

Fall 2006 NABC
Appeals Casebook

Fall 2006 NABC



Honolulu, Hawaii

November 16 - 26, 2006

www.acbl.org

Appeals at the 2006 Fall NABC Honolulu, HI

FOREWORD

The appeal hearings and commentary descriptions are now being compiled and edited by the American Contract Bridge League. They are published on the ACBL web page. This internet publication is intended to be a tool to help improve the abilities of those serving on appeals committees and tournament directors and to communicate decisions and the process to arrive at those decisions to the membership at large.

In Honolulu a total of eight cases were heard. Five cases were from unrestricted (by masterpoints) North American Bridge Championship Events and were heard by a committee of peers. The names of the players involved are included.

Three cases were from all other events and were heard by a panel (committee) of tournament directors. The names of the players involved are included when the event from which the appeal derived had no upper masterpoint limit or was a top bracket of a bracketed knockout event. When the names of the players are not used, the player's masterpoint total is included.

The cases are first presented without commentary. After the official panel of commentators has had an opportunity to provide their commentary (about 4 weeks) and any corrections to the cases, the commentary is added, corrections made and the internet publication is finalized.

Everyone involved in this process is due praise for their efforts. Special thanks to the NABC Appeals Committee and the Tournament Directors serving on the director committees, scribes and commentators. Without their considerable contribution of time and effort, this publication would not exist.

APPEAL	Non-NABC+ ONE
Subject	Unauthorized Information (UI) - Tempo
DIC	Gary Zeiger
Event	Flt A/X Pairs
Session	First
Date	November 18, 2006

BD#	12
VUL	N/S
DLR	West

Varis Carey	
♠	T 8 7
♥	A 5
♦	A K J T 8 6 4
♣	6

Roberta Magnus		Fall 2006 Honolulu, Hawaii	Jadwiga Polujan	
♠	A K Q 6 3		♠	4
♥	Q 8 6 4 3 2		♥	T 9 7
♦			♦	7 5 3
♣	7 5		♣	K Q T 9 3 2

Robert Whitcher	
♠	J 9 5 2
♥	K J
♦	Q 9 2
♣	A J 8 4

West	North	East	South
1♠	2♦	Pass	2NT
3♥	3NT	Pass ¹	Pass
4♥	Pass	Pass	Dbl
Pass	Pass	Pass	

Final Contract	4♥, doubled, by West
Opening Lead	♣6
Table Result	Making 4, E/W +590
Director Ruling	3NT by S making 4, N/S +630
Panel Ruling	3NT by S making 4, N/S +630

(1) Agreed significant break-in-tempo (BIT)

The Facts: Before East's second pass, East hesitated for a long time. This hesitation was agreed by all to be a significant BIT.

The Ruling: West's 4♥ call was determined to have been demonstrably suggested by the BIT over a less successful logical alternative (LA) of pass. Therefore in accordance with law 16 A2 and 12 C2, the score was adjusted to 3NT by South making four, N/S plus 630.

The Appeal: West maintained that, although there was a significant BIT by East, it was always her intention to bid 4♥.

Several players were polled to determine whether pass was a LA to bidding 4♥ for West. About half of those consulted would have bid 4♥, the remainder would have passed.

When the players polled were asked what the BIT by East suggested, most thought it expressed a desire to bid on. One player thought East may be thinking of doubling. All agreed that the BIT made it considerably easier for West to bid 4♥.

Based upon these findings, 4♥ was determined to have been demonstrably suggested by the BIT and pass a less successful LA.

The Decision: The table director's decision of an adjustment to 3NT making four, N/S plus 630 was upheld. This was in accordance with laws 16 A2 and 12 C2. Based upon the number of players polled who bid, the appeal was determined to have merit, therefore, an appeal without merit warning (AWMW) was not issued.

The Panel : Harry Falk (Reviewer), Patty Holmes and Candy Kuschner

Players Consulted: Jim Gordon, Barry Harper, Eddie Wold and five players with between 1,000 and 2,000 masterpoints.

Commentary:

Goldsmith Seems normal. Is there any reason to report that players claim, "I always intended to..." when it's totally irrelevant? And false in this case: West could have bid 4♥ over 2NT. She didn't, so she didn't always intend to bid 4♥ over 3NT.

Polisner Good ruling and decision. Routine case.

Rigal I'm not sure the poll taken made the decision not to award an AWMW so clear. But at least the basic decision was appropriate. I wonder whether West told the panel "six-five come alive" and at what point it is appropriate to start playing possum.

Smith It looks as if N/S should beat 4♥ doubled, but, since they could not get back to their equity position of playing 3NT even if they had, it becomes irrelevant to the ruling. All bases seem to have been covered here by the director and the panel. Good decision.

Wildavsky The rulings look right to me.
One thing that can help us decide cases like this is to note that players considering doubling usually do double. In practice a player who hesitates and then passes is considering bidding much more often than he's considering doubling.

Wolff I agree with the decision. Players need to learn (if they don't know already) that slow action in a competitive situation will always put that partnership at a disadvantage. So many players pretend not to know, leaving me to think that for every time a director is called that possibly several times the director is not called, making the hesitation a percentage play. Sure 4♥ is tempting to bid, especially at this vulnerability, but in order to be able to bid it your partner needs to have passed in tempo.

APPEAL	Non-NABC+ TWO
Subject	Unauthorized Information (UI)
DIC	Doug Grove
Event	Mini Blue Ribbon Pairs
Session	First Final
Date	November 22, 2006

BD#	21
VUL	N/S
DLR	North

1,250 Masterpoints	
♠	9
♥	A K J
♦	K T 8 3 2
♣	8 6 3 2

1,300 Masterpoints		Fall 2006 Honolulu, Hawaii	4,100 Masterpoints	
♠	A J 7 6		♠	K 8 5 2
♥	5		♥	T 3
♦	Q 9 7 4		♦	A J 5
♣	T 9 5 4		♣	A K J 7

2,800 Masterpoints	
♠	Q T 4 3
♥	Q 9 8 7 6 4 2
♦	6
♣	Q

West	North	East	South
	1♦	1NT	2♥ ⁽¹⁾
Pass	2♠	Pass	Pass
Dbl	Pass	Pass	3♥
Pass	Pass	Pass	

Final Contract	3♥ by South
Opening Lead	♣A
Table Result	Making 3, N/S +140
Director Ruling	2♠ by S doubled, N/S -1400
Panel Ruling	2♠ by S doubled, N/S -1400

(1)	Announced as a transfer.
-----	--------------------------

The Facts: North announced the 2♥ call as a transfer to spades. The actual N/S agreement is that the 2♥ call is natural.

The Ruling: South had UI available that demonstrably suggested bidding 3♥. A pass by South was considered to be a less successful logical alternative (LA). Therefore, in accordance with laws 16A and 12C2, the table result was adjusted to 2♠ doubled by North down five, N/S minus 1400.

