

Attachment D

APPEALS AND CHARGES COMMITTEE

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Staff: Gordon

Original Motion

Item 212-02: CDR Revision

Moved that:

The following revisions be made to the CDR:

Definitions

ACBL activity

▲ Any ACBL sanctioned event (including parking lots, elevators, communal areas, restaurants and hotels at or around the location of the activity), ACBL (or affiliated organizational) meetings, or other activity conducted for ACBL purposes

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Administrative violation

▲ “Administrative” violations are actions or behaviors in an ACBL activity described in §§ 303 et. seq.

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Conduct violation

“Conduct” violations are actions or behaviors in an ACBL activity described in §§ 302 et. seq.

Mail

“Mail” shall mean service by first class mail or email, request of delivery receipt required.

2. JURISDICTION OF DISCIPLINARY BODIES

203. PRIVILEGED COMMUNICATIONS

Any communication that occurs during the meeting of an ACBL Body (as defined below), which relates to matters that have been, are or might reasonably become subjects of business for that particular body, is privileged.

(A) “Privileged” shall mean that the communication may not be used as the basis for any Complaint under this CDR or other ACBL Regulations.

(B) “ACBL Body” includes the Board of Directors, any ACBL Foundation Board and any ACBL committee or sub-committee appointed by the ACBL President, the ACBL Board of Directors or any ACBL Board member. It shall also include the Board of Governors, any District or Unit Board within ACBL and any duly appointed or elected District or Unit committee or sub-committee.

3. **GROUNDS FOR DISCIPLINE**

301. CHEATING AND OTHER ETHICAL VIOLATIONS

(A) **First Degree Ethical Violations.** The following actions constitute First Degree Ethical Violations:

(1) *Collusive Cheating: Signaling.* “Collusive Signaling” is the exchange or transmission of information, through encoded signals or otherwise, between an agreement, whether implicit or explicit, made between two or more people, at least one of whom is a contestant, ~~to exchange or pass information~~ in any manner not expressly permitted by Law 73. The information need not be actually used by a player to prove a Violation under this section. This section includes agreements made by persons who are not partners or contestants, including, but not limited to kibitzers or teammates.

(2) *Collusive Cheating: Online.* “Online Collusive Cheating” is the exchange or transmission of information between two or more people, at least one of whom is a contestant in an online bridge competition, in any manner not expressly permitted by Law 73. The information need not be actually used by a player to prove a Violation under this section. This section includes agreements made by persons who are not partners or contestants, including, but not limited to kibitzers or teammates.

[(A)(2)-(6) relettered as (A)(3)-(7) but otherwise unchanged]

302. CONDUCT VIOLATIONS

...
(B) **Second Degree Conduct Violations.** The following actions constitute Second Degree Conduct Violations:

...
(8) Refusing to play against another player, pair or team duly entered in the event without a medical excuse. A violation of this section shall require immediate disqualification of the player, pair or team so refusing to play from further participation in the event and the forfeiture of any masterpoints earned by the player, pair or team in the event. Such refusal shall also be referred to the Recorder’s Office for the determination as to whether additional disciplinary action is appropriate. ~~Refusing to play against another player or team~~

303. ADMINISTRATIVE VIOLATIONS

(B) **Second Degree Administrative Violations.** The following actions constitute Second Degree Administrative Violations:

....

(12) Submitting false information (including information concerning COVID vaccination status or other health information) to the ACBL (or affiliated organizations) unrelated to bridge competition or event eligibility.

[(B)(12) relettered as (B)(13) but otherwise unchanged]

304. VIOLATIONS OF ACBL DISCIPLINARY PROCEDURES OR AGAINST ACBL OFFICIALS

....

~~(D) **Improper conduct Toward ACBL Official or Disciplinary Body.** A charge under this section requires improper conduct toward any ACBL Official or Disciplinary Body in performance of their ACBL duties or functions. The recommended discipline for a finding that a person has committed a violation of this section is up to 30 days Suspension, with an appropriate term of Probation not less than 180 days following the term of suspension.~~

(D) **Improper Conduct in ACBL Official Activities.** A charge under this section requires improper conduct toward any ACBL Official or Disciplinary Body in performance of their ACBL duties or functions or in ACBL (or affiliated organizational) official activities. This includes highly inappropriate behavior not rising to the level of sexual harassment, including but not limited to lewdness, harassment not of a sexual nature, or highly inappropriate attire. The recommended discipline for a finding that a person has committed a violation of this section is 30-180 days Suspension, with an appropriate term of Probation not less than 180 days following the term of Suspension.

~~305. AUTOMATIC PROBATION AND AUTOMATIC SUSPENSION BY ACBL MANAGEMENT~~

~~(A) **Policy.** A person upon whom discipline (other than a Reprimand) has been imposed twice in accordance with CDR § 401 within a twenty-four (24) month period shall be automatically placed on Probation for two (2) years ("Automatic Probation") by ACBL Management. Such automatic discipline imposed because of multiple offenses shall be consecutive to the imposition of the original discipline.~~

~~A violation of such Automatic Probation shall result in automatic Suspension for sixty (60) days ("Automatic Suspension") by ACBL Management (which shall suspend any Probation until such Suspension has been served) plus such additional disciplines, up to and including Expulsion, as may be determined by the Appeals and Charges Committee. At the meeting of the Appeals and Charges Committee to determine such additional discipline, if any, the Disciplined Person is entitled to be present (i) in person, (ii) through a qualified representative or (iii) by telephone to discuss the case.~~

~~Such Automatic Suspension imposed because of violation of the Automatic Probation shall be consecutive to the imposition of the original discipline, except~~

~~that any Probation must be served following all Suspensions. (See also CDR § 501(O).)~~

~~(B) **Violation of Automatic Probation.** For purposes of CDR § 305(A), a violation of Automatic Probation is deemed to have occurred when a person who is then under Automatic Probation violates an ACBL Regulation and is disciplined as a result of such violation, *unless* that new discipline is subsequently reversed by an appellate body and, in the event of any further hearing(s), no further discipline is imposed.~~

4. PROCEDURES FOR IMPOSITION OF DISCIPLINE

401. ADMINISTRATIVE RESOLUTIONS

(A) **Sexual Harassment.** If at any time during the investigation of an Incident, it becomes apparent that it may involve a person's sexual harassment of an employee of ACBL, its Districts, or Units, the matter shall be immediately forwarded, in writing, to ACBL Management for action:

(1) Pursuant to the Workplace Harassment Policy set forth in the ACBL Employee Handbook, ACBL Management shall expeditiously investigate the matter referred and

(a) if a determination is made that there is no issue of sexual harassment, ACBL Management shall return the matter to the proper jurisdiction for resumption; or

(b) if a determination is made that there is an issue of sexual harassment, ACBL Management shall take any action deemed necessary or appropriate or required by federal or state law.

