

APPEAL	Non NABC+ ELEVEN
Subject	Claim
DIC	Nancy Watkins
Event	Stratified Open Pairs
Session	First
Date	July 19, 2006

BD#	3
VUL	E/W
DLR	South

6,500 Masterpoints	
♠	J 7 3
♥	Q T 9 7
♦	Q T 9
♣	J 8 7

1,060 Masterpoints	
♠	4
♥	A K 4 3 2
♦	K 7 6
♣	Q 6 4 3

1,580 Masterpoints	
♠	T 9 8 6
♥	J 8
♦	A 8 5 4 3 2
♣	2

17,300 Masterpoints	
♠	A K Q 5 2
♥	6 5
♦	J
♣	A K T 9 5

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

Final Contract	4♠ by South
Opening Lead	♥A
Table Result	4♠ by S down 1, E/W +50
Director Ruling	4♠ by S down 1, E/W +50
Panel Ruling	E/W: 4♠ by S down 1, E/W +50 N/S: 4♠ by S making 4, N/S +420

The Facts: The director was called after an attempted claim with six tricks to go. With West on lead, South faced his cards and said he had winning clubs, then brought his hand back towards himself and wanted play to continue.

The play at the table was as follows:

1. ♥A ♥7 ♥J ♥6
2. ♥K ♥9 ♥8 ♥5
3. ♥4 ♥T ♠8 ♠Q
4. ♠A ♠4 ♠3 ♠6
5. ♠K ♥3 ♠7 ♠9
6. ♠2 ♥2 ♠J ♠T
7. ♣J ♣2 ♣9 ♣Q

The Ruling: The director judged that a claim wasn't made in accordance with law 68A – i.e. declarer did not demonstrably intend to claim.

The Appeal: With six cards remaining declarer faced his hand, stated his clubs were good, stopped claiming, unfaced his hand and wanted to continue play. A director came to the table and was told what had happened. The table director consulted another director and was advised that there had not been a claim in his opinion. The table director returned to the table and said to continue play. After winning the Queen, West returned a club. Declarer won that in dummy and discarded his losing diamond on her ♥Q. Declarer took the remaining tricks making four spades.

The reviewer had poor communications with the table director. The reviewer knew that the initial decision was to let the play continue (no claim). This was the last hand of the afternoon. The reviewer attempted to get information prior to the 7:30 PM start of the second session.

The Decision: The information from both pairs at the table was the same. The reviewer was under the impression that the issue was whether there had been a claim. After discussion, the panel concluded that in accordance with law 68A a claim had occurred. Law 68 defines a claim as any (found to be a strong explicit word) statement to the effect that a contestant will win a specific number of tricks. In addition, the declarer showed his remaining cards by holding them face up. There is more wording in law 68A that reads: ...or when he (the claimer) shows his cards. The panel discussed the parenthetical statement in law 68A “unless he demonstrably did not intend to claim.” It was judged that declarer had shown intent and only upon realizing that the claim was incorrect changed her mind. The panel was unanimous in deciding a claim had been made. The panel thought that there was director error at the table (in ruling to allow play to continue). When there is director error, we treat both sides as non-offenders and give both pairs the benefit of the doubt. The panel issued a two way score: N/S +420 and E/W +50. The decision was reported to both pairs with the statement that the decision was made because of director error.

Upon preparing the write up, the reviewer noticed that N/S had been noted as the appealing pair. After further discussions with the table director, it was discovered that the final table ruling had been changed. It had been determined that there was a claim at the point at which the director was called. The table director had returned to the table to give the ruling that a claim had occurred and that E/W were awarded a diamond trick. This ruling resulted in score of +50 for E/W (4♠ down one) that N/S had appealed. With these facts, the panel would have not ruled director error and would have upheld the ruling of 4♠ down one for both pairs.

Since this error (by the reviewer) was not discovered until a day later, the panel decided that there was now director error (in obtaining the correct facts). Therefore, the two-way score was allowed to stand.

