

APPEAL	Non-NABC+ Four
Subject	Illegal Bid
DIC	Doug Grove
Event	Compact Knockout – Bracket Four
Session	Match Three - Semifinal
Date	March 16, 2009

BD#	1
VUL	None
DLR	North

1,111 Masterpoints	
♠	J T 9 5 4
♥	A T 9 6 3
♦	9 2
♣	Q

1,264 Masterpoints		Spring 2009 Houston, TX	1,169 Masterpoints	
♠	A 8 2		♠	K 3
♥	Q 5		♥	K J 8 2
♦	J 6		♦	T 7
♣	J 9 8 7 6 2		♣	A K T 5 3

1,767 Masterpoints	
♠	Q 7 6
♥	7 4
♦	A K Q 8 5 4 3
♣	4

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

Final Contract	4♠ by North
Opening Lead	♣A
Table Result	Made 4, N/S + 420
Director Ruling	4♣ E making 4, E/W +130
Panel Ruling	4♣ E making 4, E/W +130

(1)	Alerted and explained as 8+ HCP; may include hands that other pairs would open with a weak two-bid
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The Facts: The director was called at the end of the match. The facts are as noted above. N/S convention card is not marked for very light openings and the N/S pair did not pre-Alert their light one-level openings.

The Ruling: Although N/S's agreement is legal, Laws 40B1(a) and 40B2(a) establish an absolute minimum of 8 HCP for natural opening one-level bids. The director determined that E/W would likely have reached 4♣ and made it had the illegal 1♥ bid not started the auction. Even though E/W misdefended 4♠, they still did not recover their equity of playing 4♣. Therefore, the score was adjusted to 4♣ by East making four, E/W plus 130 for both sides.

The Appeal: N/S appealed the director's decision. All players attended the review. N/S said that without the 1♥ opening bid, South would double a 1♣ opening by East. North would bid 4♥ (Roman Jump Shift) over a 3♣ raise by West, showing that suit and the next higher suit. South would bid 4♠ reaching the same contract. E/W said that, without the 1♥ opening, East would open with 1♣. After a double, 1♦ or 2♦ by South, West would bid 3♣. Then, after 3♦, E/W would reach 4♣.

The Decision: Per ACBL Board Election 3, the opening bid with fewer than 8 HCP is disallowed. Per Law 40B5, when a side is damaged, the score shall be adjusted. E/W were damaged by the disallowed opening bid. There were no system notes to support the statements that South would double 1♣ or that Roman Jump Shifts applied after a takeout double (the N/S convention card was marked "RJS" under overcalls). Although no player polling occurred due to the time constraints of the compact KOP, the panel judged that South would likely overcall in diamonds rather than double and that, even with a responsive double of a club raise, 4♠ would not be reached. The panel determined that 4♣ by East making four, E/W plus 130 was both the most favorable result that was likely for E/W and the most unfavorable result that was at all probable for N/S. Therefore the director's decision was affirmed per Law 12C1(e). The appeal was found to have merit.

The Panel: Jay Albright (Reviewer) and Nancy Boyd.

Commentary:

Polisner N/S appear to have more undisclosed understandings than very light opening bids. Why did North open 1♥ as opposed to 1♠? How did South know that North had five or more spades as opposed to bidding 3♦? Why didn't the director consider that East might have opened 1NT rather than 1♣ (after all he/she did overcall 1NT). However, with all of these issues, I would concur with the decision, but would have done more to investigate N/S or, at the minimum, submit a player memo to the recorder.

Rigal Well done both directors and panel for enforcing the law here. N/S's arguments were specious. (What was the defense to 4♠? I'm guessing that the defense to 4♠ was not so terrible that E/W should ever have been left with it, even if that was their best theoretical spot on the deal?)

Smith This looks to me like a classic case of a situation where the new Law 12C1(d) should be applied: "If the possibilities are numerous or not obvious, the Director may award an artificial adjusted score." What outcomes can be more numerous or less obvious than when the directors must assign a score starting with the cancellation of the opening bid on a hand with distribution of values where each side has about half the deck?

Wildavsky I see no merit to the appeal. Whether we should be in the business of regulating opening bid strength is a separate matter.

Wolff This type of hand needs the most reform.
I can just imagine the opening bidder, in the example here it is North, having AQJT98765432, void, void, T and deciding to open one spade, hoping to be doubled later in a high spade contract (at least a small slam) only to find out he violated ACBL policy by not having 8 high card points.
Editor's Note: The complete wording of the policy that was applied is: An opening bid of 1NT and an opening bid of one in a suit, which by partnership agreement could show fewer than 8 high card points, is designated a special partnership agreement. These two special partnership agreements are disallowed in all ACBL sanctioned events.
I guess he could have only wished for the singleton jack of clubs instead of the ten, making his bid legal, but how ridiculous can we get?
We need to monitor such rules and occasionally make (please forgive) subjective judgments about the intent of the opening bidder. As long as the opening bidder has some equivalent good distribution, we should allow opening the bidding (including the 5-5 in the majors on this hand) with substandard point count. It is only when foxes start taking advantage of their opponents with obvious collusion with their partners that we should stand tall and issue strong penalties such as probation or even suspensions to some whose main desire is to win at any cost. But to think that some subjectivity is not required is to deny reality.