(2) A written notice of the decision(s) of ACBL Management and the reasons for that decision shall be provided to the accused person and the A&C chairperson. (See CDR § 603(E)(2) for details of A&C review, if any.)

(B) **Suspension Pending Hearing.** A Suspension Pending Hearing is a temporary Suspension that the Executive Director (or the DIC of a NABC when Charges will be heard by a Tournament Disciplinary Committee) can impose on a Charged Party or the subject of a sexual harassment allegation under CDR § 401(A) to immediately prohibit participation in all ACBL sanctioned events and activities pending the final decision of a Disciplinary Body. A Disciplined Person's name, ACBL member number, and the Suspension Pending Hearing will be published on the website.

(1) Such Suspension Pending Hearing should be rarely issued – only in extreme cases or when a hearing is delayed due to the fault of the Charged Party or the subject of a sexual harassment allegation. A Suspension Pending Hearing may not be appealed and will remain in effect until the official notification of the Disciplinary Body's decision has been sent by ACBL management.

(2) Unless the Charged Party (or the subject of a sexual harassment allegation) causes the delay, the hearing must commence:

(a) within sixty (60) days *unless* it is before a NABC Tournament Disciplinary Committee.

(b) if before a NABC Tournament Disciplinary Committee, no later than 48 hours after the Incident occurred.

If the matter is not heard by the NABC Tournament Disciplinary Committee due to the delay of the Charged Party, the Suspension Pending Hearing will remain in effect until the proper Disciplinary Body hears the matter or that Disciplinary Body's Chair lifts the Suspension Pending Hearing. If the matter is not heard at by the NABC Tournament Disciplinary Committee for any other reason, the Suspension Pending Hearing must be lifted and the matter must be referred to the appropriate Disciplinary Body to be heard. (See CDR § 503(M).)

(c) within sixty (60) days if the matter is referred to ACBL Management under CDR § 401(A).

(C) **Administrative Violations under CDR § 303.** ACBL Management shall follow the guidelines under CDR §§ 403 - 404.

402. DETERMINATION OF DISCIPLINE BY DISCIPLINARY BODIES

In making the determination of an appropriate discipline within the range of disciplines recommended for a CDR violation as set out in CDR §§ 301(A)(7) et. seq., the Disciplinary Body should balance the following factors:

(A) **Primary Considerations.** The following factors must be taken into account in determining the appropriate discipline and should be weighed more heavily in the decision:

- (1) Prior Record of Discipline;
- (2) Experience of Player (measured by MPs, eligibility points, or other indicia of experience);
- (3) Level and Prestige of Event (measured by event rating)
- (4) Duration of Time Over Which the Proved Violation Occurred;
- (5) Flagrancy of the violation;
- (6) Whether the violation was premeditated.

(B) **Secondary Considerations.** The following factors may be taken into account in determining the appropriate discipline, but should be weighed less heavily than Primary Considerations:

- (1) Other Harm to Reputation of ACBL or the Game of Bridge;
- (2) Whether the Player Holds (or at any point in the past has held) an ACBL (or affiliated organizational) Office or Leadership Position (discipline enhancement);
- (3) Whether the Player Is Currently an ACBL (or affiliated organizational) Employee (discipline enhancement);

(C) Factors that May Not Be Considered. The following factors may not be taken into account in determining the appropriate discipline:

- (1) Race;
- (2) Color;
- (3) Religion or creed;
- (4) National origin or ancestry;
- (5) Sex (including gender, pregnancy, sexual orientation, and gender identity);
- (6) Age;
- (7) Physical or mental disability;
- (8) Veteran status;
- (9) Genetic information;
- (10) Citizenship;
- (11) Exercise of Member Rights Under CDR;
- (12) Conduct of Parties During Hearing;
- (13) ACBL Disciplinary System Irregularities or Deficiencies.

(D) Departure Disciplines. The Disciplinary Body may depart from the recommended discipline set out in CDR §§ 301(A)(6) et. seq., but any departure discipline must be adequately explained in the Hearing Report.

403. APPLICATION OF DISCIPLINE BY DISCIPLINARY BODIES

(A) CDR Version. Discipline imposed shall be in accordance with the version of the CDR effective at the time of the first Incident specified in the filing of the Recorder Complaint. Revisions of this CDR regarding procedures for all hearings apply to all hearings conducted on or after the effective date of the revision.

(B) Minimum Discipline. Reprimand is the minimum discipline that must be imposed by a Disciplinary Body that found a person responsible of a violation set forth in CDR §§ 301-304.

(C) Limits on Participation Following Discipline. While serving a Suspension or while expelled, a Disciplined Person may not participate in any online, national, District, Unit, club or other ACBL sanctioned activity, including, but not limited to (i) acting as non-playing captain, (ii) kibitzing any game or event, (iii) being physically present in the playing area of a tournament, or (iv) participating personally or through a corporation or other entity, agent, “doing business as” or other device in bridge-related affairs of the ACBL or of any ACBL affiliated organization.

(D) Member in Good Standing. An ACBL member shall be deemed to be in “good standing” when such member’s dues, if dues are required, are current and such member is not currently:

- (1) expelled;
- (2) serving a term of Suspension;
- (3) serving an indefinite Probation;
- (4) serving a Probation, the initial term of which was 24 or more months; or
- (5) serving a term of Probation following a Suspension, the initial term of which was more than 90 days.

(E) **Effective Date.** The effective date of imposition of discipline, if any, shall be the date noted in the Disciplinary Body's Hearing Report. If no effective date is so specified, the effective date of imposition of discipline shall be five (5) days from the date of the mailing of the decision by ACBL Management. If the discipline is to take effect immediately, the Disciplinary Body shall immediately notify the Disciplined Person of its decision in writing, provided, however, that the formal written notice to the parties as set forth in CDR § 501(N), including the date for appeal, shall also be made by ACBL Management. When the discipline imposed includes both a period of Suspension and a period of Probation, the Suspension is to be served first followed immediately by the Probation.

404. DISCIPLINE OPTIONS BY DISCIPLINARY BODIES

The Disciplines set forth in CDR § 404 (A)-(F) are the only discipline(s) which may be imposed by a Disciplinary Body when a person is responsible for a violation under CDR § 3 except for those in connection with provisions a TDC has for imposing discipline under CDR § 503(J); or when otherwise expressly stated in this CDR. A Disciplinary Body may choose to combine such disciplines. Discipline shall apply to *all* events sanctioned by the ACBL unless stated otherwise.

