a judge to call their RAJ if they encounter a potential Rue 69 hearing. To that end, Nancy Glover is heading up a working party to establish guidelines to be included in the RAJ manual, helping the RAJ know what the next steps are when they get "the call".

There was a great discussion at the last Judges' Committee meeting about how and which "hearings" are counted for certification. Giff Constable is leading a work party to address that issue.

Jerry Thompson and Giff are heading up the rules clinic on October 19th and 20th. If you are a "Veteran National Judge" who needs to recertify, you need to take this class or take the test.

Speaking of recertification, if your certificate expires on 12/31/26 (um, that would be me), please make sure you have everything you need to submit your recertification to your RAJ. We will discuss the renewals of Regional and National Judges at the December meeting, so please do not wait until the last minute to get everything together.

As always, please give me your feedback and suggestions.

Thank you for your passion for the sport we love.



This photo is from a recent Star regatta. Sometimes Rule 42 violations are hard to identify; sometimes they are not.

Jim Babel
Gull Lake Yacht Club
Area K Club Judge

Mark Room - A Judge's Guide

Mark Townsend, IJ, IU, IRO

The protest chair should review the hearing request with the other members of the protest committee before the hearing. This allows the protest committee time to gather relevant documents, identify potential validity issues, the applicable rules, and the key questions to establish whether rules were broken and by whom.

When identifying the key questions, consider: What were the wind and sea conditions, the relative positions of the boats, and the boat speed before the incident happened. How did the boats move to the end of the incident? What were the relevant things that happened: course changes, distances between boats? Any damage, injury, penalty turns, retirement, facts for exoneration?

Facts need to address all of the allegations made by the parties.

Is the incident similar to any **WS Case** or **US Appeal**? Cases are authoritative, appeals are persuasive.

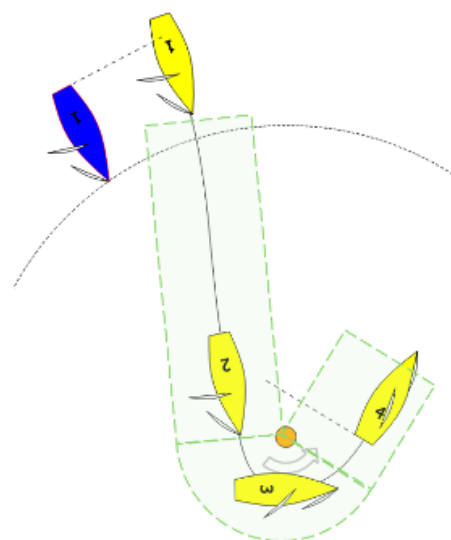
1. Does rule 18 apply? Review rule 18.1 and make sure that 18.1(a) applies and none of the exceptions are in effect. **WS 9, 12, 9, 15, 26, 81, 95, 132, US92**
2. When the first boat reach the zone, which boat was entitled to mark-room? **WS 2, 12, 15, 25, 59, 63, 75, 81, 95, 114, 118, US92**
3. Was the boat was entitled to mark-room was the right-of-way or keep clear boat? **WS 15, 21, 25, 63, 95, 114, 118, US3, US20, US89**
4. If reasonable doubt exists that a boat obtained or broke an overlap before reaching the zone, go back to last point of certainty (rule 18.2(e)). **US92**
5. Was the boat entitled to mark-room given the room she needed to sail promptly to the mark, round or pass it as required, and then leave it astern? **WS 5, 21, 25, 63, 95, 114, 116**
6. Did a boat pass head to wind from port to starboard (rule 18.3). **WS 93, 95**
7. Does the inside overlapped right-of-way boat have to gybe (rule 18.4) **WS 23, 30**

The green path represents the mark-room to which a boat is entitled. When the boat sails within this path she is exonerated of breaches of section A of Part 2, rule 15, 16 or 31.

In the hearing take evidence of the protestor, then the protestee and allow them to question each other. The protest committee should wait to ask their questions until after the witnesses have testified. If there are any witnesses bring them in, protestor's witnesses first. See Appendix M.

Structure the Facts as follows:

- Set the stage.
- Describe what happened.
- Afterwards: Damage, injury, penalty turns, retirement, facts for exoneration.



A Refresher on Re-openings

Giff Constable, RAJ Area B

After a long day of judging, you hold a complicated hearing, close it out, and wake up in the middle of the night thinking, "I think we messed up."