The Panel: Patty Holmes (Reviewer), Ken Van Cleve and Gary Zeiger.

Players Consulted: None.

Commentary:

Gerard No and no. There is no basis for treating both pairs as non-offenders and there is no doubt as to the correct adjudication. A claim occurred. All play ceases. Plus 420 did not occur. N/S were not harmed by the director error, they were harmed by the inadequate claim. Law 82C allows you to treat both pairs as non-offenders only "if no rectification will allow the board to be scored normally." So you were wrong to invoke the director error provision because a simple rectification would allow the board to be scored as laws 68D and 70A intended it to be, down one for both sides. But I don't understand the compounding of the error. The reviewer determined that the adjustment was wrong. EVERYONE now knew what the right ruling should have been, even if they whiffed on getting it right the first time around. How was a two-way score even a possibility? This is too sorry a performance to haul out the heavy rhetoric. I suspect the staff is as embarrassed about it as the tone suggests. For the future, it would be nice if the practice of treating both pairs as non-offenders comported with the specific provision of the Laws dealing with the situation.

Goldsmith The panel ruling is wrong. Yes, South clearly claimed. He tried to withdraw his claim, but once he's exposed his hand and stated a number of tricks he intends to take, that's a claim. The laws do not allow the withdrawal of a claim, so at that point E/W is awarded a fourth trick. The panel's ruling of director error was in error; it only applies if the director's error prevents a normal scoring of the board (See law 82C). This wasn't the case here; the director allowed play to continue when it ought to have ceased. There was a little confusion in the write-up (and presumably during the ruling), but regardless of what happened, director's error can't be invoked, because if the director had ruled that a claim occurred, he didn't do so wrongly, and if he let play continue, a normal result was obtained, so no matter what happened, the panel ruled incorrectly.

Polisner I see no reason for a two-way score. The director was called at the appropriate time and once the correct determination that a claim had been made, the director needs to adjudicate the claim under the claim laws which would result in the contract being set one trick. If there was going to be a two-way score, it should be just the opposite than the way the Panel decided -- N/S minus 50 and E/W minus 420. This case represents the most egregious "screw the field" result that I can recall.

Rigal There are some cases it just does not pay to go into too carefully. Here I think we'd all be better off pretending this case never happened. But for what it is worth, what happened was a bum claim, surely? The change of mind came later – and you can't do that. 4♠ down one is 'correct'.

Smith After a claim, all play must cease and any play after a claim is voided by the director. Here, a claim clearly occurred. Despite West's error in playing a club back, current law (right or wrong) gives the defense credit for doing the right thing in spite of what West actually did. So notwithstanding the confusion, the correct ruling is for South to go down one and that should have been the ruling for both sides. The law on director error (82C) reads: "If the Director has given a ruling that he or the Chief Director subsequently determines to be incorrect, and if no rectification will allow the board to be scored normally, he shall award an adjusted score, considering both sides as non-offending for that purpose." Since play was over when the claim occurred, there was really no problem in arriving at "rectification" of the error caused by the confusion. N/S were given an undeserved bonus in this case.

Wildavsky The correct ruling was that a claim was made and that E/W would score plus 50, N/S minus 50. Please see Jeff Goldsmith's instructive comments. I have no interest in addressing the rest of the goings on here. I can't call either ruling better than the other.

Wolff This case was decided in a downright horrible manner (my gloves have come off):

1. We have a declarer who runs off from a dead dummy without throwing the contract trick loser away.
2. We have a defender, who should know where every card is, which obviously includes the distribution, who fails to take the setting trick.
3. And, we then have the tournament directors restore the status quo by not penalizing any of the awful bridge but rather penalizing the whole rest of the innocent section by awarding a bonus to both of the bad playing pairs which obviously takes away match points from the "good guys." "Forgive them, for they know not what they do."