(A) **Reprimand.** A written statement of censure from the Disciplinary Body that includes an explanation of the relevant disciplinary policy and a warning against further related violations.

(B) **Probation.** A determination that a Disciplined Person has committed an offense such that any further violation of the CDR, whether similar or different, may result in Suspension or Expulsion. A Disciplinary Body may impose a prohibition on playing with a particular partner as a condition of the Disciplined Person's Probation.

(C) **Suspension.** The Disciplined Person is ineligible to participate in any ACBL sanctioned event or activity for a specified period.

(D) **Expulsion.** A Permanent abrogation of all ACBL rights and privileges, including membership.

(E) **Reduction or Forfeiture of Masterpoints.** Removal of a percentage of masterpoints as provided under each degree of a violation set forth in CDR §§ 301-304.

(F) **Forfeiture of Masterpoints/Titles for a First Degree Ethical Violation.** When a Disciplinary Body finds an ACBL member responsible for a First Degree Ethical Violation, the Committee may impose the forfeiture of any or a combination of any of the following:

- (1) Masterpoints, in accordance with CDR § 301(A)(7);
- (2) specific titles or all titles earned by the person disciplined;
- (3) ACBL status rank(s);
- (4) other ACBL related awards theretofore earned by said participants through participation in all ACBL events.

Titles forfeited as set out in CDR § 404(F)(2) shall remain vacant and there shall be no change in rankings or awarding of masterpoints for other contestants. First place awards for Unit masterpoint races forfeited as set out in CDR § 404(F)(2) shall not remain

vacant. The second-place awardee shall move up to first place and lower ranked awards will be filled by a relevant change in rankings for other lower-ranked contestants. Awards for other than first place forfeited as set out in CDR § 404(F)(2) shall remain vacant and there shall be no change in rankings for other contestants.

Management shall assign Eligibility Points to equal the number of masterpoints that have been forfeited by the Disciplinary Body's decision.

405. RECIPROCAL DISCIPLINE POLICY

(A) When an ACBL member has been found responsible and/or disciplined by another bridge organization for an action constituting an Ethical Violation under this CDR, that discipline shall be honored and enforced in ACBL events. However, the Executive Director may make a determination that the discipline imposed was grossly inappropriate, in which case the determination of the appropriate discipline will be decided by A&C.

(B) Nothing in this section shall prohibit the ACBL from initiating its own independent disciplinary process for Ethical Violations by such ACBL member in ACBL sanctioned events.

406. NEGOTIATED RESOLUTION OF A CHARGE

A Negotiated Resolution is a written agreement between the Charging Party and the Charged Party which may include

- (i) discipline outside the parameters listed in CDR § 404;
- (ii) a requirement that the Charged Party testify against any other Charged Party, if any; and/or
- (iii) a dismissal of all charges.

(A) Requirements. The resolution must:

- (1) dispose of all pending Charges against the Charged Party, and
- (2) include the complete parameters of the discipline to be imposed, and
- (3) include the Charging Party and the Charged Party waiving all rights to appeal, both administratively and through arbitration or the courts, and
- (4) be submitted to the proper Disciplinary Body for review to:

(a) A&C if the EOC or OEOC would have heard the Charges absent such Negotiated Resolution or if the charge was a First Degree Ethical Violation; otherwise,

(b) the Disciplinary Body which would have heard the Charge absent such Negotiated Resolution.

(B) Disciplinary Body's Decision. When deliberating on whether to accept the Negotiated Resolution, the Disciplinary Body must consider the benefit to the ACBL of the certainty of conviction and the waiver of all appeal rights by the Charged Party and Charging Party. The Disciplinary Body may:

- (1) accept the resolution;
- (2) reject the resolution;

If it is rejected the Charges shall be heard by the Disciplinary Body which would have heard the Charges absent such resolution.

(3) reject the resolution and provide a condition for acceptance. Each party will have the right to review the condition for acceptance and choose to accept or reject with ten days of being notified.

407. PUBLICATION OF A DISCIPLINARY BODY'S DECISION

(A) All Violations. Any Disciplined Person's name, ACBL member number, the discipline imposed, and the section of the CDR violated will be published on the website upon receipt of the Disciplinary Body's Hearing Report. It will remain published until the discipline ends.

(B) Ethical Violations. The Hearing Report of a Disciplined Person that was found responsible of an Ethical Violation, among other Charges, if any, shall be posted on the website upon receipt by ACBL management. If a decision of the Ethical Oversight Committee or Online Ethical Oversight Committee is released while a NABC is still in progress, a summary of the decision, including the Disciplined Person's name, ACBL number and the CDR violation shall be reported in the NABC Daily Bulletin.

(C) Expulsions. A Disciplinary Body's decision to expel a member shall be reported in the ACBL Bridge Bulletin if the decision to expel that member is affirmed by A&C.

408. EXPUNGEMENT

A&C may consider a request to have a Disciplined Person's record Expunged and order Expungement at its sole discretion.

409. READMISSION OF RESIGNED/EXPELLED MEMBERS

The Board of Directors may not consider a request from a former member who:

- (i) was expelled for a First Degree Ethical Violation in an NABC+ event; or
- (ii) resigned his membership for the purpose of avoiding possible disciplinary action concerning a First Degree Ethical Violation in an NABC+ event.

In all other cases, the ACBL Board of Directors may consider a request for readmission following a resignation to avoid possible disciplinary action or an Expulsion.

(A) Readmission Following Resignation. A Charged Party who resigns his membership when Charges are pending is considered to have resigned to avoid possible disciplinary action and the matter will be treated as an Expulsion under CDR § 404(D). Following are the condition for a request for readmission:

- (1) A written request for readmission may be submitted after ten (10) years from the date of the written resignation and, thereafter, only once every three (3) years.
- (2) The Board of Directors may impose such conditions upon readmission as it deems appropriate.

(3) There shall be no statute of limitations on the possible disciplinary action related to the resignation.

(B) Readmission Following Expulsion. A Disciplined Person who was expelled by a Disciplinary Body may request readmission under the following conditions:

(1) A written request for readmission may be submitted after ten (10) years from the date of Expulsion. Notwithstanding the previous sentence, if the individual who was expelled admitted to the factual basis of the Charges prior to the commencement of the hearing on those Charges, that person may apply for readmission after five (5) years.

(2) The ACBL Anti-Cheating Commission, EOC, and the OEOC will be informed of a prospective Readmission Following Expulsion. They may advise the ACBL Board of Directors, may be represented at a Readmission hearing, and may give oral or written testimony.

(3) Any member readmitted following an Expulsion shall be placed on Probation for a minimum of 5 years.