The Appeal: South's contention was that after the double there was sufficient authorized information to indicate that partner did not have a spade suit in that the NT overcaller had to have two spades and West had to have three spades or more in order to double. Five players in the 2000-3000 masterpoint range were polled. Two players were given the auction up to 2♠. Both said that they would raise partner's spades. Three players were given the actual auction up to the 3♥ call. All passed 2♠ doubled. This clearly established pass as a LA.

The Decision: South knew from partner's Announcement of "transfer" that the 2♠ bid was not natural but rather just the completion of the transfer requested by partner. In the absence of an Announcement, South would have expected partner to be 6-4 or 6-5 in diamonds and spades respectively. Without the Announcement, pass is a clear logical alternative (LA). Therefore in accordance with law 16, South chose a call that was demonstrably suggested by the UI instead of a less successful LA. In accordance with law 12C2, the table director's adjustment to 2♠ doubled down five, N/S minus 1400, was upheld. This decision was made despite indications that the adjustment should have been to 3♠ doubled down six because South may well have raised to three directly. However, the panel knew that there was no matchpoint difference, so it left the table director's decision intact.

There was clear UI available of which South took advantage. An experienced player with South's masterpoints is expected to be aware of his responsibilities at the table when UI is available to his side. Therefore, an appeal without merit warning (AWMW) was given.

The Panel: Harry Falk (Reviewer), Roger Putnam and Gary Zeiger.

Players Consulted: Five players with between 2,000 and 3,000 masterpoints.

Commentary:

Goldsmith Fair enough. Minus 1400 doesn't need to be gilded. Did the panel consider a procedural penalty against South for misuse of UI?

Polisner This case at least has something to think about, but still falls short of being a meritorious appeal.

Rigal Given the voting by the players consulted the award of an AWMW seems entirely appropriate.
I do have a little sympathy with South (once 2♠ gets doubled there is almost enough authorized information around to get this right). But South must bite the bullet and pass anyway so he can respect himself in the morning.

- Smith** Although it apparently did not matter, the polling indicates that the correct ruling and panel decision should be 3♠ doubled down six. 3♠ was clearly a logical alternative to South's pass over 2♠. South made illegal choices according to Law 16 on two occasions: when he passed over 2♠; and when he bid 3♥ at his next turn. Making those illegal choices should warrant consideration of a procedural penalty for violating Law 73C (in addition to any score adjustment made). But those considerations should not enter into whether or not an AWMW is given. An AWMW should be a separate matter pertaining only to the quality of the appeal and its realistic expectation of success. These appellants should have had no reason to believe their appeal had any merit, so the AWMW was correct in my opinion. But it should be levied for the appeal, not for using UI.
- Wildavsky** I agree that the appeal had no merit. The table director and panel might have considered a procedural penalty in addition for blatant use of UI.
- Wolff** Convention disruption (CD) properly punished, although I always have misgivings about the non-offending side reaping a windfall.

APPEAL	Non-NABC+ THREE
Subject	Establishment of Revoke
DIC	Doug Grove
Event	Mini Blue Ribbon Pairs
Session	First Final
Date	November 22, 2006

BD#	20
VUL	Both
DLR	West

3,800 Masterpoints	
♠	J 5 3 2
♥	K Q 2
♦	A 8 3
♣	A K 5

5,000 Masterpoints		Fall 2006 Honolulu, Hawaii	1,600 Masterpoints	
♠	8 7		♠	A T
♥	T 8 6 5 3		♥	9 7
♦	5 2		♦	K Q J 7 4
♣	J T 7 6		♣	Q 8 4 3

2,850 Masterpoints	
♠	K Q 9 6 4
♥	A J 4
♦	T 9 6
♣	9 2

West	North	East	South
Pass	1NT	Pass	2♥
Pass	2♠	Pass	3NT
Pass	4♠	Pass	Pass
Pass			

Final Contract	4♠ by North
Opening Lead	♦K
Table Result	Down one, N/S -100
Director Ruling	Down one, N/S -100
Panel Ruling	Down one, N/S -100

The Facts: The play was as follows:

- Trick 1: ♦K small ♦small ♦♦A
- Trick 2: Spade to ace.
- Trick 3: ♦Q with all following.
- Trick 4: ♦J with Defenders claiming that Declarer played a club from hand.
- Trick 5: ♦7 was ruffed in Dummy and a claim of the remaining tricks followed.

Declarer's played cards were mixed by the time the director came to the table.

The Ruling: In accordance with laws 65 and 66, a revoke was deemed to have occurred and one trick was transferred to E/W resulting in the contract being set one trick.

The Appeal: Declarer claimed that she followed to trick three with a diamond, and, after the diamond continuation at trick four, ruffed in Dummy and played the ♣5 from hand. Dummy was unable to corroborate the Declarer's sequence of play. Declarer's cards had been mixed by the time the director was called to the table.

West was certain that North hand played the ♣5 to trick four and agreed that partner led a fourth diamond at trick five. West was asked what declarer had done. He said that Declarer had ruffed in dummy with the ♠K and claimed. East was not present at the hearing, but when asked later, he confirmed this information.

The Decision: Under laws 65D and 66D, when a player disturbs the order of his played cards, if the director is unable to ascertain the facts, he shall rule in favor of the other side. Therefore, the table director's decision was upheld resulting in one trick to the defenders, 4♠ down one, N/S minus 100.

No appeal without merit warning (AWMW) was given because it was determined that the table director had not adequately informed the offender of the appropriate laws. If this had been done, the panel would have issued an AWMW.

The Panel: Harry Falk (Reviewer), Patty Holmes and Gary Zeiger

Players Consulted: None.

Commentary:

Goldsmith Good job. Generally on disputed facts cases AWMWs ought not to be awarded. There's another datum that suggests that North did, in fact, revoke. He ruffed the diamond high. If he had not revoked, he could simply have faced his cards the moment a fourth diamond hit the table. This isn't a sure thing, but it suggests the revoke occurred.

Polisner This is a routine case except that it highlights the deficiencies in the director training, which resulted in a frivolous appeal. Had either the table director or the screener, if there was one, advised the players of the basis of the ruling, it is most likely that this appeal would not have been filed.

Rigal In a sense this case is a non-event. It is hard to blame the director too much but it is possible the need for the appeal could have been circumvented with the proper warning...at least the case was rightly decided at all levels. A lesson to us all to keep our played cards in the right order. [Note to self.....]

Smith This declarer could not win this appeal. The fact that dummy could not corroborate his version of the facts did not help, but the laws cited make it all but a routine ruling and panel decision.

Wildavsky This appeal had no merit. The laws ought to have been explained in screening.