The good news is that the rules allow juries to re-open their own hearings under 3 conditions (RRS 63.7):

- (1) A party was unavoidably absent from the hearing,
- (2) It may have made a significant error, or
- (3) Significant new evidence has become available within a reasonable time.

The first two are relatively straightforward. For (1), the missing party needs to have a very good reason for not attending. The World Sailing Judges Manual reminds us that the absence of a preferred representative, when someone else could have been present, is not a sufficient reason to reopen. For (2), if the jury feels like they made a significant error, they can discuss and decide to re-open with the caveat that the jury shall have, if practicable, at least one new member.

Significant new evidence is trickier and has a high bar. WS Case 115, which is mirrored in the rule book as M4.2, constrains what qualifies here:

- if it was not reasonably possible for the party asking for the reopening to have discovered the evidence before the original hearing,
- if the protest committee is satisfied that before the original hearing the evidence was diligently but unsuccessfully sought by the party asking for the reopening, or
- if the protest committee learns from any source that the evidence was not available to the parties at the time of the original hearing.

When a party requests a re-opening, the jury holds a two-part discussion (not a hearing). First, you have to find the request valid: it must be in writing, abide by any requirements in the race documents, and be timely per 63.7. If valid, the team must then discuss if it meets one of the 3 criteria listed above.

Even if you decide that new evidence is relevant and could possibly change the original decision, you should not reopen if the evidence would have been available to the party for the original hearing if they had diligently sought it.

There is a small twist with re-openings based on new evidence. When a hearing is re-opened for new evidence, you are not technically restricted in terms of any additional evidence you might gather, unless a national authority explicitly orders the re-opening and limits the scope. The RYA's case RYA 2008/3 explicitly notes this, but the US Judges Manual has a slightly different spin. Our Judges Manual says, "At a reopened hearing, only the new evidence or evidence related to the error should be considered." My take on that is simply: use your best judgement.



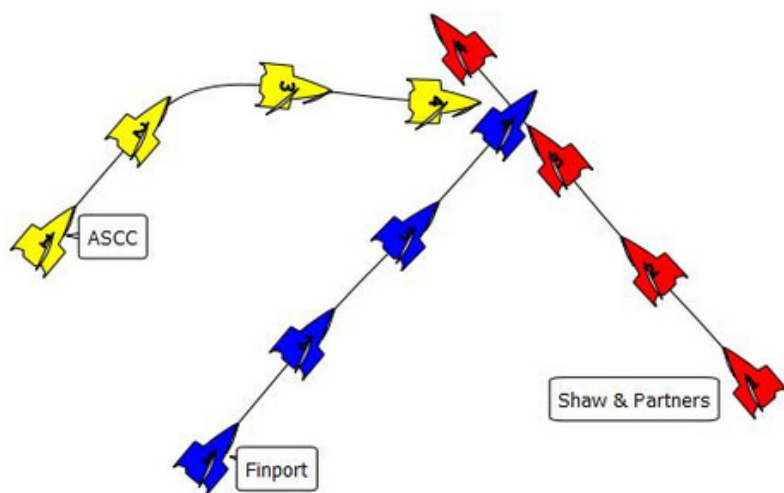
Mark's Racing Rules Quiz #125

Three 18ft Skiffs were on a beat to windward. Shaw and Partners were close-hauled on starboard tack, while ASCC and Finport were close-hauled on port tack. ASCC was overlapped three hull lengths to windward of Finport, with Finport steering a course to pass close astern of Shaw and Partners. When ASCC reached a position approximately five boat lengths from Shaw and Partners, she bore away sharply to pass astern of her. Contact occurred between ASCC's forward port wing bar and the port tiller extension of Shaw and Partners, almost immediately followed by contact between ASCC's bowsprit and Finport's helmsman and aft port wing bar, resulting in injuries and significant damage to both boats. ASCC and Finport retired from the race. Both boats protested. Video of the incident can be seen at <https://youtu.be/-Ul4bl-lyS8?t=1945>

Finport asserted that they had the right of way under Rule 11, same tack overlapped, and that ASCC should have either crossed in front of Shaw and Partners or tacked to starboard.

ASCC, on the other hand, believed they couldn't safely cross ahead of Shaw and Partners, were unwilling to tack, and assumed there would be sufficient room to pass astern of Shaw and Partners while remaining to windward of Finport.

How should the protest committee rule? See if you can figure out the relevant facts, conclusions, and decision.