(4) Under no circumstances will the ACBL Board of Directors hear a request for readmission regarding a *second* Expulsion or resignation to avoid possible disciplinary actions or combination thereof.

~~4. — OPTIONS FOR IMPOSITION OF DISCIPLINE~~

~~401. — DISCIPLINES IMPOSED~~

~~Except for disciplines which may be imposed at a tournament under CDR § 503 or the resolution of a CDR §§ 801-803 alleged offense, the subsections in CDR §§ 401-407 set forth the only discipline which may be imposed by a Disciplinary Body. A Disciplinary Body may choose to combine such disciplines. Except for CDR § 401(F), a disciplinary action by a Disciplinary Body shall apply to *all* events sanctioned by the ACBL.~~

~~The following disciplines do not apply to the conditions for a player's readmission to the ACBL, conditions for a player being allowed to play following a Suspension, or the authority of any sanctioned ACBL club to remove or ban any player from playing at that club's games.~~

~~All disciplines, other than CDR § 401(A) (I), shall be matters of public record on the ACBL website. All disciplines shall be filed in the Disciplined Person's disciplinary record.~~

~~Discipline imposed shall be subject to ACBL Regulations and other rules in effect at the time during which the Incident(s) occurred which led to the discipline. (See also CDR § 906)~~

~~(A) **Reprimand.** A determination that a person has committed an offense warranting discipline for which the appropriate discipline is a written statement of censure from the Disciplinary Body that includes an explanation of the relevant disciplinary policy and a warning against further related violations.~~

~~Once a Charged Party has been found responsible of a violation under this CDR, a Reprimand is the minimum discipline that must be imposed. Notation in the minutes~~

of a Unit or District organization that a Reprimand has been imposed shall be considered a *public* Reprimand.

~~(B) **Probation.** A determination that a person has committed an offense warranting discipline such that the person must lose some of the privileges of membership and such that any further disciplinary violation, whether similar or different, may result in Suspension or Expulsion. See also CDR § 404.~~

~~(1) If the member is disciplined for another offense during a discrete Probationary period, then if the new discipline is:~~

~~(a) Reprimand or Expulsion: no further discipline.~~

~~(b) Probation of more than ninety (90) days or a Suspension: the previous Probation becomes a Suspension for the remainder or half of the previous Probationary period, whichever is longer. The new discipline shall be consecutive to, not concurrent with, the initial discipline. (See also CDR §§ 401(H)(2) and 305(A).)~~

~~(c) Other discipline: the committee issuing the new discipline shall determine how much, if any, of the previous Probationary period shall become a period of suspension. The new discipline shall be consecutive to, not concurrent with, the initial discipline. (See also CDR §§ 305(A) and 401(H)(2).)~~

~~(2) If the member is disciplined for another offense during an indeterminate, permanent or lifetime Probationary period, then if the new discipline is:~~

~~(a) Reprimand or Expulsion: no further discipline.~~

~~(b) Probation of more than ninety (90) days or a Suspension: the committee issuing the new discipline shall determine how much of the previous Probation shall become a period of suspension. That Suspension must be for a minimum of one (1) year. The new discipline shall be consecutive to, not concurrent with, the initial discipline. (See also CDR §§ 401(H)(2) and 305(A).)~~

~~(c) Other discipline: the committee issuing the new discipline shall determine how much, if any, of the previous Probationary period shall become a period of suspension. The new discipline shall be consecutive to, not concurrent with, the initial discipline. (See also CDR § 401(H)(2).)~~

~~(3) During the entirety of any Probationary period which is longer than ninety (90) days, a Disciplined Person shall not be eligible to direct an ACBL sanctioned game awarding masterpoints unless specifically authorized by ACBL Management or the ACBL Board of Directors. (See also Codification, Ch. I.A.2.3.)~~

- ~~(C) **Suspended Sentence.** A determination that a person has committed an offense warranting discipline such that a Suspension would normally be imposed, effective immediately, but based on mitigating circumstances the Suspension is being waived, conditioned on good behavior or compliance with conditions imposed by the committee for a specified period. When a Suspension is imposed and the execution of it has been waived, such Suspended Sentence shall be deemed to be Probation for the period discipline was originally imposed. (See also CDR § 401(B) and Codification, Ch. I.A.2.3.)~~
- ~~(D) **Suspension.** A determination that a person has committed an offense warranting abrogation of all ACBL rights and privileges, including membership, for a specified period. (See also CDR §§ 401(H)(2) and 4.5 and Codification, Ch. I.A.2.3.)~~
- ~~(E) **Expulsion.** A determination that a person has committed an offense warranting permanent abrogation of all ACBL rights and privileges, including membership. (See also CDR §§ 401(H) and 4.5 and Codification, Ch. I.A.2.3.)~~
- ~~(F) **Exclusion from Events and Programs.** A determination that a person has committed an offense warranting abrogation of the person's right to play in certain specified events or to participate in certain programs sponsored by the ACBL, Districts and/or Units and receive the benefits therefrom. (See also CDR § 401(H).)~~
- ~~(G) **Reduction or Forfeiture of Masterpoints or Tournament Rank or Disqualification.** A determination that a person has committed an offense at a tournament warranting: (1) forfeiture of a specified number or all the masterpoints earned in a particular event or in the tournament in which the offense(s) occurred, (2) a reduction of rank in a particular event, (3) disqualification in the particular event or the tournament in which the offense(s) occurred, (4) disqualification from yearly races or awards, or (5) any combination of the above. (See also CDR § 401(H).)~~
- ~~(1) When the determination has been made *before* the termination of the applicable correction period, resulting in a reduction in rank or disqualification, the standing of the other contestants in the event shall be adjusted to reflect such determination.~~
- ~~(2) When the determination has been made *after* the termination of the applicable correction period, a reduction in rank or disqualification shall not affect the standing of the other contestants in the event even though there may be no winner because of such action. (See also CDR § 401(H)(4).)~~
- ~~(H) **Forfeiture of Masterpoints/Titles for Unethical Behavior**~~
- ~~(1) Any ACBL member (or non-member participating in an ACBL sanctioned event) convicted of premeditated or collusive cheating in an ACBL sanctioned event, or any participant(s) who admits to such action or actions, shall forfeit all masterpoints, titles and ACBL status ranks or other ACBL related awards theretofore earned by said participants through participation in all ACBL events.~~

The partners and teammates of said participant(s) shall forfeit all masterpoints, titles and ACBL status ranks or other ACBL related awards theretofore earned while playing with said participant(s) during the seven (7) years preceding the date the Charges were brought through and including the date of the final decision of a Disciplinary Body.

