DQ's, Protests and Juries, Oh My!



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Protest Against A Judgment Call

102.23.1

Protests of judgment decisions made against the judgment decisions of starters, stroke, turn, place and relay take-off judges can only be considered by the Referee and the Referee's decision shall be final.

Case Study:

An athlete or coach approaches you (as the deck referee) after a race to inquire about a disqualification.

What would you do?

Best Practices (Cont.)

- Protests are the right of a coach or athlete and are one way of ensuring the swimmers are treated fairly under the rules.
  - How it starts can likely determine how it will end.
- It will take skill and diplomacy dealing with a coach or athlete on the deck while also running of a meet.
- If you have a next up referee at the meet, you should let him/her run the meet while you deal with the coach or athlete.
- If there is no other referee or someone else to assist, then while you run the meet, you will need to address the issue with the coach.
- Listen very carefully to the position of the coach; he/she may have a point you did not or need to consider.

Best Practices (Cont.)

- If possible, speak with the judge who made the call and any CJ who communicated the call.
- Ensure you are satisfied that the following is true:
  - The official was assigned to jurisdiction where the call was made and was in position.
  - An infraction of the rules occurred. For example:
    - The swimmer only touched with one-hand.
    - a swimmer left the pool after 14 laps in a 16-lap event in a 50m pool.
  - The official is able to articulate the rule and the infraction.
  - The DQ form is filled in correctly (while the DQ slip is only a communication device, if it is improperly filled out it might indicate an improper call).

Best Practices (Cont.)

- While deck refs cannot overturn a call that they did not personally observe, they should make sure the judge making the call is able to answer the three questions
- Once you have completed your investigation, find the coach or athlete and explain the reason for your decision.
- Advise the Meet Referee of the situation.

Protest Against Eligibility

102.23.3

- Protests must be made in writing, PRIOR TO the race in writing.
- If a protest is not resolved, the Referee or the meet jury shall allow the swimmer to compete under protest and it shall be so announced before the race.
- The official results of any protested race shall not be announced, the affected awards shall not be given, and points scored shall not be allocated until the protest is resolved or is withdrawn in writing.

Handling a Protest while the Jury is Out.

Case Study

So you are at a meet and a protest is lodged against a swimmer. No immediate decision is reached, and the swimmer competes in prelims and qualifies for finals.

What do you do?

Nothing

Until the Protest is decided, the swimmer is able to compete.

This show the importance of the jury promptly making a decision.

Competition Category Protest

- Protest is heard by the National Eligibility Appeal Panel as outlined in the current USA Swimming Policy Manual
- Athlete must swim in the Category in which the athlete is registered.
- An athlete may swim under protest until a hearing is conducted and a decision reached.
- Official results may be announced, awards given and points scored

Conducting a Jury – Best Practices

- Technical and Eligibility Jury
- Composition of the jury
  - Technical: No fewer than three (3) and not more than five (5) persons.
  - Eligibility: three persons.
  - Must include 1 coach and 1 athlete.
  - Consider: team size and demographics
  - When do you appoint?
    - Before the meet begins. Annouce at the coaches meeting.
    - When the need arises.

Conducting a Jury – Best Practices

- The Meet Referee should facilitate the process
- Find a quiet spot, preferably off the deck
- Allow the protester to present their case.
- If there's an opposing view, allow them to present their side.
- If they need interpretation of the rules, ask the meet or deck referee for assistance
- Deliberate
- Let all concerned know the Jury's decision and the effect it has on the competition
- Ask the Jury not to discuss their deliberations publicly

Appeals? Oh My!

Except as provided in 102.22.1, the Referee's or the meet jury's ruling may be appealed as follows:

Protests concerning interpretation of Parts One and Seven of the Rules & Regs shall be submitted:

1) in writing within ten (10) days to the Chair of Rules & Regs
2) ruling within five (5) days
3) Ruling is final and binding on all parties.

National Board of Review:

- All other protests, together with the Referee's or the jury's written decision, shall be submitted to the National Board of Review