Wolff According to the law, since North's discard pile had been mixed, the committee came to the right decision. HOWEVER, I think when the following facts are present:

- (1) The revoke was entirely meaningless with the bridge of the matter - an easy 4♠ making four, +620 N/S.
- (2) Some disagreement as to what cards were played, allowed for in the laws with the stipulation that a mixing of the discard pile would normally be suggestive of deciding against the mixer-upper.
- (3) The equity of the matter is that E/W wanted something for nothing and while that may be barely acceptable at times, the circumstances of this particular case cried out for "No revoke".

To me this case should be decided "No revoke" with an admonition to E/W - "In the future, please do not pursue wanting something for nothing." That decision, at least to me, fits in well with our Zero Tolerance principle extending it to rewarding good sportsmanship and denouncing poor sportsmanship. Second choice would be, in this match point tournament, to award N/S -100 for poor execution but E/W -620 so that the field is protected.

APPEAL	NABC+ ONE
Subject	Unauthorized Information (UI) -Tempo
DIC	Mike Flader
Event	Life Master Women's Pairs
Session	Second Final
Date	November 18, 2006

BD#	2
VUL	N/S
DLR	East

Esta VanZandt	
♠	8 7 6 5 4 2
♥	A Q J
♦	J
♣	7 3 2

Migry Zur-Campanile		Fall 2006 Honolulu, Hawaii	Miriam Varinne	
♠	T 3		♠	K Q J
♥	9 6 5 3		♥	8 4 2
♦	K T 7 3 2		♦	A 9 8 4
♣	K 5		♣	Q 9 4

Pat Levy	
♠	A 9
♥	K T 7
♦	Q 6 5
♣	A J T 8 6

West	North	East	South
		1♦	2♣
2♦	2♠	Pass	Pass
3♦	4♣	Pass	Pass
Pass			

Final Contract	4♣ by South
Opening Lead	♦3
Table Result	4♣ making 4, N/S +130
Director Ruling	3♦ by East down 1, E/W -50
Committee Ruling	4♣ making 4, N/S +130

(1) Break in tempo (BIT)

The Facts: N/S admitted that there was a noticeable hesitation (BIT) before South passed. E/W were not present at the hearing and the director provided no estimate of the duration of the hesitation. N/S said that the hesitation was not extensive but was noticeable.

The Ruling: The director ruled that South's hesitation made the 4♣ bid more attractive and was demonstrably suggested by the BIT and that passing 3♦ was a less successful logical alternative (LA). Accordingly, in accordance with laws 16 and 12 C2, the director adjusted the table result to 3♦ by East, down one, E/W minus 50.

The Appeal: N/S, the only players to appear before the Committee, said that in their methods a change of suit by advancer shows a hand with either a good suit or a suit with support for the overcaller. North said that when she bid 2♠, she was committed to bidding again in a normal non-game forcing sequence.

South added that if the auction had been passed back to her, she would have bid 3♣, which could not be beaten.

The Decision: The committee, working from the premise that there had been a BIT, started their reasoning with consideration of whether the BIT suggested a line of action to North. Suggestions that South might have been considering bidding 2NT seemed remote. It was clear that if South had a minimum 2♣ overcall without some spade support or tolerance, South would probably not have broken tempo at all. Therefore, it appears that the hesitation suggested further action – since South probably had extra shape or a little extra in HCP.

The committee then considered whether there was a LA to North's bidding 4♣. Clearly, bidding 3♠ was a logical alternative, but since that bid would have achieved a superior result (+140), that alternative was discounted. The committee was split on whether pass was a logical alternative. However, this issue was rendered moot because it was determined that even if North had passed, the committee decided that South would clearly have bid 3♠. Thus the N/S pair would have arrived at an unbeatable and higher scoring contract. Therefore, if a pass had been forced on North, South's further action would have resulted in a superior result for the offenders. Accordingly, the committee restored the table result.

The Committee: Barry Rigal (chair), Darwin Afdahl, Ed Lazarus, Lou Reich, Jim Thurtell.

Commentary:

Goldsmith The appealing side's argument is self-serving, but, of course, irrelevant. South would bid 3♠? Wouldn't she normally double back in? Then North bids 3♠ and we get the same result. But South might pass; she has a minimum overcall without spade support, and she has soft cards in trumps. Pass is clearly a LA.

In 3♦, why should declarer get to guess trumps? Because she gets the most favorable result likely, and guessing trumps is likely, which is 3♦ down one.

Polisner Good work by a hard-working committee without the assistance of any player poll, which I thought was rather standard procedure in these types of cases. Also, wouldn't it have been normal to have verified North's statement about a change of suit by advancer? South certainly had almost a minimum bid for a vulnerable vs. non-vulnerable two-level overall and since the appeals committee was "split" as to whether pass was a LA for North, almost by definition, it was.

Rigal Although this ruling seems to favor the offenders, sometimes with the best will in the world the appeals committee can't find a series of bids or plays that won't leave the offenders better off than they would have been without the infraction. In such cases there are those who would still find a way to punish the offenders (procedural penalty, etc.) but this was not such a case.

Smith I am quite surprised at the committee's conclusions, but they seem to have covered all relevant legal points. 3♠ by South doesn't look automatic to me.

Wildavsky The appeals committee (AC) ruling is confused. If the committee agreed that the BIT demonstrably suggested 4♣ and that pass was a logical alternative then they needed to move on to law 12C2. In law 12C2 the concept of LA is not mentioned. When adjusting a score we look only at the results that were likely and at all probable. If we end up adjusting to the result achieved at the table then so be it. Apart from anything else, had the AC followed the correct procedure, they'd have had a chance to produce separate scores for each side.

- What do I think the correct ruling is? Let's take it by the numbers:
- Was UI present? Certainly – there was no dispute as to the facts of the case.
- What were the logical alternatives to the action chosen at the table, and were there any that would have been less successful? Pass looks logical enough to me. The AC was split on the matter – I've written in previous casebooks that an action ought to be considered logical if even one AC member considers it so.
- Did the UI demonstrably suggest 4♣ over pass? Surely it did – the AC agreed.

Now we reach law 12C2. Had North passed what were the likely (roughly one chance in three) and at all probable (roughly once chance in six) results? Surely there's at least one chance in six that South would have passed. I'd say there's at least one chance in three. It would not surprise me if a poll found that pass was a favorite. Bidding would be a big loser opposite many typical 2S bids.

I prefer the TD's ruling to the AC's.

Wolff I had brought this type of case before the ACBL Laws Commission where a hesitation was made by a player who (as far as she was concerned) was in the pass out position making it such that there is no chance she was committing what I call hesitation disruption (HD) which would impart UI to a partner who was certain to be advantaged by it. Here, if her LHO now passed that would end the auction. In spite of knowing that South was considering bidding on West competed further therefore, at least to me, forfeiting her rights, or at least lessening her advantage to be able to cry out "HD". The ACBL Laws Commission made no comment and certainly did not pursue it.