- (2) Any participant(s) in an ACBL sanctioned event suspended because of Ethical Violations, other than those set forth in CDR § 401(H)(1), shall forfeit any masterpoints and titles won in the event in which the offense(s) occurred. Further:
 - (a) When a Suspension of less than one (1) year has been imposed, the committee may remove the masterpoints, titles or other ACBL related awards theretofore earned within the twelve (12) calendar months preceding the date of the offense(s).
 - (b) When a Suspension of one (1) year or longer has been imposed, the committee must remove at a minimum all masterpoints, titles or other ACBL related awards theretofore earned within the twelve (12) calendar months preceding the date of the offense(s). The committee may remove additional masterpoints, titles and/or ACBL status ranks or other ACBL related awards previously earned by said participants through participation in all ACBL events as it deems appropriate.
- (3) Teammates and partners of (a) participant(s) who suffer(s) penalties as provided in CDR §§ 401(G) and 401(H)(2) shall forfeit any masterpoints and title(s) won in events in which the offense or offenses occurred.
- (4) Titles forfeited as set out in CDR § 401(H)(1) (3) shall remain vacant and there shall be no change in rankings or awarding of masterpoints for other contestants. First place awards for Unit masterpoint races forfeited as set out in CDR § 401(H)(1) (3) shall not remain vacant. The second place awardee shall move up to first place and lower ranked awards will be filled by a relevant change in rankings for other lower ranked contestants. Awards for other than first place forfeited as set out in CDR § 401(H)(1) (3) shall remain vacant and there shall be no change in rankings for other contestants. (See also CDR § 401(G)(2).)
- (5) Management shall assign Eligibility Points to equal the number of masterpoints that have been forfeited by the Disciplinary Body's decision.

~~(1) Expungement.~~

- (1) No Disciplinary Body may order Expungement as a part of a discipline imposed.
- (2) A discipline which has been imposed by a Disciplinary Body of original jurisdiction may be Expunged from a Disciplined Person's record only by

action of an appellate body for good cause when hearing an appeal filed in accordance with CDR §§ 601-605.

- (3) ~~The Appeals and Charges Committee may also hear a request to have a Disciplined Person's record Expunged and order Expungement at the Appeal and Charges Committee's sole discretion.~~

~~402. SUSPENSION PENDING HEARING~~

~~(A) **Policy.** When Charges have been brought against a person, such Charged Party may play in an ACBL sanctioned event pending the hearing *unless* otherwise directed by the~~

- ~~(1) Executive Director,~~
- ~~(2) DIC of a Sectional or higher rated tournament when a Charge is to be heard at that tournament by a Tournament Disciplinary Committee, or~~
- ~~(3) Executive Director when a Tournament Disciplinary Committee has recommended additional discipline as set out in CDR § 503(M).~~

~~When charges have been brought by the World Bridge Federation, a NBO or one of the Zonal Conferences of the World Bridge Federation, such person so charged may play in an ACBL sanctioned event pending hearing *unless* otherwise directed by the ACBL Executive Director.~~

~~However, if directed not to play, it is a "Suspension Pending Hearing." Such Suspension Pending Hearing should be rarely issued—only in extreme cases or when a hearing is delayed due to the fault of the person charged. A Suspension Pending Hearing may not be appealed.~~

~~(B) **Requirements when Suspension Pending Hearing is In Effect.**~~

- ~~(1) If a case is before a District level Disciplinary Body, the hearing must commence within sixty (60) days *unless* the person charged causes a delay.~~
- ~~(2) If a case is before the Tournament Disciplinary Committee, the hearing must commence no later than sixty (60) minutes after the conclusion of the final session the day after the Suspension Pending Hearing was imposed or no later than sixty (60) minutes after the conclusion of the final session of the tournament, whichever is earlier, *unless* the person charged causes a delay.~~

~~If the matter is not heard at the tournament due to the delay of the Charged Party, the Suspension Pending Hearing will remain in effect until the proper Disciplinary Body hears the matter or lifts the Suspension Pending Hearing. If the matter is not heard at the tournament for any other reason, the Suspension Pending Hearing must be lifted and the matter must be referred to the appropriate Disciplinary Body to be heard. (See CDR § 503(M).)~~

- ~~(3) If a case is before the Appeals and Charges Committee, ACBL Disciplinary Committee or Ethical Oversight Committee, the hearing must commence at the next ensuing ACBL Board of Directors' regular meeting or NABC, or~~

60 days, whichever comes first, consistent with adequate notice, *unless* delay is caused by the person charged.

~~(C) **Suspension During Investigation.** If a matter is referred to ACBL Management under CDR § 501(L) as involving sexual harassment of an employee of ACBL, its Districts, or Units, and if the matter meets the standards described in CDR § 4.4.1 above, the ACBL CEO may temporarily suspend the person against whom allegations have been made during the investigation and determination. However, the investigation must be completed and the determination made within sixty (60) days, *unless* the person against whom allegations have been made causes the delay, or the temporary Suspension Pending Hearing will be lifted after sixty (60) days.~~

403. ~~RECIPROCAL DISCIPLINE POLICY~~

~~(A) When an ACBL member has been found responsible and/or disciplined by another bridge organization for an Ethical Violation, the ACBL CEO may refer the matter to the Ethical Oversight Committee for resentencing purposes, but only if the sentence imposed was less than that contained in the suggested sentencing guidelines enacted by the World Bridge Federation.~~

~~(B) In all other cases, the ACBL shall honor the discipline imposed by such other bridge organization, enforcing it in ACBL events, unless the ACBL member requests a hearing under ACBL Regulations or other rules and provides substantial evidence that:~~

- ~~(1) he or she was not accorded a fair process in the hearing held by the other bridge organization; and/or~~
- ~~(2) the penalty imposed was grossly inappropriate for the Ethical Violation proven.~~

~~(C) The initial decision as to whether substantial evidence was provided showing lack of a fair process and/or grossly inappropriate penalty shall be made by the ACBL CEO with the advice of In House Counsel.~~

~~(D) If a new hearing is requested and granted, the penalty imposed by such other bridge organization will not be enforced by the ACBL until and unless the findings and penalty that had been imposed are affirmed by the Ethical Oversight Committee. Notwithstanding the foregoing sentence, the Ethical Oversight Committee shall be entitled to impose its own discipline according to this CDR following such hearing. During such hearing, the Ethical Oversight Committee shall review the record of the hearing of the other bridge organization, to the extent one is available, but may also consider new evidence (even that from another bridge organization or from a non-ACBL sanctioned bridge tournament).~~