HAPPENINGS IN AREA C

Harry Foote, RAJ Area G

It has been a busy summer in Area C, as I am sure it has been around the country. From Chesapeake Bay to Raritan Bay, there have been numerous regattas and sailing events as well as a myriad of junior sailing programs.

The Helle Hanson World Sailing World Regatta, EWE Spirit Cup, and Maryland Cures Cancer Regatta, to name a few of the Chesapeake events. In New Jersey, we just finished the Opti National Championship in Little Egg Harbor; great event, 16 judges from around the country, and well run.



Recently, on the Barnegat Bay as part of the BBYRA series, there was an A Cat anchor start. A tradition since 1939 at the Ocean Gate Yacht Club, it is a true crowd-gathering event. The boats are wooden and had been used as work boats in the early 1900's. Basically, the rules are a Rule 26 start; however, each vessel must be anchored on a 75-foot anchor line, the boats are 50 feet apart, and everyone must be seated at the one-minute mark with a single sail tie on. At the start, it is a true all-hands-on-deck happening.



(Just a side note, the yellow house in the background is mine 😊)

But the summer is just half over as I pen this report and surely more sailing and noteworthy events to come. Wishing everyone a great rest of the season.

ANSWER TO MARK'S RACING RULES OF SAILING QUIZ #125

Shaw and Partner on starboard tack was an obstruction to ASCC and Finport on port tack. The outside boat, Finport, must give the inside boat, ASCC, room between her and the obstruction, Shaw and Partners.

RULES THAT APPLY

Definition, Obstruction

Rule 10, On Opposite Tacks

Rule 11, On The Same Tack, Overlapped

Rule 14, Avoiding Contact

Rule 19.2(b), Giving Room at an Obstruction

Rule 43.1(a), Exoneration

Rule 43.1(b), Exoneration

Rule 44.1(b), Taking a Penalty

RRS 60.5(c)(2), Protest Decisions

WS Case 11

CONCLUSIONS AND RULES THAT APPLY

1. Finport, the outside boat at the obstruction, failed to give ASCC room to pass between her and the obstruction, despite being able to do so from the time the overlap began. Finport broke RRS 19.2(b).
2. Finport did not avoid contact when it was reasonably possible, and broke RRS 14.
3. Since Finport caused injury and serious damage, her penalty was to retire as required by RRS 44.1(b).
4. ASCC on port tack failed to keep clear of Shaw and Partners on starboard tack, and broke RRS 10.
5. Since ASCC was compelled to break RRS 10 as a consequence of Finport breaking RRS 19.2(b), she is exonerated under RRS 43.1(a) for this breach.
6. ASCC to windward failed to keep clear of Finport to leeward, and broke RRS 11.
7. Since ASCC broke RRS 11 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
8. It was not reasonably possible for ASCC, the boat sailing within the room to which she was entitled, to avoid contact with Finport when it was clear that Finport was not giving room. ASCC did not break RRS 14.
9. ASCC's score in race 8 was made significantly worse by injury and physical damage because of the action of Finport that was breaking RRS 19.2(b) and was penalized.
10. Finport's score in race 8 was made significantly worse through her own fault. Therefore, the requirements for redress in RRS 61.4(b) are not met.

DECISION

1. The protest is upheld. Since Finport took an applicable penalty, she is not further penalized under RRS 60.5(c)(2).
2. Redress is given to ASCC. ASCC is to be scored in race 8 the average of her race scores in races 1 to 7. No other boat's score shall change.
3. Redress is not given to Finport.

See you on the water...

Mark Townsend

USEFUL LINKS

- [US Sailing Judges' Page](#)
- [Racing Rules of Sailing 2025-2028](#)
- [US Sailing Appeals](#)
- [World Sailing Cases](#)
- [SOARS](#)
- [Safesport](#)
- [World Sailing](#)

RESOURCES

- [Find a Seminar](#)
- [US Sailing Judge Certification Requirements](#)
- [2025-2028 US Prescriptions to The Racing Rules of Sailing](#)
- [2025-28 RRS Changes that Affect Judging](#)
- [The Judges' Manual for 2025-2028](#) - **Latest version 10/11/25**
- [Guidelines for Online Hearings](#)
- [Continuing Education Events and CEUs Table](#)
- [Race Officials Certification Forms](#)
- [Race Officials Insurance Information](#)
- [Race Official /Organizing Authority Connection Page](#)
- [New Hearing Request Form](#)
- [A Quick Overview of the Significant Rule and Game Changes in the 2025-28 RRS](#)