APPEAL	NABC+ TWO
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Open Board-a-Match
Session	Second Qualifying
Date	November 19, 2006

BD#	6
VUL	E/W
DLR	East

Ed Lazarus	
♠	K T 8
♥	A 7 5 3
♦	J 8 4 3 2
♣	9

Brad Moss		Fall 2006 Honolulu, Hawaii	Russ Ekeblad	
♠	A Q 6 5 2		♠	J 9 4 3
♥	Q 8 4		♥	
♦	Q 7 6		♦	A K T 5
♣	A 5		♣	J 8 7 6 2

Diane Lazarus	
♠	7
♥	K J T 9 6 2
♦	9
♣	K Q T 4 3

West	North	East	South
		P	1♥
1♠	2♠	4♦ ¹	4♥
4♠	5♥	5♠	Pass
Pass	Dbl ²	Pass	6♥
Pass	Pass	Pass	

Final Contract	6♥ by N-S
Opening Lead	♦6
Table Result	Down two, -100 N/S
Director Ruling	5♠ doubled by W, N/S -850
Committee Ruling	5♠ doubled by W, N/S -850

(1)	Alerted and explained as a fit-showing jump shift.
(2)	The double was after a hesitation.

The Facts: There was an agreed to unmistakable break in tempo (BIT) by North when North doubled. The N/S pair admitted to a duration of approximately twenty seconds. The estimate of the duration by the E/W pair was slightly longer.

The Ruling: The BIT suggested doubt and demonstrably suggested bidding if South could not provide the normal complement of defense. Pass was considered to be a less successful logical alternative. In accordance with laws 16A and 12C2, the director adjusted the result to 5♠ doubled by West making five, N/S minus 850.

The Appeal: N/S, the only pair to attend the hearing, contended that South's bid was clear, that there was no logical alternative; and that, therefore, there should be no adjustment to the table result. South testified that she intended to push E/W to the five-level but that she did not want to push them to the six-level. She also said that she had planned on bidding 6♥, if her partner doubled 5♠.

The Decision: The committee thought that South's 6♥ bid must be considered in the light of the fact that South did not bid 6♥ over 5♠. South had told the committee that the reason that she did not bid 6♥ immediately over the 5♠ bid was that she was afraid that E/W might bid and be able to make 6♠. The committee, however, thought that a person who passed 5♠ would be unlikely to bid 6♥ when her partner (who hadn't passed during the auction yet) doubled to say that he thought 5♠ could be beaten. Since some statistically significant number of players who had passed over 5♠ would also pass the double of 5♠, the committee ruled that pass was a logical alternative to bidding 6♥. With pass being a logical alternative to the bid of 6♥ which was demonstrably suggested by the BIT, the committee decided that adjusting the board to 5♠ doubled and making, minus 850 N/S, was appropriate.

The committee discussed at length the issue of whether the appeal had substantial merit. There was strong reasoning supporting the conclusion that the appeal did not have substantial merit. However, the fact that one committee member maintained that there was no logical alternative to bidding 6♥ weighed heavily on this committee. The majority of the committee decided that the appeal had substantial merit based largely on that one member's belief that the committee was deciding wrongly on the primary issue before it. Accordingly, by majority vote the committee decided to find that the appeal did have substantial merit.

The Committee: Richard Popper (Chair), Mark Feldman, Robb Gordon, Chris Moll and Ellen Wallace.

Commentary:

Goldsmith This appeal's merit was grossly overstated. South is an experienced player and ought to know that 6♥ is illegal. 1/4 board procedural penalty.

Polisner I am surprised that a long-standing member of the North American Appeals Committee would have consented to (or permitted) an appeal of this trivial ruling. An AWMW would have been appropriate.

Rigal Technically, I think an appeals committee can still vote for no-merit even when one member of the committee is a dissenter. But in practice the decision here makes sense even if I would have gone the other way on merit. A case that was correctly decided, anyway.

- Smith** The director and committee addressed all the relevant issues. Good decision.
- Wildavsky** I agree with the TD and appeals committee (AC) rulings. The AC's observation that South could have bid 6♥ over 5♠ is telling. I see no merit in the appeal.
- Wolff** Until we can take South to a committee for failure to take partner's double out, assuming North would have made a very prompt double, we cannot then allow South to take a slow double out. This point should be addressed more by our committees. In this case, even though I believe everything South said about being afraid of pushing them into a makeable spade slam, she couldn't now take the double out since partner's slow double barred her.
By the way, the side talk about AWMW's show a tremendous inconsistency the way different committees either issue them, threaten to issue them, or, with no comment, don't issue them.

APPEAL	NABC+ THREE
Subject	Unauthorized Information (UI) and Misinformation (MI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Qualifying
Date	November 21, 2006

BD#	8
VUL	None
DLR	West

Dick Bruno	
♠	Q 8 4 3
♥	2
♦	K Q 8 4
♣	A K 8 5

Barie Wall		Fall 2006 Honolulu, Hawaii	Ray Miller	
♠	A J 7 2		♠	K 9 5
♥	K Q T 5 4		♥	J 9 7 3
♦	6 2		♦	A J 3
♣	J 7		♣	Q T 9

Peggy Kaplan	
♠	T 6
♥	A 8 6
♦	T 9 7 5
♣	8 4 3 2

West	North	East	South
1♥	Dbl	2NT ¹	Pass
3♣	Pass	3♥	Pass
Pass	Pass		

Final Contract	3♥ by East
Opening Lead	♣A
Table Result	3♥ making 3, E/W +140
Director Ruling	4♥ by E, down 1, E/W -50
Committee Ruling	4♥ by E, down 1, E/W -50

(1)	Explained as a relay to 3♣.
-----	-----------------------------

The Facts: The opening bid by West was limited to 10-15 HCP. East claimed that the partnership opened all 11-counts and some 10-counts with five hearts. E/W play 2NT as limit or better in hearts. West confused two auctions and provided a mistaken explanation of 2NT without having been asked. The partnership agreement of the 3♣ bid is that it is a long-suit game try.

The Ruling: The director found that there was UI arising from the incorrect explanation of the agreement. After consulting several players, the director decided that bidding 4♥ was a less successful logical alternative (LA) for East, rather than bidding 3♥ which was demonstrably suggested by the UI. In accordance with laws 16A and 12C2, an adjustment was made to 4♥ by East down one, E/W minus 50.

The Appeal: East said that West opened all eleven HCP hands. 3♣ suggested 12-13 HCP, since with more West would have accepted the limit raise. South suggested that East's club fillers made his hand worth a raise to 4♥.