~~(E) Nothing in this section shall prohibit the ACBL from initiating its own independent disciplinary process for Ethical Violations by such ACBL member in ACBL sanctioned events.~~

404. ~~LIMITS ON PARTICIPATION FOLLOWING DISCIPLINE~~

~~While serving a Suspension of any kind or while expelled, a Disciplined Person may not participate in any national, District, Unit, club or other ACBL sanctioned activity, including, but not limited to (i) acting as non-playing captain, (ii) kibitzing any game or event, (iii) being physically present in the playing area of a tournament, or (iv) participating personally or through a corporation or other entity, agent, "doing business as" or other device in bridge related affairs of the ACBL or of any ACBL affiliated organization.~~

~~405. HEARING REPORT REQUIRED BEFORE DISCIPLINE IMPOSED~~

~~A Hearing Report must be submitted to ACBL Management by the Disciplinary Body whether or not any discipline is imposed. Further, in order that a disciplinary action may be considered in imposing Automatic Probation or Automatic Suspension as set out in CDR § 305(A), a Hearing Report must be on file with ACBL Management. ACBL Disciplinary Recommendations are attached in CDR Appendix B.~~

~~406. REPORT OF HEARING RESULTS~~

~~The results of EOC or OEOC Committee hearing shall be reported to the parties, the Board of Directors, the District Director of the Charged Party, In House Counsel and ACBL Management.~~

~~407. EFFECTIVE DATE~~

~~For the effective date of imposition of a discipline set forth in CDR §§ 401-406, see CDR § 501(O).~~

5. PROCEDURES FOR DISCIPLINARY BODIES OF ORIGINAL JURISDICTION

501. GENERAL PROCEDURES FOR CONDUCT OF HEARINGS BY DISCIPLINARY BODIES OF ORIGINAL JURISDICTION (*See also* CDR Appendix A (*Guidelines for Conducting Disciplinary Proceedings*))

....
....

~~(L) **Sexual Harassment.** If at any time during a disciplinary proceeding it becomes apparent that it may involve a person's sexual harassment of an employee of ACBL, its Districts, or Units, the proceeding shall be suspended and the matter shall be immediately forwarded, in writing, to ACBL Management for action:~~

~~(1) Pursuant to the Workplace Harassment Policy set forth in the ACBL Employee Handbook, ACBL Management shall expeditiously investigate the matter referred and~~

~~(1) if a determination is made that there is no issue of sexual harassment, ACBL Management shall return the matter to the Disciplinary Body for resumption of the proceedings; or~~

~~(2) if a determination is made that there is an issue of sexual harassment, ACBL Management shall take any action deemed necessary or appropriate or required by federal or state law.~~

~~(M)~~ **Hearing Report Required.** A Disciplinary Body must send to ACBL headquarters a fully typed Hearing Report and a copy of its written decision, if any is produced in writing, within thirty (30) days from the conclusion of the presentation of evidence.

~~(N)~~ **Notice of Decision.** All formal written notifications of a Disciplinary Body's decision ("Notice of Decision") shall be made by ACBL Management upon receipt of the Disciplinary Body's Hearing Report. Unless the Disciplinary Body has imposed a discipline that begins immediately (see CDR § 501(O)), the Disciplinary Body should not provide its decision to any Disciplined Person in writing (but may verbally inform the Charged Party). Rather, a decision and a Hearing Report should be provided to ACBL Management to enable ACBL Management to make the formal written notification. The effective date for a timely filed request for an appeal of the Disciplinary Body's decision shall be the date on which ACBL Management mails such decision to the parties to the hearing. For purposes of this CDR § 501(N), "mail" shall include email.

[~~(O)~~-~~(R)~~ relettered as (N)-(P) but otherwise unchanged]

502. SPECIFIC PROCEDURES FOR THE CONDUCT OF HEARINGS BY A DISTRICT DISCIPLINARY COMMITTEE, THE ETHICAL OVERSIGHT COMMITTEE, THE ONLINE ETHICAL OVERSIGHT COMMITTEE AND THE ACBL DISCIPLINARY COMMITTEE (See also CDR § 5.1.)

....

~~(L)~~ **Negotiated Resolution of a Charge.**

~~(1) *Hearing Procedure Inapplicable.* General Procedures for Conduct of Hearings by Disciplinary Bodies of Original Jurisdiction in CDR § 501-504 do not apply unless otherwise noted in this section.~~

~~(2) *Disciplinary Body.* The Charging Party and the Charged Party must present a Negotiated Resolution to:~~

~~(a) the Appeals and Charges Committee if the Ethical Oversight Committee would have heard the Charges absent such Negotiated Resolution or if the charge was a First Degree Ethical Violation.~~

~~(b) the Disciplinary Body which would have heard the Charge absent such Negotiated Resolution (except for CDR § 502(L)(2)(a)).~~

~~(3) *Policy.* The resolution must (a) dispose of all pending Charges against the Charged Party, and (b) include the complete parameters of the discipline to be imposed, and (c) include the Charging Party and the Charged Party waiving all its rights to appeal, both administratively and through arbitration or the courts. This resolution may also include a requirement that the Charged Party testify against any other Charged Party, if any, and/or may consist of a dismissal of all charges. This resolution may include discipline outside the parameters listed in CDR §§ 401-407.~~

- ~~(4) *Standard of Review.* The Disciplinary Body reviewing the Negotiated Resolution may, and is encouraged to, conduct its review by telephone or video conference call. The Disciplinary Body may (a) request written statements, (b) review all related documents on file at the time of the Negotiated Resolution, and (c) review the Charged Party's previous disciplinary record upon request.~~
- ~~(5) *Standard of Acceptance.* When deliberating on whether to accept the Negotiated Resolution, the Disciplinary Body must consider the benefit to the ACBL of the certainty of conviction and the waiver of all appeal rights by the Charged Party and Charging Party.~~
- ~~(6) *Rejection of Negotiated Resolution.* If a Negotiated Resolution is rejected by the Appeals and Charges Committee, the Charges shall be heard by the Ethical Oversight Committee which would have heard the Charges absent such Negotiated Resolution. If a Negotiated Resolution is rejected by a Disciplinary Body, the same Body may hear the Charges.~~
- ~~(7) *Disciplinary Bodies Right to Participate in Negotiation.* The Disciplinary Body may provide a reason for rejection or a condition for acceptance. Each party will have the right to review the condition for acceptance and choose to accept or reject with ten days of being notified.~~
- ~~(8) *Challenging Committee Members for Cause.* There shall be no automatic challenges to the members of any Disciplinary Body. There may be challenges for Cause, such as bias, upon good cause shown (not merely alleged). In such cases, the balance of the committee members shall decide the validity of the challenge. A majority vote of such remaining members is required to remove a member for Cause.~~
- ~~(9) *Hearing Report Required.* The Disciplinary Body must send to ACBL headquarters a fully typed Hearing Report and a copy of its written decision, if any is produced in writing, within thirty (30) days from the conclusion of the review.~~

6. PROCEDURES FOR APPELLATE BODIES

...