The Decision: The committee determined that West's misexplanation constituted UI under Law 16. Because E/W were playing Precision with light openings (even in the context of Precision) the committee felt that given that:

- (1) East had minimum high cards for the 2NT call, and
- (2) There was no LA to 4♥ over a 3♣ game try, but
- (3) If 3♣ meant nothing at all, then 3♥ became more attractive facing a severely limited opening;

the UI demonstrably suggested bidding only 3♥. The point was that since East possessed information suggesting that West might not have a game invitation, 3♥, as opposed to 4♥, was made more attractive given the form of scoring. So the questions to be answered at this point were whether there was a logical alternative to bidding 3♥ and whether there were any other calls, such as 3♦ or 3NT, to consider as LAs. The panel considered a minimum hand like Ax, KQTxx, xx, Kxxx where the game depended on a club finesse. The panel also noted that changing one of the kings to an ace or adding the ♣J would make 4♥ an excellent game. Therefore, the committee deemed 4♥ a LA to 3♥.

The committee decided that 3♦ (a counter game try which would have led to West passing and E/W going down three or four) was not a LA for East; and that 3NT should not be considered a LA since it would have led to a better result than E/W achieved at the table. Therefore, the committee adjusted the result to 4♥, down one, minus 50 E/W, plus 50 N/S.

The Committee: Jeff Goldsmith (Chair), Darwin Afdahl, Joann Sprung, Peggy Sutherlin and Jim Thurtell.

Commentary:

Gerard We've discussed this ad nauseam in a different forum. West will pass whatever East bids, since even after 3♥ he will not understand the auction. Therefore, 3♥ was not demonstrably suggested by the UI. West could have held Axx, KQxxx, Kxxxx, void and they would have been playing a slam in a partial. I believe the chairman has since changed his mind, based on the clear language of Law 16 that East's action can not be consistent with the UI. Too many people want to force East to bid 4♥ because it would be consistent with the authorized information (AI), which is not how the law reads.

Goldsmith

I didn't scribe this, and I don't like the presentation of the decision.

Rich Colker brought to my attention that the decision was possibly wrong, too, but first, I'd like to describe the actual decision.

There were two pieces of UI for East. The first was that his partner didn't know that 2NT showed heart support and a decent hand. This UI clearly indicated a heart bid over a non-heart bid. The appeals committee (AC) thought only two non-heart bids were possible LAs, 3♦ and 3NT. 3NT would have been more successful than the actual choice, so it's irrelevant. The AC judged that 3♦ was just not going to happen with this pair. When asked if he had considered 3♦, East seemed baffled that there might even be such an option. The AC judged this to be real, which makes 3♦ not a LA for this pair. Since that UI didn't suggest 3♥ over 4♥ or vice versa, East was not constrained by it.

The second piece of UI was that East knew that 3♣ is not a natural game try, just a meaningless noise. The AC thought that knowing that 3♣ wasn't a game try suggested 3♥ over 4♥, because without the UI, 4♥ was a much stronger choice than 3♥. On this basis, the AC ruled as it did. This turns out to be wrong, or at least too simplistic.

As an aside, the stuff about Precision and opener's having 12-13 HCP is nonsense and wasn't part of the AC's deliberation. For all East knows, opener can be making a slam try, perhaps with Q/AKQxxx/x/Axxxx or ---AKxxxx/x/Axxxx. Responder's hand is unlimited, so shapely hands need to cater to slam.

Rich Colker pointed out that the logic used by the AC is not supported by law 16 or law 73, and thus East ought to have been unconstrained. The reasoning is not intuitive and is complicated, so please bear with me. Law 16 says that a player may not choose among LAs one suggested over another by UI. The UI in this case tells East that 3♣ was a meaningless noise. From his perspective, that means that bidding 3♥ or 4♥ is a total guess. Therefore, the UI does not suggest either 3♥ or 4♥ over one another, and law 16 does not apply. Just because AI tells us that 3♣ is a game try doesn't mean we have to use the AI; the "suggested over" part of law 16 takes place entirely within the UI context. Yeah, that seems strange, but that's what it says. The one part of law 16 that occurs in the AI context is the determination of LAs. Here, 3♥ and 4♥ are LAs in the AI context, and since in the UI context, neither is suggested over the other, East is free to do as he pleases. It does not matter whether a LA is suggested over another by AI. Players are not constrained to follow AI. What about law 73? East is required "carefully [to] avoid taking any advantage" of UI. His UI says that his decision is a guess, roughly 50/50. How can he take advantage of that? If he follows the AI and accepts a club game try, he'll get essentially the same expectation as if he bids only 3♥. No advantage is available, so law 73 allows no adjustment. Mostly.

Goldsmith (continued)

What about "carefully?" East has avoided taking advantage (he had no opportunity to do so) but did he do it carefully? I think the answer is "no," but it's close. I think East's choosing 3♥ is just barely taking advantage, because if partner is minimum 3♥ is probably right, and if partner is maximum, partner can bid game. Perhaps the heart support will wake partner up to her mistake. Or maybe she'll think, "Lebensohl followed by our suit must be invitational," which is what he had. So, I think East was not carefully avoiding taking advantage. But, it's real close, a judgment call that I'd prefer not to have to make in the future.

So what's the upshot of all this? I think the AC is free to choose either to let East bid as he sees fit, as he didn't violate law 16 or the large part of law 73. It is also reasonable that they ruled as they did, judging that East did not carefully avoid taking advantage of the UI, and that 4♥ or 3NT does that better. I lean towards the latter decision, but accept either.

Polisner

Good ruling and decision except that I would have awarded an AWMW.

Rigal

This case has generated a large amount of discussion amongst the cognoscenti as to whether the UI from the explanation demonstrably suggested bidding 3♥ as opposed to 4♥. I have not changed my mind but I'll let others debate this. The key to me is the light Precision opening-style in place for E/W. But, maybe you needed to be in the committee to hear East convict himself out of his own mouth to feel that way.

Smith

Good job by the committee, although I found some of the prose a bit hard to follow. I think E/W deserved an AWMW.

Wildavsky

West caused this entire problem by volunteering an explanation when none was requested. He ought to have been assessed a procedural penalty. No one can doubt that UI was present or that several less successful LAs were available. The crux of the case is whether the UI demonstrably suggested the action chosen. I agree with the TD and the AC that it did. I discussed the case with several heavy hitters who take the opposite position. They believe that knowing that partner thought you wanted him to bid 3♣, and then hearing him bid 3♣, suggests precisely nothing. The AC argument that East knows that West did not intend to show a game try in clubs is on target. East was obligated to bend over backwards to avoid taking advantage of that knowledge, per laws 73 and 16. Law 73C: When a player has available to him unauthorized information from his partner, as from a remark, question, explanation, gesture, mannerism, special emphasis, inflection, haste or hesitation, he must carefully avoid taking any advantage that might accrue to his side. Law 16A: ... partner may not choose from among logical alternative actions one that could demonstrably have been suggested over another by the extraneous information.

Wildavsky (continued)

I take law 16A to mean that the action must be more likely to succeed given the UI than it would have been with just the AI. Indeed no other interpretation makes sense to me.

Let's try to quantify this. Opposite an 11-15 opening bid, game must be about 50%. If West holds a club game try, then game should be somewhere between 50% and 75%. 3♥ is more likely to be right with the UI than with the AI, so the UI demonstrably suggested 3♥ over 4♥.

One check on our judgment in cases like this is to consider whether we might adjust the score had the player taken the opposite action. Here we could not. Suppose East bid 4♥ and found it cold with West holding a 15 count. The arguments above would still hold – the AI made the game more attractive than the UI did, so the UI could scarcely suggest 4♥ over 3♥.

Some might complain that the percentage figures are arbitrary. You should feel free to come up with your own. One might even be able to come up with figures that seem to show that the UI suggested 3♥ over 4♥. Rather than fight over bridge judgment I'll show another way to look at the case. With just the AI, 4♥ is a reasonable call – I think it's the right one. 3♥ may be reasonable too, albeit a tad conservative. Perhaps then a compromise is available. How about a "last train" 3♦? That should tell partner "I'm torn as to whether to accept – I'd like you to decide." The UI suggests that partner will pass your next call. Thus it demonstrably suggested both 3♥ and 4♥ over 3♦. Had East bid 3♦ and then respected partner's decision we could not adjust his score no matter what partner held.

We ought to enforce the rules in a way that East finds it to his advantage to follow the laws and bid 3♦. If he can be confident that we'll adjust the score to give him the worst of it then he might as well bid 3♦ – perhaps partner will wake from his reverie and bid on.

The AC write-up claims that 3♦ was not a logical alternative, but gives no reason. From private correspondence, I gather that they thought that this particular East would never bid 3♦, but that's not the proper standard to apply. The question is whether any of East's peers would seriously consider 3♦ – surely a few would. East has qualified for and entered the Blue Ribbon Pairs. We ought to hold him to the standard of the event. I would adjust E/W to minus 200, the most unfavorable result that was at all probable had East followed through on his legal obligations and N/S to plus 200, the most favorable result that was likely. In addition I would assess a 1/4 board procedural penalty. This was a complex case – the appeal had merit even though E/W ought to have come out of the committee room with a substantially lower score than they had going in.

Wolff

I agree with the decision. A clear case of Convention Disruption (CD) by E/W, which resulted in conveying UI and quite correctly, not allowed.

APPEAL	NABC+ FOUR
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Qualifying
Date	November 21, 2006

BD#	26
VUL	Both
DLR	East

Mark Bennett	
♠	K 9 8 6 3
♥	J T
♦	Q 8 4 3
♣	Q 5

Judy Schulman		Fall 2006 Honolulu, Hawaii	Rich Karpowicz	
♠	J 5 2		♠	7
♥	7		♥	A 8 6
♦	A T 9 7 5		♦	K J 2
♣	K T 8 7		♣	A J 6 4 3 2

Iku Donnelly	
♠	A Q T 4
♥	K Q 9 5 4 3 2
♦	6
♣	9

West	North	East	South
		1♣	1♥
Dbl	Pass	2♣	2♥
3♣	Pass	Pass	3♥
4♣	Pass	5♣	Pass
Pass	Dbl	Pass	Pass
Pass			

Final Contract	5♣ doubled by East
Opening Lead	♥K
Table Result	Making 7, E/W +1150
Director Ruling	5♣ dbld by E, E/W +1150
Committee Ruling	5♣ dbld by E, E/W +1150

The Facts: E/W play that the negative double of 1♥ is for takeout and denies four spades.

The Ruling: The table director, after due consultation with other tournament directors (TDs), decided that this use of a negative double is not Alertable, per ACBL regulations. If it is not Alertable, then the failure to alert it is not an infraction - MI.

The Appeal: N/S appealed on the basis that they believed that this interpretation of the regulations was incorrect.

The Decision: It is not normally within a committee's ambit of authority to interpret the laws and regulations. However, laws 92 and 93 required the committee to consider the appeal. The committee believed that its options were to 1) agree with the director's interpretation, or 2) to resubmit the issue to the tournament directors for reconsideration of their previously stated interpretation. The majority of the committee concluded that the ACBL regulations do not require Alerts for this negative double. The wording of the regulation suggests that an Alert is only required for highly unusual meanings of a double. The committee majority decided that this was not a highly unusual meaning of the negative double of 1♥. Accordingly, the committee did not resubmit the issue to the directors, but merely affirmed the decision that there had been no infraction.

The Committee also felt that this was an appropriate matter to forward to the ACBL for a definitive statement.

The Committee: Jeff Goldsmith (Chair), Darwin Afdahl, Joann Sprung, Peggy Sutherlin and Jim Thurtell.

Commentary:

Goldsmith I also didn't scribe this one. Moreover, I dissented and did so in writing. The NAC has begun a policy of having non-members of the appeals committee (AC) scribe. While this has some major advantages, it has been shown in its poorest light in Cases two and three. The crux of the matter is whether the double is "highly unusual and unexpected." The ACBL alert chart, created by the C&CC, uses that criterion as to whether a double is Alertable. (There is an exception: they judge that support doubles, while neither highly unusual nor unexpected, at least at the 2-level, are Alertable. Go figure.) I live in the area where Walsh doubles (what the double in question is called here) were invented and were played regularly many years ago. By 2006, all but a very small number of pairs have dropped this convention; indeed, it's now almost unheard of here. I figure that its popularity is likely to be lower nearly everywhere else than where Richard Walsh's theories held sway, so that, to me, this must be an extremely rare convention. With the popularity of the law of total tricks so high, players who started playing since Larry Cohen's book was published probably will never have heard of the Walsh double alternative. Since then, nearly everyone has played that 1♠ in a negative double context shows five spades and the double shows four. This is so much the case that the Alert of 1♠ was removed as a waste of breath. (Good.)

Goldsmith (continued)

Since nearly no one plays this convention, and it is clearly unexpected, I think it qualifies as an Alertable double. Ought it to be Alertable, regardless of the specific definition in the regulations? Yes, it ought to be. If advancer has spades, but not long and strong spades, he may well want to bid them if the double denies four spades, but wouldn't consider it if it showed them. The actual hand is a perfect example of such a suit, K98xx. The current alert procedure expects players to protect themselves in situations where a call may reasonably be expected to have alternative meanings. If that were so here, advancer would have to ask about the double every time he might bid spades. 99.99% or more of the time, he'd hear something like, "double shows four spades. Hey, I'm teaching a class in basic conventions. Would you boys like to attend?" Well, maybe not quite so snidely, but most would be confused as to why advancer was asking anything so obvious. Before long, everyone would realize why he was asking. Now everyone at the table knows that he has spades. The opponents get to take advantage of it, but partner must not. Thinking the whole thing through, advancer should realize that asking when he has spades is substantially to his disadvantage. He may either ask every time a negative double of 1♥ comes up or just take the loss when the double denies four spades. Since the first choice is too aggravating for everyone (I, personally, would get tired of the lesson offers, and I probably ask as many questions as anyone), his only realistic choice is the latter. So, the Alert procedure gives an un-Alerted Walsh double an unfair advantage. Therefore, it should be Alertable on the basis of what used to be the first line of the alert procedure: "if the meaning of your action can reasonably be expected to come as a surprise to the opponents, and they could be damaged by not knowing it, Alert." (Yes, I paraphrased rather generously.)

Until recently, some such statement has been present near the top of the Alert regulations. It has been removed. Why? Assuming (dubiously) that the double is not Alertable, what could we do in this case? In practice, E/W had been told by the directing staff that their double wasn't Alertable. They didn't violate any regulations and knew they hadn't. Yet, the failure to alert damaged N/S. Looks to me as if the regulations damaged N/S, which means N/S is out of luck. Law 82C (Director's Error) doesn't cover the case where the regulations appear to be in error, so the AC has no recourse except to feel sorry for N/S.

Goldsmith (continued)

What if the AC decided that the double was Alertable? Law 93B3 says that an AC may not overrule a director on a point of law or regulations. They may suggest that the director change his ruling, but they cannot do more. Here, the directors were confident about the regulations (which seems like an overbid to me), so there was nothing the AC could have done. Interestingly and happily, ruling result stands allowed both pairs to qualify for the next day's play, so this ruling made no one grossly unhappy. E/W felt as I do, that their double should be Alertable, but they were told not to alert it, so they stopped doing so. Fortunately, the Alert procedure says that there is no penalty for (reasonable) over-Alerting, only Under-Alerting, so I told them that regardless of what a director tells them, they are allowed to Alert if they feel doing so is in the interest of fair play. They thought it was and decided to Alert in the future.

Polisner Good ruling and decision and very close to an AWMW.

Rigal I hope this issue will be resolved for future TDs and appeal committees. As it stands I think justice was done, but I can understand players from different regimes (or different parts of the country with different bidding styles) feeling differently.

Smith This case highlights the problems we have with our Alert procedures, particularly as they relate to doubles. The regulations allow far too much subjective judgment in determining what calls are Alertable, and this kind of dispute is too often the result. The committee handled the case well and recognized all the legal points involved in it. I hope the appellants were informed in advance that Law 93 does not give a committee the right to overrule the director on a point of law or regulation (although a committee may recommend to the chief director that he reconsider his interpretation of the law or regulation).

Wildavsky It scarcely matters what I think of this ruling, since it's a matter of regulation. For what it's worth the regulation seems a poor one. If the double might either show or deny spades then advancer will have to ask every time. This risks conveying unauthorized information. A broader point is that stealthy regulation is poor regulation. Whatever the rules are the ACBL must make them easily available to the players. The Alert regulations ought to be simple and unambiguous. To the extent that they are not, decisions in specific cases must be well publicized. At a minimum they should be published in one spot on the ACBL web site. Were this rule documented then N/S would likely not have appealed. As things stand players may believe that the ruling varies based on the director's whim or the players' influence or reputations. This is bad for all concerned.

Wolff BAH. How can it not be right to Alert a negative double of a 1♥ overcall if it denies four spades? That is a critical difference from the normal meaning of negative doubles which are usually looking for 4-4 major suit fits. I'm not claiming to know the details of our Alert procedures, but any committee which does not require that to be Alerted obviously does not know what is important and what is not. Many high-level partnerships play 1♠ double 2♥ as showing some kind of spade raise which is a similar enough situation to make what the committee-in-question's possible action look totally ridiculous. For our system to work we need competence, or at least people who should know something about what should be required. By the way, on this particular hand North probably would have bid 1♠ if he had been alerted properly. On Andy Robson's London Bridge Club Convention Card it clearly says that all bids should be alerted if the opponents might have a need to know. Why don't we learn from high level players who understand what to do?

APPEAL	NABC+ FIVE
Subject	Unauthorized Information (UI)
DIC	Ken Van Cleve
Event	North American Swiss
Session	Second Final
Date	November 26, 2006

BD#	8
VUL	None
DLR	West

Steve Bloom	
♠	Q 8 2
♥	4
♦	7 5
♣	A K 9 7 5 4 2

Andreas Babsch		Fall 2006 Honolulu, Hawaii	Renate Hansen	
♠	A 7		♠	K 9 4
♥	Q J T 6 3		♥	A K 9 7 2
♦	Q J 9 6 4 2		♦	K 3
♣			♣	Q T 6

Betty Bloom	
♠	J T 6 5 3
♥	8 5
♦	A T 8
♣	J 8 3

West	North	East	South
1♥	3♣	4♣ ¹	Pass
4♥ ²	Pass	4NT ³	Pass
5♣ ⁴	Pass	5♥ ⁵	Pass
6♥	Pass	Pass	Pass

Final Contract	6♥ by West
Opening Lead	♣A
Table Result	6♥ making 6, E/W +980
Director Ruling	5♥ - W, making 6, E/W +480
Committee Ruling	5♥ - W, making 6, E/W +480

(1)	Asking for aces..
(2)	East said showed two aces. West said showed one ace.
(3)	Asking for kings.
(4)	No kings.
(5)	Break in Tempo (BIT) – rated as slight by West, denied by East.

The Facts: The director was called at the conclusion of the auction. N/S contended that East broke tempo prior to bidding 5♥, which was a sign-off; but, West felt he could bid 6♥ because partner had to have all the controls or a doubleton club.

The Ruling: There was UI as a result of the BIT. 6♥ was demonstrably suggested by the UI. According to several players who were polled as to what West should call after 5♥ by East, pass was determined to be a less successful logical alternative (LA). Therefore the table result was adjusted to a contract of 5♥ by West making six, +480 for both E/W and N/S.

The Appeal: West said that he expected all the aces to be held when East bid 4NT and that she would be looking for a Grand Slam. The partnership could not show aces and did not cuebid.

North said that he thought East was using Hesitation Blackwood to get partner to bid on with a club control.

The Decision: The committee determined that in the absence of any form of notes, and anything but a very cursorily completed convention card, that E/W had no agreement in place as to what the 4NT did or did not promise.

It would be easy to follow the "Intelligence Transfer" and assume that because all committee members would not bid 4NT unless they held all the aces that E/W would play the same way. But, quite clearly that was not the way East played the bid.

That said, the question was whether the BIT suggested bidding on -- which it clearly would do to West notwithstanding that this was manifestly not East's intention -- and whether there was any LA to the 6♥ call.

Since the club void figured to be wholly or partly wasted facing the expected club control in partner's hand, West might reasonably expect partner to have: KQx/Axxx/Kx/AQxx or the like. Slam would be on a finesse through the preemptor and no diamond ruff.

As the directing staff's poll, a poll of experts, and the committee themselves all voted by a majority that pass was a LA, the ruling was upheld leaving the director's adjustment in place, contract of 5♥ by West making six, +480 for both E/W and N/S.

No appeal without merit warning (AWMW) was awarded as the points at issue were considered sufficiently complex.

The Committee: Barry Rigal (Chairperson), Chris Moll, Bill Pollack, Hendrik Sharples and Ellen Wallace.

Commentary:

- Gerard** OK, but we can do without comments like North's. East could have used 5♥ over 4♥ to get West to bid slam with a club control, so maybe something other than the Hesitation Blackwood snark would have been nice. How do you know what their intentions are?
- Goldsmith** Hold on. In the absence of notes and not much of a convention card, are we really sure that 4♣ was ace-asking? When a non-4NT bid is ace-asking and the partners disagree on the number of aces shown, I think the bidding side needs to establish very clearly that they were in an ace-asking sequence.
Since this was behind screens, presumably both East and West told N/S that 4♣ was ace-asking. It'd be nice to know that as a fact. Second question: was 4♣ ordinary Blackwood or Roman Key Card? Not saying does not imply 4-Ace Blackwood. Let's assume everyone was on the same page, though I strongly doubt it, and that they were using ordinary 4-Ace Blackwood. Once responder asks for kings, can the pair reasonably stop in game? That seems very unlikely. On the other hand, then is 5♥ possible? Probably not, so if it's a possible bid, I guess they can stop short of slam. If passing 5♥ is possible, then it is forced.
- Polisner** Another very easy case, but again, I would have awarded an AWMW.
- Rigal** It would have been tempting for the appeals committee to say that because they played the king ask as a grand slam try that E/W must do so too. But, they clearly did not, so we should not impose our style on them. In a way E/W got unlucky; West misread East's tempo. But that is not really the point.

Smith This case points to some serious problems with our current screen conditions. I am troubled that there is no mention by either the director or the committee of how long N/S claim the tray was on East's side of the table before it came back after the 5♥ bid. Maybe there is a reason for that omission. Our screen regulations in part state: "During the auction period, after an opponent has acted quickly, it is proper to adjust the tempo back to normal by either delaying one's own call . . . or by waiting before passing the tray. It is considered that there can be no implications if a tray returns after 25 seconds or less." It doesn't sound to me that anyone claimed the tray was on the East side for more than 25 seconds, but in the real world we all know that nowhere near 25 seconds is needed to identify an unmistakable hesitation in most auctions, and to identify who was hesitating. Without screens, this case would be relatively routine. The wording of the screen regulations as they stand now makes what probably should be a simple ruling with screens more difficult. Since I believe that artificial statements of "UI free time" do not make proper allowances for what really happens behind screens, I think the problem stems from the screen regulations.

I think they need to be changed to more accurately reflect what goes on at the table. Some wording that made note that a hesitation could be identified in relation to the previous pace of the tray moving (without an arbitrary period of time being mentioned) would be a good start. I think the director and committee made the right ruling here in the spirit and the letter of the law. The regulations as written get in the way of that. There is something wrong when we have clearly worded regulations that subvert the intention of the Laws. It forces directors and committees to make choices that should never have to be made.

Wildavsky The rulings look right to me.

Wolff Good ruling.

Final Comments

- Goldsmith** I don't know why starting with summer 2006 that NABC appeals have dropped precipitously. I hope it's because directors are doing a better job ruling at the table, but since quite a few good director's rulings get appealed, that's probably not it. It's impressive that regional appeals followed the pattern in Hawaii; that suggests that this effect has nothing to do with the NAC or with director's panels. If anyone knows why this is happening, please tell me.
- The new policy of having a non-member of the appeals committee (AC) scribe has its value. Before that, we saw a lot of really awful write-ups. (E.g. see the first few from Atlanta.) This is a way to maintain a reasonable minimum standard. But, the name of the scribe needs to be stated, and the AC chair ought to get to review it before publication. He can waive that right, of course, but he ought to have it. As things stand, we are putting words into other people's mouths without their ability to rebut them. I think that's unfair.
- Polisner** In my too many years as part of the NABC appeals process, this group of cases could (should) have resulted in one appeal which would have been (and should have been) a new and never to be duplicated record. Other than the director failing to inform the players of the basis of the ruling in Non-NABC+ Three, the table directors did an excellent job.
- Wildavsky** First of all, kudos to the TDs. The significant drop in caseload over the past few years must be a sign that TD rulings are improving. Here there were no outright bad TD rulings, though I have to wonder about Case NABC+ 4. If we assume that the rulings that were not appealed were also correct then the TDs went an entire tournament without a clearly incorrect ruling – that's wonderful.
- With the tiny number of appeals the statistics for each NABC don't tell us as much as they once did. I continue to maintain them at <http://tameware.com/adam/bridge/laws>.
- The trend towards fewer appeals will spur renewed calls for elimination of appeals committees. I would counter that it argues for their continuation. The fewer committees we have the fewer resources they require and the less their expense. Meanwhile committees increase trust in the process. Were all appeals handled by TD panels, I would be skeptical upon learning that no rulings had been overturned. Review by players improves transparency and over time has resulted in substantially improved rulings overall. That said I always hate to see cases where an AC worsens a TD ruling, as I think they did in Case NABC+ 1. I do have a couple of suggestions for improving matters.

Wildavsky (continued)

First of all I think the chair of an AC should always look for an opportunity to conduct a blind preview. To do so he takes a single hand and gives the auction to the AC members with no UI, asking them what action they would take and what others they would seriously consider. In this case two blind previews were available, one for the North hand and one for the South hand. When I've chaired ACs I have often regretted my failure to start with a blind preview. It's amazing how much it can clarify matters.

Secondly, I recommend use of additional paper forms as part of the appeals process. In other fields I've noticed that forms can enhance compliance with established procedures. I suggest that we create a form to be used for every UI case, every MI case, and every score adjusted using law 12C2. The UI form would look something like this:

=====

Use this form for all law 16 - Unauthorized Information (UI) cases

1. Was UI available?

Yes No

List the action that created the UI:

2. Were there any logical alternatives to the actions taken by the player who had UI available?

Yes No

List them here:

3. Did the UI demonstrably suggest the action taken over any logical alternatives that would have been less successful?

Yes No

4. Were the non-offenders damaged as a result?

Yes No

5. If the answers to questions 1 through 4 were "Yes" then adjust the score according to law 12C2, using the form provided for that purpose.

=====

Wildavsky (continued)

This would help keep TDs, ACs, and panels on track, and would help reduce the number of illegal rulings. It would also help in explaining rulings to the players and for the TD to explain his ruling to the AC or panel. I've seen other proposals such as flowcharts with similar aims, but I expect that forms that have to be physically filled in will be substantially more effective.

It turns out that I have been anticipated. The English Bridge Union includes a section like this as part of their appeal form. You can see a copy here:

<http://tinyurl.com/ahay7>

A form would not eliminate poor rulings, but it would be a start and I predict it would produce a measurable improvement. It certainly seems worth an experiment. If anyone tries it in a local jurisdiction please let me know how well it works.