603. APPEALS TO THE APPEALS AND CHARGES COMMITTEE

...

(E) Automatic Review by the Appeals and Charges Committee

(1) All disciplinary cases in which:

- (i) a Suspension of one (1) year or longer is imposed;
- (ii) Expulsion is imposed; or
- (iii) a discipline for an Ethical Violation is imposed

shall be automatically reviewed by A&C within six (6) months of receipt of the decision or Hearing Report, whichever is earlier, by the ACBL (an "Automatic Review"). In conducting such Automatic Review, A&C shall not conduct a new hearing but shall review the previous hearing to ensure that:

- (a) procedures were followed in accordance with the CDR;
- (b) the decision and discipline imposed was supported by the evidence;
- and
- (c) a fair hearing was conducted.

...

(3) In any case in which A&C conducts an Appeal or Automatic Review of an Ethical Violation, the Committee will uphold the original disciplinary panel's findings on responsibility unless they were clearly in error, inconsistent with the evidence, or established CDR rules. The Committee will review the original disciplinary panel's impositions of discipline as recommendations. A&C may increase or reduce the discipline imposed as well as affirm, reverse or modify the disciplinary determination or remand the case for further proceedings.

9. OTHER DISCIPLINARY MATTERS

901. RESIGNATION TO AVOID DISCIPLINE

~~(A) A member who resigns his/her membership in the ACBL when disciplinary charges are pending for unethical activity may not thereafter participate in any national, District, Unit, sanctioned game or other ACBL activity, including but not limited to:~~

- ~~(1) acting as non-playing captain;~~
- ~~(2) kibitzing any game or event;~~
- ~~(3) being physically present at the site of a tournament, or~~
- ~~(4) participating in the corporate or business affairs of any ACBL-affiliated organization.~~

~~(B) For purposes of publication, a member who resigns when disciplinary charges are pending for unethical activity shall be treated as though that member was convicted of the ethical violation(s) for which the member is charged, and received maximum discipline under Appendix B. However, publication as indicated in CDR § 903(D)-(E) shall be at the discretion of Management.~~

902. READMISSION OF RESIGNED/EXPELLED MEMBERS

~~(A) **Timing of Request for Readmission Following Resignation.** A member who resigns his membership in the ACBL to avoid possible disciplinary action may be readmitted to membership only by action of the ACBL Board of Directors. No application for readmission may be considered by the Board of Directors before ten (10) years from the date of resignation and, thereafter, only once every three (3)~~

years. The Board of Directors may impose such conditions upon readmission as it deems appropriate. In addition, there shall be no statute of limitations on the possible disciplinary action related to the resignation.

~~(B) Conditions for Readmission Following Expulsion.~~

- ~~(1) The ACBL Board of Directors will not hear, and ACBL Management hereby is instructed not to forward to the Board, any request for readmission before ten (10) years from the date of Expulsion. Notwithstanding the previous sentence, if the individual who was expelled admitted to the factual basis of the Charges prior to the commencement of the hearing on those Charges, he may apply for readmission after five (5) years.~~
- ~~(2) The ACBL Anti-Cheating Commission and the Ethical Oversight Committee will be informed of a prospective Readmission Following Expulsion. They may advise the ACBL Board of Directors, may be represented at a Readmission hearing, and may give oral or written testimony.~~
- ~~(3) Any member readmitted under CDR § 902(B) shall be placed on Probation for a minimum of 5 years.~~

~~(C) No Readmission Following Second Resignation or Expulsion. Under no circumstances will the ACBL Board of Directors hear a request for readmission regarding a *second* Expulsion or resignation to avoid possible disciplinary actions or combination thereof.~~

~~(D) Collusive Cheating. Notwithstanding the preceding provisions of CDR § 902, the ACBL Board of Directors will not hear, and ACBL Management hereby is instructed not to forward to the Board, any request for readmission of a member who was expelled for premeditated collusive cheating in NABC+ or equivalent events, or who resigned his membership for the purpose of avoiding possible disciplinary actions concerning premeditated collusive cheating in such events, or combination of such expulsion or resignation. Such a former member may never be readmitted to Membership in the ACBL nor participate in any ACBL sanctioned events.~~

~~903. PUBLICATION OF DISCIPLINARY CASES~~

~~(A) Policy. In disciplinary cases that result in a finding of responsibility (other than a Reprimand for a conduct violation which shall not be published), ACBL policy is to publish only an individual's name, ACBL player number, the discipline imposed and the CDR code section found to have been violated. Notwithstanding the previous sentence, the full Hearing Report (without attachments or exhibits) of the hearing regarding a Disciplined Person who has been found responsible of an Ethical Violation, among other Charges, if any, shall be made available on the ACBL website; provided, however, that when such decision is reported in the NABC Daily Bulletin as set out in CDR § 903(D) below, only a summary of the Hearing Report shall be published.~~

~~(B) Applicability. This applies to any decision(s) of a District or ACBL level disciplinary committee, including the Ethical Oversight Committee. It shall also~~

apply to decision(s) made at clubs regarding Ethical Violations when the ACBL is made aware of the decision, but shall not apply to decisions made by a club disciplinary procedure regarding non-Ethical Violations.

- (C) ~~Timing.~~ All disciplines will be published on the ACBL website for the length of time of the discipline levied. Expulsions shall also be reported in the ACBL Bridge Bulletin. (See also CDR § 401.)
- (D) ~~NABC Daily Bulletin Reporting.~~ Decisions of the Ethical Oversight Committee made while an NABC is still in progress shall also be reported in the NABC Daily Bulletin. Reporting of such decisions shall comply with CDR § 903(A).
- (E) ~~Website Publication Policy.~~ For Ethical Violations which have a recommended sentence that includes possible Expulsion from the ACBL (see Appendix B, Part I, to this CDR for a list of the relevant offenses), the fact that Charges have been brought will also be published on the ACBL website in the disciplinary section. The following information shall be included:

Player Name and ACBL number;

CDR section alleged to have been violated;

Disciplinary Body hearing the Charges; and

Hearing date.

If the player is found not responsible of the Charges, this fact shall be added to this information and kept on the website for ninety (90) days *unless* the player asks to have it removed sooner.

~~904. PRIVILEGED COMMUNICATIONS~~

Any communication that occurs during the meeting of an ACBL Body (as defined below), which relates to matters that have been, are or might reasonably become subjects of business for that particular body, is privileged.

- (A) ~~For purposes of this CDR § 904 only, "privileged" shall mean that the communication may not be used as the basis for any Complaint under this CDR or other ACBL Regulations.~~
- (B) ~~For purposes of this CDR § 904 only, "ACBL Body" includes the Board of Directors, any ACBL Foundation Board and any ACBL committee or sub-committee appointed by the ACBL President, the ACBL Board of Directors or any ACBL Board member. It shall also include the Board of Governors, any District or Unit Board within ACBL and any duly appointed or elected District or Unit committee or sub-committee.~~

~~905. REFUSAL TO PLAY A VIOLATION OF CDR~~

The refusal of a player, pair or team to play in an ACBL sanctioned Sectional, Regional, national or Grand National event against another player, pair or team duly entered in the event shall

~~require the disqualification of the player, pair or team so refusing to play from further participation in the event and the forfeiture of any masterpoints earned by the player, pair or team in the event. Such refusal, without a medical excuse, shall constitute a violation under CDR § 302(B)(8) and shall be referred to the Disciplinary Body having jurisdiction for appropriate disciplinary action.~~

~~906. CDR VERSION TO BE USED~~

~~Revisions of this CDR regarding procedures for all hearings apply to all hearings conducted on or after the effective date of the revision. Revisions regarding (i) what constitutes a violation of the CDR subject to discipline and (ii) penalties to be imposed apply only to offenses which occur on or after the effective date of the revisions.~~

[Appendix A to be deleted in its entirety]

[all internal references (except catchlines and section headings) to terms after the “Definitions” section shall be replaced as follows”]

“Appeals and Charges Committee” or “Appeals and Charges” – “A&C”

“Board of Directors” – “BOD”

“Director-in-Charge” – “DIC”

“Ethical Oversight Committee” – “EOC”

“Online Ethical Oversight Committee” – “OEOC”

“Tournament Disciplinary Committee” – “TDC”

Effective date: Immediately
Estimated cost/savings: None

Discussion:

Article IV has been re-structured and re-worded to clarify the meaning of certain provisions and to facilitate its use. Certain provisions in other locations of the CDR have been moved to Article IV.

Article IX has been deleted in its entirety. Its provisions have been re-located to other parts of the CDR where they fit more naturally.

Many technical changes have also been made that did not change the substantive meaning of a section. Substantive changes are described below:

- Definitions:
 - “ACBL sanctioned event” has been clarified to include locations associated with sanctioned competitions as well as ACBL official business
 - “Administrative” and “Conduct” violations are now keyed to the specific definitions included in the body of the CDR – they should be distinguished from “Ethical” violations, which are violations likely to have a material impact on the outcome of a bridge competition.
 - Where notice by mail is required, e-mail notice is sufficient. The definition of
- CDR § 301(A)(1): The definition of “*Collusive Cheating: Signaling*” was clarified to indicate that the exchange of information not permitted by Law 73 constitute a violation, not the agreement to exchange such information. The Violation also clarifies that no proof that the information was actually used is required; the exchange or transmission of such information is sufficient.
- CDR § 301(A)(2): A new Violation of “*Collusive Cheating: Online*” has been added to remove any doubt that online ethical infractions are subject to the CDR.
- CDR § 302(B)(8): The provisions of former CDR § 905 also governed a refusal to play against another player, so these have been consolidated.
- CDR § 302(C)(12): This section was accidentally omitted from the prior revision. It has been clarified to it applies to COVID-related information and other health information.
- CDR § 304(D): This section was re-written to clarify that inappropriate behavior occurring in an ACBL activity not involving a competitive event (such as an official ACBL meeting) is subject to discipline under the CDR
- CDR § 305: This section has been eliminated as being unnecessary in light of the simplified disciplinary structure achieved by the Article IV re-write.
- CDR § 401(A): The provisions governing sexual harassment allegations were scattered throughout the CDR. These have been consolidated into a single section, and the procedures have been simplified.
- CDR § 401(B): The publication of a Suspension Pending Hearing was implicit in the former version; the new provisions make it explicit.
- CDR § 402: This section is new. It provides guidance to all Disciplinary Bodies on how to determine appropriate disciplines, separating the factors should be considered into Primary and Secondary ones. Factors that may not be considered are also specified.

- CDR § 403: Various provisions related to the application and effects of a Discipline have been consolidated.
- CDR § 404: The various disciplinary options have been greatly simplified. Under the current CDR, the timing and application of various kinds of administrative suspension and probation is exceedingly complex, and these provisions greatly simplify the process. Masterpoint and title forfeiture rules were often in conflict with disciplines imposed in specific cases, leading to inconsistent results. The new rules make it clear that final disciplinary determinations regarding forfeitures should be made on a case-by-case basis as circumstances warrant.
- CDR § 405: The Reciprocal Disciplinary Policy was originally written when the ACBL was subject to WBF strictures. New language indicates that the Executive Director may seek re-determination of discipline imposed by another bridge organization when that discipline is grossly inappropriate (either too severe or too lax).
- CDR § 406: The provisions governing Negotiated Resolution have been re-located to Article IV to fit more appropriately with the other provisions governing discipline. Clarifying language has been added.
- CDR § 407: The provisions governing publication of discipline have been re-located to Article IV. Clarifying language has been added.
- CDR §§ 408-409: The provisions governing Expungement and Readmission, respectively, have been re-located largely untouched from other parts of the CDR.
- CDR § 603(E)(3): New language makes explicit that the Appeals and Charges Committee reviews findings on responsibility and discipline under different standards. As experts on bridge play determinations, the original disciplinary panel's findings on responsibility should be (and are) generally upheld unless they were clearly in error, inconsistent with the evidence, or established CDR rules. The A&C Committee, as a Committee of the Board of Directors, reviews the original disciplinary panel's impositions of discipline as recommendations and ensures consistency across cases. However, the original disciplinary panel's disciplinary determination remains effective when made, subject to later modification by the A&C Committee.
- Appendix A has been removed in its entirety. Many of these provisions are repeated in our comprehensive Recorder Regulations, which will be revised to include any guidance not already included.
- Various abbreviations of common CDR terms are identified, so the space-saving feature of these abbreviations should be used whenever possible.

Effective date: August 1, 2021

Estimated cost/savings: None

Committee Recommends (ONLY CHECK ONE BOX):

- Decision on above motion
 - Decision on motion as revised
 - Motion withdrawn
 - Deferral to _____ meeting, _____ year.
-

Committee vote:

For Against Abstain Consent Calendar

Majority opinion:

Minority opinion:

