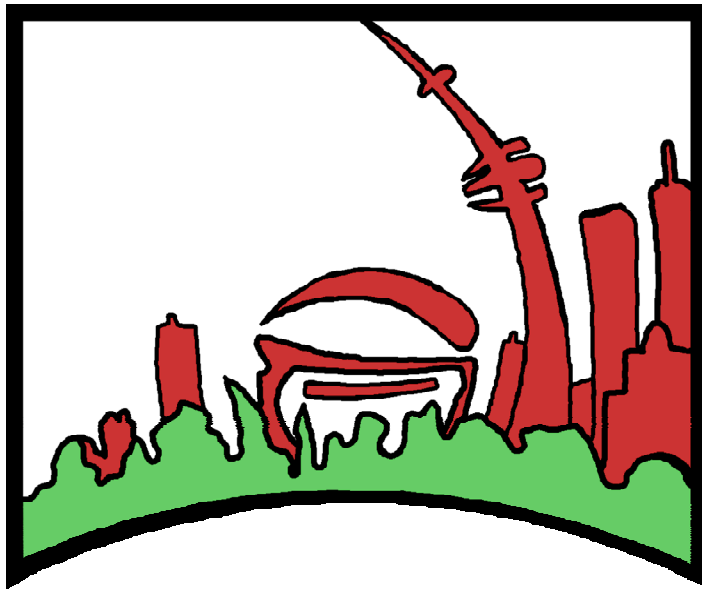




American Contract Bridge League

Presents

Torrents in Toronto



Appeals at the 2001 Summer NABC

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Abbreviations used in this casebook:

AI	Authorized Information
AWMW	Appeal Without Merit Warning
CC	Convention Card
LA	Logical Alternative
MI	Misinformation
PP	Procedural Penalty
UI	Unauthorized Information

FOREWORD

We continue our presentation of appeals from NABC tournaments. As always, our goal is to inform, provide constructive criticism, and foster change (hopefully) for the better in a way that is entertaining, instructive and stimulating.

The ACBL Board of Directors has continued the practice of having Director Panels, comprised of pre-selected Directors, hear appeals from non-NABC+ events (including side games, regional events and restricted NABC events). Appeals from NABC+ events continue to be heard by the National Appeals Committee (NAC). We review both types of cases in our traditional format.

Panelists were sent all cases and invited to comment on and rate each Director ruling and Panel/Committee decision. Not every panelist commented on every case. Ratings (averaged over panelists and expressed as percentages) are presented with each write-up and in a summary table at the end with separate summaries for Panels, Committees and overall.

The numerical ratings are intended as a general index of Director, Panel, and Committee performance. They are not intended nor should they be used to compare the performance of Directors with Panels/Committees as each group is evaluated on different criteria: Directors on their handling of situations at the table, including determining facts, applying appropriate laws, and making rulings which allow the game to progress normally, expecting that they may be reviewed and possibly overturned on appeal. Panels/Committees are rated on their fact finding, application of law, and use of bridge judgment (or consultation with players) appropriate to the level of the events and players involved. Both types of ratings may also be affected by panelists' views of PPs and/or AWMWs.

Table rulings are usually made after consultation among Directors, including the DIC of the event (who is responsible for the final ruling). This is true even if we occasionally lapse and refer to a ruling as the table Director's. At management's request, only the DIC's name is included in each write-up. Additionally, we should bear in mind that we see here only a subset of all table rulings—in particular, those with which some players disagreed. To that extent what we see here may not be representative of all rulings.

Director Panels are expected to obtain bridge advice from appropriate players where a decision involves bridge judgment. The Panel's choice of consultants and their use of the input received may be used by our panelists in their ratings.

Ambiguity Department. Write-ups often refer to "an x-second break in tempo." Our policy is to treat all tempo references as the *total time* taken for the call (unless otherwise specified) and *not* how much longer than "normal" the call took (which poses the additional problem of what is normal for the situation). Chairmen and scribes should adjust their reports accordingly.

Mild Disclaimer Department. While we make every effort to ensure that write-ups are complete and accurate, we cannot offer any guarantees. Since even minor changes in the reported facts can affect our evaluations, the opinions expressed are valid only for cases which match the facts reported. Otherwise, the discussions here should be regarded merely as theoretical exercises.

Suggestions for improvements are welcome. They may be sent via e-mail to: Rich.Colker@acbl.org or via USPS to the editor, c/o ACBL in Memphis.

Finally, my thanks go to everyone whose efforts contribute to these casebooks: the scribes, reviewers and chairmen who labor to chronicle the details of each case; the panelists for their hard work and devotion to a truly arduous task for which they receive only our praise (and occasional abuse); and, of course, Linda Trent, NABC Appeals Manager and my assistant editor. My sincere thanks to all of you. I hope my efforts have not in any way diminished your good work.

Rich Colker
February, 2002

THE EXPERT PANEL

Bart Bramley, 54, was born in Poughkeepsie, NY. He grew up in Connecticut and Boston and is a graduate of MIT. He currently resides in Chicago with his longtime companion Judy Wadas. He is a stock options trader at the CBOE. Bart is a sports fan (especially baseball and specifically the NY Yankees), a golf enthusiast, a Deadhead and enjoys word games. He was 1997 Player of the Year. His NABC wins include the 1989 Reno Vanderbilt and the 1997 Reisinger. In 1998 he was second in the World Par Contest and third in the Rosenblum Teams. He also played in the 1991 Bermuda Bowl and captained the 1996 U.S. Olympiad team. Bart is currently the chairman of the ACBL Conventions and Competition Committee.

Larry Cohen, 42, was born in New York City and is a graduate of SUNY at Albany. He currently resides with his wife, Maria, in Boca Raton, Florida. He is a former computer programmer and options trader but presently makes his living from writing/publishing bridge books/articles/software and playing bridge professionally. Larry has played bridge in special invitational tournaments in a dozen different countries. His biggest passion/hobby is golf and watching sports, especially his beloved Yankees. He has won seventeen National Championships and was second in the 1998 World Open Pairs and third in the 2000 World Teams Olympiad.

Ralph Cohen, 75, was born in Montreal, PQ. He currently resides in Memphis, TN. He has held several positions with the ACBL from 1971 until 1991 including Executive Director from 1984 to 1986. He has been a member of ACBL Laws Commission since 1984 and is currently a Co-Chairman. He is a Vice-Chairman of the WBF Laws Committee. He wrote the *Ruling the Game* column for two years along with other contributions for *The ACBL Bridge Bulletin*. He represented Canada in the World Team Olympiad in 1964 and has won four National Championships. He has been attending NABCs since 1947.

Grattan Endicott, 78, was born in Coventry, England and currently resides in Liverpool. He is divorced and has two sons, three granddaughters, one grandson and one great granddaughter. His late brother has furnished him with multitudinous blood relations across Canada including a great-great niece. He was invested in 1998 by the Queen as an Officer of the Order of the British Empire (OBE). He has been a dedicated member of many Laws Committees and is currently the secretary of the WBF Laws Committee. He has kept impeccable records and is a respected authority on the chronology of Laws interpretations.

Ron Gerard, 58, was born in New York. He is a graduate of Harvard and Michigan Law School (JD). He currently resides in White Plains, NY with his wife Joan (District 3 Director), where he is an attorney. Ron is a college basketball fan and enjoys classical music and tennis. He is proudest of winning both the Spingold and Blue Ribbon Pairs in 1981. Each year from 1990 to 1995 he made it to at least the round of eight in the Vanderbilt; he played in three finals (winning in Fort Worth in 1990) and one semi-final without playing once on a professional team.

Ton Kooijman, 59, was born in Rotterdam, The Netherlands, and currently resides in Gouda with his wife Annelie. He has two grown children. Ton is an inspector in agricultural schools, higher vocational schools and a university. In his spare time he enjoys stamp collecting, reading and wine. He is one of three Chief Tournament Directors in the European Bridge League, Chairman of the Dutch National Appeal Committee, Operations Director of the WBF (since 1991), and a member (since 1993) and Chairman (succeeding Edgar Kaplan) of the WBF Laws Committee.

Jeffrey Polisner, 62, was born in Buffalo, NY and currently resides in Northern CA where he has been a practicing attorney since 1967. He is a graduate of Ohio State

University (BS) and obtained his JD from Case Western Reserve. He is currently the WBF Counsel and former ACBL League Counsel. He is a member of the ACBL and WBF Laws Commissions and former Co-Chairman of the ACBL National Appeals Committee.

Barry Rigal, 43, was born in London, England. He currently resides in New York City with his wife, Sue Picus. A bridge writer and analyst, he contributes to many periodicals worldwide and is the author of the book, *Precision in the Nineties*. He enjoys theater, music, arts, and travel. Barry is also an outstanding Vugraph commentator, demonstrating an extensive knowledge of bidding systems played by pairs all over the world. He coached the USA I team to the Venice Cup in 1997. He is proudest of his fourth-place finish in the 1990 Geneva World Mixed Pairs and winning the Common Market Mixed Teams in 1987 and the Gold Cup in 1991.

David Stevenson, 54, was born in Kumasi, Gold Coast. He currently resides in Liverpool, England with his wife Elizabeth and his two cats, Quango and Nanki Poo. His hobbies include anything to do with cats and trains. David has won many titles as a player, including Great Britain's premier pairs event, the EBU Grand Masters, twice. He was the Chief Tournament Director of the Welsh Bridge Union, is active internationally as a Tournament Director, and serves on the WBF Appeals Committee.

Dave Treadwell, 89, was born in Belleville, NJ, and currently resides in Wilmington, DE. He is a retired Chemical Engineer, a graduate of MIT, and was employed by DuPont for more than 40 years where he was involved in the production of Teflon for introduction to the marketplace. He has three grown children, three grandchildren and two great-grandchildren. His hobbies include blackjack and magic squares. The bridge accomplishment he is proudest of is breaking the 20,000 masterpoint barrier. He believes bridge can be competitive and intellectual, but above all can be and must be fun.

Bobby Wolff, 69, was born in San Antonio and is a graduate of Trinity U. He currently resides in Fort Worth. His father, mother, brother and wives all played bridge. Bobby is a member of the ACBL Hall of Fame as well as a Grand Life Master in both the WBF and the ACBL. He is one of the world's great players and has won ten World Titles and numerous National Championships including four straight Spingolds (1993-96). He served as ACBL president in 1987 and WBF president from 1992-1994. He has served as tournament recorder at NABCs and is the author of the ACBL active ethics program. Among his pet projects are eliminating both Convention Disruption (CD) and Hesitation Disruption (HD).

CASE ONE

Subject (Tempo): I'm Allowed To Know What I Already Know

Event: Grand National Teams: Championship Flight, 18 Jul 01, Qualifying Session

Bd: 24	Jo Ann Sprung		
Dlr: West	♠ AK1085		
Vul: None	♥ 9842		
	♦ J743		
	♣ ---		
Nader Hanna	Robert Lebi		
♠ QJ2	♠ 6		
♥ Q1065	♥ AKJ3		
♦ K8	♦ 1052		
♣ KQJ4	♣ A10653		
	Danny Sprung		
	♠ 9743		
	♥ 7		
	♦ AQ96		
	♣ 9872		
West	North	East	South
1NT(1)	2♣(2)	2NT(3)	3♠
Pass	Pass	Dbl(4)	Pass
3NT	All Pass		
(1) Announced; 12-14 HCP			
(2) Alerted; majors			
(3) Alerted			
(4) Break in tempo			

The Facts: 3NT made four, +430 to E/W. The Director was called at the end of the auction and told that East had hesitated before doubling 3♠. E/W stated that all balanced hands with invitational or better strength would have started with a double of 2♣. The Director allowed the table result to stand because the information available from East's hesitation (possible spade shortness) was identical to that available to West from his own hand and the auction.

The Appeal: N/S appealed the Director's ruling, claiming that pass was a LA to West's 3NT and that East's hesitation suggested pulling 3♠ doubled. E/W stated that their notes indicated that all balanced hands of invitational or better strength would always start with a double of 2♣.

The Committee Decision: Although E/W did not have their notes with them, the Committee believed E/W's statements based in part on their view of common expert practice in these situations. In addition, the Committee deemed

that no material information was provided by East's hesitation that was not already available systemically from the auction and from West's own hand. Therefore, the table result was allowed to stand.

DIC of Event: Henry Cukoff

Committee: Mark Bartusek (chair), Hugh Ross, Marc Zwerling

Directors' Ruling: 78.3

Committee's Decision: 74.7

I'm sorry, but I can't quite put my finger on what "common expert practice" is when holding a balanced hand of invitational or better strength when RHO shows both majors and a Lebensohl 2NT bid is available. (Why weren't we told whether E/W's Lebensohl agreement was fast shows or slow shows?) Starting with a double may be reasonable but if I sat East and held ♠xx ♥xxx ♦AKJx ♣KQxx I'd be very uncomfortable suggesting defending. In many partnerships if responder held such a hand he would either bid 3NT immediately or 2NT followed by 3NT, whichever shows game-going values but denies major-suit stoppers.

In the absence of any discussion, a double would seem to indicate a willingness to defend at least one of the majors and subsequent doubles by either player would be penalty. Starting with 2NT would imply no particular interest in defending and subsequent doubles would be takeout-oriented/optional within that context. So why

was the Committee so willing to buy E/W's statements?

Next, what are the implications of East's double of 3♠? Given his 2NT bid it would probably tend toward takeout (or optional) but would not necessarily imply spade shortness. After all, North's majors could just as easily have been 4=5 instead of 5=4 and South's majors 3=2 or 3=1, leaving East with 3=2 or 3=3. This would have made East's double of 3♠ a lot easier—and a lot quicker.

In my book the only decision West gets to make after East's slow double is which suit to lead against 3♠ doubled (a trump seems better than a reflexive club), leaving only the result in that contract at issue. I think declarer would certainly rise with a high spade on a low trump lead and play a heart. If East ducks (a tough play) West wins and continues a second trump. After ruffing two hearts in hand declarer must eventually lose four tricks for +530. If East rises with a high heart at trick two declarer can crossruff six round-suit tricks to go with his ♠AK and ♦A; nine tricks and still +530. On a club lead declarer ruffs and comes to an easy nine tricks in any of several ways, including setting up the diamonds. So all roads seem to lead to +530 for N/S and that is the score I'd assign to both sides.

Agreeing with my analysis is...

Rigal: "This seems to me an unsatisfactory write-up. What is 2NT? Presumably Lebensohl, but is it slow or fast arrival? If the Committee did not ask, they should be severely taken to task. If they did know and did not tell us, the scribe should know better.

"Having said that, looking at the East hand I will assume that he was intending to convert 3♣ to 3♥ to show a heart stop. But on this auction there is some ambiguity as to whether his actual sequence shows a spade stop (and that his 2NT call was based on a worry about hearts) or his actual hand, the tempo of the auction solving West's problem. If I am right there was both a hesitation and also it was far from clear to West to convert 3♣ doubled to 3NT. (E.g., partner could have Kx/xx in the majors instead of his actual holdings.) West has a maximum notrump, though it is low on defense, with good trumps and the opponents' second suit controlled. So the auction must revert to 3♠ doubled, where +530/-530 seems clear on a club lead. At the very least E/W deserve nothing better and N/S are not being unduly favored here either by that adjustment."

The next panelist agrees with Barry's and my interpretation of the auction but not the number of tricks in the play.

Bramley: "I disagree. Maybe I'm an uncommon expert, but I'm not aware of any 'common expert practice' here. If the meaning of the auction was so clear, then why did East take so long to double? West has a probable trump trick and a high-card maximum with slow tricks. I don't believe that the auction marked his partner with a singleton spade, even if we grant their supposed systemic understanding, which, by the way, I do not. The formula works well here: There was a break in tempo, it demonstrably suggested pulling the double, and pass was a LA. I would have assigned a result of 3♠ doubled made four, 630 in both directions. The Director was too lenient as well. E/W should have been the ones obligated to appeal this."

Yes, the table ruling certainly looks rather poor. It appears that too many people (including the Committee) spent too much time peering into the N/S hands.

More support for changing the contract to 3♠ doubled...

L. Cohen: "Not a good start. Why aren't we told what 2NT showed? Presumably it was a variation of Lebensohl, but in this situation did it promise a game force? An invitation? Such information could have a bearing on what West could play East for. Should we believe E/W that the auction and West's hand indicated spade shortness with East? Not me. Did anyone ask about N/S style? Even a sound North could have, say, A10xx AKJxx in the majors and South could bid 3♠ with as little as ♠Kxx (to get the lead against a potential 3NT). Then East would double

CASE TWO

promptly with his tripleton spade; would West know to pull the prompt double? An aggressive North could have even worse spades; I'd say East could conceivably have honor-third on this auction. But, he wouldn't double slowly with that. Simply put, East's slow double showed doubt so West must sit."

✍ So much for the support for a score adjustment. The remaining panelists thought the Committee made the proper decision, with the main debate focusing on whether the appeal had merit. That's quite a difference in appraisal. Once again several panelists found the information obtained by the Committee (or presented in the write-up) lacking. In increasing order of disdain for the appeal...

Polisner: "I'd like to know what the Alert of 2NT was, which would make it easier to review the case. However, it does seem reasonable that the necessary relevant information was available to West by AI which was strong enough to allow the table result to stand."

R. Cohen: "I know it was an ad hoc Committee, but was the double of 3♠ Alerted? Did anyone ask? Shouldn't it have been? For all that, at the level of play of all the parties it was the right decision."

Wolff: "The ruling is my choice, but the answer is to create a standard for slow doubles and how partner should react."

Treadwell: "Although the appeal by N/S had some merit—pulls of partner's slow penalty doubles almost always do—the Director and Committee both used excellent judgment in allowing the table result to stand. In other words, the UI agreed with the AI available to West from the auction and his hand."

Gerard: "This is close to the nadir in appeals by an experienced pair. The only word that comes to mind is 'unscathed.'"

Stevenson: "'If it hesitates, shoot it' is fortunately a dying mentality. Here E/W played bridge and the only question is whether the appeal had merit."

✍ Finally, one panelist raises an interesting and potentially relevant issue missed by those who allowed the table result to stand.

Endicott: "My curiosity is aroused as to the quality of E/W's disclosure. They told the Director that on all balanced hands with invitational values or better East would start by doubling North's 2♣. Was this on the CC? If not, should it not have been? And the 2NT was Alerted, presumably because it is known not to be balanced. Did the CC at least disclose this understanding? If neither of these disclosures was made on the CC, is there not some possibility that it may have deprived South of some opportunity for judgment, inhibiting any potential thoughts of going to 4♠?"

"I agree that West had legitimate knowledge on which to remove East's double; I wonder whether N/S had all the information to which they were entitled. I would have liked to hear the Committee enquiring a little about that."

✍ Grattan believes that N/S were probably denied information which could have led to the good "save" in 4♠. If one believed West should be allowed to pull East's double (because the UI was redundant with the AI available—ugh!), shouldn't one at least have investigated the possibility of N/S saving in 4♠?

I find the views of this second group of panelists difficult to understand or accept. Perhaps they, like the Director and Committee, spent too much time peering at the N/S cards and not enough time thinking about the auction.

Subject (Tempo): Looking For Any Edge
Event: Life Master Pairs, 20 Jul 01, First Qualifying Session

Bd: 10	Steve Albin		
Dlr: East	♠ A103		
Vul: Both	♥ AQ4		
	♦ 1095		
	♣ Q632		
Ellen Anten		Steve Gross	
♠ J9764		♠ 852	
♥ J		♥ K96	
♦ AKJ4		♦ 8732	
♣ K85		♣ A97	
	Robin Gillett		
	♠ KQ		
	♥ 1087532		
	♦ Q6		
	♣ J104		
West	North	East	South
1♠	Pass	Pass	Pass
Pass(1)	Pass	2♠	Pass
(1) Break in tempo			

The Facts: 2♠ made three, +140 for E/W. The opening lead was the ♦10. The Director was called by North after the hand and told that West had hesitated 6-8 seconds before her last pass, which inhibited him from reopening with a double. N/S believed that they would have been down one in 3♥ and that West did not likely have a 3♠ bid. E/W told the Director that they did play Drury. West said she was considering a 3♠ blocking bid. The Director ruled that there had been no violation of Laws 73D2 or 73F2 and allowed the table result to stand.

The Appeal: N/S appealed the Director's ruling. They repeated their previous argument that a 6-8 second hesitation inhibited North from possibly balancing. N/S insisted that they were extremely aggressive balancers at matchpoints. West admitted that she paused for thought to consider

a 3♠ "blocking bid," given her heart shortage. In addition, E/W stated that West regularly took a long time to consider her proper bid.

The Committee Decision: The Committee believed that a hesitation did indeed occur, given West's testimony, but that it did not qualify as an "illegal deception" as described in Law 73F2. West had a valid bridge reason for her actions. The table result of 2♠ made three, +140 for E/W, was allowed to stand. Additionally, the Committee looked upon N/S's efforts to win the board in Committee with distaste, given North's balanced distribution and the unlikely possibility that West's hesitation damaged him. The appeal was deemed to be substantially without merit and North and South were both awarded an AWMW.

DIC of Event: Henry Cukoff
Committee: Mark Bartusek (chair), Bob Gookin, Eric Greco, Marlene Passell, Jon Wittes

Directors' Ruling: 83.7 **Committee's Decision: 74.0**

✍ The panelists were as divided on this case as on the previous one, but more reasonably so. First, those who support the Committee's decision—even if not their AWMW.

Bramley: "I agree completely. Furthermore, if North balances West, with a singleton heart, will surely bid 3♠. Therefore, N/S couldn't improve their score even if their argument had been valid."

Treadwell: “Too bad the Committee could issue but one AWMW to both North and South. It is shameful to try to win a board in this manner.”

Polisner: “Excellent work. I am a firm believer that table results must be maintained in these types of cases. If there is a belief that a player engaged in an unethical attempt to influence an opponent’s action, the matter should be referred to a Disciplinary Committee (or at least recorded) and not an Appeal Committee.”

✍ Translation: “This would be a much simpler and better game (certainly easier to administer) if all table action was legal: the opponents could draw any inferences they wish, but only at their own risk. Everyone would be responsible for protecting themselves at all times and we could ignore their complaints if they didn’t.”

Well, that would certainly be a *different* game.

Rigal: “My familiarity with West suggests that she is indeed a slow player. Does that allow her to pause for the described period of 6-8 seconds? Yes, I think so, but maybe this is an appropriate case for a Recorder—or am I being overly suspicious in feeling uncomfortable here? I think the AWMW is appropriate for N/S, although calling the Director does not seem to me to be excessively litigious. Once the Director advises on the facts, then I think North’s only resource is to the Recorder.”

Kooijman: “This case is not ABC. The effect of the blocking bid should come from making it and not from deliberating and then not making it. Did anyone ask West why she didn’t bid 3♠? This seems the holding for it. I am not so happy with the Committee’s statement ‘West had a valid reason for her actions.’ I do agree with the decision though.”

R. Cohen: “Did anyone ask about West’s tempo on board nine? Does North really want to compete with the flat distribution and vulnerable? If he did, he should have done so the first time. Do not agree with the AWMW this time.”

Endicott: “In my view N/S have sound grounds for appeal in order to test whether West’s reason for her slow final pass is a demonstrable bridge reason. This is a matter of bridge judgment. If it were apparent that West is in the habit of making slow passes on weak hands in positions where the deliberation could well imply a near invitational holding I would take a less charitable view than offered by this Committee. In the meantime I regard the AWMW award as unjustified.”

✍ Offering the most lucid argument for the Committee’s decision while painting West’s actions in what appears to me to be the proper light is...

Gerard: “I have a big problem with this. Since spades control the auction, a ‘blocking’ 3♠ bid is necessary only (1) if the opponents have a game or (2) to avoid being doubled in a later 3♠ balance. (1) was unlikely, so (2) was the only possibility. In that case, the hesitation was a 73F2 violation. West could have known that a slow pass of 2♠ followed by 3♠ over the opponents’ three-level competition could have worked to her advantage. But my real problem is West’s self-serving presumption that N/S had a heart or any other fit. Suppose the auction over 2♠ continued double by North, redouble by East, long pause by South. Was there any reason East couldn’t hold ♠xxx ♥K109x ♦xx ♣A109x? No, the real reason for West’s hesitation was to avoid having to make a decision over 3♥. This whole business about blocking with spades, and with that hand I might add, was as contrived as snake oil. Mind you, I don’t see that North was damaged either. That means he wasn’t an ‘innocent player’ and no adjustment is appropriate under 73F2. But he didn’t deserve the demerit.”

✍ The next panelist favors a score adjustment.

Stevenson: “Great. Next time I want to shut the opponents up all I have to do is hesitate on a hand that I would never bid on, then claim I was thinking of bidding while partner bleats about how I always bid slowly.”

“Let’s investigate further. Is 1♠-P-2♠ forcing? No? Okay, when do you pass it? Let’s see. We will bid again with values, to try for game, or good distribution to try to keep the opponents out. What is good distribution? Long and strong trumps is the most important. The LOTT suggests rebidding with a sixth trump, for example, so we only pass with a weak hand and poor distribution. In effect, we only pass with poor trumps. What do we have here? Very poor trumps and a minimum. Oh, what a surprise, an automatic pass! The most blatantly obvious hand for a Law 73F2 adjustment for some time.

“I am terrified by the naivety of the Director and Committee.”

✍ Like Ton earlier, the remaining panelists are more than a bit troubled by West’s thoughtful pass. While they do not favor giving N/S anything, they are equally opposed to E/W (particularly West) escaping unscathed.

L. Cohen: “I don’t think the Committee correctly applied Law 73F2. Are we to accept West’s action as ‘valid bridge reason?’ I’d say you can never be allowed to huddle when considering a preemptive raise. For example, if partner opens 2♥, can you consider raising to 3♥ with ♠xxx ♥xxx ♦xxxx ♣xxx and after 6-8 seconds, pass? Can you huddle with a 2-count opposite partner’s 10-12 notrump and pass (later claiming that you were thinking of what tactical runout to use)? The given auction is a classic. This is a bad huddle; I’d call it unethical. My sinister observation is that the longer they take before passing, the less they have! I never let the tempo of the pass affect my balancing decision. I make a mental note to place the perpetrator on my blacklist (a list of sleazy types), but I don’t call the Director or ask for protection. So, my conclusion is that the Committee decision to give nothing to N/S was okay, but I would have been harsher to West and would have not been so accepting of her action. (Note: I don’t know if any penalty or warning for West is legal, but I’d like it to be.)”

✍ Toyota! Law 73F2 gives just such authority. It says:

Player Injured by Illegal Deception

If the Director determines that an innocent player has drawn a false inference from a remark, manner, tempo, or the like, of an opponent who has no demonstrable bridge reason for the action, and who could have known, at the time of the action, that the action could work to his benefit, the Director shall award an adjusted score (see Law 12C).

Wolff: “While I don’t really object to the ruling, I think the protest was legitimate and the appeal far from frivolous. Is the Committee saying it is all right to study and pass on a hand considering a blocking bid? Why not study and pass and avoid having to go to the three-level? No, a study and a pass is unethical here and should not be condoned. Perhaps the opponents shouldn’t prosper but the culprits should learn better—which they won’t from this Committee’s action. Caveat: It is against the proprieties if it is decided that the action taken was designed, even in part, to either illegally hurt the opponents or, of course, to help partner.”

✍ Like Larry, I have no sympathy for North’s request for a score adjustment here: you look at your hand and either balance or don’t; you use the opponents’ table action at your own risk. Also, Larry’s take on the tendencies of huddlers in these auctions is, in my experience, quite accurate. So N/S deserve nothing. On the other hand, those who have trouble with West thinking and then passing are right as well. I would like to adjust E/W’s score (especially at matchpoints, where adjustments for the two sides are independent), but even if North balances with a double and South bids 3♥, I think West has an easy (but not guaranteed) 3♠ bid. After all, give East something like ♠Qxxx ♥Kxx ♦xx ♣QJxx and 3♠ will make (even with the

wasted ♠K) while so might 3♥. In fact, opposite ♠KQ10x ♥xxx ♦xx ♣QJxx even ten tricks are not unlikely. And success does not require finding East with four trumps. Give him something as ugly as ♠Q10x ♥Qxx ♦xxxx ♣QJx and 3♠ depends only on bringing in the diamonds without loss. So like the Committee I would allow the table result to stand but would have told West in the strongest possible terms how I feel about her actions and that I would have adjusted *her* score if I could have found a reason to do so.

Even if the Director's ruling was correct for the B/C/D pairs (and I'm not convinced it is), in the Life Master Pairs West was surely guilty of violating at least two sections of Law 73 (even though there may not have been any damage to N/S from those violations). It was a serious failing of the Directing staff that they did not at least issue West a stern warning and educate her about her actions which, even if unintentional, were nonetheless improper. Just as with MI, a player who innocently mis-explains his system can damage the opponents every bit as much as one who intentionally withholds information, and must be held just as responsible for their actions and educated about their responsibilities.

CASE THREE

Subject (Tempo): You Snooze, You Lose

Event: Life Master Pairs, 20 Jul 01, Second Qualifying Session

Bd: 11	Mac Kowalczyk		
Dlr: South	♠ QJ1087632		
Vul: None	♥ --- ♦ A86 ♣ K4		
Tom Kniest	Karen Walker		
♠ ---	♠ 954		
♥ KQ10432	♥ J65		
♦ KQ104	♦ 52		
♣ Q108	♣ A9763		
	Vincent Messina		
	♠ AK		
	♥ A987		
	♦ J973		
	♣ J52		
West	North	East	South
1♥	1♠	2♥	1♦
3♣	4♠	Pass	Pass
5♥	Pass	Pass	Dbl(1)
Pass	5♠	All Pass	
(1) Break in tempo			

The Facts: 5♠ made six, +480 for N/S. The opening lead was the ♣A. The Director was called before the final pass. N/S agreed that there had been a hesitation before the double of 5♥. North said it lasted about 10 seconds; E/W said 20-30 seconds. The Director ruled that once North passed 5♥ he left the decision to his partner. The 5♠ bid was cancelled (Law 16) and the contract changed to 5♥ doubled down one, +100 for N/S.

The Appeal: N/S appealed the Director's ruling and were the only players to attend the hearing. North believed that when he passed 5♥ he had not given full consideration to his action. Despite his partner's double he thought 5♠ was likely enough to make for it to be the correct bridge bid. N/S also believed that the defense had been poor enough to sever the connection to any damage. The defense had been: ♣A, a club to the king, the ♠AK, then a diamond discarded on the ♥A.

On the run of the trumps, West discarded his diamonds to keep the ♣Q.


The Committee Decision: North had not contended either in screening or to the Committee that he had planned a "pass and pull" auction to show either a slam try or a weaker hand than an immediate 5♠ would have shown. N/S did not state that they had any special forcing-pass agreements. The Committee decided there had been a break in tempo and since North had passed 5♥ he was committed to abide by his partner's decision and could not bid 5♠ (Law 16A) after the break in tempo, which in effect deprived North of his chance to be brilliant. It was noted that despite South's ♠AK (which were 100% wasted on defense) 5♥ doubled down one was actually the par result for the hand. Since the reason for the Director's ruling was explained to N/S and the issues had been reviewed in screening, the Committee decided that the appeal lacked substantial merit and assessed an AWMW to N/S.

DIC of Event: Henry Cukoff

Committee: Barry Rigal (chair), Phil Brady, Sid Brownstein, Dick Budd, Michael Huston

Directors' Ruling: 91.3

Committee's Decision: 90.0

 This case illustrates the principle that we must be prepared to place ourselves in the same frame of mind as the player at the table. To many the North hand will

seem a clear 5♠ bid. In fact, many would bid it directly over 5♥. But *this* North did not think so and passed. (Yes, I know he claimed it was an unthinking pass, but that means that pass was a reasonable action for him—even if only superficially.) Then, when his partner doubled, he was forced to confront the choice between defending 5♥ and bidding 5♠, a decision he had in principle left to his partner. Why would a player who had just been willing to defend 5♥ (there is no evidence that he intended his pass-then-pull as a slam invitation—having signed off in 4♣ on the previous round) and who had every reason to believe his partner held four hearts and spade shortness, suddenly decide to bid 5♠? Was North's pass of 5♥ even forcing (for *this* pair)? If South could have passed 5♥ but instead expressed the opinion that it would go down (by doubling), why should North *now* decide to bid 5♠ rather than on the previous round? After all, if South held ♠x ♥AKxx ♦Qxxx ♣QJxx, N/S would be off three top tricks in 5♠ while 5♥ doubled would be going down anywhere from 100 to 800? Surely South's hesitancy denied such a holding and made North's 5♠ bid more attractive.

Agreeing with the Committee, including the AWMW, are...

Bramley: "North's pass isn't forcing in my system. A richly deserved AWMW."

Polisner: "This seems a trivial enough case to warrant the Committee's AWMW. As far as pass and pull, I would have even been harder on North if he suggested that he was thinking of that as it would be absurd since pass is not even forcing."

Rigal: "I like the Director's decision not to focus on the freak nature of North's hand but to make the right bridge decision. And the Committee's award of an AWMW is clearly in point, although my instincts are normally to be more charitable to players with extreme distribution. The nature of the misdefense seems irrelevant; E/W should not have been faced with the problem at all, and in any event it would not have been a chain-breaker to my mind. Once a Director is called, bridge at the table tends to deteriorate in startling fashion."

✍ We'll return later to the issue of E/W's culpability for their inferior defense.

Treadwell: "A. clear-cut decision. This time North's hand, in view of his pass over 5♥, did not tell him to pull the double; it was the tempo of the double which provided that information."

Wolff: "Agree, but what is it with the Committee's reluctance? To pass 5♥ and then pull a slow double should be heartily condemned, not mulled over."

✍ Some panelists agree that N/S got what they deserved but choose to focus more closely on the E/W pair's score.

Gerard: "Well the play in 5♥ is a little tricky for down one, but it certainly could have happened to N/S. If someone wanted to rule -300 to E/W, I wouldn't quibble."

Kooijman: "Part of the reason N/S appealed was the score given to E/W, which is a valid reason for an appeal in my country. The Committee doesn't say anything about that. Shouldn't they give their opinion about that explicitly? I assume they should."

✍ While some believe it improper to file an appeal just to reduce the opponents' score, I, like Ton, believe it's entirely proper. In some events (e.g., a KO) changing the opponents' score will directly affect the appellants' score while in others it may indirectly enhance the appellants' position through their carry-over (in a qualifying event) or section or overall rankings. Other situations where non-self-involved appeals seem appropriate are to "protect the field" (in a matchpoint or other field-type event) or when an ethical issue is involved which was overlooked by the table

Director. And that seems to embrace just about every type of appeal there is.

In this case, while not addressing it directly, the Committee clearly believed that E/W's defense of 5♠ was not relevant since they should not have been faced with the defensive problem in the first place—Barry's point. The only time, in my opinion, that the non-offenders' subsequent actions should affect their score is when the infraction left them in a position to achieve an even better score than otherwise. If they stood to do better with the infraction than without it then their failure to play reasonable bridge for their skill/experience level should convince the Director or Committee to leave them with the table result.

Raising the same issue of the failure to address the issue of E/W's score...

R. Cohen: "The main problem here is whether E/W, with their nullo defense, severed the connection for an adjustment for themselves. No problem adjusting N/S to +100 but should E/W keep their -480? The Committee and the Director appear to have never considered the matter. I believe it's a lot closer than the responsible parties thought. N/S earned their AWMW in appealing for their own adjustment. The only merit was to bring attention to E/W's non-bridge, which the Committee completely ignored. Actually, the Committee probably got it right but it tripped over first base beating out the bunt."

✍ Yes, the Committee could have provided some rationale for not leaving E/W with the table result; on the face of it, all of the criteria for considering assigning non-reciprocal scores seem to be met. In fact, the next two panelists focus precisely on this issue: was E/W's defense of 5♠ egregious enough to leave them with the table result.

L. Cohen: "The main issue was decided correctly. Normally, I'd allow a player with an eight-card suit and a void in the opponents' suit to pull a slow double, but here North had his chance in direct seat; he can't be allowed to change his mind over a slow double. But two relevant points weren't addressed in the write-up. First, E/W have a duty to defend against 5♠ within reason. If, for example, 5♠ was an easy down two, but E/W revoked on every trick, they wouldn't be entitled to redress. I think this particular defense poor but reasonable enough to determine that E/W continued to 'play bridge'; so the adjustment is okay. (But, this should have been in the write-up). Second, the potential play in 5♥ doubled needed more discussion. On a spade lead, West would presumably ruff and would then have to play well to hold it to down one. (For example, if he plays a trump at trick two, the defense can beat it at least two.) I'm not sure that the criteria are met to decide that E/W would take as many as ten tricks in 5♥ doubled, but the Committee needed to address this point."

Stevenson: "It is not enough in UI cases to make the call that you would have without the UI: You have to bend over backwards not to take advantage, as Law 73C says (paraphrased). This North has not done. More interesting is whether E/W should get redress. Did the Committee consider this? The defense should have beaten 5♠, but was the defense bad enough to deny redress? East should discard all her cards in a minor and West should have no difficulty. I think it is a close thing whether they deserve redress."

✍ The only way E/W could have achieved a better score defending 5♠ than they could have in 5♥ doubled was by beating it. But that would have required East to not lead the ♣A—a suit West bid (presumably as a game try) in the middle of a competitive auction. After the ♣A lead E/W were only contesting the overtrick. So was the ♣A lead "egregious"? Was there sufficient reason for East to commit to an ace lead in West's second suit when a much safer heart lead from ♥Jxx was available? What if West bid 3♣, intending it as lead directing in anticipation of further competition from N/S? It is not difficult to construct layouts where a heart lead allows North to pitch a critical club loser on the ♥A. (In fact, the actual layout

is not too far removed from one.) So the ♣A was not an error by any measure let alone egregious.

David is right that East's pitches in the end-game should have allowed West to work out the position easily enough, which would have been relevant if holding 5♠ to five would have given E/W a better result than they could have achieved in 5♥ doubled. But here it could not have mattered (-450 was not even remotely close to -100) so I fail to see how he considered it close whether to protect E/W.

As for the result in 5♥ doubled, surely North has no reason to lead anything but a spade. West ruffs and has to decide how to play the minor suits. It seems normal to bang diamonds from the top hoping to either drop the ♦J or to ruff two diamonds in dummy. The double club finesse seems the right play in that suit and offers the chance of declarer pitching one or both of his low diamonds on the long clubs. The only question in my mind is, which minor should West attack first. But in the final analysis this is all immaterial since all roads appear to lead to the same result (since North has no trumps and South can only tap West twice in spades); down one.

So the Director was right to adjust the score reciprocally to 5♥ doubled down one, +100 for N/S, and the Committee was right to assess an AWMW to let N/S know that their appeal had absolutely nothing to recommend it. A good job by all.

CASE FOUR

Subject (Tempo): Isn't the Male Always the Captain?

Event: Life Master Pairs, 20 July 01, Second Qualifying Session

Bd: 15	John Mohan		
Dlr: South	♠ 3		
Vul: N/S	♥ K109542		
	♦ 10		
	♣ AQJ83		
Charles Pecarro			Dan Kasture
♠ K9764			♠ AJ1052
♥ A			♥ 83
♦ K954			♦ Q632
♣ 1096			♣ K4
	Lynn Baker		
	♠ Q8		
	♥ QJ76		
	♦ AJ87		
	♣ 752		
West	North	East	South
			Pass
Pass	2♥	Pass	3♥
3♠	4♣	4♠	Pass(1)
Pass	5♥	5♠	All Pass
(1) Break in tempo			

The Facts: 5♠ went down one, +50 for N/S. The Director was called after South took 1 minute to pass 4♣. The Director ruled that North's 5♥ bid was canceled (Law 16A) and changed the contract to 4♠ made four, +620 for E/W.

The Appeal: N/S appealed the Director's ruling and were the only players to attend the hearing. North stated that although others would not agree with his 2♥ opening, his subsequent 4♣ bid "described his hand." He needed only ♥Axxx in his partner's hand to be on little more than a finesse to make 5♥. North expressed concern that his partner was considering doubling 4♣ during her huddle, but that he believed he had to take the percentage action of bidding 5♥. North also observed that at the great majority of tables, N/S did not sell out to 4♠ on this hand.

The Committee Decision: A significant hesitation by South was agreed upon. The Committee decided that it was far more likely that South was considering bidding 5♥ than that South was considering doubling 4♣, since she had raised hearts once and her partner had invited her to compete over 4♠ with a suitable hand. Thus, the hesitation suggested bidding 5♥. Because North had described his hand with his previous two bids, he had reason to expect South to be in a position to make an intelligent decision for the partnership over 4♠. Therefore, pass was a LA to 5♥ and the latter bid could not be allowed. The contract was changed to 4♠ made four, +620 for E/W. N/S were assessed an AWMW since the Committee believed that North should have recognized that once he described his hand he was obliged to abide by his partner's decision and could not overrule a hesitant pass.

DIC of Event: Henry Cukoff

Committee: Doug Doub (chair), Bart Bramley, Doug Heron, Abby Heitner, Bill Passell

Directors' Ruling: 85.3

Committee's Decision: 80.3

✍ First, a reaffirmation from a Committee member.

Bramley: "North made an eloquent argument, but he was unable to snow us. I still agree with the AWMW. This pair should have known their case was unwinnable."

R. Cohen: "Everybody got it right, except N/S."

Endicott: “This is a case where an AWMW seems a feeble response to action unacceptable in a player of experience. Presumably the Committee has no stronger option available short of a conduct hearing?”

☞ Yes, drawing and quartering is definitely frowned upon over here.

Stevenson: “North believed 4♣ described his hand? Having said that himself, appealing this one reminds me of the Light Brigade in the Battle of the Crimea. ‘Into the valley of death rode the six hundred.’ The British always liked famous failures, and will doubtless appreciate this appeal!”

☞ Was there a man dismay’d?... All the world wonder’d.

Treadwell: “Another clear-cut decision.”

Gerard: “I’m still waiting to see the first penalty double that wasn’t.”

Wolff: “Again the decision is good, but perhaps the following caveat should accompany the ruling. ‘When a conventional bid is used somewhat differently as here (a weak two with such excellent playing potential) they will still be held to the same standard of ethics as others and will not be allowed to gain an advantage with UI.’ Could this have been a factor in the old Roth-Stone ‘wait and see’ tactics?”

☞ On the other side of the AWMW issue...

L. Cohen: “Why does North argue that his subsequent 4♣ bid described his hand? If he really said that, then why would he come to Committee? If he had already described his hand, wouldn’t he pass 4♣? Maybe this was a typo. Anyway, if South’s huddle suggested bidding on, then clearly North can’t be allowed to bid. So, the only question to answer is, ‘Could South have been thinking about doubling?’ I’d like to see a better rule or guideline for this kind of situation. All huddle cases must start out with the question: ‘Did the huddle obviously point in such and such a direction.’ Here, I’d guess that South’s likely problem was whether or not to bid 5♣/5♥, but it is possible she was considering doubling. Because of this confusion, I wouldn’t have given the AWMW.”

Polisner: “Since the auction was virtually identical at my table and I bid 5♥ without any break in tempo by partner, I am somewhat sympathetic to North’s bid in that I don’t think that there is a LA. Having said this, I would agree with the Committee under these circumstances which should tend toward an adjustment when the out-of-tempo pair ‘gets it right.’ I think the AWMW is too harsh, however.”

☞ Thinking that a call has no LA is quite a different judgment than thinking “It’s the same call I made and I think it’s the right one” or “It’s the best call available.” A judgment that a call has no LA is a statement to the effect that “I can’t imagine any player of comparable ability making any other call.” I personally can’t imagine making such a judgment when North had already bid 4♣ on the previous round.

Finally, one panelist believes that North should be allowed to bid his hand yet again—after admitting that his 4♣ bid already adequately described it.

Rigal: “At the time, and even now, I feel this was a miscarriage of justice. When North opens a weak two in third chair, even at unfavorable vulnerability, he has about three more playing tricks than some would for this action. South’s raise will not always deliver four trumps but it does imply offense; South is used to Weak Two’s constituting a suggestion of a suit—not something closer to an Acol Two. (By the way, what was N/S’s partnership style on Weak Two’s?) Anyway, North to my mind had no alternative to bidding on at this point in the auction—even given

the trance. I think the prosecution’s case that the South hand could only have been contemplating bidding 5♥ is not watertight, but I will accept it. Even so, while as a Director I would rule for E/W, as a Committee member I’d return the contract to 5♠. The AWMW is startlingly out of line.”

☞ How many extra bids are required to show North’s extra trick-taking potential? He himself admitted that his 4♣ bid did it justice. But even had he not made any such admission we should presume that a player who makes a well-defined, limited opening bid is within at most one additional call of describing his hand adequately. But even if we accept that *this particular hand* might warrant a further action, once UI from his partner makes that action more attractive we surely can’t allow it.

Perhaps Barry’s sympathy for North’s 5♥ bid derives from the fact that many might choose to either pass initially or open the hand 1♥. But, as I argued in CASE THREE, we must be prepared to place ourselves in the same frame of mind as a player who would have made all of the earlier calls that the player in question made at the table.

And then there’s David’s argument from CASE THREE regarding the strictures of Law 73C: “It is not enough in UI cases to make the call that you would have without the UI: You have to bend over backwards not to take advantage.” North clearly failed to do that here. But even if you consider North’s 5♥ bid attractive enough to justify his belief that it could be allowed after his partner’s huddle, the Director ruled it out of order. Players should be willing to accept such decisions without complaint unless they can produce concrete and compelling evidence (such as a documented agreement or irrefutable bridge argument) that the Director was unaware of or failed to take into account in his ruling. Unfortunately no such evidence was forthcoming in the present case.

If there was overwhelming support from the panelists for North’s 5♥ bid, or if it was clearly E/W’s hand and most E/Ws pairs were certain to reach game and 4♣ was guaranteed to either make or be a good save (given the vulnerability), then I might be convinced to vote against an AWMW. But none of this was the case here and I find myself fully supporting the Committee’s decision.

CASE FIVE

Subject (Tempo): A Song and a Dance

Event: Life Master Pairs, 20 July 01, Second Qualifying Session

Bd: 15	Ed Ulman		
Dlr: South	♠ 3		
Vul: N/S	♥ K109542		
	♦ 10		
	♣ AQJ83		
Ivan Struminger	Vern Schock		
♠ K9764	♠ AJ1052		
♥ A	♥ 83		
♦ K954	♦ Q632		
♣ 1096	♣ K4		
	Brenda Keller		
	♠ Q8		
	♥ QJ76		
	♦ AJ87		
	♣ 752		
West	North	East	South
			Pass
Pass	1♥	1♠	2♥
3♠(1)	4♥	Pass(2)	Pass
4♠	5♣	Pass	5♥
All Pass			
(1) Limit raise; Stop Card not used			
(2) Break in tempo			

The Facts: 5♥ went down one, +100 for E/W. The opening lead was the ♠A. The Director was called after North's 5♣ bid. West stated that his 3♠ bid was invitational. Everyone agreed that East hesitated for about 30 seconds over 4♥. E/W said they did not overcall four-card suits. The Director ruled that passing 4♥ was a LA to bidding 4♠ for West; the contract was changed to 4♥ made four, +620 for N/S.

The Appeal: E/W appealed the Director's ruling and were the only players to attend the hearing. E/W were a relatively new partnership and part of East's hesitation was spent trying to remember what West's 3♣ bid showed. West thought that passing 4♥ would have been a poor choice of calls. When asked by the Committee why he bid only 3♠ the first time West said he thought it could make it easier for him to buy the hand or perhaps even to get doubled in 4♠. E/W said they did not overcall on four-card suits.

The Committee Decision: Although none of the Committee members would have chosen West's 3♠ call, they tried to put themselves in the mind of someone who would have. They would expect to make 3♠ if partner had a minimum and passed or ten tricks if partner had the right hand or the cards sat well (e.g., give East ♠AQxxx ♥xxx ♦QJx ♣xx). Once North bid 4♥, +140 was no longer a possibility. If 4♥ made then 4♠ might be a good save—if not actually a make. If 4♥ was going down, it would be necessary to double to protect the plus score available in 3♠ or try for a larger plus in 4♠. Passing 4♥ could not be a winning action at matchpoints. The Committee believed that the fifth spade, singleton heart and ♠K (a valuable card on offense but of little use on defense) strongly pointed to selecting offense over defense with the West hand and that there was no LA to 4♠. Therefore, the table result of 5♥ down one, +100 for E/W, was allowed to stand.

DIC of Event: Henry Cukoff

Committee: Doug Doub (chair), Phil Brady, Abby Heitner, Bill Passell, Michael White

Directors' Ruling: 59.0

Committee's Decision: 94.0

☞ Here the Committee quickly zeroed in on the key to cases like this and CASE FOUR: put yourself in the frame of mind of the player who took the earlier unusual

action and figure out what someone of that mind might have done without the UI. Unfortunately, though not for lack of effort, both the Committee and most of the panelists failed to achieve the desired end.

Let's give East a typically aggressive overcall, something a bit more balanced than his actual hand, perhaps ♠AJ10xx ♥xx ♦Qxx ♣Kxx. After all, that's what he would be expected to have if he passed 4♥ in tempo. Opposite the West hand one would expect to lose anywhere from three to five tricks, depending on the location of the ♠A and the number of diamonds in the hand containing the ♦A. If E/W can make 4♠, N/S will go down in 4♥. If 4♠ is going down, N/S will still probably go down in 4♥. In fact, if spades are not three-zero, N/S will only go plus in 4♥ if they can hold their minor-suit losers to one, which is only likely to happen if the ♣K is onside or the diamonds are four-one. Thus, I make it about as likely that N/S are going minus in 4♥ as plus. Of course other East hands are possible and 4♠ doubled could go for less than N/S's partscore.

The point of this admittedly incomplete analysis is that passing 4♥ could easily be the winning action for West, even if not the odd-on choice. And the odds start to swing in E/W's favor if East can be placed with a distributional hand, which East's hesitation certainly suggests to me. Thus, East's huddle makes bidding 4♠ more attractive and what remains is to decide whether pass is a LA to 4♠ for West. And that is where adopting the mind set of a player who would bid only a limit 3♠ with the West hand comes into play.

While the odds of 4♠ being a winning action are best when the bid is made immediately, West didn't do that. In fact, one of the reasons why a prompt 4♠ is so attractive is that it may talk N/S out of their game or push them too high by blocking their ability to exchange additional information (such as if North bids 4♣ over 3♠ instead of a lazy 4♥). In my book if a player is willing to hear the auction go 3♠-All Pass he must believe that his side is unlikely to make game or that he's more likely go plus by defending: In either case pass must be a LA for him.

Not surprisingly, the majority of the panelists are not on my wavelength. Let's start with those who think that passing 4♥ would be completely irrational and work our way up...er, down...er, out—whatever.

L. Cohen: "It wouldn't occur to me in 100 years to defend 4♥ with the West hand—but I have strong opinions in this particular area ('4♠ over 4♥' is my motto). Anyway, I can see that 3♠ might work out (no guarantee of ten tricks) but once West doesn't buy it in 3♠, I'd think he would be reluctant to defend 4♥ since either 4♥ or 4♠ might make. Bidding on would be wrong only if both contracts were going down and even then, +100 would probably be a poor result. So I need to do what the Committee did and try to get inside the mind of a player of West's ability. I think we should be told a bit about his ability (beyond the meaningless fact that he is a Life Master). I think the Committee's reasoning is okay. (But, again, I am biased and I expect some panelists to disagree)."

☞ Well, we know of one already. As for West's ability, I can only offer that West had about 900 masterpoints.

R. Cohen: "No bridge player with red blood in his or her veins would consider a pass of 4♥ with the West hand. The only question I have is what agreements E/W have about overcalling that West did not bid 3♥ rather than 3♠. The Committee got it right."

Endicott: "This appeal shows exactly why a procedure for appealing a Director's decision is desirable. The Director judges poorly. The Committee explains its thinking with commendable clarity."

Polisner: "Here East really didn't have anything to think about, but did anyway. There is nothing about the West hand which improved or made bidding more attractive by East's huddle, assuming that his 3♠ bid actually showed a limit raise."

Since this was matchpoints, the concept of cheap insurance didn't apply. Thus, I agree with the Committee in restoring the table result."

Treadwell: "Good reasoning by the Committee; there was really no LA to bidding 4♠ once West made the rather peculiar 3♠ call on the preceding round. If the Director had reasoned the same way, ruled correctly, and N/S had appealed an AWMW for them would have been warranted."

☞ So much for the abuse. The next group of panelists at least expresses their reluctant agreement with the Committee. These players are probably too expert to entirely relinquish the notion that someone might not bid 4♠ with the West hand.

Bramley: "I agree reluctantly. West cannot reasonably sell out to 4♥, despite his incredible underbid on the previous round. His argument about trying to buy the hand for 4♠ has merit, but we must take that argument with a grain of salt. My real problem is with East. What could he have been thinking about, regardless of the meaning of 3♠? He has defensive values and no special distribution. Note that in contrast to CASE FOUR, West had not fully described his hand and was not therefore rigidly bound to accept his partner's decision."

☞ East knows with whom he is playing (an obvious underbidder) and thus takes his time to decide just how grotesque a dummy he is likely to buy.

Rigal: "This sort of ruling is always tough; how can we put ourselves in West's position when we all know that what he was thinking about was bridge—but not as we know it, Jim. Reluctantly, I agree with the Committee. I'd really like to rule against E/W somehow, but I cannot see how West would do other than bid 4♠ here. Still, I'd sure like to find a way not to allow it. Perhaps someone else can find a creative approach!"

☞ My approach may not be creative, but it certainly achieves Barry's desires.

Kooijman: "Though the decision was different, the Director's ruling was acceptable."

☞ Just acceptable? I'm forming a fan club for that masked man (or woman).
Finally, two panelists have brakes on their expert Ferraris.

Stevenson: "I wonder if this is as clear-cut as the Committee suggests. Sometimes people pass contracts out rather than double or sacrifice because they hope they will go off. West told us how strong he believed his hand was when he bid 3♠, unless he was sandbagging."

Wolff: "While I agree with the Committee's reasoning, I don't agree with their decision. Because of East's slow pass over 4♥ West should not be allowed to bid 4♠. How about -620 for E/W against 4♥ and -100 for N/S in 5♥. This serves the following masters: Justice, NPL, and bridge education, as well as the most important master—the future of ethics in high-level bridge."

☞ I don't know about some of those masters, but I could live with Wolffe's non-reciprocal score adjustment by judging that passing 4♥ is "at all probable" for a player who would bid (only) 3♠ the first time but is not "likely" (so N/S are not due an adjustment).

There, now doesn't that feel better?

Subject (Tempo): At His Own Risk

Event: Life Master Pairs, 21 Jul 01, First Qualifying Session

Bd: 1	Ira Herman		
Dlr: North	♠ J986		
Vul: None	♥ K5		
	♦ 84		
	♣ KQ762		
John Jones		Mark Bartusek	
♠ Q75		♠ K	
♥ J96		♥ A42	
♦ AJ96		♦ KQ107532	
♣ J84		♣ A9	
	R. Jay Becker		
	♠ A10432		
	♥ Q10873		
	♦ ---		
	♣ 1053		

West	North	East	South
	Pass	1♦	2♦(1)
3♦	3♠	5♦	All Pass

(1) Michaels (majors)

The Play (South on lead):

Trick	1	♠A, ♠5, ♠x, ♠K
	2	♣3, ♣4, ♣Q, ♣A
	3	♦2, x, ♦A, ♦4
	4	♠Q, ♠x, ♠9, ♠x
	5	♠7, ♠x, ♦10, ♠x
	6	♦3, x, ♦J, ♦8
	7	♣8, ♣x, ♦5, ♣5
	8	♦7, x, ♦9, x
	9	♣J, ♣K, ♦Q, ♣10*
	10	♥2

*Break in tempo

The Facts: 5♦ went down one, +50 for N/S. E/W called the Director at the end of play saying that South had hesitated before playing his last club (see diagram), inducing East to play him for five-four in the majors with four clubs rather than his actual five-five. The Director allowed the table result to stand (Laws 73D1, 73F2).

The Appeal: E/W appealed the Director's ruling. Only East and South attended the hearing. East stated that when South paused before playing the ♣10, East thought he had four clubs. He also thought it was more likely that South had 5=4=0=4 rather than 4=5=0=4 distribution since, although the latter would be more common with only nine cards in the majors to cater to partner's equal-length preference for hearts, in that case North would have had five spades and might have bid 4♠ rather than 3♠. When South was 5=4=0=4, East's only play to make the contract was a low heart, playing South for the ♥KQ. If East thought South was 5=5=0=3 he would have played ♥A and a heart. East also stated that he planned for this end position rather than running the ♣9 because he was afraid that North had falsecarded with the ♣KQ10. South said he paused at trick nine first to reconstruct the distribution (which was not known until North showed out

of diamonds at trick eight) and then to figure out what to do on the next trick if East led a low heart. He admitted he did not need to think about his heart play on this trick and that it would almost always be right to duck, since East was unlikely to hold ♥AKx. South also admitted he did not state "no problem to this trick" or "I'm thinking about the hand" because in his partnership Michaels almost always showed five-five—certainly at equal vulnerability. East did not ask about N/S's Michaels tendencies. South was extremely apologetic about his role in the matter, stating that he now realized his hesitation was unnecessary but he had not reached that conclusion quickly enough at the time.

The Committee Decision: The Committee believed that this appeal did not meet the requirements of Law 73F2. Although East was an “innocent player” (there was disagreement as to this) who had drawn a “false inference” from an opponent’s “tempo,” South had a “demonstrable bridge reason for the action” (there was also disagreement to this, although not as much) and “could [not] have known that the [hesitation] could work to his benefit.” From South’s viewpoint, given his Michaels agreements the ♣10 was about to complete his distribution so there was no thought that East could draw a false inference from the tempo in which it was played. The Committee also believed that East’s inference as to the reason for South’s break in tempo was particularly weak, since this would have been a mandatory falsecard situation with ♣10x and would not have required any agony. The Committee thought it likely that the ♣2 had already been played (nobody remembered and North was not present, but N/S used upside-down carding) but if not South’s huddle would not have related to whether he played the deuce (N/S led third and fifth versus suits). Finally, East’s justification for his assumption about South’s distribution was rejected because North’s extra spade would have been offset by three little hearts (rather than honor doubleton) and he would not have bid 4♠ based on “the Law” if South had not guaranteed five trumps. Because there was no infraction, there was no reason to adjust either side’s score and the table result was allowed to stand. Some consideration was given to issuing E/W an AWMW, but this was rejected because of the number of issues the Committee had to consider and the length of its deliberations.

DIC of Event: Henry Cukoff

Committee: Ron Gerard (chair), Dick Budd, Ed Lazarus, Jeff Polisner, Robert Schwartz

Directors’ Ruling: 93.7

Committee’s Decision: 86.3

☞ I’m with Bart and Dave on this one.

Bramley: “I would have given the AWMW. Obviously South was *not* thinking about which *club* to play to trick nine; his play to that trick was irrelevant. Equally obviously he *was* thinking about what *heart* to play to the next trick. East’s argument depended upon a parlay of unlikely assumptions: that South would bid Michaels with five-four in the majors, and that he would huddle in a position where his play didn’t matter. While Michaels with five-four is gaining currency, it is still rare. My sympathy for a fellow NAC member extends only so far. This was a failure to pay attention that deserved an AWMW”

Treadwell: “The Director and Committee both got this one right. It bothers me that E/W appealed in view of the fact that East misplayed the hand. Would North really falsecard with the ♣KQ10? Highly unlikely, in my opinion. So, running the ♣9 after drawing trumps is virtually certain to ensure the contract, setting up the ♣J for the discard of one heart loser with the other going on the ♠Q. This line of play is infinitely superior to the line chosen where a difficult decision must be made on how to play the hearts for a true endplay. To me, it is clear-cut to issue an AWMW for an appeal of this sort.”

☞ I find Dave’s analysis of the correct line of play compelling.

Along similar lines, if perhaps not so inclined toward the AWMW...

R. Cohen: “A very soft appeal from a player who serves on appeals Committees himself. Appeals Committee members need to be like Caesar’s wife—above reproach both in fact and appearance. Next case.”

Gerard: “I voted guilty, not innocent. Against five-two hearts the two plays are even money (North could not have KQ doubleton). And North could not falsecard

more often than he wouldn’t because he couldn’t.”

Polisner: “Since I was on this Committee, my comments are reflected by the write-up. Certainly East did not make any effort to protect himself by at least asking about N/S’s Michaels understanding, i.e., five-five or five-four or four-five. Further, what would South have to think about with whatever distribution he held?”

Endicott: “It is a peculiar diagnosis by East that leads him to think South’s pause here could reflect a decision between a choice of plays. Mind you, there are some players who try to convince Committees that their pause has to do with choosing which is the more deceptive play of the eight or the nine, but not this South. East had a choice of plays, chose wrong, and we should only be hearing of it again in the history books. A swifter Committee could have done the occasion justice.”

Rigal: “I like the Director’s ruling not to allow East’s litigious approach to win even at a lower court. It seems to me that South did indeed have a little to think about—a pity he did not get his act together at an earlier point in the hand, as one would have expected of a player of his caliber. N/S are both known to me as clearly ethical players, by the way. But East’s arguments about 5-4-4 shapes are really pitiful to my mind and the idea that he would follow this approach without at least checking on N/S’s Michaels style is bizarre. No AWMW though; the case is clearly a complex one and even if E/W deserve nothing, the possibility of depriving N/S of their favorable result is certainly by no means as clear-cut. I’d let them escape by the skin of their teeth and hope that if there is a next time, this case shows up on the record.”

Wolff: “Agree, particularly the credibility of R. J. Becker. But why should East, after not making the hand by going after clubs, get another shot at the target through an appeal?”

☞ No reason, other than that the laws guarantee him (and everyone) that right.

L. Cohen: “Should defenders say ‘no problem—just thinking about the hand?’ I do but Hamman and Rosenberg would say that a defender should *never* say anything; they would even consider it illegal. Declarer should draw inferences at his own risk. I prefer to say it (and would have done so with South’s hand here) and it would have avoided this problem. But I think the laws are not on my side. I wish the law could allow a defender to make such a statement and if it unfairly helps his partner, then he would be subject to penalty/adjustment. In the long run that would create fewer problems and fewer Committees. Law makers out there—agreed?”

☞ Sorry, Larry, but I’m still with Bob and Michael. Just as when an athlete says “It’s not about the money” it’s *always* about the money, so too when a bridge player says “No problem” there’s *always* a problem—and it’s almost certain that the play in the suit led is involved. What’s more, the opponents are not entitled to know what is in your mind when you think. The normal presumption is that even if a player is thinking about the current trick, the decision about what to card play or pitch is inevitably tied up with the entire hand. So to say “I’m thinking about the whole hand” is superfluous and irrelevant. A player is allowed to think as long as he has a demonstrable bridge reason for doing so, and it’s none of the opponents’ business what he’s thinking about or at what point. As an ex-partner of mine used to say, “Just shut up and play bridge.”

One panelist thought that an adjustment was appropriate.

Kooijman: “‘South had a demonstrable bridge reason for his action’—hesitating with a singleton that is. Once this determination was made there was no infraction indeed and no reason to adjust anything (being a further statement). But how can you say so? Hesitating with a singleton *is* an infraction (the only—illegal—bridge

reason being to deceive the opponents) and the player doing so could have known that it might work to his benefit. And it is rather difficult for an opponent to distinguish between thinking about which card to play and thinking about the opponent's distribution and continuation before playing the singleton. In this case East might draw the conclusion that South can't think about which club to play since that is irrelevant from a strictly technical point of view and obvious in real play (as the Committee stated). So in high-level bridge East just should have said: 'Nothing to think about, is it Becker?' But if East is less experienced he is deprived of the right choice and I would have used 12C3 to adjust the score, since with five hearts in South the play seems 50/50."

Remember, Ton, 12C3 is not available here in the ACBL.

The next panelist elaborates and reinforces some of Ton's points, although he ultimately reaches the same conclusion as the Committee.

Stevenson: "Strange views from the Committee despite the correctness of their decision. It is not credible to treat declarer as anything but an innocent player. What has he done to suggest otherwise? A demonstrable bridge reason for hesitating with a singleton without a disclaimer is certainly not easy to find. No doubt South was thoughtless rather than deliberately misleading, but he should have issued the disclaimer. He may know that he has shown five-five but the opponent may not know and people do not always have what they say. The casebooks are riddled with Committees who have been very disparaging when players have believed what their opponents have told them. Committees must be consistent in this view. As for whether South could have known that the hesitation could work to his benefit, let me assure him that hesitating with a singleton always might work to the player's benefit—even if all it does is to plant doubt in the opponent's mind. So, if East was innocent and drew a false inference, there was misleading tempo and the defender could have known it would work to his benefit. So why do I believe the decision was correct? Because Law 73F2 has one more requirement: 'When a violation of the Proprieties described in this Law results in damage to an innocent opponent...' Did damage result? No. The Committee also demonstrated that the damage was not caused by the infraction. So this part of their reasoning is correct."

David (and Ton) are right: a player who thinks when following with a singleton is always presumed to know that it could work to his advantage to do so. If you need to think about future tricks, a safer practice is to place your card face up on the table, leave it face up (refuse to quit the trick), and then think about whatever else it is you need to think about.

Nevertheless, many players tend to be a bit "preoccupied" (in David's words, "thoughtless") from time to time and fail to appreciate the possible implications of their thinking, which leaves them liable for any damage they might cause. But now consider the actions of a player who holds the ♣10 in the critical position here. One could argue that a hesitation would call attention to the fact that an important signal was being conveyed and not just a casual discard. So even with a singleton, a player has a right to pause for a normal amount of time (a moment or two) before playing it. The tempo in which a card is played should not be related to either the card's signaling properties or to the holding in that suit. Every play should appear deliberate and the opponents can draw their own inferences—but at their own risk.

East drew several risky and unwarranted inferences, misplayed the hand long before the ♣10 play, and failed to protect himself by asking about the opponents' style for Michaels. So there was clearly no damage and East, an experienced NAC member, should have known it. Thus, an AWMW would not have been out of line.

But I can live without it.

CASE SEVEN

Subject (Tempo): All In the Name of Matchpoints
Event: Flight A/X Pairs, 21 Jul 01, Second Session

Bd: 13	Marc Langevin		
Dlr: North	♠ ---		
Vul: Both	♥ AK73		
	♦ AQ9862		
	♣ Q95		
Sheila Pies	Mickie Kivel		
♠ 109	♠ KQJ8765		
♥ 1052	♥ Q86		
♦ KJ53	♦ 4		
♣ KJ82	♣ A10		
	Patricia Wright		
	♠ A432		
	♥ J94		
	♦ 107		
	♣ 7643		
West	North	East	South
	1♦	1♠	Pass
1NT	2♥	2♠	Pass(1)
Pass	3♦	Pass	3♥
All Pass			
(1) Break in tempo			

The Facts: 3♥ went down one, +100 for E/W. The opening lead was the ♠K. The Director was called after the 3♦ bid and told South had broken tempo before she passed 2♠. The Director ruled that passing 2♠ at matchpoints was not a LA for North, nor was his 3♦ bid demonstrably suggested by the break in tempo (although a double might have been). South could be expected to have some values once E/W stopped in 2♠ and as little as the ♦J and ♣K would give him some play for 3♦. Therefore, the table result was allowed to stand.

The Appeal: E/W appealed the Director's ruling. E/W believed that a vulnerable North who had already shown extra values might not bid in the passout seat and that South's hesitation made bidding easier. (Note: by the time this appeal was lodged N/S had left the playing area. The appeal was heard with only E/W present

and expert opinion was then gathered. If this had led to an adverse ruling for N/S they would have been sought out the next day to offer their arguments. Since that was not the case, the Reviewer did not look for them.)

The Panel Decision: Two expert players were consulted. The first said he would have bid 2NT but thought double and 3♦ were also possible; he also thought pass was "not likely" but possible. The second thought that double was a standout and 3♦ a second choice, with pass being a 5-10% action. Both experts believed that at matchpoints pass would be an action that few, if any, would take. The Panel considered this information in light of Law 16A (a player "may not choose from among logical alternative actions one that could demonstrably have been suggested over another" by extraneous information—in this case, the hesitation). The ACBL Laws Commission defines a LA as a call that would be "seriously considered by a substantial majority of that players peers" without the UI and a call that "some of whom would actually select." The Panel concluded that the hesitation suggested action by North but that, based on the consultants' input, pass was not a LA. Therefore, the table result of 3♥ down one, +100 for E/W, was allowed to stand.

DIC of Event: Richard Strauss

Panel: Roger Putnam (Reviewer), Chris Patrias, Matt Smith (scribe)

Players consulted: Jade Barrett, Alan Graves

Directors' Ruling: 80.0

Panel's Decision: 80.7

While North's 3♦ bid (or another third-round action such as double or 2NT) may be tempting, I do not believe that bidding again, vulnerable at pairs, after having already shown his approximate strength and shape, is clear. In fact, I believe that not only is pass a LA but it may well be a majority action. Even the spade void

does not fully justify the risk of a third bid. Thus, I disagree with the experts' bridge judgment, the table ruling, and the Panel's decision to allow the table result to stand. I would disallow North's 3♦ bid and change the contract to 2♠ made three, +140 for E/W.

With the opinions in the write-up stacked against me I am pleasantly surprised to find some support among the panelists.

Bramley: "Consult different experts. Acting again at this vulnerability is very dangerous. Partner rates to have a yarborough with spade length. You have already described your hand well in terms of both strength and distribution. You could easily have no plus score available and be giving partner a choice of large minuses. Yes, acting, particularly double, would be popular, but it is hardly automatic. Still, South's huddle suggests doubling, not bidding. In earlier books we've had cases where a unilateral action was allowed because it was not 'demonstrably suggested' while a double would have been disallowed despite being a much better action. However, in those cases pass was not considered an option. Here pass is an option. Therefore, any action, even a unilateral or inferior one, should be disallowed.

"E/W are not without sin. East surely should have competed to 3♠ opposite a bidding partner. (To be fair, she may have misinterpreted South's huddle as a spade stack.) And 3♥ looks slated to go down more than one, which would have made this case unnecessary. In the end, I would grudgingly assign a result of 2♠ made three, 140 both ways."

☞ Bart's point about the implications of South's hesitation is a good one. I would add only that if South's values were primarily in spades she might have doubled 2♠ based on the "reversing values" North had shown. Thus, whatever temptation to act she found was unlikely to be due solely to her spade holding.

Polisner: "A close case. When one bids a third time with the North hand vulnerable, it is with some degree of trepidation that the world may be coming to an end. A huddle by partner relieves much of the anxiety; however, partner's huddle could be based on ♠A109xx(x) ♥xx ♦x ♣xxx(x) which would not lead to a pretty result after bidding 3♦. I suspect that more than 10% of North's peers would seriously consider, and would pass, 2♠ thus creating a LA. I would have rolled it back to 2♠."

Rigal: "I might have expected that the initial ruling would have been against N/S, given that there was a hesitation and some doubt as to what the North hand should do now. As North I think it is far from clear what to do over 2♠. Double seems wrong to me—partner could have taken that call for himself, and I believe North is a trick short for that action. But 2NT or 3♦ are clearly in the ballpark, as well as passing. True to my reputation as a hanging judge, I think I would lean towards the idea that pass is a LA and would put the hand back to that contract. But I could easily be persuaded that I am giving too much credit to the non-offenders here, and perhaps might leave the table result in place for them, particularly since a 3♠ call with the East hand stands out the proverbial mile."

☞ Barry is right about the attractiveness of a 3♠ bid by East. But non-offenders don't have to play perfect bridge to receive protection, merely reasonable bridge for their skill level.

Gerard: "Okay, I was wrong. Huddles show 'Where did I park my car?' They also show 'How can I misbid on the next round?' The ACBL Laws Commission has been misquoted twice. 'A substantial majority' should read 'some number.' And there is no standard of actual selection. I know that that view has its proponents, but it's not official policy."

☞ Ron is partially right about the misquotes. "Some number" is indeed what they

said, but as for the standard-of-selection issue the ACBL Laws Commission has said: "It is generally accepted, however, that 'seriously considered' must imply that some number of one's peers *would actually make the call* considered." (minutes from Anaheim, August, 2000; italics added.) So indeed that view *is* official policy.

The remaining panelists support the Panel's decision, most of them without providing much insight into their reasoning. The one exception is...

L. Cohen: "Like CASE FOUR, we first have to know if the huddle indicated one action over another. Here, South might have been considering a penalty double. That being the case, if North had reopened with a double we could 100% say that North's action was influenced by the tempo. But here, where North bids 3♦, it's not clear that South's huddle indicated bidding on (as opposed to defending 2♠ doubled). So it is possible that there is no tempo issue in the first place. But, even if there were, I'd allow North to bid. Who could want to defend 2♠ with that hand? My first impression when I glanced at the diagram was, 'Wow—North has a great hand!' I don't think North was dealt that hand to defend against 2♠ undoubled."

☞ Yes, bidding again with the North hand is certainly tempting, but how many times must a player bid his cards against two bidding opponents—especially when he's vulnerable? Didn't 2♥ indicate a willingness to compete to 3♦? Wasn't South present for that part of the auction? Wouldn't a 2NT bid by South show some useful values and precisely three-two in the red suits? Would South have hesitated over 2♠ holding something like ♠Qxxx ♥xxx ♦x ♣Kxxxx (or less)? Would she have failed to double holding ♠KJ8x ♥xxx ♦x ♣Jxxxx? It's true that few would want to defend 2♠ with the North hand, but even fewer would want to find themselves in 3♦ doubled opposite either of the above hands.

One Panel supporter thinks that pass is not a LA for North.

R. Cohen: "Pass does not appear to be a LA for North over 2♠, so result stands. Actually E/W came out smelling like a rose, since they were very unlikely to defeat 3♦. What were they appealing for? Couldn't they see the North hand?"

☞ The rest chose not to provide any explicit rationale for their position.

Endicott: "With slightly better trumps in South, double by North might well produce the magic +200. At matchpointed pairs North can hardly give up, but 3♦ rather than double is surprising."

Stevenson: "A reasonable approach. The methodology used by the Panel works best with a straight UI case, where players are consulted to get an idea of LAs. It is the methodology used by Directors in much of the rest of the world."

Treadwell: "Good reasoning by the Panel and their consultants."

Wolff: "Okay. Clearly the right decision, but what about the education and future of the game itself. Maybe it's time for more players to see what *unwarranted* hesitations can do to the high-level game."

☞ Punishing hesitations is *not* an option, even in the high-level game.

CASE EIGHT

Subject (Tempo): The Waiting Game

Event: BAM Teams, 21 Jul 01, Evening Session

Bd: 20	♠ 432		
Dlr: West	♥ J87		
Vul: Both	♦ AQ543		
	♣ J10		
♠ Q1086		♠ AKJ95	
♥ Q954		♥ A1063	
♦ 102		♦ ---	
♣ Q65		♣ A943	
	♠ 7		
	♥ K2		
	♦ KJ9876		
	♣ K872		
West	North	East	South
Pass	Pass	1♠	3♦
3♠	Pass	4♣	Pass(1)
Pass	5♦	All Pass	
(1) Break in tempo			

The Facts: 5♦ went down two, +200 for E/W. The Director was called after North's 5♦ bid and established that all players agreed to a lengthy pause before South passed 4♣. The Director changed the contract to 4♣ made five, +650 for E/W (Laws 16A, 12C2, 73C).

The Appeal: N/S appealed the Director's ruling. E/W were not available for the appeal, which was heard the next day. (N/S appealed the ruling when it was made but later withdrew the appeal due to the state of their score. However, when they were notified the next day of a score change on a different board their interest in pursuing this appeal was rekindled. The appeal was thus allowed when it would otherwise not have been timely.) North said she didn't raise diamonds the first time since this was a stratified event and she hoped that E/W would miss

game. Once they bid it, though, she said she never intended to pass out 4♣. N/S's preemptive style was described by them as aggressive with an eye to the vulnerability. They normally did not change their style too much when partner was a passed hand.

The Panel Decision: The Panel needed to determine whether the 5♦ bid was a choice from among LA actions that was barred by the UI from South's slow pass (Law 16A), and whether South's hesitation demonstrably suggested that a 5♦ bid might be more likely to be successful. The Panel consulted two expert players and one player of approximately the same experience as North. One expert would have bid 4♦ over 3♠ and one would have passed. Both thought that at the point at which North bid 5♦ pass was a clear-cut action. North's peer said he would have passed over both 3♠ and 4♣. All three players mentioned the possibility of going down too many in 5♦ doubled and strongly agreed that South's slow pass significantly reduced the likelihood of going for 800 since it implied more distribution in the South hand. Therefore, the contract was changed to 4♣ made five, +650 for E/W (Law 12C2).

DIC of Event: Candy Boughner

Panel: Matt Smith (Reviewer and non-voting scribe), Steve Bates, Millard Nachtwey

Players consulted: Kit Woolsey, Adam Wildavsky, one player of North's ability

Directors' Ruling: 96.3

Panel's Decision: 91.1

✍ This decision is so clear that one feels compelled to ask...

L. Cohen: "Where is the merit? Obviously North can't bid again, but I'd like a

'rule.' Basically, 'If you don't do it the first time you lose.' So many tempo cases consist of this situation: A player bids to a certain level, ostensibly willing to have it go 'All Pass.' Then, more bidding ensues, including a slow pass by partner. I say, 'too bad.' In other words, if you are 'walking the dog,' you need a partner who stays on the leash and won't mess you up with his tempo. If you plan to act again, and partner slow passes, you just have to pass and take your medicine. Of course, no such rule could be 100%, but I'd like the 'guideline' to be: 'If a player has a chance to bid/compete to a certain level early in the auction but chooses not to, his later decision to compete further will generally not be allowed if partner's later tempo suggested doing so.'"

✍ Amen. Let's consider that our policy from now on.

Rigal: "A competent and well-reasoned argument by the Panel here. My only caveat is that an AWMW should have been allocated. Nothing about this decision suggests there was any merit at all to North's arguments."

Kooijman: "What happened with the AWMW here? Is it possible to give two of them to a player in one case?"

✍ No, it's forbidden by regulation. But I'll be happy to put you in touch with Mr. Treadwell who, on any number of occasions, has been seen observed sulking in the corner over this very issue.

Polisner: "Here we again have a problem created by South hesitating when he had nothing to hesitate about. Certainly he was not thinking of bidding again vulnerable with no indication that North had any help for him on offence or defense. However, certainly the huddle makes it easier to bid 5♦ which we can't allow, since pass is a LA."

Stevenson: "Like CASE SEVEN, this shows the Panel method at its best."

Endicott: "North did not wait long enough."

Wolff: "Fine, but so messed up nothing could come out of this."

✍ Finally, one panelist raises another pertinent issue.

R. Cohen: "A strange board, though the Panel got it right. Didn't East make a forcing pass of 5♦? Wasn't there some serious non-bridge by E/W? Did no one at least consider E/W +200 and N/S -650 as a possible result?"

✍ Forcing passes are mysteries to many players, even many in the 3000-6000+ masterpoint range (as E/W were here). I'm sure most players have not discussed this auction with their partners (an opponent waits until you reach game, then supports his partner) but it does suggest that North is saving. Still, I would not be too quick to hold E/W culpable. But Ralph is right that the Panel should have addressed the possibility and included it in the write-up.

CASE NINE

Subject (Tempo): The Cards Speak

Event: Life Master Pairs, 22 Jul 01, First Final Session

Bd: 5	Jeff Roman		
Dlr: North	♠ 32		
Vul: N/S	♥ A95		
	♦ Q10987		
	♣ A87		
Richard Popper	Donna Morgen		
♠ Q75	♠ AJ10		
♥ 108763	♥ Q2		
♦ 64	♦ KJ32		
♣ Q42	♣ K965		
	Lou Reich		
	♠ K9864		
	♥ KJ4		
	♦ A5		
	♣ J103		
West	North	East	South
	Pass	1NT(1)	Pass
2♦(2)	Dbl(3)	Rdbl(4)	Pass
2♥	Pass	Pass	2♠
All Pass			
(1) Announced; 11-14 HCP			
(2) Announced; transfer			
(3) Showed diamonds			
(4) To play			
<hr/>			
The Play (West on lead):			
Trick	1	♦6, ♦7, ♦J, ♦A	
	2	♦5, ♦4, ♦8, ♦K	
	3	♥Q, ♥4, ♥8*, ♥A	
	4	♠2, ♠10, ♠K, ♠5	
	5	♠9, ♠Q†, ♠3, ♠A	
	6	♦2, ♣3, ♠7, ♦9	
	*Upside-down attitude		
	†Break in tempo		

The Facts: 2♠ made three, +140 for N/S. The opening lead was the ♦6. The Director was called after the hand and was told that there had been a substantial pause by West before he played the ♠Q. E/W agreed but said that an *e-bridge* photographer had distracted the table. The Director ruled that sufficient AI was available that South had only five spades to allow the table result to stand.

The Appeal: N/S appealed the Director's ruling. North did not attend the hearing. Although distracted by the *e-bridge* photographer, E/W admitted to a clear break in tempo before West played the ♠Q. Had East continued with another heart (her partner's suit) at trick six, declarer would have won and played another trump and made four. West's tempo in playing the ♠Q told East that West had another trump and that playing a diamond might be more successful than a heart. E/W pointed out that when East played the ♥Q at trick three West played the ♥8 (upside-down attitude). Since West had shown at least five hearts in the bidding this was a very clear signal not to continue hearts. East's alternative to her choice of a diamond at trick six was a club, after which the best result declarer could have achieved would have been +140.

The Committee Decision: The Committee agreed with E/W that the ♥8 at trick three clearly told East not to continue hearts. Additionally, East's diamond play gave declarer a chance to take ten tricks had he read the cards

accurately. Since he had only himself to blame for failing to do so, the Committee allowed the table result to stand.

DIC of Event: Henry Cukoff
Committee: Martin Caley (chair), Larry Cohen, Doug Doub (scribe)

Directors' Ruling: 92.6

Committee's Decision: 86.3

✍ Hesitations on defense are always difficult, as CASE FOUR from Birmingham demonstrated. As I said then, more leeway must be afforded players on defense which is more difficult and the thought involved far less revealing. In particular, I argued that for a defensive hesitation to warrant a score adjustment there must be compelling evidence of a LA which is at least as attractive as the play made at the table. This may be contrasted with the standard used in the auction, where a LA is a call which 'some number' of the players peers would have 'seriously considered' (and some chosen). In this case as then, the cards must be allowed to speak. West's ♥8 showed clear diamond interest. That and the fact that declarer could have made ten tricks by simply ruffing high at trick six and playing a third trump makes this decision about as close to a no-brainer as we've seen. That being the case...

Bramley: "A waste of time. Deserves an AWMW."

Endicott: "No one seems to have questioned the merits of this appeal. Given the standard of the tournament I do."

L. Cohen: "At the time there seemed to be some merit. Now I don't see any."

Treadwell: "Another appeal with almost no merit. Why didn't the Committee issue an AWMW?"

Gerard: "The Director must have been distracted by the e-bridge photographer also. This would have been without merit even if not by a member of the National Appeals Committee."

Rigal: "Where is the AWMW again? A far clearer case than CASE EIGHT. Once South has shown by inference ten high-card points in spades, hearts and diamonds, he cannot have six spades. So the defense seems clear cut. Even if East plays a club here instead of giving partner the ruff, declarer only makes nine tricks. And after the ♥8 no defender would play another heart. A la lanterne!"

Polisner: "While there was AI suggesting that South had only five spades, the huddle by West increased the probability to 100%. This is a no harm, no foul case and the table result should stand."

R. Cohen: "What was UI for E/W was AI for South. Why didn't he make 4♠? No adjustment warranted."

Stevenson: "So, was playing a club a LA? Was a heart? The Committee seems to be treating this to a different set of rules: in UI situations the Committee should decide by the laws. Whether East's diamond play gave declarer a chance is of no interest at all. [It *does* speak to N/S's right to receive redress.—*Ed.*] Still, despite the woolly thinking by the Committee the decision seems fair. Was there UI? Apparently so. Was a club a LA? Yes, but it does not gain for declarer. Was a heart a LA? It seems not, though the Committee should say so."

Wolff: "Again I agree with the result, but not the direction this case takes. I don't think there was anything remarkable about the bidding or the defense or the hesitation. I never say 'bridge is a difficult game and we must give people hesitation room' but what are we running here, a concentration camp?"

✍ Hesitations on defense often leave everyone in fear of "concentration camp" mentality, but a study before winning a high trump is anything but unremarkable. It was the clarity of the ♥8 play two tricks earlier that saved the day here.

CASE TEN

Subject (Tempo): Virtually Forcing In Virtual Reality
Event: Life Master Pairs, 22 Jul 01, Second Final Session

Bd: 1	Sheri Winestock		
Dlr: North	♠ K10864		
Vul: None	♥ KQ10		
	♦ 107		
	♣ 743		
Pierre Daigneault	Stephen Brown		
♠ 952	♠ AJ3		
♥ 983	♥ 5		
♦ AJ86	♦ Q943		
♣ KQ5	♣ AJ962		
	Joey Silver		
	♠ Q7		
	♥ AJ7642		
	♦ K52		
	♣ 108		
West	North	East	South
	Pass	1♦	1♥
2♥	3♥	Pass(1)	Pass
4♦	All Pass		
(1) Break in tempo			

The Facts: 4♦ made five, +150 for E/W. The opening lead was the ♥A. The Director was called when dummy was faced. E/W were playing Kaplan-Sheinwold: 1♦ showed either an unbalanced hand with diamonds or at least a strong notrump if balanced. After the hand West commented to East that his (slow) pass of 3♥ was “virtually forcing” (it was not Alerted). The Director ruled that passing 3♥ was a LA for West (Laws 73C and 16A) and changed the contract to 3♥ down one, +50 for E/W (Law 12C2).

The Appeal: E/W appealed the Director’s ruling and were the only players to attend the hearing. West repeated his assertion that East’s first pass was “virtually forcing.” He also explained that passing made little sense since he knew his partner had a singleton heart. E/W explained that they have this kind of sequence “all the time.” East had been considering Pass, 4♣ and 4♦;

a double of 3♥ would have shown a strong notrump. The Committee asked E/W if they had any documentation regarding the forcing nature of the sequence. E/W said that their system notes were in their hotel room but that in any event they did not address this issue. When asked E/W said they would open 1♦ with 2=2=4=5 distribution.

The Committee Decision: The Committee followed the same line of reasoning as the Directors. West had UI (Law 73) and the call he chose was demonstrably suggested by the UI (Law 16A). Next, was pass a LA (Law 16A)? While many, perhaps most, K-S players would bid 4♦, some would pass. None of the K-S players on the Committee thought this sequence was forcing and all would have given serious consideration to passing. Thus, pass was deemed a LA. Looked at another way, pass might have been the winning action in a vacuum but East’s hesitation made it virtually certain that bidding would produce a better result. (In Edgar Kaplan’s terms, focusing on the losing decision the issue becomes whether it would have been an egregious error, absurd or foolish, to pass.) In this case the Committee believed that pass would be right quite often. As for the possible result had West not bid 4♦, the only likely result was 3♥ down one, which was also judged to be the most unfavorable result that was at all probable. Therefore, the contract was changed to 3♥ down one, +50 for E/W. The issue of whether pass was a LA to 4♦ was complex enough that it was believed appropriate to ask a Committee to evaluate it. Thus, the appeal was deemed to have merit.

DIC of Event: Henry Cukoff
Committee: Michael Huston (chair), Nell Cahn, Barbara Nudelman, Richard

Popper, Adam Wildavsky (scribe)

Directors’ Ruling: 93.3 **Committee’s Decision: 84.8**

✍ I may be becoming jaded in my old age, but it should not have taken very long to determine whether West might pass 3♥ with that hand. Could he possibly have less for his 2♥ bid (limit raise or better)? The assertion that East must have a stiff heart is possible only after looking at all four hands: 1♥ didn’t promise six, did it? With an easy double available to East to show a strong balanced hand (a useful 15+ HCP) East’s tempo suggested an unbalanced minimum in high cards or distribution (i.e., 4=1=4=4) or such poor suit quality that bidding was too risky. Ugly balanced 15-counts and scraggly 2=2=4=5 11-counts could all be ruled out, making West’s balance far more attractive. That being said, the following panelists’ attitude should have prevailed.

Bramley: “I would have given an AWMW. ‘Virtually forcing’ is not the same as ‘forcing.’ If passing is ever allowed, then surely West’s hand, a balanced minimum, qualifies. If E/W have this kind of sequence (bidding after hesitations) ‘all the time,’ then the Committee did not go far enough.”

Gerard: “No, there was nothing complex about it. A limit raise is not forcing to four of a minor, period. E/W’s ridiculous 2=2=4=5 agreement should have cleared that up. With the right methods East is marked with five diamonds once he has a doubleton heart, but not here. It was particularly insulting that North wasn’t supposed to raise with her hand because she might have confused West about the count. I would have hit E/W with an AWMW in both French and English.”

✍ Not content to be simply brilliant, he’s bilingual as well.

Rigal: “A complex issue, well reasoned by the Committee. I am not familiar with K-S, and I can see why E/W appealed. But the failure to Alert the auction is rather damning (though one could understand in the heat of the moment forgetting to do so). The point about the 2=2=4=5 shape is also highly significant and frankly I think that E/W came quite close to the AWMW here.”

Polisner: “Assuming that 2♥ showed a limit raise or better, there can be no force above 3♦. Thus, the issue of LA would result in the adjusted score of 3♥ down one. If 2♥ guaranteed another bid (which I doubt), that decision would be wrong.”

R. Cohen: “The only thing that matters is whether ‘this kind of sequence ‘all the time’ always is accompanied by an ‘unmistakable hesitation.’ Since no one asked or answered this question the Director and Committee got it right this time—but perhaps not for the right reason.”

Wolff: “West shouldn’t bid after his partner’s slow pass. Adjust back to 3♥.”

Stevenson: “Perfect ruling and decision.”

Endicott: “Well explained.”

Treadwell: “This was a close call, but I believe the ruling was correct. Flat hands are usually better for defense particularly when partner’s shape is unknown—except for the UI, of course.”

✍ But the definitive observation comes from the only panelist who saw clear through to the heart of the matter of what would likely happen if E/W were to defend 3♥.

L. Cohen: "I don't see any complexity; I find this appeal lacking in merit. West's 4♦ is laughable. If he was so sure about East's good diamonds (bidding to the four-level with West's shape is remarkable) might he not lead one against a heart contract? It's not like the ♠K is completely safe. Why not give N/S +140 in 3♥? I think that's the most unfavorable result that was at all probable. If West had doubled (instead of bidding 4♦), I'd have more sympathy."

✍ Now *that's* really brilliant.

Subject (Tempo): Who, Me?
Event: Flight A/X Swiss Teams, 22 Jul 01, First Session

Bd: 8	Donald Van Arman		
Dlr: West	♠ 98x		
Vul: None	♥ Jxxx		
	♦ 109		
	♣ AQxx		
Serge Chevalier	Andre Chartrand		
♠ AJxxx	♠ Qxx		
♥ Ax	♥ Kxxxx		
♦ Qx	♦ Jx		
♣ KJ10x	♣ xxx		
	Steve Lurie		
	♠ K10		
	♥ Q10		
	♦ AKxxxxx		
	♣ xx		
West	North	East	South
1♠	Pass	2♠	Pass(1)
Pass	Dbl	Pass	3NT
Dbl	All Pass		
(1) Disputed hesitation			

The Facts: 3NT doubled made three, +550 for N/S. The opening lead was a small spade. Following South's 3NT a dispute arose over the tempo of South's pass of 2♠ and the Director was called. South said he did not hesitate over 2♠ and North said he did not notice any hesitation. E/W claimed there had been a hesitation. The Director ruled that a break in tempo by South over 2♠ was quite possible (Law 16A) and that passing was a LA for North when 2♠ was passed back around to him. The contract was changed to 2♠ made two, +110 for E/W.

The Appeal: N/S appealed the Director's ruling. South denied hesitating over 2♠, sating that he took only 2 seconds to pass (he saw the ♠K and decided to pass). E/W stated that other hands in the match had established South's normal tempo and his call over 2♠ was out of tempo.

The Panel Decision: Three experts were consulted. All three said they would never reopen with the North hand after South passed and that if someone did reopen with a double (after a hesitation by South) this was an egregious action. The Panel agreed both with the table Director that South's hand suggested that he probably passed out of tempo and with the experts that the reopening double by North was unwarranted (Law 16A). The contract was changed to 2♠ made two, +110 for E/W (Law 12C2). The Panel also determined that the appeal lacked substantial merit and issued an AWMW to both N/S players.

DIC of Event: Bob Katz
Panel: Susan Patricelli (Reviewer), Mike Flader, Charlie MacCracken, Millard Nachtwey
Players consulted: Martin Caley, Howard Piltch, John Solodar

Directors' Ruling: 91.8 **Panel's Decision: 94.8**

✍ This decision is so clear, and North's balancing double so unbelievable, that a PP (or even a disciplinary hearing) might have been invoked. It is hard to imagine South *not* agonizing holding a good seven-card suit, opening high-card values (in spite of his ill-placed ♠K) and realizing that the auction could well end if he passes. The Director was called during the auction, following South's 3NT bid, and well before the N/S hands were known. If there will ever be a case where circumstantial evidence alone removes any doubt as to what happened, this is it.

Unfortunately, several of the panelists seem to be too busy peering up the

chimney, looking for Santa, to notice dad stuffing a pillow into his trousers.

L. Cohen: “Obviously, if South huddled North can’t balance. The only issue is, ‘Was there a huddle?’ I suppose the evidence (South has a routine 3♦ bid) makes it unlikely that South could pass in tempo. Still, what would the ruling be if N/S said the pass took ‘0 seconds?’ Do we just believe E/W and make our decision based on the circumstantial evidence of South’s actual hand? Disturbing. In U.S. court, would we send N/S to prison? Are they guilty beyond reasonable doubt? I doubt it. If North insists that South passed in tempo, isn’t he entitled to a trial? I don’t see the AWMW.”

☞ If North want his entitlements I’d go with a cigarette and a blindfold.

Kooijman: “The Director needed to ask E/W to estimate the hesitation’s length, which should be normal procedure even knowing that the answer will lack accuracy. Even the Panel didn’t bother according to the facts given. I therefore consider the case not well handled. If N/S deem that there was no hesitation, their appeal was thereby justified. They probably needed some education, telling them that even a couple of seconds in such a case is substantial extra information. And North should have been told that his bidding may not be based on anything but his partner’s calls. A disciplinary penalty seems more appropriate than the AWMW.”

Endicott: “Obviously.”

Stevenson: “What does it mean that the Director ruled that a hesitation was quite possible? If he looked at the hand then the write-up should say so since it is an important piece of evidence. It is better to establish a tempo break without looking at the player’s hand. However, if nothing else is possible, looking at the hand is acceptable.”

☞ Not just acceptable but mandatory when the facts are in dispute. But isn’t this a non-issue? The decision says “The Panel agreed...with the table Director that South’s *hand* suggested that he probably passed out of tempo...” This clearly says that the Directors *all* looked at South’s hand and drew their conclusions from it.

Rigal: “Nicely done all around. Although I am temperamentally opposed to the backwards reasoning that says that South must have broken tempo when he passed 2♠, on this occasion I like the approach. Having seen North’s hand it is hard to believe that he could have reopened unless his partner had tranced. Or perhaps I am just getting old.”

☞ Perhaps that, too.

R. Cohen: “A reopening bid by North was a travesty. N/S probably should have been penalized 1 or 2 VPs. Unfortunately, the Director was called at the wrong time to fully determine all the facts.”

Polisner: “Simple case. Either there was a break in tempo or there wasn’t. The Committee decided that there was. So be it. Obviously pass is a LA. Good work to issue an AWMW.”

Wolff: “The only remarkable truth that comes out of this appeal is that, if in the opinion of the Director, Committee or Panel a player had a bid but passed, if later his partner took dubious action the player will be deemed to have hesitated before passing. No more no less.”

☞ Not really remarkable (this is S.O.P.), but true nonetheless.

CASE TWELVE

Subject (Tempo): Don’t Ever Change, Boopsie

Event: Flight A/X Swiss, 22 Jul 01

Bd: 12	Andy Firko		
Dlr: West	♠ ---		
Vul: N/S	♥ Kxx		
	♦ Axx		
	♣ AK109xxx		
Bob Kuz	Neil Kimelman		
♠ Q109xxxx	♠ AJx		
♥ Q	♥ 108xxx		
♦ Qxx	♦ J10xx		
♣ Qx	♣ x		
	Naveed Ather		
	♠ Kxx		
	♥ AJ9x		
	♦ Kxx		
	♣ Jxx		
West	North	East	South
Pass	1♣	Pass	1♥
2♠	3♣	4♠	5♣(1)
Pass	5♦	Pass	5♥
Pass	7♣	All Pass	
(1) Break in tempo			

The Facts: 7♣ made seven, +2140 for N/S. The opening lead was the ♦J. The Director was called after the 5♦ bid. South took about 15-20 seconds before bidding 5♣. The Director ruled that the tempo did not demonstrably suggest the seven level and allowed the table result to stand (Laws 16A, 75C, 75F1).

The Appeal: E/W appealed the Director’s ruling. E/W believed that the slow 5♣ bid showed doubt (probably extras) and the 5♥ bid that followed confirmed this. They believed that the 7♣ bid was tainted by UI. North said he had a very good hand which made it automatic to bid on; 7♣ was just a shot in the dark. Had he bid 5♠ instead of 5♦ he would have denied the ♦A.

The Panel Decision: Three experts were polled, all of whom believed that further action over 5♣ was automatic with the North hand since he had at least an ace in reserve for his previous actions. When given the auction with no tempo break the

first expert shrugged and bid 6♣. The second expert said he probably would have bid 6♣ at the table but after reflection thought 5♦ was a better bid. The third expert bid 5♦ immediately. All three experts agreed that the 5♦ call was demonstrably suggested by the break in tempo since it allowed North to find out whether South had extras or something like ♠xxx ♥AJxxx ♦xx ♣Qxx, where 6♣ would be the limit. The Panel changed the contract to 6♣ made seven, +1390 for N/S.

DIC of Event: Bob Katz

Panel: Millard Nachtwey (Reviewer), Mike Flader, Charlie MacCracken, Susan Patricelli

Players consulted: Ralph Cohen, Abby Heitner, Chris Willenken

Directors’ Ruling: 85.9

Panel’s Decision: 59.3

☞ The Panel’s decision here is quite perplexing. Clearly they were right to allow North to bid on over the slow 5♣ since, opposite as little as ♥AQxxx and ♣xxx, North is virtually cold for six on the expected spade lead and has play for seven on *any* lead that isn’t ruffed. And equally clearly the floor Directors were right when they ruled that the break in tempo did not demonstrably suggest the seven level. So how could North be allowed to bid on and then denied the right to bid 7♣? Either North must be allowed to bid on and the table result stands or his action over 5♣ is disallowed and the result for 5♣ made seven is assigned. Assigning a result in 6♣ seems, to put it quite simply, impossible.

If you have any doubts, the following should clear them up.

Gerard: “That’s some lazy bid, 6♣. And that’s some lazy thought process that led to changing the result to +1390. Nothing about the break in tempo suggested 5♦ then 7♣; in fact, it was an undesirable contract. If South could have held ♠xxx ♥AQJxx ♦xx ♣xxx—the same 7-count—you’ll see why it was clear to bid other than 6♣ but not clear to bid 7♣. 5♦ didn’t help North so how could he have been prevented from bidding it? And earth to E/W, 5♥ didn’t confirm extras so 7♣ was truly a shot in the dark.

“Now if North had made the right bid, 5♥, come talk to me. *That* would have been clearly suggested, although maybe not to this pair. But except for the consistency of the consultants’ thoughtlessness, there was nothing to justify the Panel’s decision.”

✍ Ron makes an excellent point when he observes that 5♥ didn’t confirm extras, only a heart control, the ace. On a similar note...

Bramley: “Close. Once we grant moving over 5♣, 5♦ looks like a good bid. Even opposite the suggested ‘minimum’ hand for South, seven depends on no more than bringing in hearts. Change the ♥J to the queen (in the example), and seven is excellent. Indeed, seven is worse on the actual hand. I don’t buy the contention that the tempo break ‘demonstrably suggests’ 5♦ instead of 6♣. Therefore, I would have let the result stand.”

✍ I believe the 5♦ call was demonstrably suggested by the break in tempo only in that it represents bidding on rather than passing. This is reinforced by Ron’s point that South’s 5♥ bid did not show extras. Thus, 5♦ must be interpreted as a unilateral action if we agree with the table Director that South’s huddle before bidding 5♣ did not demonstrably suggest the seven level. In fact, as the following panelist points out it suggested even less.

L. Cohen: “South’s huddle in itself didn’t show extras. He could have been thinking of passing, doubling, bidding 5♣, or more. So, if the issue were just to let North bid again, I would. But that’s not the only issue. Can we let North try for seven? When he tries for seven by bidding 5♦, South’s return control-bid clarifies that he was thinking of bidding more than 5♣ on the previous round. But North knows that from the 5♥ bid—not from the slow 5♣. Once South bids 5♥, North is entitled to bid seven. So the only question that remains for me is this: ‘Was North woken up to the possibility of 7♣ and his 5♦ cue-bid by the speed of the 5♣ bid?’ Maybe so, but can we prohibit him from trying for seven? South would have bid a prompt 5♣ with as little as ♠xxx ♥AQxxx ♦xx ♣xxx, which makes seven playable. Anyway, I suppose there were LAs to 5♦ so maybe it shouldn’t be allowed. The construction given in the example is silly in that it says ‘6♣ would be the limit’—yet it gives 7♣ more play than the actual South hand!”

✍ I totally agree with Larry’s point (which Jeff will reinforce shortly) that the break in tempo before the 5♣ bid did not even suggest bidding on.

As for Larry’s “other” issue, I disagree that South’s 5♥ control-bid confirms that “he was thinking of bidding more than 5♣ on the previous round.” What would South have done over 4♠ holding ♠Q10xx ♥A10xxx ♦xx ♣Qx? While his spade holding will prove bothersome to West, opposite North’s expected shortness he really doesn’t have much wasted in that suit. On the other hand, the vulnerability suggests bidding on, he has two potentially important cards in the ♣Q and ♥A, and his heart length is more likely to be useful on offense than on defense. So he might just raise to 5♣. Does this 8-count constitute extras? Would you be happy playing 7♣ opposite this dummy? But if my partner bid 5♦ over my 5♣ I would certainly feel obliged to return the favor with a 5♥ bid. After all, why couldn’t partner be looking at ♠—♥KQx ♦Axx ♣AK10xxxx? Do you think he’d thank you for ignoring his grand-slam try and signing off in 6♣?

As for South’s tempo waking up North to the possibility of seven, that’s a plot

that even today’s screenwriters would think too unbelievable to perpetrate on the viewing public. It’s one thing for a break in tempo to alert a player that his keycard response was in error or that his undisclosed queen of partner’s side suit is enough for the slam. But here North’s own hand screams for him to continue and not one of us would even have thought about bidding the grand since many of the hands South could hold for his 5♥ bid would not even provide a play for 13 tricks. Sorry Larry, but I just can’t buy it. 7♣ was purely and simply, to borrow Wolffie’s phrase (coming up later), a “shot in the dark.”

Polisner: “When one has a spade void and partner hesitates before acting over 4♣, it is quite likely that the alternative action being considered was double as there is no cue-bid available. Thus, I do not believe that the break in tempo demonstrably suggests anything which affected North’s actions. Good ruling and decision.”

✍ Jeff was doing well there, right up until that last sentence. But he fell victim to what appears to be the same mind glitch the Panel suffered. If the break in tempo did not suggest any particular action, then why disallow the one taken at the table? The table ruling was good but the Panel decision was...perplexing.

Treadwell: “If it was agreed that some action by North was warranted over the slow 5♣ call by South, then I fail to see why the 5♦ call was barred, which led to the rather frisky grand slam. E/W had jammed the auction (no indication as to whether the Stop Card was used by the 4♣ bidder) and it is quite normal for a player to take a few seconds to evaluate the situation. I’m with the table Director on this one.”

R. Cohen: “Once the Committee determines that pass was not a LA over 5♣, precedent dictates that we should not be teaching players how to play bridge. While we may not approve of the quality of North’s bidding, we should not take away his fortunate result.”

Endicott: “It is agreed that North has the hand to bid on. Should we then penalize him for selecting the best action when he does so? I think the Director got this right, and I compliment him for not lazily ruling in favor of the non-offending side.”

✍ You want the truth? You can’t handle the truth.
Well, maybe you can, so...

Rigal: “There are a number of unanswered questions, so many that I suspect some of them were addressed and that this is simply a poorly written-up case. Apologies therefore for a long-winded analysis.

“First, the Director seemed to me to make an over-generous ruling for the offenders. Next, the Panel should start by focusing on the fact that passing 5♣ or bidding is the issue (in Ron Gerard’s terms, pass or not pass). The point might have been made more clearly that South might have stretched for his 5♣ bid; to me that does seem a reasonable possibility. If so, the expert’s opinion that 5♦ is the indicated action to find out what level to play at is balderdash. 5♦ might allow you to find out that 5♣ is the right level too, you know.

“Clearly though, the first possible score to adjust to is 5♣, not 6♣, and the discussion on this point seems rather underdone. The North hand has clearly greatly improved on the auction by the spade bidding and I’d say pass was not a LA. If so, 5♦ is the standout action here and I do not see how to take it away from North. So North is allowed to proceed over 5♣.

“Still, over 5♥ the obvious call is 5♠, not 7♣. Why did North jump so precipitously to the grand slam? If it is because he cannot bid then maybe we can’t decide that 5♦ was the standout call on the round before! I suppose we also have to address the question of players at North’s level; what should one expect from an A/X Swiss? Who knows?”

CASE THIRTEEN

“Perhaps it might be argued that the 7♣ call (as opposed to 5♠) is made more attractive by the slow 5♣ bid (I do not see that), in which case I might consider the adjustment made by the Panel. But no one on the Panel or elsewhere seemed to pursue that line of reasoning (North’s comments are about 5♠ *instead of* 5♦, not 5♠ *after* 5♦) and the consultants’ opinion is therefore not strictly relevant as far as I can see.

“Perhaps the decision to adjust to 6♣ has some mid-point merit, but I do not see the real linkage between the tempo issues and this particular adjustment. It seems more reasonable to say that North can’t bid over 5♣ or to allow 7♣ on the grounds that it was a lucky punt. I’d vote for 7♣ standing, and even though I can live with the decision, I think the wrong questions were asked and the wrong procedure followed.”

✍ Two panelists seem to have lost their way on this one. I think they just missed some of the subtle bridge inferences.

Stevenson: “It is not obvious what the Director meant by the seven level not being suggested. After all, North made two calls after the tempo break and each of them has to be considered.”

Kooijman: “Poor ruling by the Director.”

✍ The final word goes to...

Wolff: “The Panel erred here. When North bid 7♣ he was taking a shot in the dark and reached a poor grand slam. With NPL he was entitled to bid seven and hit the lottery when it worked. How dare the Panel take it away from him. It is probably a result from years of having high flyers get lucky. That’s all that happened here.”

Subject (Tempo): Does the Term “Self-Serving” Ring a Bell?
Event: 0-5000 KO Teams, 23 Jul 01, First Session

Bd: 3	♠ KJ105		
Dlr: South	♥ K102		
Vul: E/W	♦ 10764		
	♣ K6		
♠ 42		♠ Q6	
♥ J98		♥ A753	
♦ KQJ82		♦ 93	
♣ Q105		♣ 98432	
	♠ A9873		
	♥ Q64		
	♦ A5		
	♣ AJ7		
West	North	East	South
Pass	3♦(1)	Pass	1♠
Pass	4♠	All Pass	3♠(2)
	(1) Alerted; no explanation requested		
	(2) Break in tempo		

The Facts: 4♠ made five, +450 for N/S. The opening lead was the ♦K. The Director was called after the comparison. Before the opening lead North’s 3♦ bid was explained as a limit raise with four trumps. A lengthy hesitation before the 3♠ bid was agreed. The Director changed the contract to 3♣ made five, +200 for N/S (Laws 16A, 23C, 12C2).

The Appeal: N/S appealed the Director’s ruling. North said he never intended to stop below game: He had available a two-over-one bid or 2NT Jacoby but chose to go this route instead. N/S had just lost imps on the previous two deals and he wanted to be aggressive and not miss game for that reason. N/S agreed to a 30-second hesitation before the 3♠ bid. South had been considering bidding 3♥. 3♠ was a signoff in N/S’s methods.

The Panel Decision: Three players, two experts and one N/S peer, were consulted. All passed when they were given North’s problem and all agreed that a slow 3♠ signoff made a 4♠ bid more attractive. The two experts thought the appeal had no merit. The Panel determined that North had chosen from LA actions one that could demonstrably have been suggested over another by the hesitation (Law 16A). The contract was changed to 3♣ made five, +200 for N/S (Law 12C2). In addition, Law 73C instructs that a player in this type of situation “must carefully avoid taking any advantage that might accrue to his side.” Since these Laws were explained to N/S before the appeal was heard, N/S were each assessed an AWMW.

DIC of Event: Chris Patrias
Panel: Matt Smith (Reviewer), Millard Nachtwey, Gary Zeiger
Players consulted: Jeff Goldsmith, Mark Itabashi, a N/S peer

Directors’ Ruling: 98.5 **Panel’s Decision: 99.2**

✍ Our first panelist makes what would usually be a rash prediction—and comes out smelling like a rose.

L. Cohen: “The most unanimous ruling in the history of the casebooks. I can’t imagine anyone on the panel disagreeing with this one. The North player has gall to not only commit such an unethical action, but to then appeal!”

R. Cohen: “Everybody correct except N/S.”

Endicott: “Another standard ruling and an appeal that should not have been.”

Kooijman: “Another example of a case where disciplinary action should be taken. There is no LA to a pass.”

Polisner: “Routine, including the AWMW.”

Rigal: “No point in wasting ink on this one. A truly disgusting appeal, and as usual the only regret is the limitation of one AWMW per person. If one of the appellants was the captain of their team could we give them a second one?”

Stevenson: “Fair enough. Players have to realize that previous intention is irrelevant. If South had bid 3♠ in tempo it would be perfectly legal for him to take a flier at 4♠. Once there is a hesitation it is no longer legal.

“The title suggests that perhaps the argument is something North decided afterwards to explain a dubious action. Perhaps it was, and I wonder if North did originally intend to bid game why he did not bid 4♠ immediately. But it does not matter whether he made up the argument or told it as it was. 4♠ is illegal and players should know it.”

Wolff: “An immaculate decision that restores faith.”

✍ Immaculate, indeed, but a decision this easy should not be hailed as a faith tonic.

CASE FOURTEEN

Subject (Tempo): The Illusion of Choice

Event: B/C/D Pairs, 23 Jul 01, First Session

Bd: 6	♠ 3		
Dlr: East	♥ 83		
Vul: E/W	♦ J9863		
	♣ J10983		
♠ K109742		♠ AQ85	
♥ J6		♥ 10952	
♦ Q75		♦ A10	
♣ KQ		♣ 542	
	♠ J6		
	♥ AKQ74		
	♦ K42		
	♣ A76		
West	North	East	South
		Pass	1♥
1♠	Pass	2♥(1)	Dbl(2)
2♠	3♣	3♠	Dbl(3)
Pass	4♥	All Pass	

(1) Limit raise or better
(2) Lead directing, could be minimum
(3) Break in tempo (10-20 seconds)

The Facts: 4♥ went down three, +150 for E/W. The opening lead was the ♠4. The Director was called after North bid 4♥. E/W said South broke tempo before the double of 3♠. South admitted that she had a choice of calls to make, thereby confirming that her call was very likely out of tempo. The Director ruled that the slow double of 3♠ demonstrably suggested the pull to 4♥ and that pass was a LA. The contract was changed to 3♠ doubled made three, +730 for E/W (Laws 16A1, 12C2).

The Appeal: N/S appealed the Director’s ruling. South, a player with about 270 masterpoints, said she thought for about 10 seconds before doubling 3♠. North, who had about 1,000 masterpoints, said she could not sit for the double after her free-bid of 3♣ (which she made because she thought the double of 2♥ was takeout). N/S believed that E/W could have earned their top by doubling 4♥

and collecting +500 rather than +150. East said she thought the break in tempo was 15 seconds; West thought it was 20 seconds.

The Panel Decision: Two Flight B players were consulted. Neither said they would have bid 3♣ over 2♠ with the North hand (one would have bid 3♦ and pulled the double of 3♠ to 4♣) and both believed that they had nowhere to run on the actual auction and so passed the double of 3♠. The Panel found that there had been a break in tempo of about 15 seconds by South before she doubled 3♠ and that this indicated uncertainty, thus suggesting a pull. The consultants confirmed that passing 3♠ doubled was a LA for North. Therefore, the contract was changed to 3♠ doubled made three, +730 for E/W (Laws 73F1, 12C2). The Panel also addressed E/W’s failure to double 4♥. They decided that neither East nor West had a clear double and thus the failure would not affect E/W’s right to redress.

DIC of Event: David Marshall

Panel: Charlie MacCracken (Reviewer), Betty Bratcher, Terry Lavender

Players consulted: Two Flight B players

Directors’ Ruling: 93.0

Panel’s Decision: 94.3

✍ North had about 1000 masterpoints, so we may assume some degree of bridge sophistication (although her 4♥ bid leaves room for doubt). It seems foolish to pass 3♠ doubled when South opened 1♥, made a takeout double of spades, then made a penalty/value-showing second double, and North has a weak hand with five-five in the minors and has bid only one of her suits. Like one of the consultants, I’d have

bid diamonds first so I could now bid clubs comfortably. Even so, I'd bid 3NT to show both of my minors (partner will assume I have longer clubs but that's the least of my worries). If South's first double was takeout (as North believed) then her second double shows transferrable extra values, but if it was lead directing (as in the diagram) then the second double has greater penalty implications (although it's still not penalty) and passing is more defensible—but I still wouldn't defend.

The consultants' opinions tend to suggest that my judgment may be wrong for these players. If the consultants are truly North's peers I would not allow the pull; if they're South's peers (270 masterpoints) I would find new consultants and allow the pull. I guess I can live with the decision, but only in this event.

While some panelists are as uncertain as I am about how to evaluate players at this level, all appear to support the decision. Let's hear what they have to say.

Polisner: "The thinking that goes on in the minds of players at this level is difficult to re-create. However, what is clear is that North realized, at least in part suggested by the slow double and in part because of her poor hand, that 3♣ doubled was not likely to be an outstanding success. Thus, the correct ruling and decision."

✍ Next, David is concerned about E/W while Ton takes it all in stride.

Stevenson: "What does it have to do with N/S whether E/W might have got a good board by different actions? It is an ugly argument. After all, even if E/W were denied redress (correctly not in this case) N/S would still be judged as they were."

Kooijman: "Good decisions both, the Panel being not too demanding on E/W. Good to notice that even when not doubling 4♥ was considered bad bridge, some redress still should have been given, since 500 is not enough compensation."

✍ But remember, Ton, "partial" redress, a la 12C3, is not available to us.

R. Cohen: "Was an educational act performed with regard to N/S? Someone has to teach them the laws of the game, particularly if they're going to continue to play in our tournaments."

Bramley: "Pretty harsh on North, but the doubleton heart and the stray jacks may suffice to beat 3♠."

L. Cohen: "I presume that +150 for E/W was a near-top anyway. No?"

✍ I'd guess no, else why would players at this level bother with an appeal?

Rigal: "This is a landmark decision. Finally—and I mean finally—a Panel and Director acknowledge that when one hand makes a penalty double the other hand (having shown weakness already) cannot pull just because they are weak. Nicely done. The two remaining issues are, first, the failure of E/W to double the final contract (I can understand that) and second, AWMW points. No new circumstances were brought up at the appeal, it seems, but I can just about live with the failure to award points. Why was it not discussed?"

✍ My guess (and it's just a guess) would be because of the level of the event.

Wolff: "Good decision regarding the usual suspect."

Endicott: "Why am I so agreeable? Is it the daunting thought of another sixty to go? Life was easier in Paris."

✍ Yes, Grattan, we'll always have Paris.

Subject (Tempo): Is That the *Real* Auction?
Event: Flight A/X Pairs, 23 Jul 01, Second Session

Bd: 22	Carol Hamilton		
Dlr: East	♠ A83		
Vul: E/W	♥ K654		
	♦ Q5		
	♣ Q762		
Bonfilio Pereira	Shasi Taylor		
♠ Q97	♠ KJ10654		
♥ Q732	♥ 108		
♦ KJ10862	♦ A74		
♣ ---	♣ J10		
	Doug Drew		
	♠ 2		
	♥ AJ9		
	♦ 93		
	♣ AK98543		
West	North	East	South
		Pass	Pass
3♦	Pass	Pass	Dbl
Pass	3♥	3♠	4♣
4♠	Pass(1)	Pass	5♣
Pass	Pass	Dbl	All Pass
(1) Break in tempo			

The Facts: 5♣ doubled made five, +550 for N/S. The opening lead was the ♠7. The Director was called when North passed over 4♠. E/W estimated the break in tempo to be about 60 seconds, N/S 30 seconds. The table Director disallowed the 5♣ bid and changed the contract to 4♠ made four, +620 for E/W. Later the DIC changed the ruling and allowed the table result to stand.

The Appeal: E/W appealed the DIC's ruling. They believed the break in tempo turned what was an attractive but not iron-clad action into a 100% one. If South's hand was only worth 4♣ at his previous turn then it was not worth 5♣ over 4♠. South claimed he had pulled the wrong card out of the bid box at his first turn.

The Panel Decision: South clearly had the right to try to correct his first-round error and based on the AI that East and West were a passed hand opposite a preempt, so his partner was marked with some cards. The two

expert consultants agreed that North was more likely to be considering 5♣ than double (both opponents had a suit of their own plus tolerance for partner's suit). They also said that it was hard to figure out what South's peers would have done when both the initial pass and the double of 3♦ were such extreme positions. North *may* have been considering a double rather than 5♣, but it was far from clear that either contract would make; so pass was a LA and action was demonstrably suggested (Law 16A). The contract was changed to 4♠ made four, +620 for E/W (Law 12C2).

DIC of Event: Susan Patricelli
Panel: Millard Nachtwey (Reviewer), Terry Lavender, Gary Zeiger
Players consulted: Ron Sukoneck, Michael White

Directors' Ruling: 48.5 **Panel's Decision: 85.9**

✍ South's actions on this hand are inexplicable to me, and based on the comments of the consultants (above) and panelists (below) I'm not alone. It's hard to know why the DIC chose to change the table ruling but the Panel eventually got it right—well, almost. Truth or dare: Does anyone really believe East has a legitimate double of 5♣ with the ♦A opposite both a diamond preempt and a spade fit? I make it -620 for N/S and -550 for E/W. Any takers?

Bramley: “Inexplicable change of mind by the Director. N/S should have been the appealing side. The Panel got it right.”

L. Cohen: “I agree that the slow pass was probably suggestive of bidding on but I can’t possibly get into this South’s head. It’s hard to determine if this South hand, having passed (by accident), doubled (for no good bridge reason) and then bid 4♣ (by guesswork) should be allowed to bid again. On general principles I’d say ‘No.’”

Endicott: “We are not told why the DIC has acted with so much self-belief. There must surely be some undisclosed reason why the ruling was reversed. However, that valuable resource, the Panel, arrives with the cavalry and the goodies win again.”


Kooijman: “Incredible. What procedures do you follow? It seems that the Director starts making his own ruling quite fast and only then some consideration follows. This kind of ruling makes calls for appeals inevitable. (See also CASE TWELVE.) The final decision by the Panel is not an easy one but quite acceptable.”

Treadwell: “South’s auction is so bizarre that it is difficult to figure out what he might have done with no UI available. I guess I must agree with the Panel’s decision, albeit reluctantly.”

Polisner: “This appeal should have had to be made, if at all, by N/S. If it had, as a result of a more competent ruling, I would be amazed if a minimum of an AWMW wasn’t issued.”

Wolff: “Nothing worth noting.”

Rigal: “Tough to make sensible decisions with such lunacy at the table. The Director’s ruling just seems flat out wrong to me. Surely the non-offenders should be protected in the case of such doubt. I think the Panel came to the right conclusion but the whole hand is so bizarre that no precedent can be established one way or the other. The one argument for N/S is that North appears to have been contemplating both a double and a 5♣ call, so who can say what the slow pass suggested? Still, just thinking about this one is giving me a headache.”

 Just finish 58 more cases, take two aspirin, and call me in March.

Finally, two panelists join me in recognizing the true nature of East’s double. They get the final word.

R. Cohen: “This whole auction was weird starting with the passes by East (why not 2♠?) and South (why not 1♣?). Did no one consider East’s double of 5♣ in the nature of a double shot—an adjustment if it makes, or a good result if it fails? How about –620 for N/S and the table result stands for E/W? E/W demonstrated non-bridge subsequent to the alleged infraction.”

Stevenson: “It is difficult to work out LAs for someone whose bidding was matured on the planet Zarg—or do we believe he mis-pulled twice? However, East has one trick in defense to 5♣. The chances of his ♠K being a trick reduced considerably when partner raised spades. He knows 5♣ is probably making, so why double?”

“It may interest North American readers to know that the standards for denying redress to one side differ around the world. In England there has to be an element of the double shot to deny redress. In other words, they would adjust unless they believed that East thought he would get a ruling if his double failed and so took a flier. The standard is to deny redress if East took ‘wild or gambling’ action. In the ACBL players are required to continue to play bridge and not make ‘egregious’ errors. Elsewhere in the world the standard falls between these two, redress being denied for ‘irrational, wild or gambling’ action. Interesting though the different standards may be, East’s double is so unbelievably dreadful that it qualifies as wild,

gambling and egregious. I am surprised that any Director, Panel or Committee anywhere in the world would allow East any redress. Note, however, that the Director and Panel should still adjust for N/S. When redress is denied to one side the score is split, and the opponents still suffer the full adjustment.”

CASE SIXTEEN

Subject (Tempo): I Don't Recall...But It Doesn't Sound Like Me

Event: Stratified Open Pairs, 24 Jul 01, First Session

Bd: 22	♠ 98		
Dlr: East	♥ 83		
Vul: E/W	♦ AJ5		
	♣ KQ10986		
♠ KQ64		♠ 10532	
♥ AKQ105		♥ J962	
♦ K10		♦ Q2	
♣ J7		♣ 542	
	♠ AJ7		
	♥ 74		
	♦ 987643		
	♣ A3		
West	North	East	South
1♥	2♣	Pass	Pass
2♠	3♣	Pass	2♦
Dbl	Pass	Pass(1)	Pass
(1) Break in tempo		3♥	All Pass

The Facts: 3♥ made three, +140 for E/W. The opening lead was the ♣K. The Director was called before the final pass. South said East pulled the Pass Card out of the box, put it back, then passed. E/W said that there was no hesitation. The Director changed the contract to 3♣ made three, +110 for N/S (Laws 16A2, 12C2).

The Appeal: E/W appealed the Director's ruling. West said she noticed no break in tempo and no fumbling with the bid box. East said she could not recall and that she couldn't imagine breaking tempo because she would never consider bidding was such a poor hand. West said her partner passed in a perfectly normal tempo for her. N/S said that East took the Pass Card somewhat out of the bid box, then replaced it before finally passing. The total time taken was 8-10 seconds.

The Panel Decision: Was there an unmistakable hesitation? The N/S testimony about the hitch with the Pass Card suggested that there was. For further input, five players with 400-600 masterpoints (peers of E/W) were consulted. All five would have bid immediately over 2♣ or after 3♣. None would have passed twice. This suggested that East could have had a problem over 3♣. Four other 400-600 masterpoint players were consulted about West's reopening double. Three would have passed and the fourth thought pass and double were possibilities. The Panel decided that there had been a break in tempo which demonstrably suggested action over inaction. Based on player input, the Panel decided that pass was a LA to West's double. The Panel changed the contract to 3♣ made three, +110 for N/S (Laws 16A, 12C2).

DIC of Event: Candy Boughner

Panel: Gary Zeiger (Reviewer), Terry Lavender, Charlie MacCracken

Players consulted: Nine players with 400-600 masterpoints

Directors' Ruling: 95.2

Panel's Decision: 97.4

✍ A fine decision. The only question in my mind is whether E/W deserved an AWMW. Frequently, AWMWs are not given to inexperienced players but that's a judgment call. I would have been happier, given that no AWMW was issued, to see evidence that some education was imparted to E/W not only about their obligations regarding hesitations but also about appealing this sort of ruling. I hope this was only an omission in the write-up and not a failure on the part of the Panel.

Bramley: "Good work to consult different players for each partner's problem. Given the near unanimity of their responses, an AWMW was possible."

Polisner: "This is another case of the need to make a factual determination as to whether or not there was an unmistakable hesitation. The Director and Panel are in a much better position to make that decision. Once it was decided that there was, the result is automatic."

Rigal: "Good ruling by the Director to determine that there was a hesitation and the Panel also seemed to carry out a rational fact-finding procedure to determine that there was a break in tempo. That said, passing 3♣ at this vulnerability must now be a LA for West. Many people would bid with the West cards but against trigger-happy opponents and playing with a competent partner, pass is surely a LA at the very least."

R. Cohen: "Everybody right on except E/W."

Endicott: "The Panel explains nicely how it arrived at an obvious decision."

Stevenson: "Good methodology by the Panel."

Wolff: "Still nothing worth noting."

L. Cohen: "If there was a huddle, West has a 100% pass, so that part is easy. Was there a huddle? This is a bit like CASE ELEVEN. It's tough when one side denies a huddle. I think the write-up gives enough clues to suggest that there was a tempo break, so the decision seems fine. Aside from East's poor handling of the bidding box, she could use a Law (Total Tricks) lesson."

✍ Perhaps an autographed copy of your book(s) would do.

CASE SEVENTEEN

Subject (Tempo): Six-Five Is Not Enough

Event: Red Ribbon Pairs, 24 Jul 01, Second Qualifying Session

Bd: 28	♠ ---
Dlr: West	♥ KQ962
Vul: N/S	♦ 86
	♣ AJ10964
♠ Q105	♠ KJ7642
♥ 108743	♥ A5
♦ K5	♦ Q3
♣ K82	♣ Q73
	♠ A983
	♥ J
	♦ AJ109742
	♣ 5

West	North	East	South
Pass	1♥	1♠	2♦
2♠	3♣	3♠	3NT(1)
Pass	4♣	Pass	4♦
All Pass			
(1) Break in tempo			

The Facts: 4♦ made four, +130 for N/S. The opening lead was the ♠5. The Director was called at the end of play and told that South had taken 45-50 seconds to bid 3NT. 2♦ had not been forcing to game. The Director changed the contract to 3NT down three, +300 for E/W (Laws 73F1, 16A2, 12C2).

The Appeal: N/S appealed the Director's ruling. North said that pulling 3NT was clear with such a weak distributional hand after he had screwed up his courage to open the bidding in the first place. Upon questioning North admitted that his partner could have had a much better hand. E/W said that the hesitation made North's pull of 3NT easy and that it shouldn't be allowed. They also said that if South had held the ♠Q, N/S were in a cold contract on the expected spade lead and with diamonds breaking. They believed the hesitation indicated that South

had only one spade stopper and made the pull more attractive.

The Panel Decision: Two experts were given North's problem without the UI. Each thought pass was the correct call. Four players in the 1500-2500 masterpoint range were also consulted. Two would have bid 4♣ and thought pass was clearly wrong and not an alternative. One thought it was very close but would probably have bid 4♣. The fourth player passed because 4♣ would be forward-going. Based on the consultants' responses the Panel decided that pass was a LA which would be chosen by some number of North's peers. Since the break in tempo demonstrably suggested doubt about 3NT, the Panel disallowed the 4♣ bid (Law 16A2). The Panel changed the contract to 3NT down three, +300 for E/W (Law 12C2). (Note: An original ruling of "result stands" was made before the DIC was consulted, at which time the ruling was changed to 3NT down three. For this reason the Panel did not consider an AWMW.)

DIC of Event: Millard Nachtwey

Panel: Charlie MacCracken (Reviewer), John Ashton, Roger Putnam, Gary Zeiger
Players consulted: Michael Huston, Kent Mignocchi, four players with 1500-2000 masterpoints

Directors' Ruling: 83.0

Panel's Decision: 89.3

✍ Another good decision. The DIC's change of the original ruling lent sufficient doubt to the proceedings to justify a request for reconsideration. And since some panelists found the pull to 4♣ attractive enough to question whether pass was a LA, whatever the Panel's final decision the appeal clearly had merit.

L. Cohen: "The appeal has merit because I think it's fairly clear to pull 3NT with the North hand (if North were two-zero the other way, pass would make more sense). Is it clear enough to allow it after a slow 3NT? Close, but I suppose pass is just barely enough of a possible alternative to force North to do so."

Endicott: "In my opinion the AWMW bird should not fly here; North has a case that ought to be considered (and rejected)."

Rigal: "I think both the Director and Panel made a logical decision to disallow the continuation over 3NT. The slow 3NT bid makes the pull far more attractive, and I suppose as North you might reasonably hope that the club suit would run in 3NT. If for no other reason, this sort of ruling should send a signal to the general bridge public to help us try to stamp out this sort of action. (And maybe it might persuade people not to open the North hand 1♥)."

✍ I would have thought that a 1♥ opening on a hand this weak would be best. Since partner's most likely response to either opening is 1♠, planning a reverse to 2♥ after a 1♣ opening is questionable while rebidding 2♣ after a 1♥ opening (to be followed by clubs again given another chance) is quite comfortable.

And while we're on the subject, North's story about having "screwed up his courage to open the bidding in the first place" must mean that he sold his soul to the devil to make that "free" 3♣ rebid. What self-serving drivel.

R. Cohen: "No problem with the decision to adjust to score. The only problem was what the adjustment should have been. Was there any consultation on the result that should have been assigned? It may look obvious, but the purpose of expert consultation is to include all aspects of the decision."

Polisner: "Routine."

✍ Two of our panelists took exception to the lax procedure which led to the DIC having to change the initial ruling.

Kooijman: "This case supports the idea that the Directors don't take rulings the right way. Again postponed consultation does change the original decision. Awful in my opinion. And indeed an AWMW was out of the question... but maybe one for the Director instead?"

Stevenson: "In judgment cases, too speedy rulings are not a good idea. Here the original ruling seems unnecessary; full consultation should be done first. See similar shenanigans in CASE FIFTEEN."

✍ Finally, one panelist sees a combination of ambiguity in the possible reason for South's hesitation and common sense in North's pull to 4♣.

Wolff: "While there is nothing spectacular here, why wouldn't we let a player with a 0=5=2=6 hand, after opening and having the opponents bid his void, be allowed to take out his partner's 3NT even after a break in tempo? I think the reason we have so much trouble is because common sense is not applied. We should try to get people to practice proper ethics and then, after that allow them to digress on certain hands that make sense (this is one of them). South's study could be based on long solid diamonds, a spade stop, but a fear that, together with partner's hand, there would be a slam. When studies can mean different things, we need to be flexible enough to allow 'honest' players to do their thing."

✍ While Wolfie's argument is seductive, it is also flawed. With the hand Bobby suggests (solid diamonds, a spade stop and slammish) South might have cue-bid 3♣ over 3♠ and settled for notrump if slam didn't pan out. For example, if South holds

♠Axx ♥xx ♦AKQJ10xx ♣x slam is excellent (ruff the spade lead, play ♣A, ruff a club, ruff another spade, return to hand with a high club ruff, draw trumps and lose a heart). Sorry, Wolffie, but whatever South's huddle means it clearly suggests bidding again when North might reasonably pass.

CASE EIGHTEEN

Subject (Tempo): Six-Five Is *Still* Not Enough
Event: Red Ribbon Pairs, 25 Jul 01, Second Final Session

Bd: 6	♠ A98754		
Dlr: East	♥ 7		
Vul: E/W	♦ 97		
	♣ Q654		
♠ 3		♠ J	
♥ Q109532		♥ KJ84	
♦ QJ863		♦ AK42	
♣ J		♣ AK83	
	♠ KQ1062		
	♥ A6		
	♦ 105		
	♣ 10972		
West	North	East	South
		1♣	1♠
Dbl	4♠	Dbl(1)	Pass
5♥	All Pass		
(1) Break in tempo			

The Facts: 5♥ made five, +650 for E/W. The Director was called after the 5♥ bid. East agreed that she had thought for a long time (30 seconds) before doubling 4♠. North said he'd used the Stop Card but West thought he hadn't. The Director changed the contract to 4♠ doubled down two, +300 for E/W (Laws 16A, 12C2).

The Appeal: E/W appealed the Director's ruling. West was the only player to attend the hearing. West said he decided that East needed very little in a good hand to make 5♥ and did not consider any other bid. West, who had 1900 masterpoints and was playing with a pickup partner who had 800 masterpoints, believed he should never sit for the double holding eleven red cards.

The Panel Decision: Four expert players were consulted. One expert believed that West had a mandatory

pass after the slow double since it was not certain whose hand it was in the first place. The second expert could visualize hands where sitting was right and would bid 4NT if the double had been in tempo, planning to correct to 5♦ over 5♣. The third expert would have passed over a slow double and would have expected a good player to bid 4NT after an in-tempo double. The fourth expert would have bid 4NT after a fast or slow double. Five additional players with 2000-3000 masterpoints were consulted. After an in-tempo double, four would have bid and one would have passed. After a slow double three would have bid and two would have passed. The Panel decided that East's slow double made it more likely that her hand did not have much defense in the black suits. An in-tempo or fast double would have shown ♠Kx, ♠KQ or ♠Ax and something like ♣AKQ or ♣AK. The Panel decided that West's 5♥ bid was clearer after the slow double and that pass was a LA. The contract was changed to 4♠ doubled down two, +300 for E/W (Laws 16A, 12C2).

DIC of Event: Millard Nachtwey

Panel: Susan Patricelli (Reviewer), Rick Beye, Mike Flader, Ron Johnston

Players consulted: Jade Barrett, Bart Bramley, Geoff Hampson, Irina Levitina, five players with 2000-3000 masterpoints

Directors' Ruling: 87.0

Panel's Decision: 83.3

✍ It's hard to find fault with this decision. Our first panelist, who was one of the expert consultants, puts it best.

Bramley: "Sorry, I don't remember which player I was. I would bid, but I consider pass a LA."

R. Cohen: "Sounds like there was a dispute among the Panel members. Why else

nine consultants? At least the Panel abided by the decision of the consultants that pass was a LA by West—even though I would not have passed as West.”

Rigal: “Sensible Director ruling. The players were asked the wrong question. They are not supposed to be consulted about what to do over slow doubles. That is the Director’s responsibility, not theirs. But that is a quibble; given that pass is a LA (the percentage who considered it even if they did not select it makes that clear) the Director’s adjustment back to 4♠ doubled must be right. The defense would always get the club ruff for down two I think.”

✍ Our next panelist suggests that the right decision depends on the meaning of East’s double. While that is certainly true (who would not take out a card-showing double holding that West hand?) it seems virtually impossible to determine a pair’s agreement with any degree of certainty in an event such as this.

L. Cohen: “I would have liked to have seen some discussion about the interpretation of East’s double. It should be ‘cards,’ but maybe a Red-Ribbon player thinks it is penalty. If penalty, then the pull can’t be allowed. If cards, it’s automatic to pull. Did anyone ask West what he thought the double showed? I suppose he could give the self-serving answer that it wasn’t penalty. By the way, if double isn’t penalty, the speed says nothing about the spade holding. For example, RHO opens 4♣, preemptive. You double slowly. Does that show ♣AQJ9? Does it show a singleton club? Basically, it gives no indication of the club holding. Would you make a fast double of 4♣ with ♣AQJ9? Would that suggest that partner leave it in? Of course not.”

✍ But how many players in the Red Ribbon Pairs would interpret East’s double as anything other than penalty?

Endicott: “The information about what expert players would do after a slow double has no bearing on the issue. Why do people confuse the reader with irrelevancies? What we can only infer from the absence of comment is that East’s double was a penalty double. It could easily have been responsive, and sounds like it on this bidding. The quality of reportage has sunk a little at this point.”

✍ My guess is that East’s double, especially for players at this level and certainly for those playing in pick-up partnerships, is nebulous. The quicker the double, the more likely it is that East has spade values and/or length and does not hold long, strong clubs or length in a red suit (especially hearts). The slower the double, the weaker East’s hand and/or the more likely she is to be considering alternate actions such as 4NT (takeout/Blackwood) or five of a suit.

The next panelist points out the lack of relevance of the (non)use of the Stop Card in hesitation situations following Skip Bids.

Polisner: “I am really getting tired of expressing that the use or non-use of the Stop Card is irrelevant. A player has a duty to hesitate approximately 10 seconds after a Skip Bid and certainly has the right to do so without their pause being considered a ‘hesitation.’ However, if the hesitation was 30 seconds, as stated in the facts, the ruling and decision were correct.”

✍ One panelist is squarely on the fence; the rest think West’s action should be allowed—for one reason or another.

Stevenson: “Quite close.”

Treadwell: “In my view, the auction and West’s hand make a bid reasonable. Pass might actually be correct with some East hands, but I don’t see why the tempo of the double made the decision any clearer. Hence I would have allowed the 5♥ call.”

✍ But whether West’s 5♥ bid is “reasonable” or not isn’t the issue. If some of West’s peers might have passed an in-tempo double, as the consultants suggest (one out of five peers would have passed), then pass must be a LA. If Dave’s primary argument is that East’s hesitation does not suggest any particular action, then again the consultants suggest otherwise (since the number who felt constrained in their choice of action after a hesitation increased). While it may be true that West’s decision is still difficult even knowing East’s double is conflicted, that doesn’t mean that the UI from the huddle is not of use. At the very least it shifts the emphasis for the group who would have considered passing from “Shall I sit or pull?” to “What should I pull to?”

And it’s not enough to simply shrug our shoulders and throw up our hands in frustration because of the level of the event...

Wolff: “Another case like CASE SEVENTEEN. Sometimes West takes out to 5♥, gets his zero and we never hear from that table. Only when he gets lucky do we hear from the opponents. East should not study 30 seconds before doubling but this is novices in action.”

✍ Sorry, Wolfie, but players whose masterpoint holdings are in the thousands are *not* novices. Experts should not hesitate for 30 seconds in these situations either, but occasionally they do. It is no less important for us to provide our readers with useful information just because this case occurred in the Red Ribbon Pairs. Throwing up our hands and proclaiming those involved “novices” is begging the question.

Finally, one panelist makes several potentially important points.

Kooijman: “Another question about procedures. I have been commenting for a couple of casebooks now but I still meet new procedural aspects. Why these questions about what to do after hesitations from partner? It seems completely irrelevant. I know players who will never take any action [*other than pass*] after partner’s hesitation, having a wrong idea about ethics. Such answers contribute to biased impressions. Or was the question more related to the meaning of the slow double? I find the decision not easy and really do admire players who know how to translate the seconds used to double into the right kings and aces. An in-tempo double shows ♠Kx and ♣AK? Goodness. Just UI how and whatever East bids, is it? It is borderline and I would have allowed the 5♥ bid; not that much suggestion involved.”

✍ Ton is right that a player’s hesitation before doubling does not mean his partner must pass. Partner must still try to do what he believes he would have done without the hesitation, resolving any “reasonable” doubt by avoiding any action that was demonstrably suggested by the hesitation (if that can be determined).

As for resolving the length of a hesitation into specific aces and kings, clearly the Panel went a bit overboard in suggesting specific honor holdings for East. But their intent is clear: East’s hesitation suggests a less defensively-oriented hand, with more useful high cards and/or length in West’s suits and less wasted in the blacks (especially spades). Clearly East’s stiff spade and four-four red suits fit this to a T.

Our panelists are pretty evenly split on this one, which leads me to believe that a lack of familiarity with the level of the players here contributed to the variation. If we hope to be consistent in such cases we must rely more on the players’ peers. Pick-up pairs have even less in the way of partnership agreements to go on, forcing us to rely on the principles used by comparable players for judging the meaning of ambiguous calls (e.g., East’s double of 4♠). Certainly at the four level doubles tend to be penalty-oriented, warning partner away from competing further. Assuming this and considering both the peers’ input and the wisdom of ruling against hesitators in close situations, I think the Panel made the right decision.

CASE NINETEEN

Subject (Tempo): Trouble With Five-Over-Five

Event: Red Ribbon Pairs, 25 Jul 01, Second Final Session

Bd: 2	♠ 10842		
Dlr: East	♥ A65		
Vul: N/S	♦ K43		
	♣ J106		
♠ 3		♠ K	
♥ 10874		♥ K9	
♦ 1092		♦ AQJ8765	
♣ 97432		♣ A85	
	♠ AQJ9765		
	♥ QJ32		
	♦ ---		
	♣ KQ		
West	North	East	South
Pass	Pass	5♦	Pass(1)
Pass	5♠	Dbl	All Pass
(1) Break in tempo			

The Facts: 5♠ doubled made five, +850 for N/S. The opening lead was the ♦10. The Director was called after the auction but before the opening lead. There was an agreed 3-second hesitation by South before he passed 5♦. The Director ruled that North chose a LA that could have been suggested by the hesitation. Using Laws 73C, 16A2 and 12C2 the Director changed the contract for N/S to 5♦ down three, +150, and allowed the table result to stand for E/W.

The Appeal: Both sides appealed the Director’s ruling. N/S agreed it had taken South 3 seconds to pass over 5♦ and that the pass was faster than the previous 4♣ bid. South agreed that a “break in tempo” had occurred over 5♦. North argued that pass was not a LA. Her choice was between 5♣

and double—passing never occurred to her. She described 4♣ as “constructively preemptive” with an outside trick so 5♦ would not make. She said she would not expect South to hold ♠KQJxxxx and out: that would have been a 3♣ or 1♣ bid. South thought that with ♠AKQxxxx a 1♣ bid was likely (not 4♣). The N/S CC was marked “sound” vulnerable preempts, “light” non-vulnerable. E/W agreed that it had taken South 3 seconds to pass after 5♦ but that the previous 4♣ bid had been even faster (in disagreement with N/S) but couldn’t recall for sure. They argued that with a different (more normal) 4♣ bid South would not have hesitated at all. East argued that he needed to double in case 5♠ went down two while his 5♦ contract was making. He thought his partner would have some stuff on the auction (“expect 7 points”).

The Panel Decision: The Panel needed to decide several issues to resolve this case. First, was South’s 3-second pass over 5♦ an “unmistakable” hesitation (Law 16A) that transmitted UI to North? By a 2-to-1 vote the Panel decided that it was. The majority thought that North’s recognition, in an experienced partnership, that South was having a problem in an auction where he would not normally be expected to have a problem was important in establishing that UI existed; the other Panel member thought that South should be allowed to absorb the somewhat surprising 5♦ bid and 3 seconds was within the time that should be allowed for such consideration. Three experts and two players of North’s approximate experience (around 1800 masterpoints) were consulted on the bridge matters of the case. Of particular interest was whether they believed that pass was a LA for North (Law 16) and whether the hesitation suggested any action(s) to a player in North’s position. Also, the Panel desired input on whether East’s double of 5♠ was sufficiently egregious to forfeit E/W’s right to redress if a pass was imposed on North. The one expert asked about the double thought it merely pushy. Thus, the Panel decided that East had not forfeited protection if it became relevant. The first expert bid 5♠ when

given North’s problem over 5♦ and thought that double was a second choice. He said he would not pass and thought a slow pass suggested 5♣ over double. The second expert thought it a tossup between 5♣ and double and believed a hesitation by partner was “meaningless” in helping solve the problem. The third expert chose double and thought pass and 5♣ were possible (in that order). He thought a slow pass by partner suggested not passing. The two peers consulted were both emphatic that pass was not an option. One chose 5♣, the other was undecided between 5♣ and double. When asked how a slow pass by partner might affect their decision both said it did not. Given this somewhat conflicting information, the Panel decided to give more weight to the opinions of the non-expert players. The Panel decided that pass was not a LA and that partner’s hesitation did not “demonstrably suggest” 5♣ over double. The table result of 5♣ doubled made five, +850 for N/S, was allowed to stand.


DIC of Event: Millard Nachtwey

Panel: Matt Smith (Reviewer), John Ashton, Richard Strauss

Players consulted: Paul Lewis, Chip Martel, Barnet Shenkin, two players with around 1800 masterpoints


Directors’ Ruling: 43.3

Panel’s Decision: 80.3


 If I could borrow a page from Wolffie’s HD book and adapt it (in a somewhat perverse way) to the present case, I’d penalize South’s “quick” 4♣ bid on the first-round. When a player makes a bid like 4♣ so quickly that a 3-second pause before his next call appears out of tempo he deserves a penalty. On the other hand, I abhor the idea that a 3-second pause, when the auction has suddenly accelerated from the one to the five level, is out of tempo or that a player who considers his action for 3 seconds rather than appearing to act “reflexively” is passing UI to his partner. Thus, I would not adjust the score since I refuse to accept that South’s pass of 5♦ was out of tempo within the context of the auction. How unsettling is it that justice was done here only by chance? I feel I must give the Panel poor marks in spite of their rather serendipitous decision.

Happily, others share my view of this 3-second hesitation.

Bramley: “Thorough. Despite North’s recognition of South’s ‘problem’ I still dislike characterizing a 3-second ‘hesitation’ as a break in tempo in a high-level competitive auction. The Panel got it right at the end, though. North, with both offense and defense, must take action. The break in tempo (if it existed) did not demonstrably suggest one or the other.”

 Just for the record, I agree with Bart that South’s alleged “break in tempo” did not demonstrably point in any particular direction. It could just as easily have suggested a good hand (and thus a double by North) as a defenseless hand with a bit of extra playing strength that was interested in a further save. Thus, while it may have suggested a further action by North, the committal 5♣ bid did not cater to whatever South’s motivation might have been.

Polisner: “I would have resolved this case by determining that a 3-second pause to bid at the five level is mandatory and that bidding any faster would convey UI. Thus, the table result stands for both sides on that basis alone. If, however, I am compelled to believe that such a tempo was UI, I would need to decide whether the result should be –500 in 5♦ doubled, or +650 in 5♣. My instinct tells me that the latter is more appropriate.”

 A commendable philosophical appraisal, but why +650 in 5♣ rather than +850 in 5♣ doubled? After all, the latter is what happened at the table.

Endicott: “I am with the Panel. ‘Constructively preemptive’ probably means that

it is vulnerable against non-vulnerable, and North cannot sit there and be silent with that hand, although double would never occur to me. Again we must be grateful for Panels.”

Kooijman: “What to say? ‘I am astonished’ doesn’t reflect what I am. I would not accept a Director making such decisions in an event above the club level. He/she doesn’t have a clue how to rule the game (sorry if I deviate from polite statements, but how to let it go). Another reason to demand consultation before making a decision requiring judgment (don’t tell me the DIC was involved, then you are really lost). I have another issue here. It should not be the duty of an individual Appeals Committee or a Panel to vote that a 3-second taking pass over a highly competitive bid is an ‘unmistakable’ hesitation. The regulations should say that in such a situation South has to wait for some seconds before making a call! If South had bid at once and North had bid 5♠, E/W would have had a good case for calling the Director with South just having ace-king-queen-eighth of spades and E/W making 5♦. Bridge becomes impossible if we do not protect players from not being allowed to play it.”

☞ Sorry, but we’re told to assume the DIC is involved in all table rulings unless the write-up specifically states otherwise. As for Ton’s suggestion that players be required to pause briefly in such (high-level, competitive) situations [*polite applause*—I could not agree more. While familiarity with our arcane regulations precludes my being astonished at such cases, I am continually dismayed and frustrated by them.

Stevenson: “It is important to realize that a LA is an action considered by a certain number of people playing the same methods. For example, holding the North hand my partners would consider passing because my preempts are dreadful, even vulnerable. However, that does not make pass a LA if players would not find a pass opposite a ‘sound’ vulnerable preempt.

“Consider whether East should be denied redress for his double of 5♠ and then compare East’s double of 5♦ in CASE FIFTEEN. I think the Directors got these cases the wrong way round!”

☞ Indeed they did.

Treadwell: “High-level auctions in either competitive or noncompetitive situations frequently require a little contemplation, and the UI conveyed may be meaningless in terms of deciding what action to take. That, I think, is the case here and North should be allowed to do whatever he thinks is best.”

Wolff: “A very conscientious handling of a common problem. Can North bid after partner hitched? The education, as it stands now, might be in a Red Ribbon Pairs they can and 5♠ is allowed, but perhaps in a Blue Ribbon Pairs it wouldn’t be. Please don’t forget that on hands this close, quite often (maybe 40%) the 5♠ bid goes one down as would 5♦ and we don’t ever hear about it. All we can do, as stated previously, is educate, expect active ethics and begin to trust the intentions of our players. This is perhaps not as far off as some might think.”

☞ The next three panelists think the table ruling (at least in concept) was correct but would have adjusted the scores for the two sides reciprocally.

L. Cohen: “I agree from the description that South’s pass was out of tempo. I think it suggested that North do something other than pass, and I think passing was enough of a possibility that I would force North to pass. I’d rule 5♦ down three for both sides. I don’t think East’s double of 5♠ was egregious and I don’t see why the Director didn’t rule 150 for both sides.”

R. Cohen: “Pass by North is not a LA. The question was, did the ‘unmistakable hesitation’ demonstrably suggest 5♠ over double. In my mind it did and since the Panel decided there was indeed an unmistakable hesitation the contract should have been changed for both sides to 5♦ doubled down three, +500 for N/S.”

Gerard: “Don’t understand the Director. Even if double was egregious (it wasn’t) how did it recover –500?”

☞ Finally, we so admired the following panelist’s calm and rational exposition of this case that we couldn’t help but give him the final word.

Rigal: “I’m going to have to resort to asterisks again. Paul Connell! (Well it sounds like what I want to say.) ‘Three *#&%^ seconds is out of tempo?!’ This reinforces my opinion that inter alia there are some people in the Michael Rosenberg camp (no offence intended, but he is its lead protagonist) who would call the Director on N/S on a different day and say that in this auction South’s ‘only’ pausing for 3 seconds was unfairly fast and that North would have bid and not passed had the bid been in tempo. *Three* seconds!

“I will need to go and take a tranquilizer before I can continue.

“North is clearly free to do whatever he wants, and thus the whole long conversation between the Panel and its victims is irrelevant. However, even given all of that I am still unhappy with their decision here. Had I determined that there was a break in tempo (which there wasn’t) I’d expect the contract to be restored to 5♦, so I disagree with the conclusion derived from the false premise, even though I believe that justice was done in the end.”

CASE TWENTY

Subject (Tempo): “Alert! This Is Your Announcer Speaking”
Event: NABC IMP Pairs, 26 Jul 01, First Qualifying Session

Bd: 14	Gail Hastings		
Dlr: East	♠ AKQ		
Vul: None	♥ 84		
	♦ AJ972		
	♣ AQ6		
William O'Brien	Janet Daling		
♠ 8654	♠ J97		
♥ 10	♥ A76		
♦ 654	♦ Q3		
♣ KJ954	♣ 108732		
	Sharon Rohr		
	♠ 1032		
	♥ KQJ9532		
	♦ K108		
	♣ ---		
West	North	East	South
		Pass	3♥(1)
Pass	4NT(2)	Pass	5♣(3)
Pass	5♥(4)	Pass	6♥
All Pass			
(1) Denied an outside ace			
(2) Regular Blackwood			
(3) No ace			
(4) Disputed break in tempo			

The Facts: 6♥ made six, +980 for N/S. The Director was called after the 6♥ bid. A hospitality break announcement over the PA system interrupted the auction. E/W said there was a 7-10 second hesitation before and after the announcement. N/S believed the announcement had caused any break. The Director allowed the table result to stand.

The Appeal: E/W appealed the Director's ruling. East did not attend the hearing. West alleged that North had hesitated noticeably before bidding 5♥ and that South should not be allowed to bid 6♥. He constructed a hand for North that would not hesitate and that would not produce a slam (see the Decision). He also said that he and his partner had both noticed a hesitation, with his partner (who was not present at the hearing) claiming it lasted close to a minute. North and South denied that any hesitation had taken place beyond what was necessary to allow for the announcement, which interrupted the auction. North said she wasn't going to bid a slam opposite no

aces and South said she figured she couldn't have any more so she just bid it.

The Committee Decision: The Committee did not believe that an unmistakable hesitation had occurred. The North hand did not particularly suggest that there had been such a hesitation and the definiteness with which E/W had claimed that there had been one was attributed to the sense of injustice which usually accompanies perceived Hesitation Blackwood auctions. The Committee thought that the PA announcement was responsible for any break in tempo since North did not seem close to a hesitation opposite an average aceless preempt. At the hearing, West tried to suggest a hand for North that would not commit Hesitation Blackwood and thus argued for denying the slam. The Committee would not allow him to complete his suggestion as they believed it was part of their responsibility to apply the laws should LAs and “demonstrably suggested” become relevant considerations. Indeed, their subsequent deliberations did make such considerations irrelevant. The table result was allowed to stand.

DIC of Event: Henry Cukoff
Committee: Ron Gerard (chair), Jerry Gaer, Marlene Passell, Riggs Thayer, Michael White

Directors' Ruling: 85.9 **Committee's Decision: 84.1**

✍ Given the circumstances (which I believe are unique in these casebooks) this odious appeal was fortunate to escape without an AWMW. When an undisputed PA announcement disrupts a player's thinking, it seems appropriate to give the bidder a fair amount of leeway to “recover” from the interruption. In fact, it seems almost unsportsmanlike to claim that bracketing 7-10-second pauses (in a slam auction no less) constitute a break in tempo. Without the interruption there's little doubt that the 6♥ bid would not be allowed. But with the announcement even the Director call was pushy.

The panelists were split as to whether a hesitation had occurred and thus whether the 6♥ bid should be allowed.

Rigal: “If Ron Gerard allows a continuation over Hesitation Blackwood we should surely declare the case closed and not pursue it further. But joking aside, North had no reason to hesitate here over 5♣, and so I am prepared to assume that there was no break in tempo and that therefore South can do what she likes. (Rightly or wrongly I tend to be influenced by my perception of North not having a problem here to help me decide if there was a break in tempo.)”

Endicott: “When North jumps to 4NT opposite a three opener this particular preempt can ‘see’ the slam and it would be a dereliction of duty not to bid it. If there is a hand that would take North's action and that would not present a fair slam opposite South's hand it would merely be unlucky for South who should still be arriving in the contract. My one concern is to know why the Committee had nothing to say about an E/W pair that has seen the South hand and finds it appropriate to appeal.”

R. Cohen: “The Director was on the floor and knew about the announcements. The Committee needed overwhelming evidence—which was not forthcoming—to determine there was an ‘unmistakable hesitation’ and to change that ruling.”

Kooijman: “Let us honor the judgment of the Committee, I wasn't there.”

Polisner: “Excellent work which again is a fact-dependent analysis.”

Stevenson: “I would like to know what the Director ruled. Was it no hesitation or no LA?”

✍ Although the appeal form does not state so explicitly, the impression I get from it is that the Director ruled that any disruption to the auction (if there was one) was due to the announcement.

Treadwell: “The Facts section says that E/W claimed a 7-10-second hesitation which N/S attributed to a PA announcement; The Appeal section says the hesitation was close to a minute. I would have been inclined to allow the E/W appeal if I thought a lengthy hesitation had occurred, but according to The Facts this was not the case; hence the correct decision to allow the table result to stand was made.”

Wolff: “No hesitation no problem, but a hesitation and partner's barred.”

✍ The next panelist believes that the circumstances surrounding the Director call indicate that there was a break in tempo.

L. Cohen: “I don't get it. I doubt E/W made up the hesitations, PA system or not. They called before they saw the result. Once there is a huddle, South can't bid again. North could have ♠KQJ ♥10xxxx ♦AKQJ ♣A, looking for the ♥A. There seem to be a lot of cases where one side says there is a huddle, the other denies it.

This is the first one where the Committee determined there was no huddle. The facts/statements here seem more indicative of a tempo break than many of the other ones.”

✍ The next panelist makes some strong arguments that there might easily have been a hesitation before he finally agrees that it was impossible to establish that one had occurred. This latter issue seems to me to be the crux of this decision. In order to adjust the score there must be reasonably convincing evidence that a hesitation (or other type of UI) did occur. Here, in the context of the PA announcement, such evidence simply does not exist.

Bramley: “The Committee was heavy-handed here. The Chairman seems to have changed his tune from his recent series of Bulletin diatribes against Henry Bethe, in which his overriding thesis was ‘No excuses allowed.’ Why doesn’t the North hand seem ‘close to a hesitation’? To me it looks like a classic hand for which Blackwood affords no guidance. That is, you still have to guess after the response. From South’s point of view bidding the slam should be right *only* when the void is not opposite an ace, a distinctly anti-percentage position.

“The Committee also makes the bizarre claim that a ‘sense of injustice’ caused E/W to perceive a hesitation where there was none. Maybe, but usually a hesitation is perceived because *there was a hesitation!*

“And why didn’t the Committee allow West to complete his argument about possible hands for North? Mightn’t such hands have become relevant if the Committee had found that a hesitation had occurred? Was the Committee telling West that their collective judgment (and ability to construct such hands) was so superior to West’s that he could take his bridge knowledge and shove it?

“But in the end this case revolves around the question of whether an unmistakable hesitation occurred. Since everyone agreed that the announcement occurred during the auction, then such a hesitation is impossible to establish. Therefore the result stands. But note that only South’s possession of an undisclosed *void* makes her slam bid acceptable. If she had bid the slam without a void, that would have been *prima facie* evidence that a hesitation had occurred.”

✍ Any comments, Ron?

Gerard: “Yes it was heavy-handed, although we were respectful. So sue us. And make sure you bring a good lawyer.”

✍ Got that, Bart?

CASE TWENTY-ONE

Subject (Tempo): The “Re-Exclusion” Dog That Didn’t Bark?

Event: NABC IMP Pairs, 26 Jul 01, Second Qualifying Session

Bd: 19	JoAnn Glasson		
Dlr: South	♠ AKQ95		
Vul: E/W	♥ ---		
	♦ J53		
	♣ KJ982		
Hal Mouser	♠ 76	Mark Bartusek	♠ J10432
	♥ K10952		♥ 8743
	♦ Q109		♦ A742
	♣ 1076		♣ ---
	Bob Glasson		
	♠ 8		
	♥ AQJ6		
	♦ K86		
	♣ AQ543		
West	North	East	South
			1♣(1)
Pass	1♠(2)	Pass	2♣
Pass	3♣	Pass	3NT
Pass	4♥(3)	Pass	5♣(4)
Pass	6♣	All Pass	
			(1) Alerted; Precision
			(2) Alerted
			(3) Delayed Alert; Exclusion Blackwood
			(4) Break in tempo

The Facts: 6♣ made six, +920 for N/S. The opening lead was the ♣6. The Director was called at the end of the hand. South was not sure what 4♥ was so he just bid game. North thought 5♣ showed two key cards without the ♣Q and so believed she should bid the slam. E/W thought the contract should be adjusted to 5♣. After the Director ruled that the table result would stand, E/W added that they believed N/S should have been required to bid 7♣. The Director stood by her original ruling and allowed the table result to stand.

The Appeal: E/W appealed the Director’s ruling. E/W had originally requested that the contract be reverted from 6♣ to 5♣ because of the Hesitation Blackwood auction. After the facts became known E/W thought that if, in fact, 5♣ showed the ♦A, ♣A, no ♣Q, a ten-card club fit and a source of tricks to discard any losing diamonds in South’s hand 7♣ was not unreasonable unless South had made a mistake and had the ♥A. They believed the

hesitation could have indicated the mistake. North explained that after a signoff, any unusual continuation was Exclusion Blackwood. South stated that while their notes agreed that 4♥ should have been Exclusion Blackwood, he had forgotten and just bid game. Exclusion Blackwood was shown on N/S’s CC. North said that 5♣ showed two keycards without the ♣Q and because the ♣Q was missing she did not want to bid a grand slam. In response to questions about what it would have taken for North to bid 7♣, knowing that her partner had the ♦A and ♣A, her consistent and responsive statements were that “without the trump queen I would never bid a grand.” When asked if South’s hesitation had any influence on her bid (i.e., did she think he forgot Exclusion) her response was that South always recounts his keycards in an Exclusion Blackwood auction because they do not come up all that often and the hesitation only indicated that he would want to be correct with his response. When asked if she could have bid 5♥ over 5♣ as “re-exclusion” she said that while she understood she could have done that, she didn’t consider it.

The Committee Decision: The Committee decided that South had forgotten his agreement and that North had not made her decision based on UI because her contention that she would never bid 7♣ without the ♣Q was supported by the fact that she had not bid 5♥. North had no way of knowing that her partner had the ♥A


instead of the $\diamond A$. The Committee believed that players forget agreements and this, unfortunately for E/W, was just rub-of-the-green. The Committee allowed the table result of $6\clubsuit$ made six, +920 for N/S, to stand.

DIC of Event: Henry Cukoff

Committee: Martin Caley (chair), Jerry Gaer, Bob Gookin, Marlene Passell (scribe), Riggs Thayer

Directors' Ruling: 85.5

Committee's Decision: 71.8

 The panelists split into two distinct and diametrically opposed camps. The first group generally believes that there was no specific information from South's break in tempo which suggested that North not bid $7\clubsuit$; the hesitation could as easily have been due to South's taking special care in a rare auction as to confusion over the meaning of $4\heartsuit$. Consequently, North was free to bid on or not, as she chose.

Kooijman: "I don't like E/W's attitude very much. It doesn't matter what to appeal but we don't accept anything good coming from a hesitation. The explanation about the misunderstanding was convincing for the TD and for the Committee, and so for me. An AWMW...maybe?"


Stevenson: "While Hesitation Blackwood can be very annoying, each case must be treated on its merits. In this case, the fact that E/W asked for $5\clubsuit$ as an adjustment and when they did not get that asked for $7\clubsuit$ showed the merits of their case. I think the Committee should have given an AWMW for Bridge Lawyering."

Gerard: "North's contention that she would never bid $7\clubsuit$ without the $\clubsuit Q$ was unsupported. Bidding $5\heartsuit$ is relevant only if you want to guarantee that you can make $8\clubsuit$ (opposite the $\diamond K$), but it wouldn't tell North that her partner held the $\heartsuit AK$ as well as his other two aces. Either you bid $7\clubsuit$ or you don't. If you don't, do you know that even without the $\clubsuit 10$ it's an eight-to-one favorite? Even so, without evidence of a previous forget by South the hesitation did not demonstrably suggest $6\clubsuit$ rather than $7\clubsuit$. E/W remind me of a department store elevator announcement: 'Next stop, $3\clubsuit$.' Tacky."

Polisner: "What does a break in tempo mean in an Exclusion Blackwood auction? With me, it would mean I was making sure that I made the bid which showed the requested information so as to avoid a likely disaster and not that I was intentionally mis-stating the response. Thus, no UI existed and the table result stands. As an aside, North's story about missing the $\clubsuit Q$ would almost make me want to take the result away."

Treadwell: "I don't see where the decision for North as to whether to bid $6\clubsuit$ or $7\clubsuit$ hinges on the $\clubsuit Q$. After all, with a ten-plus card trump suit one doesn't usually worry about the queen. More importantly, should North bid $7\clubsuit$ 'knowing' partner has the $\diamond A$, $\clubsuit A$ and $16+$ HCP? I think many would bid $7\clubsuit$. On the other hand, the use of Exclusion Blackwood comes up rarely and any responsible player will take an appreciable time to respond to avoid mis-answering. Hence, I think North's action is simply a bridge judgment situation not affected by any break in tempo by South."

R. Cohen: "When are married couples going to get their conventional agreements down pat? And when is the ACBL going to start recording all these mishaps and bar the pairs who have repeated these incidents from using these conventions? No adjustment was in order but notifying the Recorder should be required."

 Thanks for the help drumming up more business.

Two members of this group display some ambivalence even though they

ultimately support the Committee's decision.

Endicott: "I find this a difficult case to evaluate. Is it clear that South cannot have three small diamonds and the $\heartsuit K$? Very borderline in my view and I shall bow to the Committee without great conviction. In part I am influenced by the fact that E/W seem not to know whether they want jam or honey."


Rigal: "The Directors' ruling seems surprising to me. I would expect N/S to have to prove their case in Committee rather than have E/W appeal. The facts seem enough in doubt that this seems the right approach to me. But given that, the Committee decision is a complex one. They seem to have discovered the facts well enough and made a reasonable conclusion from them. Even if it is not the one I might have reached, it was clearly a conscientious decision and I won't try to pick it apart too carefully. However, having said that, the hand features an unusual coincidence of actions. Is it illegal for North to have subconsciously inferred (from what was of necessity likely to be a slow response) that partner was forgetting the system? I think not, but perhaps it is an appropriate deal for a Recorder. By the way, did the Committee see the notes with Exclusion Blackwood documented in them?"

 The second (smaller) group thinks the Directors and Committee all "bought the farm."

Bramley: "Hopeless. North dug her own grave, but the Committee resurrected her. If $5\clubsuit$ was a correct response to Exclusion Blackwood, then bidding $7\clubsuit$ was automatic. Did North really believe that the missing $\clubsuit Q$ would seriously jeopardize their ten (or eleven) card fit? And even if she did believe it, why did the Committee buy it? The Committee veered into the Twilight Zone with their discussion about a possible $5\heartsuit$ bid. This was complete nonsense. North would have had no reason to make such a bid if she believed her partner's $5\clubsuit$ bid. On this point the Committee sold themselves a bill of goods; they concocted their own ridiculous defense of North's actions and convinced themselves of its worthiness.

"Clearly North could have made an irrefutable argument had she simply said that $4\heartsuit$ was a cue-bid and that bidding $6\clubsuit$ was automatic with her hand opposite a strong club opener with a club suit. Indeed, then E/W would have deserved an AWMW! But with North's actual argument the Committee should have assigned N/S the result of $7\clubsuit$ down one. I think that without the hesitation a $7\clubsuit$ bid would still have been likely, so I would have assigned E/W the reciprocal. The hesitation should not deprive E/W of their right to be at the table when their opponents have a big accident."

Wolff: "Ho hum, just another problem involving CD and HD. As long as people play sophisticated conventions and forget them but hesitate their way to success we have the worst of all possible bridge worlds. Crack down on them and things will improve quickly and dramatically; don't crack down and we'll have more of these cases. Take your choice."

 One member of this camp does not see this as a true Hesitation Blackwood auction but nevertheless would adjust the score.

L. Cohen: "Here's how I see it. North bid Exclusion RKCB. The slow answer made it clear that South forgot. So North just guessed at $6\clubsuit$. Had the response been in tempo, North would have bid $7\clubsuit$ in her sleep. Why all this nonsense about the $\clubsuit Q$? I'd be shocked to find out that $2\clubsuit$ could be bid on a four-card suit. If so, then why wasn't this mentioned? Presuming that $2\clubsuit$ showed five-plus clubs, was North expecting E/W to have a trump trick? So, I would make North bid $7\clubsuit$ (the only logical choice over a prompt and accurate $5\clubsuit$ response). Plus 50 to E/W, -50 for N/S. One more point: This is not what I would call Hesitation Blackwood. Compare it to CASE TWENTY. Hesitation Blackwood is when the asker asks, hears the

answer, and then signs off only to have the answerer overrule him. In CASE TWENTY-ONE that didn't happen."

Well, those are the arguments, such as they are.

If you are wondering where I stand, I am with the first group. The auction here is rare enough that I would expect partner (South) to take extra time to make sure of the meaning of 4♥ (Exclusion), count his keycards (making sure he doesn't count the ♥A), and to work out the proper response. After all, the Exclusion responses are not the simple, familiar ones we all know so well over regular Keycard, where we know reflexively that 5♥ (the third step over 4NT) shows two keycards without the queen of trump. But over 4♥ we count: 4♠=0 or 3, 4NT=1 or 4; 5♣=2 without. Thus, the hesitation is even more likely to be due to care than to a mental lapse.

Next, let's suppose the hesitation did suggest confusion. Is it so clear that after his initial confusion that partner did not correctly work out the meaning of 4♥? Is it so clear that after his initial confusion partner didn't work out which step was the correct response? Is it so clear, even if partner didn't work out what was going on, that he didn't coincidentally happen to make the right response for the number of keycards he actually holds? I can just hear E/W's complaints if, after South's hesitation, North jumped to 7♣ and it made.

Did North's arguments about the ♣Q make any sense? Hardly. Was her action in bidding 6♣ logical? Absolutely not. Was any of that relevant? Not a bit.

As several panelists aptly point out, E/W had no idea what the implications of the hesitation were, as their flip-flop complaints clearly indicated. First they wanted to have the contract rolled back to 5♣ because the slam made. Then they wanted to force N/S to bid 7♣, which would fail, when they saw that North had a clear slam bid. In Grattan's words, "E/W seem not to know whether they want jam or honey." In effect, they thought they should be given a good result simply because their opponent forgot his system, huddled, and his partner got it right. Bah!

Since they want something so badly...give them an AWMW.

CASE TWENTY-TWO

Subject (Tempo): "Impossible" For You, Maybe

Event: NABC IMP Pairs, 26 Jul 01, Second Qualifying Session

Bd: 22	Marty Caley		
Dlr: East	♠ A108		
Vul: E/W	♥ 97		
	♦ 7632		
	♣ J753		
Rammohan Sarangan	Paul McDaniels		
♠ 63	♠ KQ52		
♥ AQ105	♥ K843		
♦ AKQJ10	♦ 954		
♣ K2	♣ A10		
	Rita Ellington		
	♠ J974		
	♥ J62		
	♦ 8		
	♣ Q9864		
West	North	East	South
		1NT(1)	Pass
2♦(2)	Pass	2♠(3)	Pass
3♦	Pass	3♥(4)	Pass
4NT	Pass	5♦(5)	Pass
5♥(6)	Pass	5NT	Pass
6♥	All Pass		
(1) 12-14 HCP			
(2) Alerted; Forcing Stayman			
(3) Alerted; either 5♠ or 4♠+4X			
(4) Not Alerted; may not be natural			
(5) Intended as 1 or 4 keycards (♦ trumps)			
(6) Break in tempo			

The Facts: 6♥ made six, +1430 for E/W. The Director was called when East bid 5NT after the slow 5♥ bid. The Director allowed the table result to stand.

The Appeal: N/S appealed the Director's ruling. South did not attend the hearing. N/S claimed that West's hesitation before bidding 5♥ indicated interest in bidding a slam and that pass was a LA to 5NT for East. N/S claimed that West's hesitation lasted between 30-45 seconds while E/W claimed it was 15+ seconds. The E/W CC was marked: 2♦=forcing Stayman, relay asking bids, and Roman Keycard Blackwood. Both 2♦ and 2♠ were Alerted but no clarification was requested. 2♠ was explained by East as showing four or five spades, but guaranteeing another four-card suit if only four spades were held (2NT would have asked for clarification). Thus, 3♦ was natural and forcing and 3♥ showed some interest and kept the level of the auction below 3NT. West thought 3♥ showed hearts and intended 4NT as RKC for hearts; East believed 4NT was RKC for diamonds and 5♦

showed 1 or 4 keycards. East stated that hearts had never been bid naturally in this auction and he believed that 5♥ was either an attempt to play 5NT or some sort of king ask. E/W had played about 20 times in the last 30 years, most recently in Washington in 1993.

The Committee Decision: The Committee believed that E/W had suffered a systemic misunderstanding with their 2♦ Forcing Stayman auction. Supplementary evidence was the fact that East had been involved in previous appeals of this nature due to partnership misunderstandings. A hesitation was deemed to have occurred prior to the 5♥ bid which had given no useful information to East. The Committee believed that the present auction was a typical forcing follow-up to RKC via a bid in an "impossible" trump suit. The table result of 6♥ made six, +1430 for E/W, was allowed to stand.

DIC of Event: Henry Cukoff

Committee: Mark Bartusek (chair), Jerry Gaer, Bob Gookin, Bill Passell, Marlene Passell

[Editor's Note: It is current NAC policy that married couples not serve on the same Committee. However, this appeal arose late on a busy night (around 1 a.m.) and the Passells were asked to serve by the NAC Chairman. The policy was disclosed to the players before the hearing began and there were no objections to them serving.]

Directors' Ruling: 85.5 Committee's Decision: 85.2

✍ If West's huddle conveyed UI to East, we must ask how East's 5NT bid was inconsistent with the meaning of the auction to that point and how it was suggested by the UI. It seems clear East thought diamonds were trumps since his 5♦ response showed only one keycard when, had he thought hearts were trumps, he would have shown two keycards by bidding 5♥. West's 5♥ bid must therefore be assumed to be artificial, either asking about the ♦Q or that East bid 5NT, possibly to play there. (I've never heard of the next step asking about kings playing RKCB.) If 5♥ was a queen ask East's response would depend on his methods: some play that 5NT shows the ♦Q but no king; others play that it denies the ♦Q. (What were E/W's methods? Did anyone ask?) East appears to have treated 5♥ as a request to bid 5NT, possibly to play there. It is difficult to know exactly what was happening in this auction, but one thing is clear: 5♥ could not have been to play under any interpretation of East's previous bids. Thus, East was free to bid over 5♥ in any way that's consistent with his treatment of 4NT as keycard for diamonds—which he did. Thus, the table result should be allowed to stand.

Agreeing with me are...

Bramley: "Tit for tat. The Chairman of this case and the Chairman of the previous case rule against each other by allowing hesitation slam bids against them on hands from the same session! This time I have more sympathy for the slam bidders. East's 5♦ bid indicates that he thought diamonds was trump, so his continuation over 5♥ is logical. However, West has no excuse for huddling before bidding 5♥. Before embarking on a potentially ambiguous 4NT ask he had an obligation to decide on his reaction to the possible responses so as not to compromise his partner. Since East has powerful reasons to bid again over 5♥, I would allow the table result to stand. By the way, a history of partnership misunderstandings should not be a justification for allowing a pair to survive an infraction. Quite the reverse."

✍ As I read the write-up it does not say that *this* E/W pair had a history of "partnership" misunderstandings (we're told that E/W had not played together since 1993). Rather, it suggests that East had a personal history of misunderstandings *with other partners*. Thus, unless East had been responsible for the present problem (which he wasn't) that was irrelevant.

L. Cohen: "If 4NT were RKC for hearts, this would be Hesitation Blackwood and East would have to pass 5♥. But I believe East's explanation that he thought diamonds were trump. Why so? Because if hearts were trump he would have responded 5♥ to show two. Since he thought diamonds were trump (and answered accordingly), how could he pass 5♥? If anything this appeal lacked merit."

✍ Now we're getting to the real issue: Do N/S deserve an AWMW?

Treadwell: "Although the appeal may have had some merit, I agree with the Committee that the tempo break did not convey useful information in an auction where both East and West were floundering to some extent and, luckily, wound up in a good contract."

Gerard: "East was right. He could have held four diamonds. But he needs to fix his

system, in case he is dealt ♠KQxx ♥9xx ♦A10 ♣Kxxx."

Endicott: "They stagger about all over the place and land on their feet. No wonder that opponents want a recount. But I am not so sure that the hesitation carries no useful information. It seems to say very clearly that West is lost and that it would be dangerous for East to pass. In fact, I am not at all sure East should not bid 6NT over 6♥. The Committee found a reason for what it did, but it seems to be imposing its own view of the auction when the pair involved should be the ones to explain why it all happened. Nevertheless, of the uncertainty over what 5♥ is about,

'Of that there is no manner of doubt,
No probable, possible shadow of doubt
No possible doubt whatever.'

So East cannot pass and they save their skins."

Kooijman: "It is difficult to judge the performance of the Director above the level of the ruling itself when no explanation for his ruling is given. Do Directors explain their rulings? Might be a good idea then to add those explanations. The statements by East and West sound convincing, especially adding the fact that this happens regularly in this so-called partnership. I have one question though: why didn't West pass the 5NT bid in this pairs event? That seems quite consistent with his statements so far. Wasn't that asked? Decisions acceptable. In my understanding of what the ACBL wants with Active Ethics E/W should be advised not to play these kind of conventions when they are not able to execute them."

✍ We've requested detailed explanations of each appealed ruling, including the reasons for the ruling and the applicable laws. The current appeal and report forms (which we helped design) both ask for this information. We can do no more than request it; only management can require compliance from the Directors. At present each individual Director seems to decide for himself what information he'll provide. We've seen no evidence of any systematic attempt to train Directors on how to fill out the forms properly or to correct those whose reports are deficient (although that does not prove that such efforts have not been made). We do know that at least one Director has officially assumed a mentoring role for the Director Panels as part of his NABC duties and has worked hard to improve the quality of the write-ups.

As for West's reasons for bidding on over 5NT, we can only guess. He said he thought 3♥ showed hearts and that 4NT was RKCB for hearts. When East carried on over his signoff he probably didn't know what to make of it and offered East a choice of contracts. He was clearly confused, just as you and I would have been had our partner opened a weak 1NT and then carried on over our signoff. Still, there's no allegation that West had any UI so he was free to do as he wished.

The next panelist covers most of the bases quite well.

Rigal: "The Director had an awkward decision here, given the difficulty of establishing the facts about the E/W methods. I think I agree with the ruling for the non-offenders but I can see why he might have decided the other way. This case is a variation on some past Hesitation Blackwood cases, although it has a lot of similarity to CASE FORTY-TWO from Cincinnati and CASE TWENTY-FOUR from Orlando. There, too, the responder got the trump suit wrong and partner's slow signoff in the surprise trump suit persuaded him that he had an extra keycard, and could thus bid on. I have been consistent in Hesitation Blackwood cases in allowing a player with an extra keycard to bid on, so for that reason I would support such action. Where as here East was not even sure that 5♥ was natural, the 'safety-play' continuation seems even more logical."

Stevenson: "The logic seems impeccable, but I wonder: if West had bid 5♥ in tempo would East really have bid 5NT?"

✍ Three panelists would have disallowed the slam. The first even answers David's

question.

Polisner: “I think that I disagree with this one. West admitted that he intended 4NT as RKCB for hearts and found out that they were off two key cards. Thus, an in-tempo 5♥ bid should have been easy. We will never know what East would have done after an in-tempo 5♥. I think under these circumstances (which were created by West’s ridiculous hesitation) we must presume a Hesitation Blackwood scenario and change the contract to 5♥ made six, +680 for E/W. The only way East could be allowed to bid is if his second suit was other than hearts.”

R. Cohen: “East was a good salesman. Seems like he has been around Committees before and knows how to sell a bill of goods.”

Wolff: “We are headed for more of these fiascos, not fewer. We should scrutinize convention use more, not less. +680 for E/W plus some discipline.”

✍ These panelists fail to provide any connection between the UI and East’s subsequent action, which Law 16 requires for a score adjustment to be made. Thus, their arguments are not very convincing and appear to be based on a principled aversion to Hesitation Blackwood or HD/CD. But that’s not sufficient. We all decry hesitations, especially in routine RKCB situations, but we must still evaluate each occurrence on a case-by-case basis and not make judgments based on our general opposition to hesitations.

CASE TWENTY-THREE

Subject (Tempo): I Know I Said It Was a Notrump, But...
Event: 0-1500 KO Teams, 26 Jul 01, First Semifinal Session

Bd: 24	♠ Q1074		
Dlr: West	♥ KJ9752		
Vul: None	♦ 3		
	♣ A6		
♠ K83		♠ A92	
♥ Q64		♥ 3	
♦ AKQJ5		♦ 7642	
♣ 105		♣ QJ742	
	♠ J65		
	♥ A108		
	♦ 1098		
	♣ K983		
West	North	East	South
1NT	2♦(1)	Pass(2)	2♥
3♦	3♥	4♦	All Pass
(1) Alerted; majors			
(2) Break in tempo			

The Facts: 4♦ made four, +130 for E/W. The opening lead was the ♦3. The Director was called after the 3♦ bid. East said she was thinking about bidding Lebensohl over 2♦ and added that if she didn’t bid the first time she probably wouldn’t have bid later. The Director disallowed the 3♦ bid and changed the contract to 2♥ made four, +170 for N/S (Laws 73F1, 12C2).

The Appeal: E/W appealed the Director’s ruling. North did not attend the hearing. West believed it was clear to bid her solid five-card suit regardless of the break in tempo. She believed that bidding was automatic. West had about 1000 masterpoints and East about 750. South said that the break in tempo was agreed to at the table.

The Panel Decision: Two experts and two Flight B players were consulted. Both experts said they would have passed over 2♥ with the West hand. One said he clearly couldn’t bid if partner hesitated; the other said only that he would always pass. The Flight B players said that they would bid 3♦ without the hesitation but felt constrained by partner’s hesitation. The Panel changed the contract to 2♥ made four, +170 for N/S (Laws 12C2 and 73F1). The issue of whether to award an AWMW was discussed. It was decided that, in view of the experience level of the offending pair, an AWMW was not appropriate. However, since one of the Directors on the Panel had made a similar ruling against this pair in the Thursday Charity Pairs the matter was referred to the Recorder.

DIC of Event: Henry Cukoff
Panel: Mike Flader (Reviewer), John Ashton, Ron Johnston
Players consulted: Bob Glasson, Bobby Wolff, two Flight B players

Directors’ Ruling: 88.9 **Panel’s Decision: 86.3**

✍ East’s hesitation clearly suggests values and made West’s action over 2♥ more attractive. So we must disallow West’s 3♦ bid once the consultants judge pass to be a LA. Since East said she would not have balanced if 2♥ came back around to her, the final contract becomes 2♥ by South. Could South misguess trumps? Not likely in a vacuum and certainly not after East’s huddle (AI to South). Right, Larry?

L. Cohen: “Okay, but I would have mentioned/debated that if South’s 2♥ ended the auction (no reopening from East) South might misguess trumps on the assumption that East with some values and a singleton heart wouldn’t have passed out 2♥. But I would have concluded (barely) to give the benefit of the doubt to the non-offenders and would have allowed +170 instead of +140.”

☞ So that's it. Reciprocal adjustments to 170.

Treadwell: "Certainly West may have been taking advantage of partner's break in tempo and her 3♦ bid cannot be allowed. However, would not East be likely to balance with 3♣ with West then correcting to 3♦? Of course, N/S would then bid on to 3♥ and it is questionable whether E/W would continue to 4♦. A good decision."

R. Cohen: "A close call, but a correct ruling and decision. East has to learn that only bids and plays—not mannerisms—are accepted ways to convey information to partner."

Wolff: "A decent but uneventful ruling."

Polisner: "Good all around."

Stevenson: "We *must* teach people about Law 73C."

Kooijman: "Here again the completely irrelevant opinion is given that some Wests feel constrained in bidding 3♦ after a hesitation. It just causes misunderstandings. If West honestly thought the 3♦ bid was automatic—which seems to be supported by his peers—then no AWMW should be given. I don't like the approach in which a player is not allowed to make the normal bid after a hesitation from partner."

☞ I must stress that asking consultants what they would have done if their partner had hesitated is not the accepted procedure. The occurrences we have seen here (see also CASE EIGHTEEN) are likely to be either spontaneously volunteered opinions (the players were trying to anticipate the problem at the table) or the actions of an individual Director based on his own personal misconceptions. In either case some Director education appears appropriate since there was no reason to even include such opinions in the reports.

How about that AWMW?

Rigal: "Good Director ruling. I am pleased that no one was swayed by the solid five-card suit into such a gross action. And the Panel made the right call in referring this to the Recorder, although I cannot see why no AWMW was given in the light of the previous ruling. Note that if East had said that her only issue was whether to act now or later, and that was all she was thinking about, then this would have been a very tough call. Would East have backed in to show both minors or just clubs? I am pleased not to have to address that!"

☞ Not to worry. Piece of cake. As Dave pointed out above, N/S would have competed to 3♥.

Gerard: "Shows how masterpoints have become devalued when 1000 gets you off the hook."

☞ I agree. The AWMW should have been issued. We can't stand for devaluation.

Endicott: "Referral to the Recorder? The one who redirects souls from the gates of Heaven, I imagine."

☞ That's how it's written in my job description.

Subject (Tempo): What a Day For a Daydream
Event: Stratified Open Pairs, 26 Jul 01, Second Session

Bd: 24	♠ J4		
Dlr: West	♥ 104		
Vul: None	♦ J107532		
	♣ A106		
♠ KQ1075		♠ 92	
♥ K72		♥ AJ9653	
♦ 986		♦ KQ	
♣ J3		♣ 974	
	♠ A863		
	♥ Q8		
	♦ A4		
	♣ KQ852		
West	North	East	South
Pass	Pass	2♥	Dbl
3♥	All Pass		

The Facts: 3♥ went down one, +50 for N/S. The opening lead was the ♦A. South continued with a second diamond to the king at trick two. East won and played a heart to the king, then led the ♥2 from dummy. North hesitated on this trick and East finessed, losing to South's queen. East believed that North hesitated with a singleton to fool him and that N/S should not get the trick. North said that he didn't hear East call for the ♥2 and that he played as soon as he saw the card in the played position. The Director ruled that there had been no violation of Law 73D1 or 73D2 and allowed the table result to stand.

The Appeal: E/W appealed the Director's ruling. East stated that North hesitated for 30 seconds

before playing the ♥10 at trick four. He believed that the hesitation with a singleton was a deliberate violation and that N/S should not profit from it. North stated that he did not realize that East had played a card from the dummy and followed suit as soon as he became aware. He did not know how long he had hesitated as he was not paying attention. South agreed that his partner had paused, but he was quite upset at what East was implying. North and South had 43 and 108 masterpoints, respectively. East had 5400 masterpoints and was a number-two seed, although he said he was unaware that he had been seeded.

The Panel Decision: Three experts were polled about the situation that occurred at the table. One player said the position was a no-brainer and that nobody with ♥Q104 would hesitate for that long. All were unanimous in their opinion that the long break said nothing about the location of the ♥Q. The Panel decided that Law 73D1 properly applied to this case and that Law 73F2 did not apply. The table result was allowed to stand and the Reviewer spoke with N/S about the importance of playing in an even tempo.

DIC of Event: Jacques LaFrance

Panel: Mike Flader (Reviewer), Terry Lavender, Gary Zeiger

Players consulted: Curtis Cheek, Steve Garner, Richard Strauss, two players with 4000-5000 masterpoints

Directors' Ruling: 98.1

Panel's Decision: 90.0

☞ "Odd case" said Oscar the Owl. "Both sides are wrong. If I didn't know better I'd have thought Papa and the Hog were the protagonists here."

The consultants were correct to point out that North's hesitation said nothing about the location of the ♥Q and therefore East's decision to base his play on North's tempo was at his own risk; the table result stands for E/W. But North's actions were unacceptable whether they were inadvertent or not since paying insufficient attention to the game is itself an impropriety (Law 74B1). Players are

responsible for the effect their negligence has on the opponents and North had no demonstrable bridge reason for his hesitation and clearly could have known at the time that it could work to his advantage. So N/S can't be permitted to profit from North's inattention simply because East wasn't a good enough player to ignore it. I would therefore adjust N/S's score to -140.

Having trashed both sides I can now sit back comfortably while the panelists reinforce my positions. E/W, however, catch most of the fire.


Bramley: "Possible attempt to steal by North. Definite attempt to steal by East, who shouldn't have been fooled in the first place and deserves an AWMW."

Gerard: "And did East's 5400 masterpoints not get him out of the inexperienced category? East had the right idea about not being seeded."

L. Cohen: "Who would huddle with Q10x? East should return his 5400 masterpoints and get a life."

R. Cohen: "If East has 5400 masterpoints he should have been ashamed to even call the Director."


Endicott: "Only a mooncalf takes the finesse."

 That's Mr. Mooncalf to you.

Kooijman: "What does 5400 masterpoints mean? Anything at all? Even with less masterpoints East should understand that *no* player will use a second nor a minute to deliberate about throwing in the queen in this position. An AWMW...maybe? What if the Director had said the same thing (and not mentioned 73D1/D2?). No appeal probably."


Wolff: "Simple but good decision"

Polisner: "Routine. However, we need to do more to stop these ridiculous appeals. Was there any screening?"

 Panel cases get no separate screening (other than whatever impression the Reviewer conveys to the appellants prior to and during the interview) since a major goal of the Panel process is for appeals to be heard promptly.

Rigal: "This job should get danger money. My blood pressure is rising as I read this piece of insulting garbage that passes for an appeal. East should be made to write 100 times on a blackboard "I should not try to fool the Panel that North was contemplating playing his ♠Q from a remaining ♥Q10 doubleton" and should then be given a private lecture about frivolous and litigious appeals. North was obviously daydreaming here, and the lecture he got was perhaps a trifle harsh. People who fall asleep at the table won't stop it because someone tells them it's a bad idea!"

Stevenson: "Did East really believe players pause with Q10? Of course not. He saw a chance for a cheap double shot attempt and the Panel let him get away without an AWMW. Why did the Reviewer talk to N/S about even tempo when he did not see the card played by dummy? Far better would have been to explain to North the advantages of issuing a disclaimer, such as 'Sorry, I did not see the card played from dummy.'"

 I'd vote for an AWMW if I didn't believe the appeal was justified, if only to keep N/S from profiting from their negligence. And Barry is surely right that North owed East a disclaimer once he realized he had been inattentive.

Subject (Tempo): Hesitation Blackwood Strikes Again
Event: Stratified Women's Pairs, 26 Jul 01, Second Session

Bd: 2	♠ QJ8		
Dlr: East	♥ Q3		
Vul: N/S	♦ Q105		
	♣ K9852		
♠ K63		♠ A1092	
♥ A107		♥ KJ642	
♦ 4		♦ AK6	
♣ AQJ1076		♣ 3	
	♠ 754		
	♥ 985		
	♦ J98732		
	♣ 4		
West	North	East	South
2♣	Pass	1♥	Pass
4NT	Pass	2♠	Pass
5♥(1)	Pass	5♣	Pass
		6♥	All Pass
		(1) Break in tempo	


The Facts: 6♥ made six, +980 for E/W. The opening lead was the ♣4. The Director was called at the end of the auction. The Director ruled that there had been a break in tempo before the 5♥ bid and changed the contract to 5♥ made six, +480 for E/W. (Note: East was a LM with around 500 masterpoints; West had about 700 masterpoints.)

The Appeal: E/W appealed the Director's ruling. E/W were unhappy about being ruled against when playing against experts. East said she knew her partner had to have an ace to use Blackwood. When asked about the agreed upon suit, E/W said that RKCB was new to them and they were not sure. East said that once her partner bid 5♥ she knew the suit and was able to bid the slam. The E/W agreement was that 2♠ was a reverse. N/S believed that pass by East was a LA to 5♥ after the break in tempo.

The Panel Decision: The Panel had to decide whether or not East should be held in violation of Law 16. Clearly there was UI: When the Director arrived at the table and was told of West's break in tempo, he asked her if she had hesitated; her response was to show him her hand and say, "Yes, I had to think." Could East's call have been demonstrably suggested by the break in tempo? While a player using RKCB is allowed to bid on with the maximum number of aces after partner has signed off, it was clear that West knew that East had three keycards because of the reverse. So bidding on was suggested. Finally, N/S were damaged by the use of UI. Since the criteria were all met, the Panel decided that there was a clear violation of Law 16A2 and applied Law 12C2 to change the contract to 5♥ made six, +480 for E/W. The Panel believed that this appeal lacked substantial merit. However, since E/W were Flight C players playing against a World Champion the Panel decided to explain and educate E/W about proper procedure rather than assess an AWMW.

DIC of Event: Guillermo Poplawsky
Panel: Mike Flader (Reviewer), Terry Lavender, Gary Zeiger
Players consulted: none reported

Directors' Ruling: 89.6 Panel's Decision: 88.9

 By most standards East is sub-minimum for a reverse (assuming 2♠ is considered a reverse in E/W's methods) and lacks a fit for West's suit. Her 5♣ bid presumably showed 0/3 keycards, which could only have been correct if she thought hearts was trump, so how can East legitimately know to bid the slam over West's signoff? Couldn't West hold ♠KQJ ♥Qxxx ♦x ♣KQJxx and be counting on East to have "real" reversing values? And by E/W's own admission RKCB was new to

them and they seemed to have no agreements in place—not even what suit was presumed to be trump. So how could East be sure that West had to have an ace in order to bid 4NT? I find it difficult to come up with even a single reason to allow East to bid on over the break in tempo, which clearly suggests that bigger and better things are possible.

On another note, the fact that N/S were experts (one a World Champion) I find irrelevant both from the viewpoint of the proper ruling as well as determining merit. I agree that this appeal lacked merit but am willing to leave it to the Panel to decide whether to assess an AWMW or simply educate E/W, who after all were a Flight C pair. I will only remind the reader that AWMWs are not penalties and should be issued in any case where the appellants are judged to be experienced enough to have known not to appeal or to have sought out the advice of more experienced players before doing so.

L. Cohen: “I see some merit in that my agreement is as follows: If you show 0-3 keycards and the Blackwood bidder signs off, you are expected to go on with three on the assumption that three is always enough. The only exception would be if the Blackwood bidder was clearly weak and might have zero keycards. Here, the Blackwood bidder made a 2/1 response. Was it game forcing? We should be told. Anyway, I agree with the decision, but just barely. Lots of merit.”

R. Cohen: “This was a case for education of the E/W pair. Maybe we need to revert to more flighted events so the B/C players can learn the proprieties and laws of the game while playing against their peers. This pair may well have gone home believing they were taken advantage of by a World Champion. The Director and Panel had no recourse but to rule and decide as they did.”

Stevenson: “Some one is eventually going to have to convince Flight C players that one possible reason for being ruled against when playing top players is they may actually be in the wrong.”

Treadwell: “This Is a close call, and the Panel made a good decision. I particularly like the reason for not issuing an AWMW.”

✍ The next panelist seems to be as confused as E/W were.

Kooijman: “I would have liked to know what 5♣ meant, or was RKCB that new to E/W that they didn’t know that either? This is not an easy case for me. The statement that East should realize that West will understand that she has three keycards because of the reverse is too fancy for me. What with ♠AJ92 ♥QJ642 ♦AK ♣K4? No reverse? And which East will continue after 5♥ if she knows that her partner counts on her for three keycards and still decides to only bid 5♥? In my world 5♣ means either 0/3 or 1/4 keycards, never two, which seems the meaning here if East didn’t count her ♥K. Did I make it clear that I don’t understand the position here?”

✍ Ton’s hand warrants a reverse by most standards but the response to RKCB would be 5♥ (two), not 5♣ (zero). In the present case East can hardly hold zero keycards (try to construct a hand worth a reverse containing no aces and no king of a possible trump suit). And as I stated above, East seems to have counted her ♥K as a keycard for her 5♣ bid (0/3) in spite of her professed confusion over trumps (I don’t think there’s any chance that East intended her 5♣ response to show two). The issue of when a signoff invites a continuation after a 0/3 or 1/4 response is a complex one. Most texts say that if the hand responding to RKCB previously showed exceptional strength (e.g., opened 2♣, jump-shifted, reversed) the signoff is not an invitation. But of course pairs are entitled to form other agreements.

An essential point is that E/W were inexperienced and professed no clear agreements about the convention or its responses. When UI is available, players are

not permitted to take any action that is suggested by the UI and is neither documented nor clear-cut from the AI available. E/W didn’t know how many keycards East showed or even what trumps were so after West’s hesitant signoff East may not use discretion when West was the captain (as the Blackwood bidder generally is) and there is no evidence that East was asked for further input. If East wants to preserve her right to use judgment in such situations, the simple solution is either to have clearly documented agreements or to convince her partner not to hesitate.

Two panelists would have allowed the table result to stand for both pairs.

Polisner: “Obviously, this pair (especially West) had no idea about what to do with or without UI. From West’s perspective, East may have held ♠QJ109 ♥QJ98x ♦KQJ ♣K, which would not be my idea of a reverse but would have zero keycards. An inexperienced player may not have thought about that until East’s response. East could have believed that West was concerned about being off two aces if her 5♣ bid showed zero keycards when, in fact, she had three for hearts. Although I detest Hesitation Blackwood, I don’t feel that this pair was sophisticated enough to play that convention. I would have allowed the table result to stand although I am prepared to be in a small minority. What was 5♣? What was trumps for the keycard response?”

✍ First, I don’t think the hand Jeff proposes is anyone’s idea of a reverse. It is simply not a possible holding for East. Second, inexperienced players cannot be allowed to use their tempo to make up for failing to plan ahead for partner’s possible responses. Third, I fail to see what bearing a pair’s incompetence to play a convention has on their using tempo to compensate for their inadequacies when they become confused. East didn’t know what suit was agreed or what her response to 4NT meant. West’s tempo conveyed the clear message that she was reluctant to sign off short of slam. East then bid on even though she had less than she might have (or at best a bare minimum) for her previous bidding and with no evidence that she was being asked for her opinion (see my example West hand above). Fourth, East’s beliefs about West’s fear of being off two aces if East had zero keycards is, again, not possible after East’s reverse and West’s 2/1 response. There simply aren’t enough high cards in the deck for East to have a legitimate reverse (or anything even close to one) without holding a single keycard.

And finally, from an unexpected quarter.

Wolff: “I don’t think it fair to the field for N/S to get –480. So –980 for N/S. Being Flight C players and with this particular type of hesitation, I think it best to let E/W keep their +980 as long as they feel educated on their responsibilities.”

✍ Uh, excuse me, but even after all these years I’m still having trouble finding where in the laws it says we should consider the effect on “the field” when assigning scores to non-offenders. If E/W revoked and went down in a cold slam, wouldn’t it be unfair to “the field” to give N/S +50? How is this different from the present situation? And is it so clear that the E/W field was getting to this slam with a moth-eaten trump suit (no queen or intermediates) and no sure source of tricks (the ♣10 turns out to be golden)? And should we let players (even those in Flight C) who hesitate their way to slam keep their results as long as they “feel educated” on their responsibilities afterward? Really!?

This may be an even more amazing “reverse” than the one Jeff proposed.

CASE TWENTY-SIX

Subject (Tempo): The Control-Showing Non-Cue-bid
Event: NABC IMP Pairs, 27 Jul 01, First Final Session

Bd: 11	Bill Pollack		
Dlr: South	♠ 10763		
Vul: None	♥ AKQ975		
	♦ AK2		
	♣ ---		
Barbara Wallace	Gary Cohler		
♠ J98542	♠ K		
♥ 4	♥ J83		
♦ J	♦ Q109743		
♣ 109653	♣ A74		
	Mark Feldman		
	♠ AQ		
	♥ 1062		
	♦ 865		
	♣ KQJ82		
West	North	East	South
			1♣(1)
Pass	1♥(2)	2♦	Dbl(3)
Pass	3♦(4)	Pass	3♥
Pass	3♠	Pass	4♣(5)
Pass	4♦	Pass	4♥(6)
Pass	6♥	All Pass	
(1) Alerted; 11-14 HCP bal. or any strong			
(2) Alerted; pos. resp. opposite strong club			
(3) Alerted; 3-card heart support and either a good weak notrump or a bal. strong club			
(4) Agreed hearts, game forcing			
(5) Encouraging; could have bid 3NT as discouraging or 4♥ denying a club control			
(6) Break in tempo			

The Facts: 6♥ made six, +980 for N/S. The opening lead was the ♦10. The Director was called after South's 4♥ bid and before North's 6♥ bid. North said the 4♥ bid was very slow, even for South (a notoriously slow bidder). The Director ruled that the slow 4♥ could have suggested a spade control that South might not otherwise have been able to show. The contract was changed to 4♥ made six, +480 for N/S.

The Appeal: N/S appealed the Director's ruling. South and West did not attend the hearing. North said he bid 3♣ in order to elicit either a cue-bid or a regressive 3NT from South. Over 4♣ he decided that he was going to bid a slam and was looking for a grand. When South bid 4♥ over 4♦ he gave up on a grand and just bid 6♥. When asked what South would have done with ♠QJx ♥Jxx ♦xx ♣AKJxx North grudgingly agreed that he would have bid 4♣ followed by 4♥ over 4♦.

The Committee Decision: The Committee believed that the only reason South might have hesitated was to decide whether to cue-bid a spade control. Given that South would not have a spade control

for an in-tempo 4♥ bid, it was decided that passing 4♥ was a LA for North. The Committee changed the contract to 4♥ made six, +480 for N/S. (Note: it would have been useful for South to have attended the hearing to respond to questions about his methods and interpretation of the auction. The Committee wishes to encourage both members of partnerships to be present for hearings.)

DIC of Event: Henry Cukoff

Committee: Henry Bethe (chair), Michael Huston, Ed Lazarus, Bill Passell, Bob Schwartz

Directors' Ruling: 91.8

Committee's Decision: 83.7

☞ One panelist doubts North's admission and believes the Committee missed the

"expert" boat on this one.

Bramley: "I disagree. North's explanation of his intent in the auction seems beyond doubt. Committing to slam, and trying for seven, opposite a partner who failed to make the regressive 3NT bid, looks automatic. The Committee's example hand, while similar to South's actual hand, is not as good and would more likely have bid 3NT, despite North's statement to the contrary. Anyway, North's auction could hardly have been construed as demanding a spade cue-bid (above game) by South. For North to play South for no spade control would have been one of the all time underbids. I would have restored the table result."

☞ Bart's point was overlooked by the other panelists. Looking at the proposed hand it's difficult to imagine an expert South not bidding a regressive 3NT over 3♣ with only clubs controlled and modest soft values elsewhere. Still, South chose not to attend the hearing to defend his actions and North thought he *would* have bid 4♣ with that hand. While North's stated intentions are certainly credible (I too would have been looking for a grand over 4♣), South's hesitation unfortunately resolved a problem by suggesting that South possessed a spade control that he was otherwise not guaranteed to hold. The reason this was not demonstrated more convincingly is that the hand the Committee proposed was not a good one for this purpose. With ♠Qxx ♥Jxx ♦x ♣AKQxxx South would surely have bid 4♣ over 3♣ rather than a regressive 3NT (slam would be excellent opposite as little as ♠Kx ♥AKQxxx ♦Axx ♣xx) but opposite the actual North hand even the five level would be risky. Perhaps an AWMW should have been considered.

The remaining panelists support the Committee's decision with varying degrees of umbrage. Proceeding from the other end of the spectrum.

Polisner: "Certainly South could have held ♠Qx ♥Jxx ♦Qxx ♣AKJxx or some similar hand, which would have made a snappy 4♥ an easy bid. When you eliminate these types of hands, what is left for the hesitation is a hand with a spade control which should make 6♥ a reasonable contract. I would have issued an AWMW."

R. Cohen: "Were was South? Where was the AWMW? 'Nuff said."

Rigal: "Clear-cut decision by both Committee and Director. Although both North and South are good friends of mine, I have to say that I am surprised they pursued this (well maybe South did not...). This seems firmly into AWMW territory."

Gerard: "Close to meritless, and not for the first time."

Stevenson: "Somewhat routine. Possibly of doubtful merit, especially in the absence of one of the appealing pair."

Endicott: "I regard this as a bidding misjudgment by South who has the values to show the spade control opposite this bidding by North. The awarded score has been well earned."

L. Cohen: "Well reasoned and well written."

Treadwell: "A good analysis by the Committee."

Wolff: "If a pair is playing a 'home brew' (treatments designed at home) they should be expected to be circumspect, more so than common situations which are more easily discernible."

☞ I fail to see any "home brew" aspect to this problem; it could just as easily have happened playing any system. Sorry, but this was just your average tempo case.

CASE TWENTY-SEVEN

Subject (Tempo): All Roads Lead To Four Spades
Event: Bracketed KO Teams 8, 27 Jul 01, First Session

Bd: 20	♠ K6		
Dlr: West	♥ J10643		
Vul: Both	♦ A104		
	♣ QJ6		
♠ 93		♠ AQJ10872	
♥ 52		♥ K9	
♦ KQ983		♦ 5	
♣ A874		♣ K102	
	♠ 54		
	♥ AQ87		
	♦ J762		
	♣ 953		
West	North	East	South
Pass	1♥	1♠	3♥(1)
Pass(2)	Pass	4♠	All Pass
(1) Alerted; 4 trumps, 0-9 support points			
(2) Break in tempo			

The Facts: 4♠ made four, +620 for E/W. The opening lead was the ♣3. The Director was called after the slow pass; South's Stop Card was still on the table. The Director allowed the table result to stand.

The Appeal: N/S appealed the Director's ruling. South did not speak with the Reviewer. North thought the total time between the 3♥ bid and the pass (including a question about the 3♥ bid and the answer) was 25 seconds, with 12-15 of those seconds occurring between the answer and West's pass. North conceded that had East bid 3♠ instead of 4♠ that would not have presented a problem (pass was not an option). However, North thought that over a 3♠ bid (rather than, say, a double) a pass by West would have been

reasonable. West acknowledged a break in tempo but could not estimate its length. (E/W spoke English as a second language so the Reviewer had some difficulty communicating.) E/W did not dispute North's time estimates. East thought originally of overcalling 3♠ or 4♠ but decided on 1♠. He decided to "take a shot" at his next turn by bidding 4♠. E/W did not claim to have any unusual agreements relevant to this situation. West said that if East had bid 3♠ instead of 4♠ after 3♥-P-P, she would have bid 4♠ herself. She was considering a responsive double over 3♥ but rejected it because she thought her hand wasn't quite good enough.

The Panel Decision: The Panel decided that West had made an "unmistakable hesitation" that provided East with UI (Law 16A). Three experts and two other players, one with 2000 masterpoints and one with 700 masterpoints, were consulted on what a player in East's position might do without UI. The overwhelming consensus among the five players, given the existing auction, was a 3♠ bid. There was some sentiment for 4♠ and all agreed when pressed that pass was not an option. Next, the players were asked if a hesitation by West might suggest a 4♠ bid. All agreed that it did. Therefore, East's 4♠ bid was cancelled. The players were then asked what might occur if East bid 3♠. One expert "couldn't imagine" that West wouldn't bid 4♠; one expected that West would raise to 4♠, and one thought the likelihood of West passing was 20%. The 700-masterpoint player was then given West's problem over a balancing 3♠ bid by East: He said he would always bid 4♠. The 2000 masterpoint player also thought 4♠ by West was clear over 3♠ by East. With this information, the Panel assigned the contract of 4♠ made four, +620 for E/W (Law 12C2), judging that West would have bid 4♠ over East's 3♠. East was instructed by the Panel on his responsibilities in this type of situation. As to the merit of the appeal, the Panel strongly considered an AWMW for N/S. However, due to East's clearly illegal 4♠ bid and the fact that N/S may have believed that the table ruling was predicated on allowing it, it was decided not to issue an AWMW.

DIC of Event: Guillermo Poplawsky
Panel: Matt Smith, (Reviewer), Terry Lavender, Charlie MacCracken
Players consulted: Michael Polowan, Darren Wolpert, Adam Wildavsky, two additional players with 2000 and 700 masterpoints

Directors' Ruling: 71.8 **Panel's Decision:** 83.0

☞ The Panel covered some of the bases here quite well, but if West was too timid to make a responsive double it is not unreasonable to think she might also have been too timid to bid 4♠ over 3♠. Thus, N/S had every right to question the table ruling and ask that North's action be reexamined. In fact, had East been forced to balance with 3♠ it's quite possible that West should not have been allowed to raise to 4♠...

L. Cohen: "East's 4♠ bid is disgusting. Don't even collect the \$200 on the way to jail. (It's never good when someone says they 'decided to take a shot'—gee, I wonder why.) I agree that 3♠ by East would have been normal and allowable after West's slow pass. But I really want to find a way to keep West from raising. Her raise to 4♠ looks 'normal' but was pass possible? (Remember, I'm looking to put people in jail, here.) I think I can find a way to say so. Here's how: West considered a responsive double over 3♥ but rejected it because 'her hand wasn't quite good enough.' So, is there a hand that is not good enough to make a responsive double, yet is good enough to raise 3♠ to 4♠? It seems inconsistent to me. I think she had a clear responsive double (thus the huddle) and that was her chance to show her values. It's a stretch to disallow West's raise, but East's action causes me to want to make this stretch. The appeal had lots of merit."

☞ Larry has found the one possible justification for disallowing a 4♠ bid by West. Other thoughts on this issue...

Polisner: "Excellent work by the Panel, but somehow East came out smelling like a rose after clearly using UI. Since E/W were using responsive doubles and West didn't make one, I am not at all sure that she would have been likely to have bid 4♠ if East had only bid three. I would have really liked to apply a 12C3 adjustment and not give E/W the whole enchilada."

☞ I like Jeff's solution, but unfortunately *his* Laws Commission doesn't allow us to use 12C3 here in the ACBL. Jeff, your mission, should you choose to accept it... Other panelists who are unhappy with East's 4♠ bid...


Endicott: "For East to bid 4♠ after a hesitation by West here is an impropriety and a breach of law. The Committee does not act strongly enough and should have imposed a penalty."

R. Cohen: "How did the Director determine there had been a break in tempo if the Stop Card was still on the table when he arrived? Sorry, but if the West hand wasn't good enough to double 3♥ it wasn't good enough to bid 4♠. East can never play 3♠; he must either defend 3♥ or declare 4♠ according to the consultants."

☞ It's tempting to reason that if West bid before South picked up his Stop Card, there couldn't have been a break in tempo. But some players leave their Stop Card on the table for a long time, some even for the remainder of the auction (an option permitted under the ACBL's Bid Box procedure). Thus, no strong inference can be drawn from the presence of South's Stop Card. Additionally, the undisputed time estimates from the players confirm a break in tempo.

Wolff: "Ridiculous. Sure West may have bid 4♠ over the 3♠ reopening, but she may have feared that she would be rebidding her study. Why should the Committee give the offenders the benefit of doubt? This decision could set us back if some


other Committee would take heed of it. We must stop terrible decisions.”

 I find myself torn between two of the solutions suggested above: Grattan’s idea of issuing a PP to East for his “flagrant” 4♠ bid (with 950 masterpoints he should have known better) holds a strange attraction for me, as does Wolfie’s suggestion to adjust E/W’s score to +170 in 3♠ and leave N/S with –620. (While I think raising 3♠ to 4♠ is clear for West, so was making a responsive double a round earlier. I can accept that a player who would not double might not raise.) Actually, I like both of these solutions: a non-reciprocal score adjustment and a PP for East’s flagrant action. Perfect. But certainly no AWMW.

Stevenson: “An AWMW would have been very unfair, since the Director let the table result stand but the Panel did not. Certainly their adjustment had the same effect but since N/S asked for and were given an adjustment (though not the one they wished), the Committee did decide that the original ruling was not correct.”


Bramley: “Good job by the Panel. Correct not to give the AWMW. There was plenty of meat here.”

Treadwell: “This time, the Panel made a good analysis of the hand and the problem created by West’s break in tempo, but correctly allowed the table result to stand with some cautionary words for E/W.”

 Two panelists think that N/S could (and perhaps should) have been issued an AWMW.

Rigal: “How much latitude should be given to N/S on an issue like this? Given that even N/S should be able to see that East has a mandatory reopening of either 3♠ or 4♠, and that West has an equally mandatory raise of 3♠ to 4♠, how could they feel damaged? If the Director told the Panel that this had been explained to them, then an AWMW is clear even if the auction is backed up and a different route to 4♠ created—as long as N/S were looking for any adjustment in their favor. The Panel did a good job of fact-finding and came to a rational decision.”

Kooijman: “An explanation from the Director would have been nice. No appeal then or a clear AWMW. Nice decision by the Panel. Uncertain about the Director.”

 Sorry, but no AWMW even then since, as David pointed out, the table ruling was in fact changed even though the score adjustment was the same. Besides, if some of us had our way E/W’s score *would* have been adjusted to +170.

CASE TWENTY-EIGHT

Subject (Tempo): Different Strokes For Different Levels

Event: Bracketed KO Teams 8, 27 Jul 01, First Session

Bd: 12	♠ Kxxx		
Dlr: West	♥ KJ9x		
Vul: N/S	♦ ---		
	♣ A109xx		
♠ 10xx		♠ AQJx	
♥ Qxx		♥ A	
♦ KQ109x		♦ Jxxxxx	
♣ xx		♣ Kx	
	♠ xx		
	♥ 10xxxx		
	♦ Ax		
	♣ QJxx		
West	North	East	South
Pass	1♣	1♦	1♥
3♦(1)	4♥(2)	Pass(3)	Pass
5♦	Pass	Pass	5♥
All Pass			
(1) Alerted; preemptive			
(2) Stop Card used			
(3) Break in tempo			

The Facts: 5♥ went down three, +300 for E/W. The opening lead was the ♦K. The Director was called after the 5♦ bid and told that East had taken 15 seconds to pass 4♥. Everyone at the table agreed to this. In 5♥ South won the ♦A and played the ♥2 to the jack and ace. Declarer ruffed the diamond return in dummy and cashed the ♥K. When the ♥Q didn’t drop, declarer ended up losing two hearts, two spades and one club. The Director returned a board or two later and ruled that the 5♦ bid was disallowed; the contract was changed to 4♥ down two, +200 for E/W (Laws 73C, 16A, 12C2). South then maintained that in a 4♥ contract he would have created a club entry to his hand to take a second heart finesse. Since East could never effectively attack spades he would make the contract, since he could discard a spade on the long club. The Director reconsidered the ruling and changed the contract to 4♥ made four, +620 for N/S.

The Appeal: E/W appealed the Director’s ruling and were the only players to attend the hearing. West thought East’s pause was about 10 seconds; East didn’t dispute that it might have been 15 seconds. East said he had been considering a double and argued that the hesitation did not suggest the 5♦ bid. E/W agreed that 3♦ was weak, but West’s hand was as good as it could have been. West thought a 5♦ sacrifice was indicated due to partner’s inferred heart shortage. East thought he took the appropriate amount of time in the face of the Stop Card and was frustrated that the time he took was considered a problem. He said he would have passed sooner if he had thought it would become an issue.

The Panel Decision: The Panel had to decide whether an “unmistakable hesitation” had occurred (Law 16A) and, if so, whether it “demonstrably suggested” the 5♦ bid and whether pass was a LA (Law 16A). Further, if 5♦ was found to be an illegal choice over pass, then the number of tricks taken by declarer in 4♥ needed to be determined for each side according to Law 12C2. First, the Panel agreed that the amount of time reported between 4♥ and pass did constitute an “unmistakable hesitation.” Next, five players were polled about the bridge issues raised by this case: three experts, one player with 2000 masterpoints and one player with 700 masterpoints. All five passed when given West’s problem over 4♥-P-P and all five believed that a hesitation by partner made bidding 5♦ appear more attractive. Therefore, the Panel disallowed West’s 5♦ bid and imposed a pass as per Law 16A. As to whether declarer’s likelihood of making 4♥ was sufficient to assign 620 to both sides, the three experts all agreed that there was a significant chance that it could occur: one thought 620 had at least a one-in-three chance, one thought it was more like one-in-five, and the third thought it close to but not quite one-in-three (all

estimates for a player of about South's level: 620 masterpoints). The consultants all agreed that a different line of play was indicated in 4♥. The 2000 masterpoint player thought the correct line of play in 4♥ was "clear" and the 700 masterpoint player thought it was a line of play he would find. None of the five players believed that the line of play taken in 5♥ was poor and none found any reason to remark on South's 5♥ bid. With this input, the Panel found it clear to assign E/W -620 in 4♥ and just sufficient to award N/S +620 according to Law 12C2.

DIC of Event: Guillermo Poplawsky

Panel: Matt Smith, (Reviewer), Terry Lavender, Charlie MacCracken

Players consulted: Michael Polowan, Darren Wolpert, Adam Wildavsky, two additional players with 2000 and 700 masterpoints

Directors' Ruling: 84.1

Panel's Decision: 83.7

☞ Uh, excuse me. North skipped the bidding to 4♥ (using the Stop Card, which is irrelevant). East paused the required 10 seconds (okay, maybe 15) and passed. East was then accused by his opponents of committing an unmistakable hesitation and the Director agreed and adjusted the score?! Really.

Bart, what do you think of that?

Bramley: "Whoa! An unmistakable hesitation does not automatically become a break in tempo when the Stop Card has been used. Rather, the Stop Card *requires* an unmistakable hesitation! Only an exceptionally long huddle should be construed as a break in tempo after a Skip Bid. Fifteen seconds does not qualify. Perhaps the Panel worked backwards from the 5♦ bid to conclude that West must have been bidding with extra help from partner. If so, it was sketchy reasoning. Even East's admission that he was really thinking instead of pretending to think does not establish that a break in tempo occurred. On the basis of the evidence presented here, I would conclude that a tempo break was not established, and therefore I would have restored the table result. (I do agree with the score adjustment if there was a break in tempo.)"

☞ As compelling as the above argument is, the practical reality of what happens after Skip Bids (with or without warnings) is somewhat different, as the following panelist points out.

Stevenson: "I wonder whether there really was a tempo break. If East normally took this much time to call after a Skip Bid with a Stop Card warning then there was no tempo break. But how could the Director or Panel establish that? In some parts of the World the player with the Stop Card controls the tempo. The card is left out for a time and then removed: then the next player calls. So long as he has not shown active disinterest (a violation) no one knows whether he had a problem or not, and there can be no dispute about tempo breaks. If he continues to think after the Stop Card is removed (or calls before it is removed) then he has broken tempo.

"Before anyone leaps in to tell you this is not how it is done in North America, I realize that. I am merely pointing out that this method has advantages, especially in the given situation. In practice, my limited experience of one NABC suggests that a majority of players do not follow the Skip Bid regulations at all."

☞ I won't argue about what proper Stop Card procedure should be (the one David describes is used in many parts of the world, although it comes with its own set of drawbacks), but his claim that most players in the ACBL routinely ignore Skip Bid Warnings is far more telling. I agree with his impression (most players bid within 2-5 seconds, even when trying to obey our regulations), which casts East's pause over 4♥ in serious doubt—even if it was truly only 10-15 seconds. Bart is correct that East was entitled (obligated) to at least appear to be thinking during this time, so the fact that he admitted to having actually been thinking cannot be held against

him. But when 5 seconds (or less) is normal after a Skip Bid, then 10-15 seconds *is* a break in tempo. The key, as David points out, is whether East normally takes this long to make his call after a Skip Bid, Stop Card or not.

In the end, I cannot bring myself to advocate a position which punishes players for adhering to our regulations by pausing the required amount of time after a Skip Bid while (at least giving the appearance of) thinking. If N/S cannot produce evidence that East bid more quickly over other Skip Bids (after all, the onus is on the complainants to convince us that there has been a break in tempo) then the table result must stand.

Alas, none of the remaining panelists even mentions this issue. (Maybe they just didn't think of it?)

L. Cohen: "Beautiful reasoning and writing. The chain of logic is perfect, and should be the model for all tempo cases. The only thing I'm not 100% sure about is South's hypothetical line of play in 4♥. Did he go into more detail? (For example, 'create a club entry' means specifically leading a low club from dummy with the intention of playing for two-two clubs—i.e. if clubs are three-one and hearts are two-two, he shouldn't touch clubs—did he weigh the two possibilities?) I'm not sure that playing on clubs is better than laying down the ♥K, but the guideline is 'at all probable,' so I'd allow 620."

R. Cohen: "Well done by all."

☞ Several panelists disagree with assigning 620s.

Polisner: "I am in agreement with every part of the Panel's analysis except for the result of +620. Why would South play better in 4♥ than in 5♥ if the winning line was all that clear. After all, South knew that West had the ♦KQ and the ♥Q when he declared 5♥. I would have awarded +100."

☞ We presume he means +200.

As for why South would play better in 4♥ than in 5♥, I would have thought that was obvious. Since Barry addresses that issue I'll let him explain.

Rigal: "The revised Director ruling in favor of the non-offenders is certainly reasonable. The Panel drew a reasonable inference about tempo breaks; I think I might have taken some time as East, too, although bidding certainly seems right to me. Having got that far, they then did a sensible job again on canvassing opinions and deciding on the line in 4♥. Since 5♥ was never going to make, there can hardly be anything serious about going an extra trick or two down. By contrast, in 4♥ the play is complex. E/W deserve -620, but 12C3 might have been nice here. I suppose I'll go along with +620 for N/S but I am far from convinced."

☞ Yes, even if you believe that E/W deserve -620, you might well entertain serious misgivings about assigning N/S the reciprocal.

Treadwell: "I concur that West cannot be permitted to bid 5♦ after the agreed-upon tempo break by East. But to allow the rather double-dummy play required to make 4♥ is giving far too much to N/S and is too severe on E/W. The line requires precisely that the ♣Kx lie in the East hand. If he has ♣Kxx he can readily give partner a ruff, and if West has the ♣K the obvious spade shift defeats the hand. All this compared to the hearts being two-two. Very bad odds and both pairs should have been given the result for 4♥ down two."

☞ That was Larry's point. But the relative probabilities of the various lines are difficult to assess and I'm not sure South's stated line isn't "at all probable" even if it's not "likely." Come to think of it, I'm not even sure it's not "likely."

Wolff: “Plus 620 is way too much. It should either be 50% of +620 and 50% –200 or 25% +620 and 75% –200. Please keep the candy store closed.”

✍ I’m sorry, sir, but you seem to have us confused with the WBF. Law 12C3 is not authorized in the ACBL so you can’t combine results by weighting the various outcomes by their percentages. You must assign each side a single result, although you can assign different results to each side. But being a member of both the ACBL and WBF Laws Committees you already knew that, didn’t you?

CASE TWENTY-NINE

Subject (Tempo): A Case of Misplaced Baseline?

Event: Stratified Mixed Pairs, 27 Jul 01, Second Session

Bd: 2	♠ J10		
Dlr: East	♥ 832		
Vul: N/S	♦ AKJ10863		
	♣ 3		
♠ AQ9843		♠ K75	
♥ Q		♥ A104	
♦ 9752		♦ Q4	
♣ 94		♣ KJ862	
	♠ 62		
	♥ KJ9765		
	♦ ---		
	♣ AQ1075		
West	North	East	South
		1♣	1♥
1♠	2♥	2♠	3♣
3♠	4♥	Pass	Pass
4♠	Dbl(1)	Pass	5♥
All Pass			
(1) Break in tempo			

The Facts: 5♥ made five, +650 for N/S. The opening lead was the ♣9, after which South was able to discard two spades on dummy’s ♦AK. The Director was called at the end of the auction. North agreed to a slight break in tempo (the table Director thought it was 2 seconds in excess of the normal tempo of the auction). The Director ruled that South could not choose from among LAs one demonstrably suggested by the UI. The contract was changed to 4♣ doubled down one, +100 for N/S.

The Appeal: N/S appealed the Director’s ruling. North said he paused slightly before bidding 2♥ but that his 4♥ bid was faster, as was his double. South’s 3♣ bid was lead directing in case they defended, but normally she would think partner would expect a better hand for the auction. N/S had no firm agreement about 3♣ but South thought it would denote a game force while North was unsure. If not a cue-bid, 3♣ would

have been a help-suit game try. South said she was prepared to pass an undoubled 4♣ contract but not 4♣ doubled. South thought North’s 4♥ bid showed extra values so she bid 5♥ to make. She knew North’s double was purely penalty. E/W thought North’s double was a little slower than his other calls. When the players were asked by the Reviewer to estimate the total time taken for North to double 4♣ the responses were: North: 2 seconds; South: 2 seconds; East: extra time from his other bids but at most 2 seconds; West: detectable.

The Panel Decision: The Panel consulted several players on various issues, the critical one being how long North could take before an “unmistakable hesitation” would be established. One player said that anything up to 2 seconds would not be a hesitation in this type of auction; another thought that 4-5 seconds would be normal tempo, and still another thought that 4-5 seconds would be okay but 7-8 seconds or more would be suggestive of a problem. With that information, the Panel determined that 2 seconds did not constitute an “unmistakable hesitation” in this auction. The table result of 5♥ made five, +650 for N/S, was allowed to stand.

DIC of Event: Stan Tench

Panel: Matt Smith (Reviewer), Rick Beye, Betty Bratcher

Players consulted: Ralph Katz, Josh Parker, Chris Willenken

Directors’ Ruling: 67.4

Panel’s Decision: 92.2

✍ The following panelists’ comments accurately reflect my own sentiments.

Bramley: “Two seconds?! Words fail me.”

Stevenson: “I hope no one coughs when it is his turn to call or he will be accused of hesitating!”

R. Cohen: “Do we need to bring stopwatches to determine if a pause for thought is an unmistakable hesitation? Certainly North was entitled to think after West, who made no game try when he bid 3♠, now bid 4♠. Besides, West’s subsequent bridge actions were egregious based on the prior auction and did not warrant an adjustment even had the Panel found an unmistakable hesitation.”

Treadwell: “Since in these high-level auctions it is wise not to bid instantaneously, and the evidence indicated North did no more than pause very briefly, if at all, there was no UI and South is free to do as he wishes.”

Polisner: “I acknowledge that at some skill level a flicker can convey UI. However, when we have to debate whether a 2-second pause constitutes an unmistakable hesitation we are setting bridge back to a place we shouldn’t want to go. It opens the door wider than it is for more Director calls and appeals than we should have. Most players attempt to maintain a ‘normal’ tempo or stated conversely, do not try to convey UI through tempo. Having said that, I recognize that bridge is an emotional game which many times prevents players from bidding in tempo as well as a thinking game which requires time to properly communicate through the bidding process. In this case, if there has to be a debate as to whether the pause was 2 versus 3 seconds, the table result should stand.”

✍ The next panelist makes the point that we must strive for consistency.

Kooijman: “See CASE NINETEEN. Once more a Committee starts finding its own criteria on what a hesitation might be. That should be avoided, striving for consistency, in which you put a lot of admirable effort. And yes, in this highly competitive situation this pause for thought should be considered normal. There is some need to forbid bidding fast in such positions.”

✍ Precisely. I can’t stress too strongly or too often that when the auction suddenly accelerates or turns competitive, players are *entitled* to extra time to consider their next call. It is not UI to know that partner is thinking about his next action in these situations—it’s *expected*. In fact, the next *several* players are expected to need extra time to consider their actions and should be entitled to greater leeway. The cardinal sin here would be calling too quickly. If a player is not prepared to call the Director in these situations when an opponent makes a quick call then he is not entitled to call for a brief pause, one on the order of what occurred here.

L. Cohen: “I’d like a little more detail about the length of the ‘tempo break.’ What is meant by ‘2 seconds in excess of the normal tempo of the auction?’ I don’t see what the tempo of the early bids has to do with anything. A proper tempo on the four level (over non Skip Bids, but somewhat tempo-sensitive actions) would be maybe a 2-3 second pause. An ‘instant 0-second’ pass would be inappropriate. A 12-second wait would be a tempo break. So how long was it? I’d say that 4-5 seconds is maybe within the normal range but 10-12 seconds would be in the range of a tempo break. I’m not sure why the Director found that there was a tempo break but then the Panel found there wasn’t. Anyway, my guess is that this wasn’t a tempo break so the decisions are all fine. (If there were a tempo break and the contract was changed to 4♠ doubled, I’m not sure if down one is right, but it’s irrelevant if we allow 5♥).”

✍ Some panelists are willing to buy that a 2-second pause here was potentially damaging. I suggest a remedial reality check.

Rigal: “This is essentially a question of fact and not, therefore, really appropriate

for discussion. The Director assumed *prima facie* that there was a break in tempo, which is rightly to my mind. The Panel investigated further and determined, again quite reasonably, that there was not. On that basis, since there seems no error of law in their approach one can hardly argue with that decision.”

✍ Baloney. As Ralph points out, even if there was a noticeable pause—so what? One is expected when an opponent (here West) bids like this.

Endicott: “It hinges on whether the hesitation was enough to convey meaning. The Director who went to the table thought it was; the Panel, with much soul searching, decided not. I suggest that a Panel or Committee should not lightly overturn the Director’s finding of fact; it should require either that the Director’s conclusions are not reasonable on the evidence or that there is additional information that was not available to the Director at the time. Here the Panel stands upon its valuation of the length of the hesitation, but short hesitations can be pregnant with meaning. These kinds of situations are a difficult subject, largely because we were not there to witness what happened and must rely on handed-down versions of the legend. Suffice it to say that I am not as convinced as the Panel that the Director got it wrong, and even if he did I think he was right to blow the whistle.”

✍ But the Director’s conclusion was clearly not reasonable here. It is *not* UI for the whole table to know that a player is thinking in a situation where he is expected to have something to think about. All that such thinking means is that the player is assimilating the new information and keeping abreast of what is happening in an information-laden situation. That’s expected. What *is* UI is for the table (i.e., his partner) to know that he has a serious problem making his call, suggesting that alternate actions were available that fit his hand as well (or better) than the one he took. But this would require a serious study, one of more than just a few seconds. The suggestion by one consultant that a 7-8-second study would be required before the issue of UI should be raised accurately reflects this principle, even if we might wish to debate the actual time parameters.

Finally, one panelist issues a sensible caution.

Wolff: “Okay, but let’s not have a certain time where a study is a study. The professional bridge con men know just how to do it, probably learned in the cauldron of real-life bridge experiences.”

CASE THIRTY

Subject (Tempo): Not the Fast Enough Pairs

Event: NABC Fast Pairs, 28 Jul 01, First Qualifying Session

Bd: 13	Charles Arthur		
Dlr: North	♠ J1087		
Vul: Both	♥ A1098		
	♦ A976		
	♣ K		
Nicholas France	Andy Muenz		
♠ AKQ9	♠ 6532		
♥ 432	♥ J		
♦ K2	♦ Q103		
♣ 10742	♣ AQJ95		
	Daniel Lavee		
	♠ 4		
	♥ KQ765		
	♦ J854		
	♣ 863		
West	North	East	South
	1♦	Pass	1♥
1♠	2♥(1)	2♠	3♥(2)
Pass	Pass	3♠	Pass(3)
Pass	Dbl	Pass	4♥
All Pass			
(1) Alerted; guarantees four hearts			
(2) Alerted; competitive			
(3) Break in tempo			

The Facts: 4♥ went down one, +100 for E/W. The opening lead was the ♠A. The Director was called after the double of 3♠ and determined that there had been an agreed break in tempo by South before passing 3♠. The Director ruled that Law 16A1 did not apply because passing 3♠ was not a LA for North. The table result was allowed to stand.

The Appeal: E/W appealed the Director's ruling. At screening the contract was changed to 3♠ made four, +170 for E/W. N/S appealed this ruling. The players agreed with the facts as presented above and had nothing to add.

The Committee Decision: The Committee decided that the double by North allowed South to do whatever he was planning to do as an alternative to passing. North had good defense at the five-level but not at the three-level. North had passed 3♥ and had no reason to change his mind. The contract was changed to 3♠ made four, +170 for E/W.

DIC of Event: Ron Johnston

Committee: Henry Bethe (chair), Dick Budd, Dave Treadwell

Directors' Ruling: 38.7

Committee's Decision: 87.1

At what point did the Director think N/S established it was their hand? Was it when North opened the bidding and South responded? Or maybe it was when South bid 3♥ competitively, pushing E/W to the three level, and North noticed that he had the same 12 HCP he opened with, including a singleton king and the jack of E/W's suit. Was it when North passed 3♥? Or maybe it was that, on the not unexpected lie of the cards, E/W were cold for 4♠ while N/S could make all of 3♥. How could the Director have possibly concluded that pass was not a LA for North?

On the other hand, what was that comment by the Committee that "North had passed 3♥ and had no reason to change his mind"? Bart...

Bramley: "Correct, but one statement in The Decision is puzzling: 'North had passed 3♥ and had no reason to change his mind.' Huh? Passing 3♥ does not mean that North can never act again. He would not be 'changing his mind' to decide that he has enough defense to try for 200 (not previously an option) or, on occasional hands, to bid 4♥ because he has judged from the opponents' continued bidding that his own fit is better than he previously thought. The actual North hand is close on

both counts but, as the Committee observes, not close enough. The Director's original ruling was poor."

That's exactly right. When E/W competed, North, who previously limited his hand, was not barred from expressing his opinion that E/W erred or that 4♥ might make. Give him ♠QJ10x ♥Axxx ♦AQxx ♣x, for example, and his bidding would have been impeccable (his spade cards being useless on offense) and his double of 3♠ would likely result in +200 or better, even if South contributed little or nothing to the defense. On the other hand, give him ♠J10xx ♥AJxx ♦AQ10x ♣x and when East competes to 3♠, marking South with a singleton spade, 4♥ becomes odds on (see how it plays opposite the actual South and West hands).

I don't think North's actual hand was as close to a double (on either count) as Bart does. But while a double might have been chosen by some players without the UI, it was surely a flagrant action once South broke tempo.

R. Cohen: "My decision is -930 for N/S and +170 for E/W. North's actions were outrageous and should have been punished severely."

Polisner: "What a can of worms. South huddled when he didn't have it, the Director ruled that passing 3♠ was not a LA (huh?), North took blatant advantage of South's psychic huddle and doubled, and South (probably feeling guilty that he had given false UI to partner) pulled the tainted double. I would have ruled +170 for E/W and -930 for N/S."

I think the above panelists are leading with their hearts rather than their minds by suggesting that N/S deserve -930. Once North's balancing double is disallowed the contract must revert to 3♠. But once North's double is permitted, on what basis can a pass be imposed on South? Did someone allege he had UI that would justify restricting his choice of action over the double? I don't think so.

Did the appeal deserve an AWMW? Had the ruling made in screening been the original table ruling I would say yes. But I have sympathy for a player (as difficult as it is to muster that sentiment for North here) who chooses to appeal a ruling when another Director has ruled differently. Maybe an experienced NAC member should be held responsible for recognizing that the initial ruling was wrong, but I have trouble holding other players responsible for making this sort of judgment.

No, the clearest way to handle a flagrant action like North's here is to assess a PP for his action. Remember, PPs should be reserved for flagrant acts where the offending player is experienced enough to have known better, or was previously warned not to repeat the undesirable behavior. North's double could certainly be judged as falling in the first category.

More criticism of the table ruling and support for the Committee's decision.

Endicott: "The Director was probably a little weary with all that rushing about giving fast rulings. But lo, another Committee to the rescue, and with a true appreciation of the bimodal double."

Gerard: "Changing the result in screening is a pretty strong indication that the Director was out of his mind. More proof that huddles mean 'What is my Social Security number again?'"

Rigal: "Can a ruling really get changed as late as screening? And how did the original bum ruling get made? I have some sympathy with N/S for their frustration in bringing the appeal under those circumstances, but would have had no hesitation in giving them an AWMW had it not been for that. They had no case in Committee, and the terseness of the decision explains that nicely."

There have been a fair number of cases where the table ruling was changed in screening (even if it wasn't always reported in the casebooks, due to management's

wishes). When the timing of an appeal permits, the Screening Director may consult those responsible for the original ruling and, if he believes they missed something and they can't convince him otherwise, he has the authority to change the ruling.

Kooijman: "Well, we know that South hesitated and for sure was thinking about bidding 4♥. The question here is whether the double by North was suggested by that hesitation. I really don't understand the Committee's statement that North passed 3♥ and therefore hadn't any reason to change his mind. The same argument could be used if East bid 6♠ now and North doubled. Nor do I understand the remark from the Director that North didn't have a LA for 3♠. Of course he had: pass. How can a Director say this? [How, indeed!—*Ed.*] But also, then, this question is only relevant if double was suggested by South's hesitation. In an indirect way it was: North had kind of a free double, knowing now that his partner could bid a cheap 4♥ with nothing more than a bunch of hearts. That makes the Committee's decision acceptable, though not its reasoning. The Director's decision is awful."

Stevenson: "North, having opened the bidding, clearly is worth a double to show he has not got an opening bid!?! Surely pass is a LA, but does the hesitation really suggest doubling? In effect this strange action gave E/W a choice of +200 or +620. The Director's view seems optimistic given North's lack of an opening bid, and reminds me of how some of its detractors described the Baron system: responses are forcing to game or until doubled (sic)!"

L. Cohen: "The original Director ruling was wrong, but the screener got it right and forced the correct side to appeal. I would force North to pass—it's certainly a LA. End of Case, right? Wrong. This may seem picky, but I have a bone to pick. The Committee's Decision is correct, but why is it written with convoluted logic? The decision should say, in effect, '(A) South's pass was out of tempo, (B) It suggested that North do something other than pass, (C) North must pass, making the contract 3♠ +170 for E/W.' That's all there is to it. It's as easy as ABC. So, why does 'The Committee Decision' go in other directions? The first sentence talks about South's action over North's double, which is superfluous: once we make North pass 3♠, we don't want to hear discussion about the subsequent auction. Then the decision continues, 'North had good defense at the five level but not at the three level.' Huh? Please stick to ABC's in the decisions and avoid irrelevancies."

✍ While it's true that the written decision has several deficiencies, and Larry's ABC suggestion is certainly an improvement, it's not quite as bad as he makes it out to be. The first sentence, although phrased poorly, really is about North's action, not South's. It says that North's double catered to whatever South was thinking about doing other than passing and thus cannot be allowed. The second sentence, though awkward, adds that North's double was not clear enough to be allowed after the UI, since the hand barely has adequate defense to justify doubling a five-level contract on its own (and here E/W were only at the three-level). Both of these assessments are clearly relevant to the decision.

Wolff: "Sort of okay, but somehow it doesn't seem right. E/W could have achieved +200 if they risked a double. Why should they be granted +170 instead of the +100 they achieved? Why not make the field a party to this appeal and give E/W +100 (they earned it) and N/S -170 (they deserved it). Let the punishment fit the crime (PFTC), tra la."

✍ Non-offenders (here E/W) are not required to play "perfect" bridge in order to receive redress; they need only act reasonably for players at their level. Which of the E/W players had a clear double of 4♥? West, with most of his values in spades? East, with his singleton heart and most of his values in clubs (a suit that no one had bid and that North was short in)? Sorry, but E/W deserve to be protected.

CASE THIRTY-ONE

Subject (Tempo): To Bid, Or Not To Bid

Event: NABC Mixed BAM Teams, 28 Jul 01, First Qualifying Session

Bd: 8	Ellen Melson		
Dlr: West	♠	J974	
Vul: None	♥	93	
	♦	J103	
	♣	J543	
Bin Dai	Xiaodong Zhang		
♠	862	♠	K53
♥	1076	♥	AKQJ5
♦	Q8765	♦	942
♣	109	♣	86
		Dick Melson	
		♠	AQ10
		♥	842
		♦	AK
		♣	AKQ72
West	North	East	South
Pass	Pass	1♥	Dbl
Pass(1)	1♠	2♥	3♥
Pass	3♠	All Pass	
(1) Break in tempo			

The Facts: 3♠ made five, +200 for N/S. The opening lead was the ♥A. The Director was called at the end of play and was told that there had been a short hesitation (3-5 seconds) by West following South's double. N/S claimed that without East's 2♥ bid they would have had an easy time reaching 5♣ because South would have bid 2♥ and then 3♣ over 2♠. The Director allowed the 2♥ bid and ruled the table result would stand.

The Appeal: N/S appealed the Director's ruling. N/S believed that West's hesitation (about 4-5 seconds) made East's 2♥ bid safer. They insisted that without the 2♥ bid South could have cue-bid 2♥ and then followed that up with 3♣, enabling N/S to reach 5♣. An examination of E/W's CC showed that they played five-card majors, Flannery, and no forcing club system. E/W stated that the hesitation was approximately 3-5 seconds because West briefly

thought about whether to bid 2♥.

The Committee Decision: Although 4-5 seconds is generally allowed in competitive auctions, the Committee decided to rely on the Director's finding that there was a noticeable break in tempo (supported by West's testimony at the hearing). However, while a brief hesitation did occur, the Committee believed that the information it transmitted did not demonstrably suggest East's 2♥ bid. Thus, the table result was allowed to stand.

DIC of Event: Henry Cukoff

Committee: Mark Bartusek (chair), Dick Budd, Ed Lazarus, Riggs Thayer, Adam Wildavsky

Directors' Ruling: 83.3

Committee's Decision: 79.2

✍ I'm seriously distressed that this Committee found West's 3-5 second pause over 1♥-Dbl to be a noticeable break in tempo. In fact, there's so much more in this decision that distresses me that I'll have to let Bart explain the rest of the problems.

Bramley: "The Committee was having it both ways, possibly appropriate when neither side distinguished itself. However, the Committee distinguished itself even less. They found that a break in tempo had occurred for a length of hesitation that has almost never been deemed culpable. A player's admission that he thought for a few seconds should not be used as conclusive evidence that a break in tempo occurred. Quite the contrary. In competitive auctions, players in all positions should

appear to be thinking, at every turn. I would have found no break in tempo here.
 “Then the Committee reversed direction to claim that the established break in tempo did not ‘demonstrably’ suggest the 2♥ bid. Why not? If West has values *anywhere*, then East has greater safety in acting and the only plausible action is 2♥. Since pass is a LA, the 2♥ bid *could* have been cancelled. The Committee also spared itself the ordeal of analyzing whether N/S deserved anything after allowing the incredibly space-gobbling 2♥ bid to talk them out of a cold and easily biddable game. Raising 3♠ to 4♠ should not have been difficult, since it figured to be a good contract opposite ♠Jxxx and a doubleton heart. Or would that be placing North with too much? And doesn’t 4♠ still score more than 5♣? Finally, the Committee failed to give an AWMW to N/S. This decision was as weak as a correct decision could be.

“I note that this series of cases all involve determinations of whether a tempo break occurred after a hesitation of very short duration (slightly longer in the Stop Card case). These cases illustrate an unfortunate hair-trigger mentality in calling the cops when the opponents think for any length of time at all. I must assume that Committees’ continued willingness to reward the cop-callers is a major reason for the ever-growing number of such cases.”

☞ Thanks, Bart. Was it open season on hesitations in Toronto?

It’s decisions like this (see also CASES NINETEEN, TWENTY, TWENTY-EIGHT and TWENTY-NINE) that threaten to make our game unplayable and fuel the arguments of those who think that Appeals Committees are worse than useless and Directors’ rulings should be final. For those in the latter camp I suggest they review the rulings in CASES SEVEN, FIFTEEN, TWENTY-EIGHT, TWENTY-NINE and THIRTY—so far. Is this really what we want?

The Director got this one right and the Committee gets a DWMW (Decision Without Merit Warning) for not throwing N/S out on their ears with an AWMW.

Polisner: “Here we go again with players seeking from officials that which they were incapable of getting at the table based on a 1- or 2-second issue. What is West’s ‘normal’ tempo? Don’t most players rebid 2♥ with the East hand? Where was the AWMW or something to stop this kind of appeal?”

Treadwell: “Why no AWMW in this case? I can understand N/S being upset with the tempo break by West, but who would not bid 2♥ with the East hand non-vulnerable? Once N/S saw East’s hand they should have accepted the table result.”

Kooijman: “Once more the considerations lack accuracy in my opinion. I think that the hesitation followed by the 1♠ bid did suggest the 2♥ bid, but East did not have a LA to his 2♥ bid, so no infraction. Right decision. So no AWMW?”

☞ We’ll reconsider Ton’s argument that West’s tempo did suggest East’s 2♥ bid shortly.

R. Cohen: “A terrible excuse for an appeal. A case of trying to get in Committee what they couldn’t get at the table. Were N/S too embarrassed to construct an auction such as:

West	North	East	South
Pass	Pass	1♥	Dbf
Pass	1♠	2♥	Dbf
Pass	3♣	Pass	4♣
Pass	4♣	All Pass	

Guess they didn’t need to bid 4♠ to win the board.”

Rigal: “I cannot see how it can have been construed that a 4-5 second pause on the first round of an auction was a break in tempo, but the right conclusion was reached here anyway. Whether we like it or not (and I do not) many players feel compelled

o bid 2♥ with the East hand regardless of the soundness of the action. And while I might try to argue that the break in tempo does point to making 2♥ safer, I do not think there was a break in tempo, so I will try to follow a backdoor route to the result that I think is fair. Perhaps a Texan approach to justice.”

☞ Speaking of Texas justice...

Wolff: “We are entering dangerous territory here. I agree with the Committee’s +200 for N/S, but let us not begin assessing proximate cause of why contracts are not reached. Let’s penalize offenders so that they don’t create these insoluble situations. I’m not even sure what West’s hesitation means and would guess it is a great big red herring. My how we love to play Sherlock Holmes.”

☞ Clearly Wolffie would leave N/S with +200, but I’m not sure whether he’s arguing to adjust E/W’s score to -450 (“Let’s penalize offenders so that they don’t create these insoluble situations.”) or to leave their score alone (“let us not begin assessing proximate cause of why contracts are not reached”).

As we’ve seen, each panelist seems to have his own reason for allowing the table result to stand. So far we have (in no particular order) “no break in tempo,” “no LA to East’s 2♥ bid,” and “no damage since N/S could have gotten to their game in any of several ways over 2♥.”

Contrary to Ton’s earlier suggestion, we can also add to our list that West’s tempo “does not demonstrably suggest 2♥.”

Stevenson: “When my partner hesitates after 1♥ double he usually holds no hearts and a straggly suit and is wondering whether to bid it!”

☞ Yes, that was my reaction as well. Couldn’t West have a poor hand with a longish, straggly suit and have been too timid to bid it at the two level?
 Along similar lines...

Gerard: “No sympathy for South. He could have doubled 2♥, then bid 3♣ over 2♠. In fact, North might have beat him to it. But that only would have put him back to even, so he didn’t legally fail to play bridge (however, I’ve made a mental note). But the rest of his case was a non-case, given that West could have been thinking with 3=1=whatever.”

☞ Finally, one panelist would have adjusted the scores, albeit reluctantly.

L. Cohen: “I don’t know. I’m not pleased with East’s 2♥ bid. It’s clear from the facts that West was out of tempo, so why did the Director ‘allow the 2♥ bid?’ Did he think that pass was not a ‘LA?’ Did he think the slow pass didn’t indicate the 2♥ bid? I can see where the slow pass might have made 2♥ more attractive. I don’t like it. Would N/S have reached 5♣ without the 2♥ bid? Maybe. Don’t we have to give them the benefit of the doubt? I’m not sure about any of this and I expect a somewhat mixed review from my fellow panelists.”

☞ If several reasons exist for not adjusting a score, even though none of them is airtight, and the arguments for adjusting the score are too tenuous to be comfortable doing so, then it’s best to let the table result stand. (This is Howard Weinstein’s old argument.) West’s tempo was arguably within normal limits. Even if there was a break in tempo, it is not clear that it made East’s 2♥ bid more attractive. Many players consider East’s 2♥ bid clear-cut anyhow, and N/S could have reached game in any number of ways as it was. The moral of this story? Don’t fool with Mother Nature.

CASE THIRTY-TWO

Subject (Tempo): What Are We Doing Here?

Event: NABC Mixed BAM Teams, 28 Jul 01, First Qualifying Session

Bd: 24	Allan Graves		
Dlr: West	♠ KQ4		
Vul: None	♥ 97		
	♦ AQ10763		
	♣ 73		
Eva Schondorf	William Wickham		
♠ 932	♠ 1076		
♥ K32	♥ AJ10864		
♦ J4	♦ 5		
♣ AQ1095	♣ K84		
	Brenda Bryant		
	♠ AJ85		
	♥ Q5		
	♦ K982		
	♣ J62		
West	North	East	South
Pass	1♦	1♥	Dbl
Rdbl	2♦	2♥	3♦
3♥	Pass(1)	Pass	4♦
All Pass			
(1) Break in tempo			

The Facts: 4♦ went down one, +50 for E/W. The opening lead was the ♥A. The Director was called when South faced the dummy. North had asked about the redouble East said he was unaware of any agreement about it. N/S agreed that North broke tempo before passing 3♥. The Director changed the contract to 3♥ made three, +140 for E/W (Law 16).

The Appeal: N/S appealed the Director's ruling. N/S agreed that North had hesitated slightly over 3♥. They further stated that with 11 HCP opposite an opening bid and a known ten-card fit, it would be illogical for South to pass 3♥. (They asked the Committee members if they would pass 3♥.) E/W noted that South's doubleton queen of hearts opposite a likely doubleton in opener's hand was very poor for offense. In view of this, the N/S hands were very unlikely to produce ten tricks

and 3♥ could easily be going down.

The Committee Decision: Upon receiving confirmation of the hesitation, the Committee considered whether the break in tempo suggested a 4♦ bid. Typically, hesitations in competitive auctions suggest extra offense. In this case, North probably held a doubleton heart making it highly unlikely that he was considering doubling 3♥ with a trump stack. The most likely explanation for the hesitation was that his hand was a bit better for offense than average and he was considering bidding on. Thus, the hesitation did suggest a 4♦ bid. Was pass a LA? With a ♥Q that figured to be worthless on offense and a doubleton heart that would frequently be duplicated, it would often be the case that the N/S hands would not stretch to ten tricks. On the other hand, it was not at all difficult to construct a hand where 3♥ was going down, even if declarer correctly guessed to drop the ♥Q. For example, if opener held ♣Qx instead of two small (and perhaps ♦AJ10xxx instead of his ♦AQ10xxx), both 3♥ and 4♦ would fail on the actual distribution. Therefore, the Committee decided that pass was a LA for South and changed the contract to 3♥ made three, +140 for E/W. In response to N/S's question ("Would you pass 3♥?") the members were in agreement that if partner hesitated over 3♥ then, yes, they would feel compelled to take their chances defending.

Dissenting Opinion (Marlene Passell): While there was a break in tempo I believe South had every reason to bid 4♦. This is a game where you are allowed to think and thinking should not automatically bar partner from using good bridge judgment. 4♦ was a logical bid and not one necessarily suggested by partner's slow pass.

South believed her side held ten diamonds and that E/W had nine or ten hearts. She thought 3♥ might make and 4♦ was likely to go down only one. With or without the hesitation, South had a clear-cut action protecting her side against -140.

DIC of Event: Henry Cukoff

Committee: Martin Caley (chair), Doug Doub (scribe), Marlene Passell, Bob Schwartz, Michael White

Directors' Ruling: 91.7

Committee's Decision: 78.7

Just as 4♦ could protect N/S from -140, it could easily protect them from +50 instead. Yes, 4♦ is a possible (even attractive) action, and had North not rained on South's parade she could have bid it and accepted the adulation of her teammates. But South's hand is not unequivocal for bidding 4♦, particularly with its doubleton heart (and wasted queen) opposite partner's likely doubleton. While it's true that thinking doesn't automatically bar partner from bidding, the standard for allowing a bid under those circumstances is not whether it is "good bridge judgment" or is "logical," but rather whether the action is clear-cut based strictly on the AI available (i.e., whether the bid has a LA). Of course the UI must also demonstrably suggest the bid, but it was the Committee's judgment (and mine) that it did.

So I disagree with the dissenter and support the Director's and Committee's actions in adjusting the score to 3♥ made three, +140 for E/W. Happily, so too do most of the panelists, many of whom think the decision a close one.

Bramley: "I'm with the majority, tepidly. Again the hesitation is described as 'slight,' not by itself incriminating. Only North's admission of a tempo break establishes that one occurred. What did North have to think about with his hand anyway? South's 4♦ would get a lot of support, especially with nobody vulnerable, but pass must be a LA for a hand with significant scattered defense opposite an opening bid and no assurance of making 4♦."

L. Cohen: "I agree with the majority opinion. Personally, I think it's close (with no huddle) whether or not South should bid 4♦. I like our ten trumps, but I dislike my ♥Q and black jacks, all cards better suited to defense than offense (consider not only that partner might have ♣Qx; he could have ♥Jxx as well). In fact, there is no indication that the opponents have nine trumps; they could have only eight. Since the slow pass makes bidding 4♦ more attractive, I would force South to pass."

R. Cohen: "A tough case, but are players allowed to pause to consider a call in a competitive auction where eight calls in a row have been made without a pass. A fast pass might be considered 'unwonted speed' in such an auction. I have a lot of sympathy for the dissenter's position (no North might have found the winning call—3♠)."

Rigal: "I agree with the majority here. 4♦ figured to go down, and therefore the only question was how likely 3♥ is to be defeated. If the answer is more than 50%, then you should pass or double. Here the slow pass of 3♥ argues for partner to have more offense and less defense, and thus for 3♥ to be more likely to make. As the Committee pointed out, had North held the ♣Q instead of the ♦Q there would have been no pause over 3♥, which would have been going down. Nice reasoning by the Committee."

Treadwell: "A very close call, but I think the Committee majority were correct in not allowing the call. I confess, at the table I would be inclined to bid 4♦ with the South hand, recognizing it might be a poor bridge decision. However, the UI makes this course of action more likely to be right and hence may not be allowed."

Polisner: "I concur with the result; however, I disagree with the way the Committee

decided it. The issue is not what South should do in light of North’s break in tempo, but whether passing is a LA to bidding 4♦ with no hesitation. I suggest that their answer to N/S’s question would be ‘yes’ (at least four out of five would), but we should have Committees doing it right.”

Stevenson: “Did the 2♦ rebid show six cards? The dissenter appears to believe pass was not a LA by referring to 4♦ as a clear-cut action. She also implies that the hesitation does not suggest bidding by her use of the term ‘not necessarily,’ which seems more doubtful. Though I find the decision reasonable, the methodology worries me. The question for the Committee members was whether they would pass so as to see whether pass was an LA. The answer was given to a different question and suggests that their thinking may have not been quite correct.”

☞ The strongest opposition to the dissent comes from...

Gerard: “Finally. Voting procedures aren’t the only thing that causes people to wonder about Florida. Apparently the Pony Express delivery isn’t too reliable either. Just reread the dissent and tell me whether these casebooks have made any difference. All that was missing were the magic words ‘if it hesitates, shoot it,’ or for the congregation to rise as one and sing ‘a mighty fortress is our Law.’

“I could waste some trees responding to the dissent, but I’ll just make three points. Yes, thinking is allowed but it does not automatically do anything. What is barred is using good bridge judgment that—oh, you know, or you should know. Second, 4♦ was absolutely (not just ‘demonstrably’ or ‘necessarily’) suggested by partner’s slow pass. To argue otherwise is dyslexic—you meant to say that there was no LA. Finally, did South pay extra for the advance hand records, the ones that made it clear-cut that E/W could make 3♥? In the world of the ‘Law’ abiders, they must demand a recount if it’s off by two.

“In response to N/S’s question, I would have felt compelled to say some things that included the words ‘contempt of court.’ I don’t know what we were doing here either, even if that’s not what the Editor meant.”

☞ One panelist agrees with the dissenter.

Kooijman: “It is clear that the 4♦ bid was suggested. The question whether pass is a LA is less easy to answer. Declarer will find the ♥Q and probably has nine tricks. I would have allowed the 4♦ bid in a Committee, but have strong objections against the Director’s ruling as taken.”

☞ And one panelist seems to have gone off on an odyssey all his own.

Wolff: “NPL [Normal Playing Luck—*Ed.*] dictates –50 for N/S. NPL should be defined as the score achieved based on the NPL of that hand. The next hand with the same bidding and hesitation might produce –50 for N/S with E/W only able to make 2♥. Why should the non-offenders be able to get much the best of it when they didn’t necessarily earn it. If N/S were judged guilty, then –140 for N/S and +50 for E/W. This wasn’t a pair game but it still should be ruled this way in a team game and the board scored in fractions.”

☞ I fail to see what NPL has to do with the present matter, since even if such a concept was recognized in the laws it would surely depend on the contract. But that’s precisely what this appeal was about—whether N/S should be allowed to play 4♦ or E/W to play 3♥. Why should E/W be denied declaring 3♥ when South’s 4♦ bid was questionable and tainted by North’s hesitation? What could E/W have done to earn their +140? Muzzle South? In Wolffe’s world, once South bids 4♦ E/W are toast.

Subject (Tempo): It’s a Bidder’s game

Event: NABC Mixed BAM Teams, 29 Jul 01, Second Final Session

Bd: 6	Bob Balderson		
Dlr: East	♠ 632		
Vul: E/W	♥ 9		
	♦ K10954		
	♣ J876		
Karen Barrett	Hugh Grosvenor		
♠ K	♠ J10985		
♥ AJ432	♥ K10865		
♦ A72	♦ 83		
♣ KQ104	♣ 2		
	Carole Miner		
	♠ AQ74		
	♥ 07		
	♦ ♦♦▲		
	♣ A953		
West	North	East	South
Pass(1)	Pass	Dbl(2)	Pass
2NT(3)	Pass	3♥(4)	Πασσ
4♥	All Pass		
(1) Break in tempo			
(2) Alerted; two- or three-suited			
(3) Alerted; forcing, forward-going			
(4) Alerted; both majors			

The Facts: 4♥ made four, +620 for E/W. The opening lead was the ♦Q. The Director was called after East’s double. There was an agreed hesitation by West over 1NT. The Director ruled that pass was a LA for East and changed the contract to 1NT down two, +100 for E/W.

The Appeal: E/W appealed the Director’s ruling. The captain of the E/W team also attended the hearing. West indicated that she was a deliberate bidder and tended to take about 10 seconds per call. East said he did not notice a break in tempo but was not arguing that there wasn’t one—simply that he was too tired to register it. As a passed hand he believed that, particularly where he had an easy way to show his two-suiter, pass was not a LA. The E/W defense to 1NT was as follows: In direct seat, a double showed any three-suiter or a touching two-suiter; 2♣ showed the rounded suits; 2♦ showed the pointed suits; two of a major was natural. In the balancing seat, East and West differed slightly as to their defense. West believed that bids were natural but double

retained its meaning; East thought a double showed any two-suiter. This defense was (mis)named Cansino (although unlinked to the real defense to 1NT invented by Cansino). In response to the double any action was pass-or-correct, with 2NT being a strong relay. E/W had played six sessions in Birmingham and one qualifying session here in Kansas City. East had played a fair amount with the non-playing captain of this team (West’s husband). They played the defense indicated by East (West played a different defense with her husband). E/W’s card was very clearly marked that they played a highly aggressive style on shapely hands; they also pre-Alerted their opponents that they might open with 8+ points with shape. They relied heavily on Losing Trick Count for hand evaluation. When asked why she had passed in direct seat West indicated that she decided to trap and treat her hand as a strong notrump rather than bid 2♣ (clubs and hearts) or 2♥ (natural). When asked why she had not passed the double she said she decided to explore for a fit and then bid game. N/S presented no new facts or arguments.

The Committee Decision: The Committee considered the hesitation and determined that notwithstanding the argument that the break in tempo might suggest a minor one-suiter (the most likely unbidable hand type for West), the longer West took, the more likely it was that she had a good hand, making bidding more

attractive. The point was made that East's double was especially dangerous to show the majors [eventually] since West might well pass 1NT doubled; 2♣ or 2♦ to show the majors would have been much safer balancing actions. This issue affected the LA argument. It was determined that the standard of the event and the form of scoring argued strongly for bidding, East's passed-hand status also being relevant. It was determined that there was no LA to bidding. That being so, the Committee allowed the table result of 4♥ made four, +620 for E/W, to stand. There was no question of a PP since West's hesitation was not an infraction and East had done nothing wrong. The Committee told West of the jeopardy she had placed her side in: any doubt would have been decided against her had the Committee judged East's action doubtful.

DIC of Event: Henry Cukoff

Committee: Barry Rigal (chair), Doug Doub, Bob Gookin, Abby Heitner, Riggs Thayer

Directors' Ruling: 72.1

Committee's Decision: 80.4

✍ We'll start with a confirmation of the decision by the Committee's chairman.

Rigal: "The Director did the right thing here, of course, and left it up to E/W to prove their case. Some knowledge of the people involved and their various levels of aggression was perhaps relevant to determining that there was no LA to bidding. On reflection, I still feel the same way."

✍ Other support for the Committee's decision.

R. Cohen: "At BAM, East passing 1NT was not a LA, particularly when N/S were not vulnerable and only 50 per trick was available. West was marked with at least 12 HCP behind the notrump bidder and at this form of scoring East had to take his chances."

Bramley: "Annoying but acceptable. The several East players that I know of were all very aggressive with the East hand, which corroborates the Committee's finding of no LA."

Kooijman: "Good decision by the Committee. I don't admire West's pass though. You better not hesitate then. There are stronger East hands (in points) for which I wouldn't allow the reopening. The Director's decision is acceptable."

Polisner: "If the Committee decided that there was a break in tempo, the decision is acceptable. However, the write-up omits several relevant facts: How long was the pause and how did it compare with other calls during that and other hands? Also, what was East's level of expertise (most high-level players would definitely bid if they had a way to show the majors). Under our standard of adjudicating the result, it seems like 1NT should have been down four or five rather than only two (E/W cash five heart tricks and East shifts to a club, won by South; South wins the second diamond in dummy after West ducks twice and takes the losing spade finesse; West then cashes two or three more clubs, depending on the N/S discards). It seems that E/W really got the worst of the worst."

✍ As N/S were the non-offenders, I think Jeff's analysis of the result in 1NT is a bit harsh: With reasonable discarding South can surely take at least five tricks.

Stevenson: "I wonder why people give the wrong names to conventions; it does not seem to help anyone. This really comes down to whether players are prepared to defend 1NT with good distribution but little strength. If not, then pass is not a LA. Another point is whether there is any useful UI from the pause. West is marked with

at least 12 points anyway. Perhaps the pause is information-free."

Treadwell: "Excellent analysis by the Committee."

✍ The most elaborate and (self-admittedly) controversial support for the decision comes from...

L. Cohen: "I think the auction 1NT-P-P belongs in a special category. The slow tempo of the direct-seat pass does not make it more attractive for partner to balance. The balancer knows that his side has almost half the deck (otherwise, the responder to 1NT wouldn't have passed). The less the balancer has the more his partner has and the *safer* it is to balance (because the points are over the notrump bidder). I lecture and write that players should balance with shape and ignore HCP and I teach their partners not to try for game ('the balancer is bidding your cards'). Another key point is that most people play a direct double as penalty, so a strong balanced hand would pass (in tempo) over a strong notrump. Therefore a slow pass tends to denote an *unbalanced* hand and that makes it *more* dangerous to balance because a misfit could exist. If the direct-seat player passes *in tempo* it is *less* dangerous to balance, because partner is likely to fit one of your suits.

"The conclusion from this is that after 1NT-P-P, balancer should bend over backwards to *pass* if partner passed in tempo (because bidding has become more attractive) and balancer should bend over backwards to *balance* if partner passed slowly (because bidding has become more dangerous). Combine this with the fact that the player in the direct-seat is marked with HCP and I'd let East bid 100 times out of 100 after a slow pass with *any* hand.

"I realize my views aren't mainstream (I hope they are some day). In this particular case (or any case) we need to rule in tune with what we think the peers of the actual E/W would do. Here, as East, a typical NABC player would reason: 'LHO has 15-17 HCP, RHO at most 7, so they have 15-24 HCP. I have 4 HCP which means my partner has to have 12-21 HCP. I'm supposed to ignore his huddle, but I have to admit that I doubt he was thinking of bidding two of a major natural. In fact, if he thought of bidding it's likely he has a minor or both minors—that's what my hand would indicate. Or, maybe he has the high end in HCP. In that case, if I double to show my majors he might leave it in. Maybe I'd better pass so that we don't go -180 against 1NT doubled, or -200 or more on a misfit.' As you can see, West's slow pass makes it *more* attractive to *pass*. If on some other layout East passed and avoided going for a number, I'd actually have sympathy if N/S appealed on the basis that East had UI from the tempo that made his pass more attractive and that balancing was a LA.

"So, not only would I give E/W +620, I would urge that the above reasoning for 1NT-P-P cases becomes S.O.P. With that controversial suggestion, I leave you all until the Las Vegas Casebook. Maybe there won't be 73 cases and I'll get to all of them. Here 33 is my limit."

✍ Two panelists voice (pen? keyboard?) strong opposition to this decision.

Gerard: "Oh good grief. This is CASE FIFTEEN from St. Louis (the longest dissent on record) all over again, including the presence of one of those dissenters. I was waiting for 'Even non-life masters know you should not let the opponents play in 1NT when you have good distribution,' but the Committee let me down. Didn't any of you think pass was a LA? I don't understand how the standard of the event and the form of scoring argued strongly for -500 opposite some of the hands West might have held. And what's the point about the mention of a PP—did you feel guilty about it? Please, Barry, tell me you didn't do this."

✍ Sorry, Ron, but as we've seen Barry is non-apologetic about this one.

There were a number of features of CASE FIFTEEN from St. Louis that do not equate with the present case. First, the 1♠ opener there held ♠AK1062 ♥87543 ♦6

CASE THIRTY-FOUR

♣72 and when his LHO's 1NT overcall was passed back to him (after his partner's huddle-pass) he balanced with 2♥. Assuming that his partner would have doubled 1NT with a good 9-count meant that the opponents were marked with at least 24-25 HCP and possibly more. Without the huddle it was reasonable for opener to believe his LHO was a bit heavy for his 1NT overcall (say a 19-count) or his RHO made a conservative pass with a hand with which others might have invited (say an 8- or a 9-count). In other words, the light opening could have succeeded in talking the opponents out of their cold game. Of course his partner's huddle made that less likely: It decreased the chances that he would get doubled if he balanced and increased the chances that bidding again would work out well.

Second, in the present case West is marked with 12+ HCP favorably positioned over the 1NT opener (as Larry teaches and as several other panelists mention). This would offset whatever advantage N/S might have in raw high-card strength.

Third, in the present case there was no E/W bidding to obscure N/S's assets, as there was in the St. Louis case. Thus, there was no reason to think that North or South rather than partner would have the "missing" high cards.

Fourth, Larry is right in observing that West's huddle suggests an unbalanced hand (with a balanced hand West would have nothing to think about and would pass in tempo), thus increasing the likelihood of a misfit and making East's balancing action more, not less, risky (see also CASE EIGHT from Vancouver).

And finally, the philosophy behind DONT and the myriad other defenses to 1NT that are popular these days is to bid over the opponents' 1NT with all light, distributional hands, especially in balancing position (where partner's high cards are well placed over the opening notrump's). Certainly balancing is not without risk, but the risk is not all associated with bidding. With East's two-suiter and a modest fit opposite E/W could easily be cold for a partscore in one of East's suits and be going minus if East passes and defends 1NT. And that doesn't even begin to address the possibility that balancing will push N/S too high or into an inferior strain. And even the risks may be somewhat less given the form of scoring.

It is for all of these reasons, and in spite of the sympathy I hold for both Ron's position and that of the next panelist, that I would allow East to balance. In today's game I think it is about as close to automatic as one can get for a player of East's caliber (a past Australian Internationalist) to balance.

Wolff: "What came out of this case is another advantage of goblignook against notrump; HD and whatever and likely get to keep your maximum score. Let's call it goblignook to success over naivete (GTSON). All the self-styled experts who wouldn't be caught dead passing out 1NT, vulnerable with a 4-count, will get rude awakenings upon occasion."

✍ The operative phrase here is "upon occasion." What is good bridge at IMPs isn't necessarily good bridge at matchpoints or BAM. A bid which figures to win even slightly more often than it loses, even though it gains only a few points (e.g., -50 versus -110) when it wins and loses many points (e.g., -110 versus -800) when it loses (all other things being equal), may be winning matchpoint or BAM strategy but losing IMP strategy. Good BAM/matchpoint players aren't as afraid of going for a number as are IMP players. I'm afraid Wolffe's showing his IMP-bias here.

Subject (UI): Cross and Double Cross

Event: Grand National Teams Flight C, 20 Jul 01, Round of Eight, Second Session

Bd: 18	♠ 10642		
Dlr: East	♥ AKJ107		
Vul: N/S	♦ 97		
	♣ A6		
♠ A8		♠ KQ3	
♥ Q9543		♥ ---	
♦ 83		♦ QJ652	
♣ Q1084		♣ 97532	
	♠ J975		
	♥ 862		
	♦ AK104		
	♣ KJ		
West	North	East	South
		Pass	1NT(1)
Dbl(2)	2♣(3)	Pass	2♦
2♥	Dbl	2♠	3♦
Pass	Pass	Dbl	Pass
Pass	3♥	Pass	3NT
All Pass			
(1) Announced; 12-14 HCP			
(2) Not Alerted; see The Facts			
(3) Alerted; clubs and diamonds			

The Facts: 3NT made four, +630 for N/S. The opening lead was the ♠A. The Director was called after the hand was over. He determined that N/S played runout bids after their 1NT is doubled, so North's 2♣ bid was in error and he had UI from the Alert. Without any Alert, North should have been delighted to face his hand as dummy in 3♦ doubled. When asked about the double of 1NT East said it showed the majors. The contract was changed to 3♦ doubled down four, +1100 for E/W.

The Appeal: N/S appealed the Director's ruling. West's double of 1NT was not Alerted. During screening it was discovered that the E/W agreement was that a double of a strong notrump was for penalty but a double of a weak notrump was undiscussed. North thought his agreement was that 2♣ was a relay to 2♦ and that he could then rebid 2♥ to show an invitational hand in hearts. He believed that his strong hearts dictated that he should not pass 3♦ doubled. If hearts were breaking badly he could lead hearts through West. The actual N/S agreement (2♣

showed the minors) was clearly marked on both CCs. North also stated that his reason for passing 3♦ undoubled was that he believed he was ethically constrained. An inspection of E/W's CC revealed no distinction between defenses (Cappelletti) to strong and weak notrumps. West stated that he knew his agreement was that his double was penalty; he chose that call to make the auction difficult for N/S.

The Panel Decision: The Panel decided that the primary issue was whether any of North's peers would consider a pass of 3♦ doubled to be a LA. When polled, six Flight C players were provided with the correct information regarding the Alerts and responses to questions. None of them would have passed 3♦ the first time; they were evenly divided between bidding 3♥ and 3NT. Similarly, none would have considered passing 3♦ doubled the second time; again the choice was between 3♥ and 3NT, with 3NT the majority choice. Based on this input the Panel decided that despite the UI, a pass of 3♦ doubled was not a LA. The table result of 3NT made four, +630 for N/S, was allowed to stand.

DIC of Event: Ron Johnston

Panel: Mike Flader (Reviewer), Matt Smith, Gary Zeiger

Players consulted: Six Flight C players

Directors' Ruling: 63.8

Panel's Decision: 94.3

✍ First, to forestall the anticipated complaints (including the inevitable one from Wolffie), West was legally entitled to psych a double of 1NT. There was no UI to constrain E/W's actions and East bid his hand in a manner that was consistent with West's double being penalty—until N/S's actions revealed West's obvious psych.

Next, North clearly forgot his agreement and South's Alert and explanation of 2♣ provided him with UI that South thought he had the minors. Thus, he could not now choose from among LA actions one which was demonstrably suggested by the UI. South bid the expected 2♦ (remember, North thought his 2♣ was a relay to 2♦) and now West "stole" his 2♥ bid. So he doubled—fine, since that was his original plan. East then showed her spade preference and South "showed" a diamond suit. Was North then ethically constrained to pass 3♦? I don't see why (even though he thought he was). He had planned to show an invitational hand with hearts. South showed a diamond suit. Why should he play in 3♦ when 3♥ or 3NT figured to play as well? But North, in a misplaced effort to be ethical, passed. Again, fine. Now East, still under the spell of West's original "penalty" double, gave North another chance. North belatedly bid his hearts and N/S reached their cold game. The consultants confirmed that pass was not a LA over either 3♦ or 3♦ doubled, so the silly table ruling merely forced us to take the long route to achieve what should have been done to begin with—allow the table result to stand.

If you're still with me, the panelists will explain why all roads led to the Panel's decision.

Bramley: "I need RotoRooter to get through this one. None of the players were on the same page as their partners. The critical action was East's double of 3♦. We've seen this type of situation before, and it never has an easy resolution. East had a chance to nail the opponents in an accident. He could have passed 3♦ and collected 100 a trick, but he pigged it trying for a large number. North, who had nobly passed 3♦ and was prepared to take his medicine there (undoubled), decided that he was not obligated to sit idly and go for a number when he knew there was a better contract available. Typically I have sided with those players, like North here, who show an understanding of the situation by volunteering for a bad score, but who cannot stomach the opponents' attempt to take further advantage by doubling. North's technical argument has considerable merit, namely that his powerful suit will produce a lot of tricks even with a bad onside split. The poll merely confirmed the correctness of North's action. The Panel made the right decision."

R. Cohen: "West psychs a double and tries to get a ruling in his favor because he eventually got an inferior result? Shame on the Director for giving West a favorable ruling. If you deliberately muddy the waters for the opponents, don't expect redress when they solve the problem you have posed."

Gerard: "Is this a case for the Intelligence Transfer? What if South held ♠KJ♥9x♦KQ108xx♣KJ10—gee, no one would ever open 1NT with that would they? Well, North already didn't play South for that hand when he passed 3♦ and his ethical explanation seems to be the only reason one would pass. So the Flight C players clearly know a lot more about bridge than the Director. Are you shocked? I don't know what to make of West's statement, so I won't say what I'm thinking. West could now be represented by an attorney, League Counsel notwithstanding."

Kooijman: "This Director's decision guaranteed that there would be an appeal. Did the Director ask other opinions? I like North's statement that he felt constrained. An interesting question is whether he used UI when passing the 3♦ bid. Isn't 3NT a LA? No damage, good decision by the Panel. I don't like the Director's decision."

Polisner: "The Panel's decision is fine as it is not easy for expert players to 'dumb themselves down' to the Flight C level. Based on the input of a sufficiently large sample of Flight C players, pass is not a LA. It is interesting that North thought he

was 'ethically constrained' when he passed 3♦, but the ethics changed when the stakes went up. I admit that I would have a hard time wanting to rule for West after he made the ridiculous statement that he knew his double was for penalties and wanted to make the auction difficult for N/S."

✍ One panelist thought the table ruling "reasonable."

Rigal: "The result in 3♦ doubled is not relevant, so I am not going to investigate it. The Director to my mind made a reasonable choice to set the hand back to 3♦ doubled. Regardless of how we feel about it, consulting the C players and abiding by their unanimous decision seems a valid approach to me. It looks as if the Directors were aching to do something different, but felt obligated to stick with what the players told them. Something of a landmark case: we should all bear this decision in mind when next we try to put ourselves in the shoes of a B/C player."

✍ I guess, if we ascribe limited bridge competence to Directors, erring on the side of caution by ruling against the offenders is "reasonable." As for the result assigned in 3♦ doubled—wow! I can easily see how E/W can achieve +500, but +1100?

Stevenson: "Without the UI, what would North have done? He would have assumed that 2♦ was a relay. What would he do over 3♦? 3♦ doubled? It is not necessarily that obvious with partner apparently offering a suit at the three-level that no one would pass. As far as the ruling is concerned, I would like to see the defense that manages eight tricks."

✍ The consultants make it "obvious" that no one (at their level) would pass. And finally, the inevitable.

Wolff: "Pass the Tylenol. This Panel decision is as good as any and would also apply to Canasta or Gin Rummy. On second thought cancel the Tylenol and pass the Hemlock."

✍ A truly Socratic comment.

CASE THIRTY-FIVE

Subject (UI): It's Hard to Tell the UI From the AI Any More
Event: Life Master Pairs, 20 Jul 01, Second Qualifying Session

Bd: 13	Bjorn Fallenius		
Dlr: North	♠ J102		
Vul: Both	♥ Q72		
	♦ KQJ8		
	♣ Q84		
Gerald Cohen	Stephen Paskin		
♠ KQ7	♠ 843		
♥ 96	♥ J854		
♦ 7543	♦ A10962		
♣ AJ92	♣ K		
	Roy Welland		
	♠ A965		
	♥ AK103		
	♦ ---		
	♣ 107653		
West	North	East	South
	1♣(1)	1♦	Dbl(2)
2NT(3)	Pass	Pass	Dbl
3♦	Dbl	Pass	3♠
All Pass			
(1) Alerted; natural, or 11-13 HCP			
balanced, or any strong 17+ HCP			
(2) Alerted; guaranteed 4+ hearts			
(3) Not Alerted; limit raise			

The Facts: 3♠ went down one, +100 for E/W. The opening lead was the ♦7. N/S called the Director before South's second double when West volunteered that there had been a failure to Alert his 2NT bid. The Director ruled that East's pass of 2NT was AI to West that East had forgotten the agreement and allowed the table result to stand.

The Appeal: N/S appealed the Director's ruling. East did not attend the hearing. N/S believed that pass was a LA for West after he had shown his hand with his 2NT bid. Both 1♣ and South's initial double had been Alerted but no clarification was requested. West stated that 2NT showed a four-card limit raise while 2♣ would have shown only a three-card limit raise. West agreed that his partner might have forgotten the conventional meaning of 2NT but said that his only concern had been to inform his opponents of the failure to Alert to avoid damaging them in the bidding. East and West (with 3000 and 8000 masterpoints, respectively) had been playing together for 20 years.

The Committee Decision: The Committee believed that a percentage of E/W's peers would have passed 2NT doubled with the West hand if their partner had correctly Alerted the 2NT bid. (Note: West stated that 2NT showed a limit raise, *not* a limit raise or better.) In addition, East would then have had no clear bridge reason to do anything other than pass 2NT doubled. Thus, the contract was changed to 2NT doubled down two, +500 for N/S. Additionally, West was educated concerning the proper time to reveal a failure to Alert.

DIC of Event: Henry Cukoff
Committee: Mark Bartusek (chair), Jeff Goldsmith, Bob Gookin, Eric Greco, Marlene Passell

Directors' Ruling: 61.2 Committee's Decision: 70.0

☞ Wouldn't everyone make an artificial limit raise of partner's 1♦ overcall with a distributional hand such as ♠Jxx ♥x ♦KQJxx ♣QJxx? How could partner conceivably pass this unless 2NT showed a balanced or high-card limit raise?

Bramley: "Preposterous. How could East possibly have a hand to pass a conventional 2NT? The inference that he had forgotten the agreement was

overwhelming. In addition, as I have said often before, proving UI from a failure to Alert is harder than proving it from a mistaken Alert. Meanwhile, N/S fanned on their chance to collect the same 500 against 3♦ doubled. This was a sour grapes appeal by N/S. The Director had it right. Let the table result stand."

Stevenson: "Let me get this straight. At least some players would be prepared to play 2NT doubled with no stopper whatever in the suit shown by the doubler? They would do this with a known diamond fit to play in? Do we really believe this? It does not matter what East's pass of 2NT means: whether it is forgetting the system or offering an alternative, West is not going to play 2NT. So passing 2NT doubled is not a LA for West. Of course, the fact that N/S were offered +200 but settled for -100 is their own affair."

Endicott: "I find it difficult to believe that even with all the Alerts made correctly any significant number of players would pass the West hand in 2NT doubled. It is not apparent from the report what players, if any, were consulted. South's 3♠ bid is altogether insulting of North's judgment and I take the view that he should be stuck with it."

☞ Sorry guys, but if East incontrovertibly showed he wished to play in 2NT rather than 3♦ why would West, with a balanced hand and all of his values outside of diamonds, choose to override this? As for South's pull of 3♦ doubled, was it insulting to North's judgment? The following panelist disagrees.

Rigal: "This decision seems backwards to me. The only reason for ruling against the non-offenders in the case of doubt of this sort is to ensure that an appeal gets heard. Where, as here, the ruling is overturned by the Committee, the directing staff should perform some heart searching re the initial ruling and their obligations in the case of doubt. Having said that, when West hears his partner pass 2NT and the contract gets doubled, I really do not believe passing 2NT doubled is a rational option. Some might consider it, but not seriously. I'd restore the table result. And note that N/S might well have done better than their table result by passing 3♦ doubled—not that it was at all unreasonable for South to pull the double."

☞ The remaining panelists think the Committee was right to disallow West's 3♦ bid. Let's look at their arguments.

Gerard: "The Director's ruling is from the '1NT-2NT-3♣ is an automatic forget' school, so the Editor should love it. Totally bogus as usual. The play for down two is pretty specific. Heart to the king, heart to the queen, club. West must lead a spade to the king, then a diamond and duck. If he leads a diamond before a spade, the timing is wrong. West is quite a good player, so I vote for down two."

Polisner: "Well done by the Committee. West clearly knew that East had forgotten their methods from the failure to Alert rather than the pass of 2NT. After all, this was matchpoints. Even if the Director was correct in believing that East's pass of 2NT was AI to West, it is outweighed by the UI."

Treadwell: "N/S's bidding was a bit flighty: they had the opportunity to collect at least 200 at 3♦ doubled after a sub-minimum opening, but ran, instead, into an out-of-the-blue spade contract which had to fail. Of course, the Committee was right in not allowing West to pull the double of 2NT, so N/S should not have been placed in a position to use poor judgement. While I totally agree with assigning E/W -500, it bothers me a bit to give +500 to N/S; but I guess no other course is possible."

R. Cohen: "A horrible ruling by the Director. What was he thinking about? The Committee did its job."

✍ One panelist sees more in the Directors' failings than anyone else does.

Kooijman: "What happened here? West infringes the laws without any remark from the Director? North is not given the opportunity to make another call than pass after 2NT? I agree that the information was given illegally but Law 21 doesn't make that distinction and should have been applied. And above that the Director's opinion that East's pass was AI for West. This must be a joke, Candid Camera maybe. We are lucky that the Appeal Committee knew what to do, though severe it is."

✍ Ton is quite right: if the write-up is correct and the Director was called before South's second double, the auction should have been backed up and North given the option of changing his pass of 2NT.

On the other hand, how can East's pass of 2NT not be AI to West? After all, the auction (apart from any Alerts, or questions or answers) is AI to everyone. But while West is allowed to know *that* East passed 2NT, he isn't allowed to know *why* he passed; he must assume that East properly Alerted and explained the meaning of 2NT. But East's pass of 2NT flies in the face of bridge logic (see my previous comment on this). Quite simply, it's an impossible action. So West knows from the auction alone that East has forgotten, just as he would in the constructive auction INT-2NT-3♣. Happy, Ron?

Finally, our resident acronymist seems content to sit on the sidelines and wax philosophical, offering bemused comments on the depths to which his beloved game is sinking.

Wolff: "The cases are clearing up. It's not Canasta or Gin Rummy, although it's not Bridge either. We could call it 'override partner or Battle 2' because it is not as complicated as Battle 1."

Subject (UI): "Automatic" Is a Type of Automotive Transmission
Event: Life Master Pairs, 21 Jul 01, First Final Session

Bd: 13	Fred Allenspach		
Dlr: North	♠ AQ742		
Vul: Both	♥ 9864		
	♦ 102		
	♣ 53		
Brad Moss	Fred Gitelman		
♠ 96	♠ 10853		
♥ Q32	♥ K75		
♦ A764	♦ J		
♣ AQ84	♣ KJ1072		
	Bob Bell		
	♠ KJ		
	♥ AJ10		
	♦ KQ9853		
	♣ 96		
West	North	East	South
	Pass	Pass	1NT(1)
Pass	2♣	Dbl	2♦(2)
3♣	Pass	Pass	3♦
All Pass			
(1) Announced; 14 ⁺ -17 HCP			
(2) Alerted; no major, clubs stopped			

The Facts: 3♦ made three, +110 for N/S. The opening lead was the ♣A. The Director was called at the end of the auction, before the opening lead. South thought that 2♦ showed diamonds, not a club stopper. The Director ruled that there was no connection between the explanation and the subsequent 3♦ bid; pass was not a LA (Law 16). The table result was allowed to stand.

The Appeal: E/W appealed the Director's ruling. E/W believed that South had UI from the Alert of 2♦. Even though South believed he showed diamonds with his 2♦ bid, his partner's Alert and explanation indicated that North did not know about South's diamond suit. The attraction of bidding 3♦ was much greater for South once he knew that North had no knowledge of his suit. While E/W conceded that bidding 3♦ was attractive in any case, they thought it became even more so when partner was unaware of the suit. N/S conceded that they had disagreed as to the meaning of 2♦.

The Committee Decision: The Committee believed that the UI changed a 95% bid into a 100% bid, but that bidding 3♦ was sufficiently automatic that it should be allowed in any case. The table result was therefore allowed to stand.

Dissenting Opinion (Henry Bethe, David Berkowitz): We would like to be at the table where it went "Alert, 2♦ shows diamonds, wanting to compete." This was the 2♦ bidder's intent. Would the 3♦ bid be so easy then? N/S stated that with 5=5=1=2 and 0 HCP they would bid Stayman. It seems to us that the additional chance that North has three or more diamonds and doesn't know about South's diamonds makes 3♦ more attractive. We would assign the offending side (N/S) -110 in 3♣ by E/W. We think the most favorable result that was likely for the non-offending side (E/W), based on Law 12C2, was -110 in 3♦.

DIC of Event: Henry Cukoff
Committee: Henry Bethe (chair), Lowell Andrews, David Berkowitz, Bill Passell, Lou Reich

Directors' Ruling: 75.0 **Committee's Decision: 74.2**

✍ Where would you like to play holding the South hand opposite ♠Qxxxx ♥xxxx ♦x ♣Qxx? I'll bet not in 3♦. Might partner have competed to 3♦ (knowing that you hold at least five diamonds from your 2♦ bid) holding a more useful hand such as

♠Qxxx ♥xxxx ♦Jxx ♣Ax? You bet. Does your sixth diamond still make a 3♦ bid attractive? You bet. Then is pass a LA for South? Absolutely. Just look at the vulnerability and weigh the chances of going –200 opposite even a neutral hand such as ♠Qxxx ♥Qxxx ♦xx ♣xxx. I agree with the dissenters that 3♦ should not be allowed, but I disagree that it is likely enough to be allowed for E/W. I would have adjusted the score for both sides to 3♣ made three, +110 for E/W.

Agreeing with me are...

Gerard: “Gee, no one would ever open 1NT with that would they? Clearly the dissent is correct, and I could even live with +110 for E/W.”

Endicott: “I am surprised that the Committee thought the 3♦ bid was 95% on. Has North shown any values at all? With the honors in diamonds slightly redistributed N/S are booked for –200 and for all South knows –500; not good scores in a pairs event. I think South has a LA in pass.”

✍ Favoring the dissenters’ non-reciprocal assignment are...

Rigal: “I have scored the Committee higher than they deserve because of the fine minority report. Bidding 3♦ is indeed very tempting, but if South has shown five-plus diamonds at his first turn then he does have a minimum hand with the death holding in clubs, and it is at least arguable that some would pass here. Again, if only to encourage the others, I approve of the minority decision; the split score is exactly right in estimating the likelihoods of the respective contracts for N/S and E/W.”

Wolff: “I’ll side with the dissent since I so favor that way of adjudicating results; –110 for N/S and –110 for E/W. Nothing gets high-level players to know their system quicker than to get ruled against.”

✍ The remaining panelists support the Director’s ruling and the Committee majority’s decision to allow the table result to stand.

Bramley: “The minority position is too extreme. South has the sixth diamond, a significant extra feature. The possibility of North having a singleton diamond is too remote to worry about. Even then 3♦ could be the winning action. North’s explanation should not prevent South from taking his normal action.

“I have noticed a tendency of some Committees to justify a decision by constructing an extreme and unlikely example hand to demonstrate that the action taken by the ‘offender’ could have been wrong (CASE TWENTY-SIX and CASE TWELVE from Cincinnati are prime examples of this ‘method’). This is perverse thinking. Most bridge actions, no matter how clear-cut they seem, *could* be wrong opposite a specific worst-case hand. The possibility of partner holding one of those misfitting hands should not render the normal action unacceptable. Again the Director had it right. E/W, who appear here too often, should have subsided.”

✍ I don’t think any of the example hands I gave above would be considered “extreme and unlikely.” They vary in both distribution, HCP and the usefulness and placement of their high cards. While 3♦ may be a majority action holding the South hand, it would by no means be the universal choice—especially given South’s minimum in high cards and the vulnerability. Witness the following.

Polisner: “This is not an easy case. In standard bridge South must not pass 2♣ doubled without some willingness to have that be the final contract; with no four-card major South’s hand should contain at least four diamonds. I agree with the majority that most South’s would compete to 3♦ in the absence of an Alert by North, but some would pass at this vulnerability being afraid of –200. I also agree with the minority that the table circumstance made South (at least subconsciously) more inclined to bid 3♦ which could be defended by the possession of the sixth

diamond. I believe that the minority position is reasonable, but too harsh on N/S, and the majority too lenient. Minus 110 for E/W is correct. I believe that if given only the two choices for N/S, I would go with the majority.”

R. Cohen: “I’m with the Committee on this one. The dissenters have a point, but it falls short.”

✍ The next two panelists (not surprisingly from Europe) think the minority’s non-reciprocal score assignment illegal. Let’s listen to their arguments.

Kooijman: “I understand the point the dissenters make, and it has some weight. But a 3♦ bid by North is not very likely anyway. Maybe 95% for this 3♦ bid is too much but I accept the decision, the more so since the dissenters’ idea of assigning the adjusted scores is not in accordance with the laws. If 3♦ is not allowed the assigned score for the opponents can’t be based on 3♦. Yes, I have read Jeff Rubens, but he probably admits that these ideas are still ‘future music’ as we say in Dutch.”

Stevenson: “First of all we have a judgment decision. Was pass a LA for South? Three of the Committee thought not, two thought so. Well, I hope that is so as the write-up does not use the term LA (except for the ruling) and it is not completely clear that the correct methodology was followed.

“Consider the majority. 3♦ was described as a 95% action, so presumably pass would be a 5% action. Is that not a LA? Would a certain number not consider pass, and some of them actually bid it? Perhaps it could be best described as a close decision.

“Next consider the dissenters. They believe that pass was a LA. They give the offenders a result in 3♣ (no problem) but for the non-offenders they assign a result in 3♦. Unfortunately that is illegal. ‘What!’ I hear the Editor saying, jumping out of his chair. ‘What is the mad Englishman talking about?’ Before you just move on to the wise and kindly words of Bobby Wolff, try reading Law 12C2 in your ACBL-approved law book. ‘When the Director awards an assigned adjusted score in place of a result actually obtained after an irregularity, the score is, for a non-offending side, the most favorable result that was likely had the irregularity not occurred, or...’ The irregularity was the bid of 3♦, which we are disallowing, so the adjustment must not include this 3♦ bid because of the words ‘had the irregularity not occurred.’ So even for the non-offenders the adjustment should be to a 3♣ contract if you decide that pass is a LA. This type of decision, illegally including the disallowed action, is sometimes known as a ‘Reveley ruling’ in Europe after an infamous case there.”

✍ First, a 5% action would certainly not be a LA in my book or, indeed, in most peoples’ books. Even by the Laws Commission’s (deplorable) numerical standard (1-in-6, about 17%) it’s not even close.

Next, David’s point that it is illegal to assign a score to the non-offenders that permits the questionable action depends on how one defines “irregularity.” If the 3♦ bid alone is the irregularity, then his position is quite defensible: the 3♦ bid cannot be allowed for the purposes of assigning either side a score in place of the result actually obtained at the table. However, an alternate view that is used by management and has been accepted by the ACBL Laws Commission is that the combination of the act which created the UI *and* the subsequent action that was suggested by it may both, together, constitute the irregularity. Thus, had either of these not occurred then the irregularity may be considered not to have occurred.

Looked at another way, we note that an “irregularity” is defined in the laws as “A deviation from the correct procedures set forth in the Laws.” What was the irregularity in the present situation? Was it South’s 3♦ bid? If you think so, then ask yourself whether it was an irregularity for South to make a call which was the *most* attractive call based on his own hand. If so, then next ask yourself whether it would

still have been an irregularity if that call was judged by a Committee (or a Director) to have no LA. South cannot be expected to judge whether 3♦ or any call has a LA or was demonstrably suggested before he bids it. He must simply take the action he thinks he would have taken without the UI and understand that, while he has done nothing improper, his call may later be disallowed. (Of course under Law 73C he should try to avoid any action suggested by the UI that might benefit his side if it is not clear to him what he would have done without the UI.) Then perhaps it was it an irregularity for North to Alert and explain South's bid? Hardly. How can it be an irregularity for a player to do what he is *required* to do by law?

Then what is the irregularity here? The answer is that it is the *combination* of North's Alert and explanation (actually, South's hearing it) and South's action (if it is later disallowed). If either of these had not occurred then there would have been no irregularity. Eliminate either part and we eliminate the irregularity, so we can properly ask when adjusting E/W's score under Law 12C2: What would South have done had North not Alerted his bid and explained it as showing a club stopper? If bidding 3♦ is judged to be the most favorable result likely *had the irregularity not occurred*, then E/W can be assigned that score, even if passing 3♣ is judged to be the most unfavorable result that was at all probable for N/S.

This difference in interpretation between the ACBL and other organizations (including David's) must be resolved in the near future by the various law bodies, but for now it remains a difference we shall have to live with.

Our final panelist is so firmly behind the ruling and majority decision that he may be considered reactionary.

Treadwell: "The Committee got this absolutely right; the dissenters were out to lunch. So what if the Alert made a 3♦ bid more attractive; no player would ever sell out to 3♣ after opening this slightly off-shape 1NT. Pass simply is not a LA. I would even consider an AWMW to E/W for appealing the Director's ruling but probably would not actually issue one."

☞ "No player would ever sell out to 3♣" says Dave. Well, I guess that means that several of our panelists are not players by Dave's definition.

Isn't it amazing how certain we can be once we've seen all four hands?

Subject (UI): "Go Ahead, Make My Day"

Event: Life Master Pairs, 22 Jul 01, First Final Session

Bd: 11	Sangarapil Mohan		
Dlr: South	♠	QJ109852	
Vul: None	♥	K	
	♦	Q	
	♣	10754	
Mickie Chambers		Mike Halvorsen	
♠ 7		♠ 3	
♥ 86		♥ J109542	
♦ KJ86		♦ A10973	
♣ AJ9832		♣ 6	
		Claude Vogel	
		♠ AK64	
		♥ AQ73	
		♦ 542	
		♣ KQ	
West	North	East	South
			1♣(1)
2♣	Pass	4♥	Dbl
5♣	Dbl	5♦	Dbl
All Pass			
(1) Alerted; may be short			

The Facts: 5♦ doubled went down one, +100 for N/S. The opening lead was the ♦2 and the Director was called when dummy was faced. North had asked the meaning of 2♣ and was told it was Michaels (showing the majors). Both E/W CCs were marked Michaels over natural bids. E/W had not discussed their agreement after a short club. The Director changed the contract to 4♠ by N/S made four, +420. The ruling was changed in screening to 4♥ doubled down one, +100 for N/S and an additional ¼-board PP was assessed against E/W for West's action in bidding over 4♥ doubled.

The Appeal: N/S appealed the Director's ruling. North and East both appeared at screening but due to a misunderstanding North was the only player to attend the hearing. The Screening Director told the Committee it was his opinion that most pairs playing against a 1♣ opening which could be two cards would still use

Michaels, with or without discussion. Thus, he believed there was no MI but rather a mistaken bid (not an infraction) followed by UI from East's explanation. West was not entitled to know that her partner was playing her for both majors. 5♣ was judged to be a flagrant use of the UI and prompted his issuance of the PP. Had the illegal 5♣ bid not occurred it was his judgment that it was not even at all probable that North would have removed his partner's double of 4♥, given that he was told that West held five spades. North explained that no number of spades he could bid at his first turn (2♠ would have been a cue-bid, 3♠ would have been a splinter, and he didn't wish to risk confusing partner with a 4♠ bid) would have been natural, so he planned to bid spades at his second turn.

The Committee Decision: The Committee determined that West had UI and chose an illegal call (5♣) when a LA (pass) was available. They also found North's statements compelling and borne out by his hand. Any player in the finals of the Life Master Pairs might realize that his opponents were having a misunderstanding. Even if West had five spades, 4♠ would still be bid more often than not. South may have had a singleton spade honor, but even if South was void declarer needed only five side tricks to go with his five trump tricks and South had announced a strong hand by doubling 4♥. The Committee then applied Law 12C2. The likely results absent the 5♣ bid were 4♠ made four (club lead and club return) and 4♣ made five (club lead and diamond switch—it would not have been obvious that the lead was a singleton.) The most favorable of these for N/S was the latter, so N/S was assigned +450. (This would have been the Committee's decision even had they decided that 4♥ doubled was also one of the likely results.) While not likely, the

Committee judged the lead of the ♡J against 4♠ to be “at all probable” and assigned E/W the score of –480. E/W might well have found a more successful defense against 4♠, but in order to have that chance they had to avoid the illegal 5♣ call. The Committee also supported the PP assigned by the Screening Director.

DIC of Event: Henry Cukoff

Committee: Michael Huston (chair), Nell Cahn, Barbara Nudelman, Richard Popper, Adam Wildavsky (scribe)

Directors’ Ruling: 64.6

Committee’s Decision: 95.4

✍ All of the Directors involved in this ruling seem to have contributed something positive to it, although at times they seem to have been working at cross purposes. The original table ruling was correct (as the Committee noted, N/S would likely have worked out that E/W were having a misunderstanding and gotten to 4♠) and the PP issued by the Screening Director was also appropriate. I wish more Directors were up to assessing such PPs at the table for flagrant use of UI. The Committee was on the ball to discover the positive aspects of each contribution and turn the composite into the final decision. Good work.

R. Cohen: “The Screening Director made a lazy ruling although the PP was correct. The Committee correctly applied Law 12C2.”

Polisner: “Well done by the Committee. N/S must be protected in this case even if the Committee believed that the 2♣ bid was a misbid versus a misexplanation. Had West ethically passed 4♥ doubled and North then bid 4♠ and East bid 5♦, it would have been a whole different problem.”

Treadwell: “Of course West may not pull the double of 4♥ with the UI available to her. The Committee’s decision was clear. They did an excellent job determining an appropriate score for each side and upholding the PP assigned by the Director.”

Wolff: “Good decision; perhaps in too much detail, but certainly on the right track.”

Kooijman: “Tough decision.”

Stevenson: “Notice that by bidding 5♣, which anyone who is not a novice should know is illegal, E/W have lost their chance to produce good defense against 4♠.”

✍ Regarding the defense of 4♠, one panelist thinks E/W were entitled to more.

Rigal: “Another ruling changed in screening. I can’t say I like that idea: it is not going to stop any appeals—quite the reverse—and succeeds only in making the Directors appear to be saving face. Having said that, I especially do not understand the harsh ruling against the non-offenders, though the PP is well deserved here. The Committee made a fine job of adjusting back to 4♠ (or might East push on to 5♥ and get doubled for down 500 on repeated spade leads? I guess not). I think –480 is too harsh to E/W but 450 for both sides seems entirely reasonable.”

✍ Our final panelist seems to believe that Directors may only accept documentary evidence (e.g., system notes, notations on the CC, etc.) when ruling on misbid versus misexplanation issues.

Endicott: “The Screening Director’s opinion is not a resolution of the doubt about misbid/misexplanation. In such a matter his opinion is irrelevant. In the absence of evidence to the contrary, the Director should rule mistaken explanation. With a correct explanation I would expect 4♠ to be bid most of the time; E/W might or might not bid 5♦ over this. The Committee’s decision is sustainable in my opinion,

although the process by which they arrived there is, as described, unnecessarily tortuous.”

✍ So Grattan would have ruled misexplanation by using West’s intended meaning for her 2♣ bid as evidence that East’s description was misleading. Of course this would have led, by a more direct route, to the same decision as the Committee’s. N/S would easily reach 4♠ if they were not told that West had the majors, and West could not use the UI from East’s misexplanation to bid again. East might reasonably show his red suits early on in the auction and West might save over 4♠. But N/S might equally have bid on to 5♠. So the decision is sustainable.

Some might consider Grattan’s approach to be the only proper one in this case, but I disagree with one aspect of his argument. There is nothing in the laws which forbids the Director from using his bridge knowledge or judgment in deciding between misbid and misexplanation. The footnote to Law 75, which deals with this issue, says “...the Director is to presume Mistaken Explanation, rather than Mistaken Bid, in the absence of *evidence to the contrary*” (italics added). However, it does not specify what constitutes “evidence” in this context. While various types of documentation (e.g., system notes, CC markings, etc.) are clearly acceptable, nothing in the laws precludes the Director from using other types of evidence such as bridge logic, bidding judgment, system knowledge or what is common practice (for the class of player involved), provided that in his judgment such arguments are compelling and beyond reasonable doubt.

An example might help to illustrate this point. Suppose our West here had bid 1♠ over 1♣. North asks about the bid’s meaning and East explains it as “natural.” We then learn that E/W play one-level transfer overcalls (spades to clubs) *after strong, artificial 1♣ openings* such as Precision. Should we presume, as Grattan would have it, that East’s explanation of “natural” is mistaken simply because West intended 1♠ as a transfer and there’s no hard evidence to the contrary? Wouldn’t it matter that playing transfer overcalls of natural, non-forcing (but “could be short”) 1♣ openings is a practice that no one else uses and that none of us has ever heard of before? Wouldn’t it matter that East was certain that 1♠ was natural, didn’t Alert it, and that nothing about transfer overcalls is listed on E/W’s CCs? I think it would defy logic to accept that 1♠ was anything other than a mistaken bid (West probably thought the 1♣ bid was strong) and to rule otherwise would, I believe, be a mistake. Both of the Directors’ rulings in the present case embody this principle (although the other panelists and I agree with the original table ruling and disagree with the Screening Director that North would have sat for 4♥ doubled).

CASE THIRTY-EIGHT

Subject (UI): Six-Five, Come Alive

Event: Red Ribbon Pairs, 24 Jul 01, Second Qualifying Session

Bd: 18	♠ Q74		
Dir: East	♥ A8		
Vul: N/S	♦ QJ3		
	♣ J10876		
♠ 653	♠ 82		
♥ K975	♥ 6		
♦ 972	♦ AK854		
♣ 943	♣ AKQ52		
	♠ AKJ109		
	♥ QJ10432		
	♦ 106		
	♣ ---		
West	North	East	South
		1♦	2♦(1)
Pass	3♣	Pass	3♥
Pass	3NT	Dbl	4♥
Dbl	4♠	Dbl	All Pass
(1) Alerted; explained as 4+♥, 5+♣			

The Facts: 4♠ doubled made five, +990 for N/S. The opening lead was the ♦K. South called the Director before the opening lead and told him that he had misbid when he bid 2♦. There was nothing marked on N/S's CC. South did remember a specific conversation that cue-bids were expressly not Michaels. The Director ruled that South should have passed 3NT because he should have assumed that North knew what the cue-bid promised. The contract was changed to 3NT doubled down one, +200 for E/W (Laws 16A, 12C2).

The Appeal: N/S appealed the Director's ruling. N/S said that 2♦ showing four-plus hearts and five-plus clubs was definitely their agreement. (They were instructed to mark their cards properly.) South said he would never pass 3NT with six-five distribution. He was unsure if the 3♥ bid showed his sixth heart.

E/W believed that pass was a LA for South after 3NT was doubled.

The Panel Decision: Four expert players were consulted without being told about the UI. The first said that pulling to 4♥ was automatic because he had no tricks in 3NT. The other three said that passing was correct. In fact, two were quite emphatic saying that pass was the only logical call ("I've shown my hand, I'm done"). The Panel decided that UI was present which demonstrably suggested the 4♥ bid, which in turn violated Law 16A1. Based on expert input the Panel decided that pass was a LA for South. The contract was changed to 3NT doubled down one, +200 for E/W (Law 12C2).

DIC of Event: Millard Nachtwey

Panel: Susan Patricelli (Reviewer), Roger Putnam, Gary Zeiger (scribe)

Players consulted: Jeff Goldsmith, Kent Mignocchi, Larry Mori, Bill Passell

Directors' Ruling: 91.2

Panel's Decision: 89.6

☞ From South's perspective, if 2♦ showed the majors, North's non-forcing 3♣ bid did not suggest a source of tricks for 3NT (or he would have bid it directly over 2♦). His extra heart length and club void make it right to allow South's 3♥ bid over 3♣, but North's 3NT bid made it clear that he considered the majors unplayable; he was scrambling to find the best spot. Having already shown his preference, and with five potential spade tricks with the help of a finesse or if North holds the ♠Q, there was no reason for South to look any further. So the Panel got the score adjustment right but neglected the following two considerations.

R. Cohen: "Everyone correct here but South. Did the Panel at least consider a PP

against South for his bid over 3NT based on the UI?"

Polisner: "Correct result. Where was the AWMW?"

☞ Ralph and Jeff are both correct. This appeal had no merit (in spite of the one aberrant expert comment) and a player in the Red Ribbon Pairs should have known it. In addition, South's 4♥ bid was egregious in the presence of the UI; a PP would have made this point more emphatically.

More support for this view...

Endicott: "South has made blatant use of UI; nor do I see anything in the auction from which North is entitled to conclude South does not have clubs. This N/S pair has earned the right to have the roof fall in on them. To appeal the Director's ruling invites a stronger response than they received from this Panel."

Kooijman: "If North holds ♠xx ♥x ♦KJx ♣AQxxxx, which is consistent with his bidding, then 3NT doesn't have a chance but neither does 4♥, which is probably more off. Good decision."

☞ One panelist pauses to consider the credibility of East's double of 4♠.

Rigal: "Correct Director ruling, and the appropriate procedure was followed by the Panel to produce what seems like an equitable result. The players who felt that they had said their piece should be respected—and I agree with them. Nobody looked at the double of 4♠. I do not think it broke the chain; E/W were sucked into a rhythm by what had gone before, and in any event once the removal from 3NT had been made, they could no longer get their best result on the deal."

Stevenson: "There are some occasions when actions are bad enough that PPs should be issued. In an earlier casebook the Editor has suggested, because of my comments, that it is normal to issue lots of PPs in Europe. However, he is completely wrong in this and has misunderstood the tenor of my remarks. Based on what we read in the casebooks, we give fewer PPs than in the ACBL, not more.

"Despite this, there are some occasions where I believe a PP is justified. The Editor says he prefers to educate. Of course I wish to educate, too. But where a pair does something really wrong, the best education is to give them a PP. The Editor's method does not work if the offence is of a type where there is no real excuse. This hand is a typical example. With Michaels so prevalent in the ACBL, there is no excuse for a pair, which plays a cue-bid to mean something else, not putting it on their CC, and if they are not given the sharp reminder of a PP then they will continue to transgress."

☞ What I said was that education is preferred when inexperienced players are involved; one might choose to educate a Flight C pair about their obligations rather than issue a PP. I did not say that this was a blanket ACBL policy or that I myself favored it in all (or even in most) cases. I believe it is up to the Director, Panel or Committee to decide what corrective action is appropriate on a case-by-case basis. And a PP here would not be for N/S's deficient CC (the Director at the table should have required N/S to correct this) but rather for South's egregious 4♥ bid.

Wolff: "Some CD causes the whole hand to be obscure, and this is one of them. Why not give N/S their deserved poor score and E/W an Average Plus or their percentage score (whichever is greater) and go from there?"

☞ Because that's not what the laws tell us to do. Non-offenders receive the most favorable result that was likely, given the circumstances of the auction, and if that's better (or worse) than Average Plus then they are entitled to it under the laws.

CASE THIRTY-NINE

Subject (UI): An Ill-Advised Question

Event: Red Ribbon Pairs, 25 Jul 01, Second Final Session

Bd: 26	♠ J108642		
Dlr: East	♥ 962		
Vul: Both	♦ A3		
	♣ 53		
♠ 7		♠ AK5	
♥ KQJ75		♥ 83	
♦ Q72		♦ K9	
♣ K1098		♣ AQJ762	
	♠ Q93		
	♥ A104		
	♦ J108654		
	♣ 4		
West	North	East	South
1♥	Pass	1♣	1♦
3♦	Pass	3NT	Pass
4NT	Pass	5♠	Pass
6♣	All Pass		

The Facts: 6♣ went down one +100 for N/S. The opening lead was the ♥A. The Director was called after East claimed, at trick three. South asked about the 5♠ bid and was told that it showed two keycards plus the ♣Q. After South selected the opening lead, North questioned the 3♦ bid and asked if it was artificial. When South's ♥A lead held (North playing the ♥2), he shifted to a diamond. N/S had the agreement that they showed suit preference if dummy had a singleton. The Director determined that since East had two aces and none were in the dummy, South had to shift at trick two because his partner had an ace. Since the question about diamonds by North indicated interest in diamonds, South was not allowed to lead one. The Director changed the contract to 6♣ made six, +1370 for E/W.

The Appeal: N/S appealed the Director's ruling. North said she asked what the diamond bid meant and said she was told it showed a very good hand. She then asked if it said anything about diamonds and East said no. N/S didn't recall East mentioning that it asked for a stopper but they did confirm that two questions had been asked. North said she asked in order to decide what to do upon the (expected) winning of trick one with the ♦A. Upon seeing dummy, South said he realized that E/W were off another ace. N/S said they played strict count unless it was obvious that a switch was in order, in which case suit preference took over. North intended her ♥2 as suit preference. N/S did not play attitude. South said he didn't notice his partner's card at trick one since he was focused on the thought that E/W were missing a second ace. East thought he answered the question about 3♦ by saying that it showed a good hand with support, was forcing, and asked him to bid 3NT with a stopper. East conceded that he may not have said the part about the stopper (he couldn't remember for sure) but he did recall that two separate questions were asked.

The Panel Decision: This case illustrates an inherent conflict in the laws. While Law 20 specifically allows a player to obtain information about the opposing bidding, and while this North correctly waited until her partner had led face down to inquire about a cue-bid that ACBL regulations imply is self-alerting (and therefore will often elicit a question), the laws also recognize that such legal questions may pass UI to partner. Law 16A notes that a question may be an action that suggests a call or play and, if so, partner "may not choose from among LA actions one that could demonstrably have been suggested over another" by the information gained from the question. So while the Panel believed that North's questions were entirely innocent, an adjustment would be in order if those questions served to highlight North's interest in the diamond suit and if another suit was a logical play for South at trick two. Four players were consulted. All agreed that,

since partner's carding did not indicate a suit-preference shift (as South did not notice it), a spade shift was easily an alternative play for South and North's questions suggested a diamond play instead. The Panel changed the contract to 6♣ made six, +1370 for N/S (Law 12C2).

DIC of Event: Millard Nachtwey

Panel: Matt Smith (Reviewer), John Ashton, Richard Strauss

Players consulted: Paul Erb, Ken Monzingo, one player with 700 and another with 1500 masterpoints

Directors' Ruling: 90.0

Panel's Decision: 86.7

☞ "Out of the mouth of babes..." South signed his own death warrant when he said he didn't notice his partner's card at trick one. Absent such an admission (or in an expert game), North's ♥2 would have clearly been a suit-preference signal for diamonds and the shift would almost certainly have been allowed. It would have been interesting to see what the Panel would have done without South's statement. I myself probably would have allowed the shift: The cards speak.

Many of the panelists were conflicted over this decision.

Bramley: "North's question may have been innocently intended, but such a question would have been unlikely from a player with small diamonds only. South clearly picked up the meaning, because otherwise he would have focused on the suit-preference aspect of partner's play to trick one. A split decision was possible, because in the absence of questioning South would go right at trick two more often than not. Would South go right by a large enough margin to justify a split ruling? I make it a close call, one the Panel should have considered. Note that the consultants were not asked what to play to trick two with full knowledge of what happened on trick one, i.e., if no infraction had occurred."

☞ I don't see how a split decision was possible, or would have helped. If Bart wants non-reciprocal scores assigned to the two sides, he would have to judge that a diamond shift was at all probable but not likely. The only rationale I can see for such a judgment is that North might have doubled 3♦ holding the ace (as well she might). In my opinion, the odds do not swing dramatically enough on that point to justify such a decision, especially since I think many Red Ribbon players would fail to double 3♦ with the North cards.

If Bart is looking for a 12C3-type ruling where score assignments are made by weighting the two results by their relative likelihoods (e.g., N/S get 50% of -1370 and 50% of +100), then that's clearly not possible because it's illegal in the ACBL. However, if 12C3 were legal (and I favor this, as I've said before), I would support its use only for non-offenders.

Speaking of 12C3 score assignments...

Polisner: "The decision is harsh, in that I think that South could have gotten it right more than 50% of the time using the card played by North as suit preference, but is correct under the current state of the laws. I would have liked the Panel to have been able to use 12C3 when they could have assigned say a 50-50 analysis of +1370 and -100 to achieve a score. Without that, the North player sunk her ship with the stupid questions at the wrong time. Perhaps N/S -1370 and E/W -100 is a better result for this case."

☞ As I said earlier, a non-reciprocal assignment is only justified if you believe that a diamond shift by South at trick two was unlikely but at all probable. But Jeff's own words suggest that he thinks the two possibilities are close to 50-50, and thus don't meet that requirement. Besides, South said he did not even notice North's play at trick one, which swings the odds (absent the UI) back even further toward 50-50.

What about North's question?

R. Cohen: “Had North asked for a ‘full explanation of the opponents auction,’ and not focused on one specific bid, she might not have come under the umbrella of Law 16. The Director, consultants and Panel were all correct.”

✍ The advice I have for anyone who needs to ask a question is: if possible, ask a general question (“Can I have a review with explanations?”) rather than a specific one (“What did the 3♦ bid mean?). It is more likely to avoid a problem.

Stevenson: “It is claimed by some authorities that the laws do not permit questions about individual calls, but only about the auction as a whole. In my view these authorities are wrong, since the laws refer to questions about individual calls, and also such a law would be totally impractical. Consider a ten-round auction, where your only interest is what responses they play to Blackwood and you have to listen to interminable explanations about what hands 3♣ shows. However, this hand is that very rare bird, a hand where this interpretation would have helped. North did nothing wrong, but lost the board once she asked about the 3♦ bid. Very sad.”

✍ No, there is nothing *illegal* in asking about specific calls, but the *way* one asks or *what one asks about* may create different levels of jeopardy with regard to UI. I know of no authority that believes that asking about specific calls is illegal. I wonder who these “alleged” authorities are to whom David refers.

Kooijman: “Tough decision. The laws create problems here. North is entitled to these questions, as the Panel stated. In my opinion the question to be answered is whether North put too much emphasis on the matter when questioning. Just the question itself can’t be deemed to create UI in the same way as hesitations, etc. In principle this question is neutral, so I don’t agree with the statement that it shows interest in diamonds other than dummy’s—unless there is too much emphasis, as I said. And that might be the case here. It should be enough to ask the meaning. The second question ‘Is it artificial?’ could be deemed lead directing if the first answer was clear. But even when South had UI, does he have a LA to leading a diamond at trick two? Who dares to say ‘yes’? Well, the four players consulted did (they will not win many tournaments then) but I don’t. With this holding and this auction I will lead a diamond, unless partner has indicated a spade lead.

“Conclusion: I do not agree with the decisions as made. And I will remember this case when discussing the laws. Any problem with a law saying that the player behind the dummy is not allowed to ask questions about dummy’s hand before dummy is on the table? Or even further, the player may not ask before he has to play his first card himself.”

✍ The law change Ton suggests would not solve this problem. The implications for South’s lead at trick two are present whether North asks her question before or after dummy appears. And dummy’s holding in the “key” suit does not matter since North’s possession of the ♦A is sufficient to initiate the question and convey UI.

As for whether South has a LA to a diamond shift at trick two, how can partner indicate a spade lead (or a diamond, for that matter) if you don’t see his card at trick one? (Oh, you just listen to his question.) Why can’t East hold ♠KQx ♥x ♦Ax ♣AQJxxxx? On a diamond shift, away goes your spade trick.

Right, Barry?

Rigal: “I do not know what to do here. North seems to be punished for doing something within the laws, but at the same time the logic of both sides of the case are clearly evident. I am only glad I was not on this Panel. I think you would have had to be there to determine precisely what was said, and to work out if North breached protocol. Perhaps South is to blame for his pathetic opening lead.

“As a side issue, switch one of North’s clubs for one of East’s hearts and you will see what a hard defense N/S have on a diamond lead.”

✍ The issue here is not whether North’s questions were legal. They were. There are plenty of things a player can do that are legal (ask to see the last trick, ask about a specific call, describe his partnership agreements when the opponents ask, etc.) but all of them are subject to possible UI to partner or MI to the opponents. For example, partner has UI if his hand does not match your explanation of his bid (as we just saw in CASE THIRTY-EIGHT). Was your explanation legal? Of course. Nonetheless, it conveyed UI to partner. North’s questions were surely legal, but South is still not allowed to draw any inferences from her having asked them. (On the contrary, he *is* allowed to hear the opponents’ answers to those questions and to use the information they contain.)

Wolff: “What possible legal reason can North have to ask her question after dummy went down? This, to me, is blatant and merely giving the opponents +1370 is not enough penalty for North.”

Endicott: “I do not know about Red Ribbons, but in decent company the North play to the first trick, with that auction and with that dummy in view, will be suit preference. South has no excuse for failure to note what North plays. However, as to North’s question about the diamond bid, whatever is she thinking of? Why does she need to ask? Can she not wait to see dummy with her own eyes? I am not so charitable about North’s innocence as was the Panel (has she not played the game before?) and it would be injustice to let the table result stand.”

✍ The Red Ribbon Pairs is an event for players with up to 2000 masterpoints who placed highly in selected past events that were limited to players with up to 1500 masterpoints. It is intended as a “premier” event for Flight B players or lower. These players may not know about suit-preference signals (although most do) and some of them may even have trouble remembering to watch what card partner plays. I’m (just) willing to believe that North’s question was asked innocently, although it was nonetheless an accurate indicator of her diamond holding (as Bart pointed out earlier). As a group, players at this level frequently ask questions they don’t “need” to ask. That is not to say that *this* player was innocent—only that the Directors need to use discretion.

CASE FORTY

Subject (UI): Multiplex Multi Mess

Event: NABC IMP Pairs, 26 Jul 01, First Qualifying Session

Bd: 11	Richard Popper		
Dlr: South	♠ A87		
Vul: None	♥ 8		
	♦ Q108762		
	♣ Q109		
George Bessinger	Laura Kenney		
♠ J92	♠ Q		
♥ AKQ952	♥ 107643		
♦ K	♦ AJ953		
♣ 876	♣ AJ		
	Earl Glickstein		
	♠ K106543		
	♥ J		
	♦ 4		
	♣ K5432		
West	North	East	South
2♥	Pass	Pass	2♦(1)
Pass	Pass	3♦	All Pass
(1) Alerted and Pre-Alerted; Multi			

The Facts: 3♦ went down one, +50 for N/S. The opening lead was a club. The Director was called after West's 2♥ bid. West bid 2♥ without consulting the Yellow Defense Booklet. East and West were each taken from the table individually and told to follow the defense they had selected from the booklet. East agreed to follow the defense and then passed. The Director allowed the table result to stand.

The Appeal: Both sides appealed the Director's ruling. West did not attend the hearing. N/S had informed E/W that they were playing Multi 2♦, presented them with Yellow Defense Booklets, and told them that they should select the simple or complex defense. East indicated to West that they should play the simple defense but West did not understand this although he apparently concurred. South then opened

2♦. While he was waiting for North to Alert so that he could give E/W the booklets, West—despite the use of the Stop Card—bid 2♥ after only 2 seconds. Since this would have been conventional per the simple defense, South called the Director and attempted to explain that the 2♥ bid should be interpreted as conventional, not natural. The Director did not fully explain the problem to E/W and despite South's attempt to get him to clarify it for them, did not do so. Eventually, after several conversations, North passed and East (now totally confused) was told to assume that the 2♥ bid showed a takeout double of 2♥. She then passed. When South reopened with 2♣ both East and West believed that West was barred for the rest of the auction—hence West's pass over both 2♣ and 3♦. Apparently neither East nor West believed the Director had told them this—they just incorrectly inferred it from the Director's comments. N/S believed that E/W should be forced to play a higher diamond contract while E/W believed the Director's error plus N/S's intimidation had been responsible for their losing their composure. The Screening Director was open to the possibility the Director error had occurred when the Director advised the players of their rights and responsibilities.

The Committee Decision: The Committee believed that West's failure to pause, but especially his bidding without consulting the Yellow Booklet after having agreed to use the simple defense, was extraneous information that was UI to East. The Committee quickly established that East's pass of 2♥ was not in breach of Law 16 since passing 2♥ was not demonstrably suggested by the UI. For the same reason they decided that Law 73 had not been breached. All actions after South's 2♣ bid were based on AI and thus no further possible infractions were considered. The Committee discussed the timing and manner of the Director call by South and

determined that both were entirely appropriate. The question of Director error was discussed next. It was determined that the Director had not mis-advised E/W. Their confusion was self-inflicted, although the Committee believed that the Director had failed in his responsibilities to fully advise E/W of what they should do. In light of N/S's persistent request to have the Director explain the position properly to East, the Committee was troubled by the Director's failure to do so but believed that this did not quite amount to Director error under Law 82. The Committee allowed the table result to stand. Since this result was so unfavorable to E/W, the Committee discussed but did not impose a PP against West for his failure to consult the Yellow Book. West was far more experienced than East (who had 900 masterpoints and had apparently never played against Multi before) and should have known to follow proper procedure. His action was apparently accidental here. The Committee did inform East of the inappropriateness of West's behavior.

Minority Opinion (Jeff Goldsmith, Jon Wittes): While we agree with the Committee's final decision not to adjust the score, we disagree with their rationale for that decision. If East had seen West read the defense and judge to bid 2♥, we believe that some stronger action would have been selected. Three possibilities seem reasonable: 3♥, 3NT and 4♦. 3♥ would have been raised to 4♥, which would not be passed. It seems unlikely that E/W would end up in a diamond contract as West would always correct to hearts; but E/W were likely to get high enough to be doubled. Since 3♦ was at least as bad a contract as 6♥ doubled (as far as the imp result was concerned), no damage appeared to have accrued to N/S. But East's pass of 2♥ could be construed as an attempt to avoid a disaster. The action itself (no intent implied) appeared not to have been an attempt to avoid taking advantage of UI, hence it was a violation of Law 73.

DIC of Event: Henry Cukoff

Committee: Michael Huston (chair), Karen Allison, Jeff Goldsmith, Barry Rigal (scribe), Jon Wittes

Directors' Ruling: 69.6

Committee's Decision: 79.2

🐍 What a bag of worms. Let's listen to what some of the panelist have to say before we attempt to tackle the issues.

Bramley: "The misnomer 'simple' defense is partly to blame here. One might well assume, before reading the Yellow Book, that any 'simple' defense would start with natural-sounding bids being natural. Consulting the book would be needed only for exotic details. Wrong! Note that the less-experienced East had selected the 'simple' defense, presumably without detailed knowledge of either defense.

"I am bothered by N/S's apparent attempt to badger E/W into the accident they ended up having. It should have been obvious to everyone that West really had hearts, so that South's insistence on East's using the book defense *after* the 2♥ bid pretty much guaranteed either a disaster or a Committee for E/W. They got both. An alternative interpretation of E/W's actions is that East asked to 'keep it simple' and West obliged. Then N/S's demand that E/W use one of the prescribed defenses led to all the trouble. (To be fair to N/S, failure to offer the book defenses can lead to equally severe problems.) At this table normal bridge became impossible after the Director call.

"E/W were liable, too, and I suppose justice was served when they reached a silly contract. But is this the way the game was meant to be played?"

Treadwell: "A rather kooky case, in view of the E/W confusion over Multi-2♦ and the use of the defense books. It was certainly correct to allow the table result to stand for both sides. I am astounded that N/S appealed the table ruling, particularly when they already had an excellent score of +50 vis-a-vis the normal -450. Nothing is said in the write-up about any decision with regard to the N/S appeal."

R. Cohen: “The Director and Committee were both on the ball. How favorable a result were N/S seeking in their appeal? An AWMW should have been considered for them.”

Gerard: “The Dissent is wrong. East’s pass of 2♥ was guaranteed not to match West’s hand, so it could hardly be an attempt to take advantage of UI. Also, who doubles 6♥? Maybe we could just flog the Directing staff. It would prevent some of the ensuing monstrosities from taking place.”

Endicott: “My inclination is to shoot the Director. He should have been more thorough; with all that confusion about he had a duty to make sure the position was properly understood. E/W are not blameless, but they are under pressure and deserve a more understanding official.”

Rigal: “Another absurd case. East, an inexperienced player, ceased thinking at some point into the call of the Director, and thus no similarity between her actions and bridge was immediately ascertainable. But as far as I could tell, the whole case appeared perilously close to Director error and I was definitely of that opinion at the time, though in a minority. Once it was established that this was not the case, any further adjustment against E/W would have been unduly harsh given the players involved. N/S’s behavior seemed unremarkable despite the allegations made in Committee, and South did a good job of trying to persuade the Director to do the right thing.”

Stevenson: “Having now played in a NABC, one of the things I have realized is the total disregard so many people have for the Skip Bid regulations. Elsewhere players follow the regulations: in the ACBL only one player in four uses the Stop Card and only about one in three pauses for 10 seconds. While this is disgraceful, it is important that the Directors and Committees make sure that failure to bother with the regulations gets dealt with severely.

“In this case, West’s contempt for the Skip Bid procedure, especially over a pre-Alerted Multi, was the prime cause of all that followed, and there is no doubt that a PP and an AWMW should have followed. Admittedly, the problem appears to have been exacerbated by the table Director’s handling of the situation. Nevertheless, little he did could have made up for West’s efforts and West was lucky not to get what he deserved. Perhaps we should produce a new defense against the Multi: if you read the booklet and bid 2♥ it means whatever it says in the booklet; if you just bid 2♥ without reading it is natural. Now I wonder whether a quarter-board penalty for West would have been enough (to educate him, Rich, okay)?”

☞ It’s okay with me. I’m all for education, and in flagrant cases like this a PP is the best that money can buy.

Wolff: “E/W were intimidated and panicked. However, N/S, an experienced partnership, should know and act better. Is one of the reasons they are playing Multi so that opponents will panic? If so, I think they should rethink. Instead of wanting West’s 2♥ bid to be interpreted as a takeout of a weak two-hearts why wouldn’t South allow West’s bid to be cancelled, allow time for E/W to gather themselves, and only then allow them to play either book defense. How can we expect players to respect the game and its ethics if we permit bullying that has nothing to do with bridge? Shame on N/S. By the way, the Committee appeared to feel the opposite about this matter and if so, we need to have an open forum about what game we are attempting to play.”

Kooijman: “This didn’t happen. How could the Committee decide that East had a normal pass when 2♥ is meant as a take out of 2♥? (I understand this to mean that South is supposed to have shown hearts.) They might have a slam in diamonds. I

am not going to spend more energy on such nonsense.”

☞ The Committee *didn’t* decide that East had a normal pass of 2♥. What they said was “East’s pass of 2♥ was not in breach of Law 16 since passing 2♥ was not demonstrably suggested by the UI.” In fact, East had a limit raise (or better) of a *natural* 2♥ overcall, the type of hand the UI from West’s actions suggested. Her pass was actually contraindicated from the UI. Thus, her pass was allowed to stand.

Polisner: “Another can of worms initially created by the use of Multi, which is a convention which the ACBL should bar. It has very little bridge advantage and a major negative impact on the opponents. West’s action in not hesitating is very poor. He is not required to read the Yellow Book as he may already know the simple defense. East is required to assume that this is the case and bid accordingly. Neither East nor West can be very proud of their actions. I think the best decision in this case is to assign an Average to both sides with perhaps a penalty to E/W for their actions.”

☞ Okay, I can’t stand it any longer.

Multi is a wildly popular convention which has been popular the world over for many years now, and is rapidly becoming ubiquitous in the ACBL. If we are to play bridge in today’s world, we must stop decrying the evils of conventions (a complaint which began in the thirties and continues to this day) and learn to cope with them. I’m not a Multi user myself (I’ve never even played it) so I’m not here to tout its worth. But even I can see both advantages and disadvantages, strengths and weaknesses, to it. To claim that it has “very little bridge advantage and a major negative impact on the opponents” is both absurd and unfair. If one wanted to look for a bridge advantage, just free up your major-suit two bids for other uses. The cost? Give up playing Roman, Flannery, Mexican and weak 2♦ openings. And if using a method that is difficult for the opponents to contend with (and not just due to its novelty) isn’t of value, then I’m losing my grip.

West’s actions were not just very poor, they were worse. A player who would need to look at the Yellow Book in some situations must look at it in all situations, even when he’s not considering taking any action. Not doing so is a violation of the same principle that underlies Laws 74C1 (using different designations for the same call) and 73D1 (players should maintain steady tempo and unvarying manner). Even if I knew the Yellow Book by heart—and I’ll bet West didn’t—I wouldn’t dream of doing what he did here. And yes, East is still required to assume that West looked at the Yellow Book and bid accordingly.

As for Jeff’s suggestion of assigning an Average to both sides, I like it (this is difficult for me). N/S’s tactics created an atmosphere that virtually guaranteed a problem and precluded E/W’s functioning normally. E/W’s conduct was not only substandard, it was also hampered by the Director’s insensitivity to their problems and refusal to deal with the situation, even after repeated pleas from the opponents. Why assign Averages rather than the table result when East’s pass of 2♥ wasn’t suggested by West’s actions? Well, in a strange way it was. West created a situation where East, a relatively inexperienced player, was at a loss for the right thing to do. (And yes, he had a lot of help in this from N/S.) I believe this was done out of animosity toward N/S for their tactics. (“They want me to look at their Yellow Book? Well, I’ll show them. 2♥!”) In a situation where both sides are partially at fault for an irregularity, and where it’s impossible to determine what might have happened otherwise, the Director should award an adjusted score. And here Laws 12A and 12C1 appear the most applicable.

If I could not convince others to follow this course (obviously Jeff would), I’d go with allowing the table result to stand and assessing a PP against E/W for West’s passive-aggressive, Yellow Book-eschewing, Skip Bid-ignoring, 2-second 2♥ bid.

CASE FORTY-ONE

Subject (UI): An Appropriate Standard

Event: NABC IMP Pairs, 27 Jul 01, First Final Session

Bd: 18	Phil Becker		
Dlr: East	♠ A5		
Vul: N/S	♥ Q987		
	♦ QJ		
	♣ AK932		
Roy Hughes			Jim Green
♠ 10876			♠ KQJ
♥ 62			♥ KJ4
♦ K10754			♦ 9832
♣ QJ			♣ 1076
	Martin Baff		
	♠ 9432		
	♥ A1053		
	♦ A6		
	♣ 854		
West	North	East	South
1♦	1NT	Pass	2♣
Pass	2♥	Pass	3♥
Pass	4♥	All Pass	

The Facts: 4♥ went down two, +200 for E/W. N/S called the Director after the next round, when they worked out the E/W hands. He ruled that East's failure to act indicated a concealed understanding and changed the contract to 2♥ made three, +140 for N/S (Law 40: failure to disclose a private understanding).

The Appeal: E/W appealed the Director's ruling. North did not attend the hearing. East argued that the decision whether to double 1NT was very close. Despite his 10 HCP, he had no shape, no aces, and all of his honor strength was in short suits. His partner had opened in third seat at favorable vulnerability, a position in which even a real (non-psyhic) opening could be very light. E/W pointed out that they had checked the box on the CC for "very light third-seat openings." Once East passed 1NT, he judged that the opponents' strong bidding meant that game would be close, and he was wary of tipping off the trump position by

doubling the final contract. West admitted that he intended his opening as a psychic. E/W had recently resumed a semi-regular partnership after a 20-year hiatus. They claimed that this was the first such action during a week of playing. South argued that a double of 1NT was routine and that East's failure to act, combined with West's psychic opening, indicated an implicit understanding. The play had gone: ♠K, ducked; ♠Q to the ace; a heart to the ace and a heart back; a third heart by East; then the ♠J, ruffed. Now declarer, who could not set up clubs without putting West on lead to cash another spade, went down two.

The Committee Decision: The Committee agreed that the decision whether to double 1NT was close, for all of the reasons cited. Some of its own members would have passed. Having established that pass was a LA, the Committee's decision to restore the table result of 4♥ down two, +200 for E/W, was automatic: The choice of a LA, albeit a minority action, did not prove the existence of an implicit understanding. The Committee referred the hand to the National Recorder.

DIC of Event: Henry Cukoff

Committee: Bart Bramley (chair), Karen Allison, Mark Bartusek, Marlene Passell, Lou Reich

Directors' Ruling: 65.0

Committee's Decision: 86.2

✍ A further word from the chairman...

Bramley: "I later polled a wider group of players and found significant support for

the pass of 1NT. Even those who doubled called it close. The Director's ruling, with its assumption of a private understanding, was severe, but forcing E/W to defend their actions was reasonable."

✍ E/W's CC was marked "3rd Hand Very Light," the vulnerability was suggestive, and East had a marginal double (though I might well have doubled myself). The Director's ruling suggests a presumption that E/W are guilty until proven innocent, which must be the wrong approach. As long as there is AI which suggests that West might well have opened light, and E/W's agreement is clearly marked on their CC, East is entitled to back his judgment and pass—even with a *clear* double. E/W's methods were public, non-Alertable, and East's pass was not risk-free (he had no protection against the auction going all pass and his side collecting -90 or +100 when they were cold for a partscore or game).

R. Cohen: "While the Director at least forced the psychers to appeal, the Committee was correct in referring to case to the Recorder."

✍ Normally Ralph would be right. If there's any room for doubt, the side that did something strange should be ruled against and made to bear the burden of bringing the appeal. But here all of the indicators are so clearly in E/W's favor that I would have ruled that way and let N/S convince a Committee that E/W's actions had no bridge basis and were unreasonable in light of the AI that was available.

The following panelist points out another serious problem with the table ruling.

Kooijman: "I accept East's statement and agree with the Committee's decision. But I can't agree with another zero Director ruling. His task is to decide whether N/S might have been damaged by E/W's supposed infraction or their failure to disclose their agreements. In the auction they were not damaged since they were able to describe their hands possibly even better than without West's opening bid. If the Director decides for insufficient disclosure, he has to decide what may happen in 4♥ when North decides to play on split trump honors. Be brave and decide for 4♥ making then. I agree that wouldn't have prevented an appeal from E/W."

✍ Right. North's normal play, and I believe the correct one with no indications as to the location of the outstanding trump honors or length, is to lead the queen first (in case West has the singleton jack) and take a second finesse if that loses. So even if the Director (incorrectly) believed E/W had a concealed understanding, the damage was in the play, not the bidding. Thus, he should have adjusted the result to 4♥ made four, +620 for N/S.

Polisner: "A well-reasoned decision. One hand does not an understanding make. It is unfortunate that we do not have the technology to track similar actions in order to deal with such cases, but that is the fact. One may be suspicious about the partnership based on this hand, but we require a higher standard than suspicion."

Treadwell: "The Committee analyzed the hand well and correctly decided to let the table result stand, choosing to refer the matter to the National Recorder rather than deciding the East action proved E/W had some kind of private understanding."

✍ The following three panelists support adjusting the score...to 2♥!?

Rigal: "Despite the rather Draconian nature of the Director ruling, I approve of getting a pair before a Committee to explain themselves. One hopes that this will reduce the incidence of a partnership fielding a psych. Personally, I am closer to the Director here: 10-counts have to double 1NT and failure to do so should expose E/W (if a semi-regular partnership) to more jeopardy than an oral slap on the wrist. Was the Committee really addressing the issue correctly when they came to the conclusion based on a LA in favor of the 'offenders' as opposed to coming to a

conclusion the other way, since double was a LA?”

Endicott: “If East is to be allowed to pass partner’s opening bids with 10 HCP and four of his suit, the potential for abuse is enormous. What is the disclosed meaning of the 1♦ opener? This one is psychic, but East acts like a man who has been here before and I think his partnership needs to update its CC. In all situations, players whose partners open the bidding are to assume that partner has an opening hand until it is plain from the auction that this cannot be so.

“The following quote from the minutes of the WBF Laws Committee (August 30, 2000) gives short shrift to any suggestion that expert players have an advantage in law over others in diagnosing partners’ psychic actions: ‘Mr. Martel spoke as to the difference in an all-expert game and any other in diagnosis of psychic action. The Committee did not support any view that in the sequence P-P-1♥-1NT-?, the dealer, having eleven HCP, could now do other than double.’”

✍ I believe Chip’s comment was intended as a general one, applying to players using ostensibly “normal” methods (not including systemic, *very light* third-seat openings). Once such deviations are announced and properly disclosed on the CC (why do E/W need to update their CC when it already has this practice clearly marked?) I fail to see where the pair has any further obligations. If East “acts like a man who has been here before,” that’s because he’s entitled to do just that. He is bidding according to his side’s announced methods, with an eye to the vulnerability, and taking a risk that he’s right. What more can we ask?

Stevenson: “The problem with psychs is that they are basically legal, but subject to certain constraints. It is illegal to psych frivolously, for example, and it is also illegal to allow for partner’s psychs (called ‘fielding’) if the presumption that partner may have psyched is based on a concealed partnership understanding.

“To digress, the term ‘fielding’ generally means allowing illegally for partner’s psych. This is the meaning in Europe, and in much of North America, though not all. Some people use the alternate meaning of allowing for a psych whether legally or illegally. An example of legally would be where the bidding makes it clear that partner has psyched, for example when he passes a completely forcing bid. Even in North America the more common meaning seems to be illegally allowing for partner’s psych, so I shall assume this usage and I recommend it to everyone.

“If a psych appears to have been fielded, what should be done? Unfortunately, the methods employed do not seem to deal with this adequately and the current example is a case in point. Unless the West hand is a typical opening, which is not permitted at this level, then East’s actions have fielded the psych. However, the Committee felt powerless to do anything sensible. In some parts of the ACBL an unofficial rule has grown up that once someone has psyched it is not permitted to repeat it. That is contrary to the laws and spoils a very delicate part of the game. In England we define a fielded psych as ‘Red’ and have an automatic penalty. Psychs where partner’s actions are dubious are classed as ‘Amber’ and two of those become Red. Most psychs are ‘Green’ where partner does nothing untoward. Of course, this is not the way it is done in the ACBL but perhaps they might look at this so as to get a working method that allows legitimate psychs while penalizes fielding.

“As to the actual hand, it is very difficult to disagree with the Committee’s evaluation. However, since fielding is a breach of Law 40, a PP would have been a good idea. We must educate.”

✍ This was not as much a psych as it may seem (unless we focus on the 6 versus 8 HCP issue). East’s pass was based on AI (not “fielding”) and, as Jeff said earlier, “One hand does not an understanding make.” Thus, his action is not punishable.

If I haven’t convinced you yet, then consider...

Wolff: “Good decision and I like the referral to the Recorder?”

CASE FORTY-TWO

Subject (UI): Not At All Surprising To Go Quietly

Event: NABC IMP Pairs, 27 Jul 01, First Final Session

Bd: 12	Susan Parnes		
Dlr: West	♠ J		
Vul: N/S	♥ QJ85		
	♦ ---		
	♣ AQJ108532		
Jurek Czyzowicz	Darren Wolpert		
♠ 653	♠ Q4		
♥ 10743	♥ K62		
♦ A76	♦ KQJ108432		
♣ K97	♣ ---		
	Lynne Schaeffer		
	♠ AK109872		
	♥ A9		
	♦ 95		
	♣ 64		
West	North	East	South
Pass	1♣	1NT	4♠
All Pass			

The Facts: 4♠ went down two, +200 for E/W. The opening lead was the ♣7. The Director was called after trick two when East ruffed the opening lead and returned a trump. The Director determined that East had psyched, which he was entitled to do as long as West bid his cards appropriately, but that West had not satisfied the latter requirement. Based on the ACBL’s policy for psychics the Director decided to adjust the score. It was determined that, for the non-offenders, the most favorable result that was likely (Law 16) was 5♦ doubled down three, +500 for N/S. This score was assigned to both pairs.

The Appeal: E/W appealed the Director’s ruling and were the only players to attend the

hearing. West did not believe that his hand contained any surprises for declarer: a player who voluntarily bids a vulnerable 4♠ in the face of a 1NT overcall is likely to be very close to making it, especially if declarer holds a club void and the 1NT bidder had good clubs. His partner had never psyched a 1NT overcall before and it did not occur to him that he had done so this time. West added that he had never psyched in the four years or so of their partnership and could recall only one instance when his partner had done so (it had been a third-seat opening at favorable vulnerability, which was duplicated at the other table in a team game). East thought he had psyched about three times in this partnership, but West had never psyched.

The Committee Decision: The Committee did not consider West’s pass of 4♠ to be terribly unusual. It would not be at all surprising for a vulnerable 4♠ bidder to have eight good spades, in which case the contract could easily be made. Declarer was monstrously unlucky, but adjusted scores cannot be awarded for bad luck. Therefore, the Committee allowed the table result of 4♠ down two, +200 for E/W, to stand.

DIC of Event: Steve Bates

Committee: Doug Doub (chair), Phil Brady, Dick Budd, Nell Cahn, Becky Rogers

Directors’ Ruling: 51.2

Committee’s Decision: 97.5

✍ Is this déjà vu all over again, Yogi?

Bramley: “Very similar to the preceding case. Close but reasonable non-double of 4♠. The Director’s adjusted score is hard to comprehend. How would that result be achieved?”

Presumably by the “offending” declarer misguessing hearts.

Stevenson: “Compare CASE FORTY-ONE: this psych was not fielded, and the Committee’s decision was spot on.”

Three panelists (one of them from Europe) question the Director’s claim that the score adjustment was according to ACBL policy for psychics. There is nothing in that policy that suggests that West’s action should be deemed improper, although this is largely a judgment matter. One would hope that such a judgment would not be beyond our Directors’ capabilities.

R. Cohen: “Why was the score adjusted by the Director? What is the so-called ACBL policy for psychics currently? The Committee set matters right.”

Polisner: “Well, almost a mirror image of CASE FORTY-ONE. Psychs tend to bring out the worst in the game, but they are a part of the game. What is the ACBL policy for psychics? No matter, it is certainly proper for a player to assume that his partner has psyched based on the opponents’ actions. We certainly can’t require a player to commit suicide if he suspects that partner has psyched based on AI from the opponents or his own hand. E.g., partner opens 2NT (20-21 HCP) and you hold 22 HCP. You are not required to bid 7NT. Good work by the Committee.”

Kooijman: “You speak about an ACBL policy on psychics, which I don’t know, but if the Director’s handling of this case is according to it, it seems wrong. How can E/W be forced to bid something they don’t want to bid? The question, as in the previous case, is whether there was a partnership agreement by E/W which should have been explained to N/S. If so, the next question to be answered is whether N/S were damaged by not doing so. That should be the approach to be followed. As far as the 1NT bid is concerned, people should play more rubber bridge. Your great bridge players from the past probably would turn in their graves hearing this complaint from E/W.”

Right you are, Ton, and our next panelist was present for much of that past.

Treadwell: “Psych and be prepared to go to Committee—that seems to be the rule today. (I wish some of these players had been around in the thirties when nearly everyone psyched.) However, there is no evidence at all that West read the psych. He would have to assume that South was loony, particularly in an IMP Pairs game, to take any action.”

And the rest of the unanimous support for this Committee’s decision...

Endicott: “I do not think West has a sensible call. The only choice would be to double, but the hand sounds freakish and to double in such cases is extremely risky.”

Rigal: “By comparison to the previous deal, I still agree with the Director’s ruling. But here West’s failure to double 4♠ seems far more rational. Given the avowed partnership history of non-psychoing I think the Committee expressed their sympathy for N/S very nicely, but I agree that was all they were entitled to.”

Barry garnered no support from the other panelists or from me for his backing of the Director’s ruling. I agree with all that was said earlier, and with...

Wolff: “Right-on decision (NPL), a well-timed psychic.”

Subject (UI): I Always Tap My Bid Box

Event: Stratified Daylight Open Pairs, 27 Jul 01, Second Session

Bd: 9	♠ QJ9873		
Dlr: North	♥ 432		
Vul: E/W	♦ 72		
	♣ Q3		
♠ A2		♠ K1054	
♥ AQ8		♥ KJ9	
♦ AJ1083		♦ Q9	
♣ 1062		♣ AJ75	
	♠ 6		
	♥ 10765		
	♦ K654		
	♣ K984		
West	North	East	South
	2♠	Pass(1)	2NT
Pass	3♣(2)	Pass	3♠
	3NT(3)	All Pass	
	(1) After fumbling with the bid cards		
	(2) Alerted; bad suit, bad hand		
	(3) After asking about South’s hand		

The Facts: 3NT made five, +660 for E/W. The opening lead was the ♥4. The Director was called after West’s 3NT bid. The Director ruled that once West passed 2NT he could not bid over 3♠, because his partner’s touching the bidding cards and then passing suggested action. Since pass was a LA, the contract was changed to 3♠ down five, +250 for E/W (Laws 16A2, 12C2).

The Appeal: E/W appealed the Director’s ruling. East, a player with 300 masterpoints, said she habitually taps the side of the bid box and removes the Alert Card before she bids the first hand. She was not aware of having handled any bid cards other than the pass she chose. West did not notice any fumble. East admitted that she had considered action over 2♠. West said he had considered acting over 2NT but assumed it was an asking bid and that he would have more information available at his next turn. After 3♠

he asked what kind of hand and what kind of strength South would have to bid 2NT and received the answer, “I just respond to her questions, she might have a hand that is good or bad.” At that point West decided that his choice was between 3NT and 4♦. East said that had West passed over 3♠ she would have doubled in the balancing position. Both players said that it felt like the opponents were out stealing when they stopped in 3♠ not vulnerable versus vulnerable; each thought that partner was clearly marked with some cards. North said that his recollection of his answer to the question about 2NT was “It’s a standard asking bid, it doesn’t show or deny.” Both North and South said it was clear that East had wanted to bid over 2♠.

The Panel Decision: Two players were consulted. The first would have doubled 2NT with the West hand and might have doubled 3♠, but thought that passing 3♠ was certainly a LA. The second would have acted over 2NT and thought it was a toss-up between 3♦ and double, but after not acting over 2NT it was clear to pass 3♠ and stay fixed. Neither would have acted in balancing position with East’s hand. In fact, one of them laughed and said, “You must be kidding.” The Panel thought that East’s statement that she considered acting over 2♠ also made it clear that there was UI which demonstrably suggested action over inaction. The Panel changed the contract to 3♠ down five, +250 for E/W. Had E/W’s appeal been out of concern about South’s psych, perhaps the Panel would have considered it to have some merit. However, since it was clear that E/W were only appealing in the hopes of increasing their score, they were each assessed an AWMW. The Panel referred this appeal to the Recorder for E/W’s blatant use of UI, South’s psych of the 2NT response, and N/S’s answer to questions which implied that similar auctions (bad hand, not even a fit) might have occurred in the past.

DIC of Event: Michael Carroad

Panel: Millard Nachtwey (Reviewer), Betty Bratcher, Matt Smith

Players consulted: Phil Brady, Ken Gee

Directors' Ruling: 88.3

Panel's Decision: 91.7

✍ When a Director judges that a player has made “blatant use of UI” it is critical that he deal with it immediately and firmly by issuing a PP (in addition to any score adjustment) and not just refer it to a Recorder (although that’s important, too). The failure of many Directors to do this is one of the chief reasons why most players are confused about their obligations in UI situations. If Directors would take immediate and firm corrective action when a player is found to have committed a flagrant or egregious act, and if this were done consistently, then many of these problems and the appeals they cause would go away.

R. Cohen: “Reporting N/S’s auction to the Recorder should be done routinely in order to determine if the partnership has established experience in these types of situations. No accusations. Just the facts ma’am.”

Rigal: “Nice Director ruling and well done by the Panel for their thinly veiled contempt for all the participants on this deal. West’s action clearly deserved everything the Panel could throw at him if East really fumbled as much as is implied, and it certainly seems that way. All the Recorder actions seem entirely in place, and one can only hope that these are really going to be properly processed—any news on that, Rich?”

✍ Since no Player Memo was filed in this case (see CASE FORTY-ONE for another example), nothing has been added to the Recorder files. If a Committee or Panel wants to *formally* record an incident, they *must file a Player Memo*. And it’s impossible for me to correlate occurrence unless I have records of them in my files.

But it’s even worse than that. Look at the names in the hand diagram. Right, the names. What, you don’t see any? Right, and neither do I. How in the [bleep] can I tell if players are repeating past behavior when I don’t even know who the players are? Suppose West commits the same type of flagrant action again the next day, or several days later, perhaps even with a different partner. *Each occurrence will be treated as if it were his first unless Player Memos are filed.*

So, if you’re on a Panel or Committee that wishes to record a player’s or pair’s actions, you’d better fill out and file a PM. By the way, you can turn a copy of an Appeal Form into a PM just by marking it “Player Memo” at the top. Make sure you explain in detail on the form which actions, or what about the situation, you wish recorded; it’s not always obvious just from looking at the original form. To file a PM simply give it to me or to any Director (who will see that it gets to me).

One of the reasons it is so important for Directors to handle these situations at the table is that by the time a PM gets to me there is often nothing I can do. Even my ability to speak to a player depends on my being able to locate him and arrange a meeting. This can easily take several days, and that’s if the player can be located at all. (Many have already left the tournament by the time I even get the PM.) Once a Panel, Committee or Director has failed to penalize a player, the best I can do is try to educate him. But some players are dismissive of my efforts, especially if the Director or Committee didn’t voice an objection to his actions. It’s not unusual for a player I’m educating about a truly flagrant action say to me, “That’s your opinion. If what I did was so wrong then why didn’t the Director (or Committee) say so?”

The bottom line is, if you want it done, do it yourself. If you just want a record kept in case a pattern emerges, then file a PM.

Endicott: “East should pass the 2♠ smoothly and disinterestedly; lack of experience, perhaps, when an East does not achieve this. West needs a lesson in the ethics of the game.”

✍ Right, and the best (and perhaps only) time for such a lesson is right then and there with a PP (or at the very least a stern warning).

Another perspective on this case is offered by...

Polisner: “A difficult factual situation best handled by the fact finders; to wit, were some unusual antics performed by East which conveyed UI to West upon which he acted? The fact that East considered bidding over 2♠ is not relevant, as presumably she had 10 seconds over the Skip Bid to consider her action. I, on occasion, tap the bid box to get the cards back in visible position. Was there any evidence that East did more than that, i.e., reach for a Bid Card rather than a Pass Card? Assuming that the findings of fact concluded that UI did occur, the ruling and decision are correct. However, from the write-up it is not clear that there was such evidence. Remember, we are apparently dealing with relatively inexperienced players.”

✍ Yes, it’s possible that East simply tapped the bid box to straighten out the cards or to see them more easily. But The Facts indicate that East touched her Bid Cards (specifically, the ones in the back of the bid box) and didn’t just tap her box. She claimed at the hearing that she always taps her box, but it’s difficult to imagine the opponents calling the Director if that’s all she did. Sorry, but even if East innocently tapped the box and then fished around looking for the Alert Card, she should have made it clear to the others at the table what she was doing. Now look at her hand (a near-1NT overcall), re-read her admission that she thought about what to do over 2♠, and then tell us that you think this was all just a misunderstanding.

Stevenson: “As far as the 3NT bid is concerned, the Director and Panel were clearly correct. But the comments re South’s ‘psych’ deserve further consideration. A psych is a gross misrepresentation of the hand with respect to the system being played. Many players consider a 2NT response to a weak two-bid as merely an asking bid, with responder having complete control. For such a player 2NT on the actual hand is not a psych. But remember full disclosure: N/S must make it clear that they play it this way.

“Some players refer to 2NT on such a hand as a ‘tactical bid.’ Generally, a ‘tactical bid’ is a psych in a position where an expert will expect it from his opponents but a novice will not, and it is time the ACBL stamped on the notion of tactical bids since they are designed to take advantage illegally of weak players. Consider the auction 2♠-P-2NT-4♥-? As opener, are you allowed to double or bid 4♠ now? If not, why not? If the answer is that you are not allowed to because partner may be weak, and if you do not disclose this on your CC and in answer to questions, then your methods are illegal. Since this is a common problem in North America it is time the ACBL sorted it out. A box on the CC to indicate whether a 2NT response is permitted on a weak hand would be a good start.

“How about the actual hand? Someone should find out whether this 2NT response is normal, and if so whether it is disclosed adequately. If it is very rare it is a psych, which is legal. However, if it is normal and not disclosed then N/S need to be educated, perhaps via a PP. North’s description suggests it was systemic and not a psych.”

✍ David raises several interesting questions. First, asking bids like 2NT typically neither show nor deny values or a fit. South may be looking for 3NT, a game or a slam in opener’s suit, or to play in his own suit (if a new suit would have been non-forcing, 2NT may be necessary to create a force). Responder may have a weak hand with a fit or a better hand, with or without a fit. But it would be silly, not to mention self-destructive, for anyone to bid 2NT systemically with a weak hand and no fit, as South did here. (Look at the jeopardy South created by just getting his side to 3♣: down five doubled would have been -1100.) Sorry, but this is the sort of thing that only weak, or inexperienced players do.

Next, “tactical bids” are just what the name implies, tactical. If partner opens

3♠ you might bid 4NT tactically holding ♠xxxxx ♥x ♦QJxxx ♣xxx. After all, the opponents are surely cold for game or slam in hearts. This is an asking bid, much like 2NT in the present case. It asks for information but doesn't guarantee anything. Does it matter that experts expect such bids in this type of situation but that novices do not? Heck, no. Does that make it illegal? Most emphatically not. A player does not need to refrain from making tactical bids, or otherwise bidding to his own best advantage, just because he is playing against weak opponents who may be unaware of what he is doing. Besides, who knows which opponents are weak players?

The one exception, of course, is that it is considered unsportsmanlike to psych against inexperienced players *just because they are inexperienced*. If your hand justifies a tactical, or psychic, bid you are entitled to make it, regardless of who your opponents are or what their level of experience/expertise. However, you may not psych against certain opponents *solely because they are inexperienced*.

Third, David is right that, if the 2♣ opener is not allowed to double or bid over 4♥ in the auction 2♠-P-2NT-4♥, this must be disclosed to the opponents or it would constitute an illegal, concealed understanding. But of course N/S did disclose their agreement: West admitted this when he explained that North answered his question about the type of hand South could have to bid 2NT by saying, "I just respond to her questions, she might have a hand that is good or bad." If that doesn't make it clear that South could have a legitimate game try or be bidding tactically, then we all need to take up a different game. If David wants a special box on the CC to address this issue, then perhaps he also wants boxes for Blackwood, its variations, Jacoby 2NT, and virtually every other type of asking bid one can imagine.

Getting back to reality, and the present case, the panel concludes...

Treadwell: "Good work by both the Director and Panel."

Wolff: "Most of the bases were covered in this good decision."

Subject (UI): A Compelling Dissent

Event: NABC Mixed BAM Teams, 28 Jul 01, First Qualifying Session

Bd: 26	Peggy Kaplan		
Dlr: East	♠ 763		
Vul: Both	♥ A76532		
	♦ 976		
	♣ 5		
Rea Rennox	John Duquette		
♠ AQ109	♠ K82		
♥ Q9	♥ K		
♦ KQ53	♦ AJ84		
♣ AK3	♣ Q10964		
	Claude Vogel		
	♠ J54		
	♥ J1084		
	♦ 102		
	♣ J872		
West	North	East	South
		Pass	Pass
2NT	Pass	3♠(1)	Pass
4♠	Pass	6NT	All Pass
(1) Not Alerted; explained as natural and forcing; intended as Minor Suit Stayman			

The Facts: 6NT made six, +1440 for E/W. The opening lead was the ♥A. The Director was called at the end of the auction when it was revealed that East's 3♠ bid (not Alerted) was intended as Minor Suit Stayman but explained as natural and forcing. Although 2♠ was marked as MSS after a 1NT opening on E/W's CC, nothing was indicated over 2NT openings. The Director allowed the table result to stand stating that West's 4♠ bid indicated to East that a bidding misunderstanding had occurred. (Note: West and East had about 1300 and 5500 masterpoints, respectively.)

The Appeal: N/S appealed the Director's ruling. Only North attended the hearing. North claimed that East had UI due to West's failure to Alert the 3♠ bid. It was suggested that East's 6NT bid was an attempt to close proceedings without

allowing for the possibility that 4♠ might indicate a certain type of hand. E/W were using a homegrown CC instead of an official ACBL card.

The Committee Decision: The Committee believed that in this partnership West's 4♠ bid was sufficient evidence that a bidding misunderstanding had occurred that any UI from the failure to Alert was redundant with the AI from the 4♠ bid. Therefore, East was free to act in any way he deemed appropriate, especially since any information acquired was deemed to not demonstrably suggest a 6NT contract (which could be off the entire heart suit). There was significant discussion of the possibility that West's 4♠ was a cue-bid or showed a hand like ♠AQJ109 ♥xx ♦KQ10 ♣AKJ, but this was dismissed as too remote to consider (a world-class pair having this auction might be subject to more scrutiny). The Committee allowed the table result to stand.

Dissenting Opinion (Adam Wildavsky): I disagree. Following the laws should have made this a simple case. Did East have UI? Yes, the Committee agreed that he did. Did it demonstrably suggest the action he took? It did. Did East have LAs to the call he chose? He did. What were the likely contracts had East followed his obligations under the law? 6♣ made six and perhaps 6NT. Of these, 6♣ was most favorable to N/S, so the contract should have been changed to 6♣ made six, +1430 for E/W. Why wasn't it automatic for East to bid 6NT? We must put ourselves in the position of a player who was confident that his partnership was on solid ground. Suppose West had Alerted 3♠ and explained, "That's Minor Suit Stayman. It shows length in both minors and asks if I have a four-card minor." East would have two

reasons to bid 6♠. In most partnerships, bids that have not been discussed are presumed to be natural. Why would West show a five-card spade suit here? Perhaps because she lacks a heart stopper: that would be a compelling reason to believe that 3NT wouldn't be a good spot! West might hold ♠AQJ10x ♥Jx ♦KQx ♣AKx. Wouldn't most players open 2NT and wouldn't any of us be tempted to bid 4♣ over 3♣? The second reason for East to consider 6♠ was that, while he didn't know for sure what was going on, his partner was in a good position to know. Having already denied a four-card major East should be safe in describing his own hand by jumping to 6♠, showing three trumps and enough to force to slam. This would allow West to retreat to 6NT if 4♠ was, say, a cue-bid.

Might E/W have presented arguments that could have swayed my vote? We'll never know, they did not appear. This is another reason for Directors to rule against offenders where there is any doubt. As things stood, I do not understand why the Committee tried to guess East's intentions. Perhaps East was only ever interested in 6NT or seven of a minor, but I'd have liked to have heard him say that. Who knows, perhaps he'd have explained that when his partner did not Alert his 3♣ bid he knew he had better find a way to shut her out. Many players and authorities bemoan the increase in the amount of artificial bidding over the years. If Directors and Committees were to routinely apply the laws as they're written, eliminating possible gains from UI and MI, we'd have fewer reasons for restricting innovation. I'd like any player in East's position to be able to reason as follows: "While I know that partner treated my 3♣ as natural, I'm not entitled to use that knowledge. If I take advantage of it and get a bad score I'll keep it, while the Director will remove any good score. My best strategy, then, is to look for a LA call that is not suggested by the UI. Making that call will give us the best chance of a good score on the board, will save the time and trouble of a Director call, and I'll have the satisfaction of having done the ethical thing besides." I believe this is what the lawmakers intended, and rightly so. It will only happen, though, if Directors and Committees consistently rule against the offenders in cases where a player who has received UI has failed to comply with Law 73C, which requires that he "carefully avoid taking any advantage that might accrue to his side."

DIC of Event: Henry Cukoff

Committee: Mark Bartusek (chair), Phil Brady, Dick Budd, Riggs Thayer, Adam Wildavsky

Directors' Ruling: 66.7

Committee's Decision: 70.0

✍ I disagree with the Director that "West's 4♠ bid indicated to East that a bidding misunderstanding had occurred." I also disagree with the dissenter that a new suit would normally be treated as natural, particularly after East had shown nine-plus cards in the minors. In such cases 4♣ is typically a control-bid in support of one of East's minors, in which case East should be happy to cooperate in a slam effort. Since West's cue-bid would normally deny a heart control, she almost has to hold something like ♠AQJx ♥Jx ♦KQx ♣AKJx. This makes it clear that East's 6NT bid was suggested by West's failure to Alert 3♣ and cannot be allowed.

In constructing possible West hands that are slammish in a minor, have a spade control, and lack top heart values I found none that differed markedly in their high-card structure from the one above (although West's suit lengths can be permuted). Since all of them make 6♣ or 6♦ a virtual claim, I see no basis for denying East the right to bid slam. However, 6NT is clearly out of the question when all of the West hands that are consistent with the 4♣ cue-bid lack the ♥A and many lack the ♥Q as well, leaving N/S with two or more hearts to cash against 6NT.

So East will bid 6♠, trusting West to correct to 6♦ when appropriate, and that will become the final contract. I would not allow West, who forgot her methods, to guess to correct to either 6♦, which would make, or to 6♠, which would either make or would in turn be corrected by East to 6NT which would make. Since 6♣ fails on a heart lead when South turns up with a trump trick, I would adjust the score

to 6♣ down one, -100 for E/W. Agreeing with me...

Endicott: "Surely East's duty was to receive the 4♠ bid as a response to Minor Suit Stayman. I doubt that 4♣ could be natural in such a sequence, more likely a cue-bid with some significance concerning the minors. I do not take it as demonstrating a misunderstanding unless it can have no meaning. To arrive in 6♦ would not be an unmitigated disaster; arrival in clubs would be an unhappy event on a heart lead. In my opinion neither the Director nor the Committee has given enough thought to the kind of constraints that possession of the UI placed upon East. There is no doubt in my mind that East took advantage of the UI. Questions do arise if there is an attempt to impose on him a requirement to consider the spade bid as natural when he should be looking for a response to Minor Suit Stayman. In Zone 2 I think I might well argue that the score be adjusted to 6♣ down one (for E/W at least, N/S maybe -1370 in 6♦). The dissent starts promisingly but wavers."

✍ The remaining panelists either side with the Committee or the dissenter. First, the Committee's supporters.

Bramley: "Yes, the dissent is particularly well-argued and well-written. But I'm not convinced that any player with 13 real opposite a 2NT opener would settle for less than 6NT. That's too big a position in a matchpoint game. Opener's hypothetical heart concern could be based on a holding of Ax(x) or Qx(x). Even if her heart holding is worse the opponents may not lead one. (Furthermore, this is another example of presumed UI from failure to Alert, which, as I noted in CASE THIRTY-FIVE, requires a stricter burden of proof.) Since I find no LA to 6NT, I would side with the majority and let the table result stand."

R. Cohen: "At BAM East is going to bid some slam after the opening bid. While the failure to Alert is UI to East, the 4♠ bid is AI that West has had a misunderstanding. At BAM East is going to bid the highest scoring slam in these circumstances, and 6NT is that all. After seeing the dummy, N/S should be embarrassed to appeal."

Kooijman: "I agree completely with the Director and Committee. Members dissenting with the wrong arguments makes a Committee life difficult. The question is not what East would have done when West explained his 3♣ as minor-suit asking. Players are entitled to find out about mistakes in bidding or explanations in obvious cases, which right the dissenter is denying with his approach. And he should not use me ('I believe that is what the lawmakers intended') to justify his opinion. Yes, East has UI, but no, he does not have a LA given he still is allowed to be a thinking person—maybe better, a bridge player."

✍ Don't take it personally, Ton, but surely the dissenter was right (even if his interpretation of the 4♣ bid was a bit off) in stating that the lawmakers (*including you*) intended that a player who has UI that his partner has misinterpreted his bid must continue to bid as though his partner had explained his bid as he had intended it; all of his subsequent bids must be made with that assumption (and clearly West's 4♣ bid could be either natural or a cue-bid in support of a minor), until there is clear evidence from authorized sources to the contrary. If any of his subsequent actions are suggested by the UI, and appear to have a LA, it is up to him to convince the Director or Committee that his action stands on its own merits. In fact, the question is *precisely*, "What East would have done if West explained his 3♣ as minor-suit asking?" That is my understanding of how all such cases are decided.

Polisner: "The initial question to be considered is whether the AI from the 4♠ bid sufficiently outweighed the UI by the failure to Alert. I think so in that in the many years I have played against MSS, I never recall a 4♠ response. This leads me to conclude that the 4♠ bid sufficiently outweighed the failure to Alert to allow East

to conclude that they were in the middle of a misunderstanding and permit the practical bid which was likely to avoid further confusion.”

✍ And now, the dissenter’s supporters.

Gerard: “I agree with Wildavsky, although the word ‘sanctimonious’ does come to mind. In particular, I disagree with the concept that bids that could have a natural, logical meaning are sufficient evidence that a misunderstanding has occurred. I suppose the Committee’s use of ‘in this partnership’ was an elitist way of saying that they would never be caught dead making that error, but the stature of the event and the need for evenhanded application of appeals standards demand that we not try to guess who would or wouldn’t act that way.

“In the Toronto IMP Pairs I held ♠AKxxxx ♥Qx ♦x ♣xxxx. I opened a Multi 2♦, partner bid 2NT (asking), I bid 3♦ (maximum with spades), he bid 4♥. If you bid 4♠ here (I did), is that sufficient evidence that a bidding misunderstanding has occurred? I know the answer is going to be “Depends on who you are.” That’s not good enough. Why try to be a mind reader?”

Rigal: “The dissenter did his best to make me lose sympathy with him by his loquacity, but I still cannot deny that he has a point here. East terminated the auction somewhat unethically because of his use of the UI of no 3♣ Alert. Had he been ethical he would have tried something else—perhaps 5NT to get partner to pick a slam—and that might have led to 7♠ from a partner who believed she was facing spades. Perhaps the fairest way around this might have been to award E/W a PP for East’s actions; that would not, however, give anything to N/S and still at least some partial justice might have been done. PP’s never accrue to the non-offenders do they? Both Director and Committee should have thought of this option—it is the ideal situation to award one, I think.”

✍ PPs do not generally accrue to non-offenders unless they are issued in imps in a KO match, in which case they must due to the method of scoring. Since BAM is similar in scoring to matchpoints, a PP here would have affected only the offenders. I could easily agree with Barry to assess a PP against East for that flagrant 6NT bid.

Stevenson: “Since the dissenter has covered the ground and is clearly correct, it is difficult to say more, except that it is unbelievable that the Director and Committee did not make such a simple and obvious ruling and decision. Are home-grown CCs permitted in the ACBL so as to confuse opponents?”

✍ Home-grown CCs are permitted in the ACBL, but I doubt that confusing the opponents is the objective. (If it were, then we would probably insist on using only the ACBL-approved card.) Besides, personalized CCs must mirror the official card in layout so I doubt that anyone would be confused. In my own experience most people confronted with a well-done home-grown card are impressed with the artistic accomplishment and relieved since most of these cards are simpler and easier to read than the official ones.

Wolff: “Three cheers for the dissenter for the patriotism and belief in the game. The only problem is the thinking of how to get out of a CD situation. Plead guilty and promise for it to not happen again is much better than finding a way to legally be innocent and leave the non-offenders holding the bag.”

CASE FORTY-FIVE

Subject (UI): Do You Play Negative Doubles?

Event: Flight A/X Swiss, 29 Jul 01, Second Round

Bd: 21	Phil Becker		
Dlr: North	♠ KJ643		
Vul: N/S	♥ AQ107		
	♦ K73		
	♣ 2		
Waldemar Frucuz	Piotr Jurek		
♠ Q10952	♠ A7		
♥ K953	♥ J4		
♦ AQJ	♦ 986		
♣ 6	♣ KQ10954		
	Nancy Adair		
	♠ 8		
	♥ 862		
	♦ 10542		
	♣ AJ873		
West	North	East	South
Pass	1♠	3♣	Pass
	Dbl	All Pass	

The Facts: 3♣ doubled went down four, +800 for N/S. The opening lead was the ♠8. The Director was called at the end of the auction when, after East’s 3♣ bid, South asked if it was weak. South said she asked because E/W were playing a system she was unfamiliar with, the Polish Club, and thought the bid might have a special meaning even though there had been no Alert. The Director ruled that even though North had UI from his partner’s improper question there was no LA to his chosen call (Law 16). The table result was allowed to stand.

The Appeal: E/W appealed the Director’s ruling. When West was asked if he played negative doubles he said he did and that he would have made one with the South hand. He said that 80% of the time he would reopen with a double and the reason for the

appeal was that South’s question made it 100%. East believed that he could have played the hand better and wasn’t surprised to be doubled. North considered his double automatic. South was unfamiliar with the Polish Club system and asked about the 3♣ bid only to be sure it was not conventional. When asked if E/W had been prompt with prior Alerts North said that up to that point, E/W had not bid at all. South had 400 masterpoints and was playing in the A/X Flight because her partner had 10,000 masterpoints.

The Panel Decision: The expert players consulted were emphatic that double was North’s only bid. Since they believed it was so automatic, failure to double was not playing bridge. 3♥ and pass were totally rejected for this level of player. One expert did say that with a client opposite, he would pass 3♣ and for a pro to bid was “tacky, tacky, tacky.” The Panel allowed the table result to stand (Law 73C). Given the response of the last expert, the Panel decided that the appeal (barely) had merit.

DIC of Event: Ken VanCleve

Panel: Terry Lavender (Reviewer), Betty Bratcher, Millard Nachtwey, Gary Zeiger
Players consulted: Marty Caley, Michael Huston, Frank Mastrola

Directors’ Ruling: 98.3

Panel’s Decision: 85.0

✍ Au contraire. It was the last “expert” who lacked merit...

Bramley: “Fire the third expert. Double is automatic. This appeal was gross and deserved an AWMW.”

Endicott: “East might better have argued that the question made the double 100%

instead of 120%. The Committee is stretched to find any merit in the appeal, or in the comment of the last expert player consulted.”

Gerard: “No, it was the last expert who had no merit. Not even barely.”

Treadwell: “Seems to me an automatic AWMW for E/W, since the N/S auction is so automatic.”

Rigal: “Although I normally try to listen to the experts’ opinions once they are polled, I believe North has such an automatic reopening double that we cannot prevent him from making the call. And I do not think he has to feel guilty about it; the perfect shape makes it the mandatory call, and on that basis award the AWMW. If E/W had wanted to take action, perhaps a Player Memo might have been more appropriate after the initial Director ruling went against them.”

✍ Three panelists stopped short of suggesting the AWMW. My only question is, why?

Polisner: “No harm, no foul. No LA, even if the question by South was UI. Isn’t it frequently the case that players ask questions when the answer would make no difference to the action taken such as this case where South would have passed irrespective of whether she was told the bid was strong or weak? Good work by the Panel.”

Stevenson: “The expert who thought a double was tacky clearly has little idea of the laws. If it is automatic, then it is automatic. Is it not sad that players do not trust Alerts in the ACBL?”

Wolff: “Okay, but the 100% assessment of North’s reopening is a bit much. Soon the West’s of the world, with great hands and short trumps, will pass, put on their napkins, and wait for the feast.”

✍ Any player who would not reopen with the North hand should be condemned to play with West, who would make a negative double with the South hand. Maybe we could call such doubles “Polish negative doubles”?!

R. Cohen: “Where was the AWMW? No player worthy of the name would ever fail to double with the North hand. Also, West’s statement that he would double with the South hand is a travesty on the game. Who is he kidding?”

CASE FORTY-SIX

Subject (UI/MD): Flannery Will Get You Nowhere, Unless...

Event: NABC IMP Pairs, 26 Jul 01, First Qualifying Session

Bd: 3	Ralph Hoffman		
Dlr: South	♠ K63		
Vul: E/W	♥ KQ872		
	♦ 6		
	♣ Q532		
Magnus Lindkvist	Jeanne Rahmey		
♠ J7	♠ AQ1082		
♥ A43	♥ J5		
♦ KQJ42	♦ 7		
♣ AK7	♣ J10864		
	Joan Stein		
	♠ 954		
	♥ 1096		
	♦ A109853		
	♣ 9		
West	North	East	South
2NT	3♥(2)	4♣	2♦(1)
5♣	Dbl	Pass	Pass
5♦	All Pass		
	(1) Alerted; Flannery		
	(2) North asked about West’s 2NT bid; East was unsure of its meaning		

The Facts: 5♦ went down three, +300 for N/S. The Director was called by West at the end of play. South did not play Flannery very often and had forgotten it in the past. E/W were concerned about how their own auction was affected. The Director ruled that Law 75 provided for no redress for a mistaken bid and allowed the table result to stand. E/W subsequently expressed concern about the N/S auction, especially North’s 3♥ bid. North maintained that he only had an invitational bid over 2NT and that he never gave any thought to partner having anything other than a Flannery bid. The Director still allowed the table result to stand.

The Appeal: E/W appealed the Director’s ruling. They believed that North had a normal 4♥ bid opposite a Flannery opening and the failure to bid 4♥ was due to allowing for the chance that his partner had forgotten. E/W suggested that they would have defended 4♥ doubled had North bid 4♥ (East passing and West doubling). North asserted that

with his soft hand 3♥ was sufficient, leaving it up to his partner to bid 4♥ with sound values. North said South had forgotten Flannery once before but he had not considered that as a possibility during the auction. South did not play Flannery with any of her other partners; she admitted to having forgotten the convention on several occasions. E/W had not discussed what defense they were using against Flannery. East judged from her hand as well as the 3♥ bid that 2NT was probably intended as showing the minors rather than a strong, balanced hand.

The Committee Decision: The Committee believed that North’s decision to bid only 3♥ rather than 4♥ strongly suggested that he was allowing for his partner’s having forgotten Flannery again. However, had North bid 4♥ it would have appeared even more likely to East that her partner had the minors, and she would have been highly likely to bid 5♣, reaching the same position as E/W had at the table. Thus, E/W’s poor result was due to their lack of discussion of a defense to Flannery rather than North’s choice of bidding 3♥ rather than 4♥. Therefore, the table result of 5♦ down three, +300 for N/S, was allowed to stand. The Committee was not convinced by North’s arguments about the appropriateness of his 3♥ bid. They thought it highly likely that he had allowed for his partner having forgotten Flannery again. He was allowed to do so, but partnership history was a relevant part of their agreement and he was required to include that history of forgetting when describing his partner’s bid. North’s failure to do so was a violation of proper

procedure. The Committee therefore decided to assign a 3-imp PP (multiplied by the number of comparisons) against N/S. The Committee also considered the possibility that South had made use of UI from North's Alert and explanation in her failure to raise to 4♥. It decided South's sub-minimum high-card strength and lack of a heart honor was sufficient reason not to impose a 4♥ bid on her.

DIC of Event: Henry Cukoff

Committee: Doug Doub (chair), Abby Heitner, Ellen Melson, Richard Popper, Dave Treadwell

Directors' Ruling: 85.0

Committee's Decision: 80.0

☞ This case strikes me as one where you "really had to be there" to judge all the intangibles. North, who had about 1800 masterpoints, was certainly obligated to inform his opponents that South was prone to forgetting Flannery if it had happened on several occasions in the past. But I believe it would have been inappropriate for him to raise that specter if, as he stated, he believed that it had only happened once before. The Committee might have pursued this in more depth by asking South how many times she had forgotten the convention, how long it had been since this had last happened, and reported their findings. With the limited information available to us, and taking special note of North's question about 2NT (an experienced player would not harbor the suspicion that 2NT might be unusual), I see no clear evidence that North's 3♥ bid "strongly suggested that he was allowing for his partner's having forgotten Flannery again." In fact, all the evidence I see suggests that North counted his 10 HCP and thought he was only worth competing to the three level opposite a limited opening. I also see an East player who, like North, was confused that 2NT was unusual. To me this looks like Bridge in the Menagerie and nothing more. So the table result stands.

The PP would be reasonable if there was evidence that South had forgotten Flannery on several *recent* occasions. Otherwise, this whole incident was worth nothing more than a Player Memo.

Unfortunately the panelists are all convinced, as was the Committee, that North allowed for South's having forgotten Flannery. Here are their comments.

Bramley: "Excellent handling of a complex case, including the PP. The Committee neatly exposed both sides' weaknesses."

Stevenson: "All the bases covered!"

Wolff: "A little too strong against E/W and not strong enough against N/S. Perhaps a small minus for E/W and a medium minus for N/S offsetting their great table result."

Rigal: "Another messy case. The Director's ruling was reasonable, but I think he might have followed though on the issue of the 3♥/4♥ call by North without prompting, which might have produced a different initial ruling. The Committee made a series of good points here about East's actions. The PP seems on the harsh side, but in the context of the partnership history perhaps it was reasonable. I'd like to find a way to make N/S suffer a little more, but I cannot think of one."

Endicott: "Every so often amongst these appeals they slip in a page from the script of a Laurel and Hardy film. That out-of-the-blue 5♦ bid, looking to play the contract himself and putting his foot in the bucket, is vintage Stan Laurel. There is no doubt that West should be left to stew with it, but 'when you do something idiotic try the Director and the Appeals Committee...' The Director had his boots on and scored, but the Committee joins the farce with a hilarious suggestion that North is allowed to make use of the UI from his past experience of partner's forgetting system. No way, dear friends. He should inform the opponents about it

but let us kill stone dead the wholly misconceived suggestion that he can take advantage of it himself; he must stay with the pre-Announced partnership agreements."

☞ While I hate to disagree with my esteemed colleague, a player may make any call he thinks appropriate as long as the basis for his action stems from AI or from a partnership understanding (whether explicit or implicit) which has been properly disclosed to the opponents. If North's own hand, or his own hand together with his memory of South's having forgotten Flannery previously, convince him that South may have forgotten again this time he is entitled to back his judgment and proceed cautiously. However, if partner's having forgotten in the past plays a role in his decision, he is obligated to disclose that information to the opponents as well. (See Laws 16, 40A and B, and 75A and B.)

Polisner: "Of course, North took advantage of the more than possible chance that South had forgotten Flannery, but with a singleton diamond and five hearts which is AI to him, he was entitled to act accordingly. Bidding only 3♥ is a joke. If South really had a Flannery hand such as ♠AQxx ♥AJxxx ♦xx ♣xx, or better yet three-one in the minors, then 4♥ or 5♥ was laydown. To choose only 3♥ shows me that North was in a state of brain lock revolving around his fear that South had forgotten again. I don't really like the PP, as the duty to explain partner's history of forgetting is not sufficiently well publicized so as to penalize the failure to do so. Other than that, the Committee's decision to maintain the table result is well reasoned."

Kooijman: "Interesting case with an impressive performance from the Committee. This kind of problem should get the attention of the drafting Committee for the next laws. The main issue in my country nowadays is bidding mistakes in conventions which cause the opponents not to be able to describe their holdings anymore. No possibility of redress unless there is use of UI. Take the following example: West opens 1♥ and North overcalls 2NT, rightly explained as Ghestem (showing clubs and diamonds). What do you do as East holding ♠--- ♥K10543 ♦J64 ♣AKJ42? Not easy to bid. It appears that North has spades and diamonds and should have bid 3♣. The Director in this case decided for no infraction (mistaken bid) and the case went to the National Appeal Committee, which I chair. My members were of the opinion that the laws do not deal with this problem the way they should. They thought that E/W were damaged and that redress should be given. But how, with a Chairman who wants and even needs to obey his laws? There is another aspect here. Players are invited to start misbehaving with the present approach in the laws. If their holding suggests a misbid, or even more generally if the call in front of them creates a problem, they will question the meaning of the call; if not, they just continue the auction. Our decision in the above Ghestem case was similar to the one here, but went even further. A player who can't even remember the meaning of 2NT (the two lowest available suits) is not allowed to describe his (non)agreement with just 'Ghestem.' It should be something like: 'We try to play Ghestem but honestly we don't know what we are doing.' This puts the problem in the category of misexplanations and makes it penalizable. We decided to use 12C3, allowing E/W 6♥ in half the cases (their bidding not being too convincing)."

☞ Of course Ton's decision in his Ghestem case is also what we require, but there are potential problems with such requirements which the laws fail to address adequately. For example, at what point does a player become liable for creating "undue" doubt in the opponents' minds and then profiting from the uncertainty thus created? Weak players are less aware of their lack of understanding and really weak players often experience confusion even when there is no history of forgetting or when the convention has been "thoroughly" discussed. Some players (as we have seen in these pages) will agree to play a convention they don't understand and hope it won't come up. Others fail to discuss many of the common auctions, such as what happens after second-hand or fourth-hand interference, or what bids mean after an

opponent doubles. There are no laws or regulations which make any of these things illegal unless they create a recurrent problem and a record of past occurrences is available.

R. Cohen: "I can buy assigning E/W the table result of -300, but N/S were not entitled to +300: N/S -500 would be the proper adjudication.. A good case can be made for E/W +150 (4♥ down three), which I would argue for."

Gerard: "No, E/W's poor result was also due to North's failure to include the history of forgetting in describing his partner's bid. Then E/W's possibilities were as follows: +800 in 4♥ doubled, +650 or +620 in 4♠, +630 or +600 in 3NT, +500 in 3♥ doubled, +150 in 3♥, -300 in 5♦. What was the chance that East would not bid 4♣ over 3♥ with the proper explanation (it was 3♥, not 4♥, since the MI was not in bidding 3♥)? Certainly enough (at all probable) that N/S should have been adjusted to at least -600. If East passed, South absolutely had a 4♥ bid so 3♥ passed out was impossible. But I haven't a clue what was 12C2 likely for E/W. It really comes down to 3♠ versus 4♣; East doesn't want to pass no matter what West has. I hate Average Plus, but if this wasn't a case for it does it exist? I would have awarded N/S -630, E/W Average Plus, PP to N/S."

✍ Ron's analysis is impressive, but it presumes that the players involved are in his own class, or at least up to minimal expert standards. But isn't there pretty clear evidence that such was not the case? Ask yourself the following questions: Would it have occurred to me that West's 2NT bid might have been unusual? Given East's misconception that it was, if North had mentioned that South had forgotten Flannery previously would that really have changed East's mind about the meaning of 2NT, remembering that 2♦ would still have been described basically as "Flannery." And what about West's 5♦ bid? Was it really excusable? Do we really wish to protect E/W from themselves here? And what are we punishing North for? For being a less-than-expert player? For not remembering that South had (maybe) forgotten Flannery once or twice previously? Was North (presumably a client) aware that South (a professional player) did not usually play Flannery and was fallible enough to forget it on a regular basis?

I'm reminded of something that Howard Weinstein once said: When you aren't sure what happened, don't change the table result. Words to live by.

Subject (MI): A Tenuous Connection

Event: International Fund Pairs, 20 Jul 01, Only Session

Bd: 3	♠ 8753		
Dlr: South	♥ A975		
Vul: E/W	♦ J974		
	♣ 7		
♠ AK104		♠ Q62	
♥ KQ		♥ 10832	
♦ ---		♦ 65	
♣ KJ106532		♣ AQ98	
	♠ J9		
	♥ J64		
	♦ AKQ10832		
	♣ 4		
West	North	East	South
			1♦
2♣	Dbl	Rdbl(1)	5♦
5♠	Pass	6♣	6♦
Pass	Pass	6♠	All Pass
(1) Alerted; Rosenkranz			

The Facts: 6♠ went down two, +200 for N/S. The opening lead was a diamond. The Director was called (improperly: Law 75D2) by North at the end of the auction (before the opening lead) to correct his partner's misexplanation. East had asked about North's double of 2♣ before he bid 6♣ and was told it showed diamond support (N/S's actual agreement was that it was negative). Away from the table East told the Director that with the correct explanation he would have doubled 6♦. The Director ruled that E/W had been damaged by the MI (Law 40C) and changed the contract to 6♦ doubled down three, +500 for E/W (Law 12C2).

The Appeal: N/S appealed the Director's ruling. N/S both believed that E/W's poor result derived from West's 5♠ bid, which suggested a longer suit. They acknowledged that they had failed to give a correct explanation. East stated that if he had

been given the correct information about North's negative double he would have doubled 6♦ rather than bid 6♠. When asked about the number of spades promised by West he said he was not sure whether it was natural or a try for a grand slam. As ♠AJx was a possible holding, he was unsure that his ♠Qxx would be good enough. East believed when he later bid 6♠ that his partner could either pass or correct.

The Panel Decision: The main issue was whether the MI from South's explanation of the double of 2♣ was the direct cause of E/W's poor result. The expert consultant believed that E/W's poor result was caused by the 5♠ bid, which was misleading, and could thus be attributed to poor judgment. East's own statements implied that he didn't really care how many spades North might have held. Therefore, the MI by South was irrelevant when East chose his 6♠ bid. The Panel decided that Law 40C did not apply in this case and allowed the table result of 6♠ down two, +200 for N/S, to stand.

DIC of Event: Paul Cullen

Panel: Mike Flader (Reviewer), Terry Lavender, Charlie MacCracken, Millard Nachtwey

Players consulted: Steve Robinson

Directors' Ruling: 61.2

Panel's Decision: 88.7

✍ East said he would have doubled 6♦ rather than bidding 6♠ as soon as he was told that North's double was negative and not a diamond raise. The dummy had not yet been spread nor had the opening lead been made. West's 5♠ bid was aggressive but I think reasonable once East showed a high club honor with his redouble (all he needed to guarantee slam was the ♠Q or shortness). The consultant's judgment that

the 5♠ bid was misleading was itself misleading. Many players bid a new suit in high-level competitive auctions either to suggest the best defense if the opponents save or to confirm that the hand is theirs. And East's 6♠ bid could easily have been right if West held ♠AKJxx ♥Ax ♦— ♣Kxxxxx (6♣ makes) or ♠AKxxx ♥A ♦— ♣KJxxxxx (7♣ is cold). In fact, if North's double was really a diamond raise (as East was told) and not negative 6♣ could easily be the right contract. For example, if West held ♠AKxx ♥A ♦x ♣KJxxxxx it would have been cold on either a heart lead or a three-three spade split.

What are the possible results in 6♦ doubled? South must lose two spades, a club and a heart. When a heart honor appears from West the suit plays itself, especially if declarer is careful to ruff out spades. A likely line is: ♠A (count card from East); ♠K; a club to the ace; ♠Q ruffed; two high diamonds; a heart to the ace; spade ruffed; a diamond to dummy; a spade to the jack. West is then endplayed. Thus, I agree with the table ruling and would have assigned both sides the result for 6♦ doubled down three, +500 for E/W.

Agreeing are...

Rigal: "I agree with the Director's actions. (By the way, North should have been instructed as to how to behave in the future, though no disciplinary action here was appropriate to my mind.) More importantly, the Panel seems to have discounted East's timely explanation of why he would have done something different. Why? There is nothing to suggest that he was trying for a double shot. The Director's ruling seems right—no need to go back to the table result. Where, as here, East is not in possession of 20/20 hindsight I'd accept what he says until there is evidence that he is trying it on."

Kooijman: "I can live with both decisions: 6♦ doubled down three and 6♠ down two. I doubt whether E/W would have been in 6♠ with the right explanation but don't admire how it was bid. To deny the connection between the misexplanation and the good score for N/S is too easy. Personally, I am in favor of awarding Average Plus/Average Minus (plus for E/W, of course)."

☞ Sorry, but no lazy Average Plus/Average Minus assignments here.

Some panelists are willing to buy the idea that West's 5♠ bid was responsible for E/W's poor result.

R. Cohen: "As long as we want Directors to call players away from the table (with which I concur), they must strongly rule in accordance with what they are told. No problem with the ruling or Panel decision. North needs a lesson on when to correct partner's misexplanation."

Stevenson: "The basic question is whether East would have bid 6♠ if correctly informed. Whether 5♠ is a bad bid or not is irrelevant to deciding whether E/W were damaged."

Endicott: "I do not see why the 5♠ bid here should show more than four cards. The misjudgment in my view is the bid of 6♠. The Panel was right to reinstate the table score."

Treadwell: "E/W got their poor result the hard way, they earned it."

☞ Others simply doubt East's statements to the Director.

Bramley: "Weak Director's ruling. He should have spotted the speciousness of East's argument. At least the Panel noticed."

Polisner: "Me thinks that East was just making it up as he went along to try to get a better result than he achieved at the table. At least he was successful in fooling a

Director, but fortunately not the Panel."

☞ And finally, there's the usual report from a man on a mission.

Wolff: "Minus 200 is deserved for E/W and perhaps -500 for N/S in 6♦ doubled for CD regarding their announced meaning of the double of 2♣."

☞ Did we mention that N/S were non-Life Masters? Was anyone else fooled into believing, after that initial explanation of North's double, that N/S were experienced players?

CASE FORTY-EIGHT

Subject (MI): A Finer Shade of Pale

Event: Life Master Pairs, 21 Jul 01, First Final Session

Bd: 15 Dlr: South Vul: N/S Andy Altay ♠ A87 ♥ K96 ♦ K10654 ♣ 53	Joan Asheroff ♠ Q94 ♥ 1085 ♦ A73 ♣ KQ106 Ian McKinnon ♠ K10653 ♥ AQ42 ♦ 982 ♣ 7 David Paull ♠ J2 ♥ J73 ♦ QJ ♣ AJ9842																
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">West</th> <th style="width: 25%;">North</th> <th style="width: 25%;">East</th> <th style="width: 25%;">South</th> </tr> </thead> <tbody> <tr> <td>Pass</td> <td>Pass</td> <td>1♠</td> <td>Pass</td> </tr> <tr> <td>2♣(1)</td> <td>Dbl</td> <td>Pass(2)</td> <td>Pass</td> </tr> <tr> <td>2♠</td> <td>All Pass</td> <td></td> <td></td> </tr> </tbody> </table> <p>(1) Alerted; Drury variation (2) W told S: pass shows a full opener</p>	West	North	East	South	Pass	Pass	1♠	Pass	2♣(1)	Dbl	Pass(2)	Pass	2♠	All Pass			
West	North	East	South														
Pass	Pass	1♠	Pass														
2♣(1)	Dbl	Pass(2)	Pass														
2♠	All Pass																

The Facts: 2♠ made two, +110 for E/W. The Director, who was called after the auction, determined that E/W had no actual agreement that the pass of 2♣ doubled showed a full opener. South said that he would have bid 3♣ directly after the pass had he known there was no actual agreement. The Director ruled that South had received a mistaken explanation (Law 75) and changed the contract to 3♠ down one, +50 for N/S (Law 12C2).

The Appeal: E/W appealed the Director's ruling. East did not attend the hearing. 2♣ was Alerted and explained as a limit raise with at least three trumps. North's double was explained as lead directing. The pass of the double was explained as showing a full opening bid. After the final pass East informed the opponents that E/W had no agreement about the pass of the double. The Director was called and talked to North and South separately, away from the table. North said she would not have done anything differently but South said he wanted to bid 3♣

over 2♣ doubled if East had not shown a full opening bid. The Director instructed the players to finish playing 2♠. Subsequently, the Director decided that there had been a mistaken explanation (Law 75) and changed the contract to 3♠ down one, +50 for N/S (South was allowed to bid 3♣, after which E/W would compete to 3♣; Law 12C2). Against 2♠ South led the ♦Q. After obtaining the normal ruff, East got in and laid down the ♠K. The Directors saw no reason to let him play 3♠ any differently, despite the different auction that was imposed. West wondered about East's forced 3♠ bid and play and added that he had suggested that the auction be reopened (for South's 3♣ call), but the Director had insisted that they play 2♠. N/S agreed that he had argued this point unsuccessfully. South added that the Director had not given him that option in their private discussion. The table Director was called to the hearing. He eventually realized that at the table he had dwelled on South's first opportunity to call over the double and had not addressed reopening the auction. N/S characterized West's explanation to them as: "We have agreed that an immediate 2♠ bid denies a full opener, so this should show an opening bid." In a jocular fashion he then added that East may not feel the same way.

The Committee Decision: While the Committee examined a few of the issues, it became clear that the majority believed that West had committed no infraction. He accurately reported that their agreement was that 2♠ denied an opening bid, period. His subsequent extrapolation was couched in such a way ("should show" and "East may not agree") that N/S should not have been misled. The table result of 2♠ made

two, +110 for E/W, was allowed to stand. (Note: There was some concern that the Directing staff could not give the Committee a firm answer to the question of whether E/W was required to have an agreement on the meaning of the pass.)

Dissenting Opinion (Barry Rigal): The initial Director ruling was that West's explanation of East's pass of 2♣ doubled constituted MI. West had no firm partnership agreement but (however innocently) he represented that his partnership had a conventional understanding. His subsequent comment, though it reduced the impact of the MI, did not alter the basic nature of the problem. The partnership had no agreement and West implied that they did. When a Director in full possession of the facts comes to a certain conclusion, the Committee should be very loath to disagree with him. Here the Director did establish MI and there should have been no reason to question this ruling despite what followed. Clearly the Director erred thereafter by not allowing South to reopen with 3♣, but that was a subsequent error after establishing MI and should not affect the Committee's perception of the MI ruling. Thus, Law 82 must be applied. But here there is a clear offender and non-offender so there was no reason not to implement the usual rules (Law 12C2) to determine favorable and unfavorable results. To my mind the likelihood of either East or West competing to 3♠ and of East following the same line of play in 3♠ as he did in 2♠ would mean that both sides should have been assigned the contract of 3♠ down one, +50 for N/S.

DIC of Event: Henry Cukoff

Committee: Barry Rigal (chair), Phil Brady (scribe), Marlene Passell, Becky Rogers, Michael White

Directors' Ruling: 55.0

Committee's Decision: 67.5

✍ Doing the right thing here depends critically on what N/S were told about East's pass of 2♣ doubled. The Director determined that E/W had no agreement, but he made no statement about what West said at the table. Initially we're told that West said only that the pass showed a full opening bid. At the hearing N/S claimed that West said his agreement was "an immediate 2♠ bid denies a full opener, so this should show an opening bid," later adding (jokingly) that "East may not feel the same way." This gives a very different slant on things since it implies that West was only *inferring* that this agreement applied over the double (otherwise why would East not agree). Was this clear enough to get E/W off the hook? Not so says...

Endicott: "Whatever the degree of jocularly, West gave an explanation that was liable to mislead and there was an onus on him to clear up the situation. As he failed to do so the Director was right to rule MI. The Director then made an error in not applying Law 21B to reopen the auction. When he realized as much the Director was required to follow Law 82C. I would award N/S +50 in 3♠ by East; E/W +100 in 3♣ by South."

✍ For those without a law book handy, Law 82C provides that when a Director's ruling is determined to be incorrect and no rectification will allow the board to be scored normally, an adjusted score should be assigned treating both sides as non-offenders for that purpose. (We'll return to the table Director's actions later.)

A diametrically opposite view of West's explanation is expressed by...

Polisner: "West did as good a job as he could in informing the opponents about not just their conventional agreements, but what he thought their agreements should be with an undiscussed bid: to wit, 'pass.' We demand full disclosure and then want to penalize it. The language used by West was clearly not MI and thus the table result must be retained."

✍ The dissenter sides with Grattan, although he's willing to reopen the issue of

South's culpability for his actions even though he was given MI.

Rigal: "I guess my extremist views on offenders and non-offenders extends to MI as well. As far as I can see, however innocent West's comments he left South with the wrong impression of the E/W agreement. Perhaps South's failure to reopen broke the chain and he should be left with -110 (I'm open to discussion here) but E/W deserve no better than -50. If the chain of events is that something a player does creates (however innocently) a mis-impression for another player, I do not think you can ignore the culpability by saying that he tried to improve the position. He clearly did not succeed, since his opponent was left somewhat in the dark. Give East North's ♠Q and the wisdom of passing 2♠ is obvious."

✍ More on South's action in passing 2♠...

Treadwell: "I fail to see why the MI affects South's action after 2♠ is passed around to him. He either chooses to bid 3♣ since partner has shown a good holding there or he passes. Despite the somewhat logical argument by the dissenter, the majority got this just right."

Bramley: "A Director who failed to give South the option of changing his final pass should not be relied on as the final authority on whether there was MI. South's decision not to bid at any turn is peculiar regardless of the explanations he was given. To me it looks like a classic 'If you'd have told me different, I'd have made the winning decision,' even though there is little correlation between the correct information and the winning decision. The majority makes a persuasive argument. I'm with them."

✍ Yes, but we wouldn't need to worry about South's actions if N/S had not been misinformed in the first place. If West had said "East's pass shows a full opener" and nothing more we'd all agree there was MI. If he'd said "We have no agreement about what East's bids mean after a double. Without interference 2♠ would have denied a full opener; I'm treating his failure to bid 2♠ as confirming a full opener, but he may not agree." we'd (hopefully) all agree there was no MI. What we have here is neither fish nor fowl, but hauntingly reminiscent of both.

The following panelist offers a rather simplistic view.

Wolff: "It is barely okay to say we haven't discussed it, but to manufacture what one thinks it means with no partnership discussion deserves to be penalized if damage results. Here it probably resulted."

✍ ACBL policy, and Wolfie's own Active Ethics, requires that players volunteer information about related auctions if it might help the opponents interpret the actual auction. I hope we all agree that a pair's agreement in an uncontested auction should be disclosed if it might help the opponents decide what a bid means in competition.

More support for the position that West's explanation constituted MI...

Stevenson: "When a player indicates that his partner has a particular hand, then he has misled the opponents if his agreements do not show that particular hand. Often this occurs because the opponents bully a player into a response (for example, if West said 'We have no agreement' and an opponent says that he really must know). If this is the case then there is no MI. However, the Director investigated and found MI, so I believe there was MI.

"For a Director not to reopen the auction is incredible since auctions are always reopened when the MI is discovered at the end; so there was clear Director error. At this point the dissenter, who has been so logical to this point, slips: Law 82C says that both sides are treated as non-offending, and gives no option not to do so. Giving both sides the benefit of the doubt, South might have reopened with 3♣ if given the chance, or might not. Thus, the correct decision is that N/S get 3♣ down

one and E/W get 2♠ made two."

✍ In case it's not yet clear, in spite of their differences about the Committee's decision, the panelists find the Director's actions gravely inadequate. If he believed there was MI, as is clear from his ruling (which would have been correct had West explained only that East's "pass shows a full opener"), he should have reopened the auction prior to South's final pass. His failure to do so was clearly an error.

R. Cohen: "Whoa Nelly! What was the Director thinking about? Why didn't he reopen the bidding for South, which would have allowed him to bid 3♣? Since the Director screwed up I award E/W +110 or Average Plus, whichever was less, and N/S +50 or Average Plus, whichever was less."

Kooijman: "So the Director did not offer South the possibility to change his last pass in 3♣, as he should and was advised to do by West? Really incredible once more. I don't understand the facts as given. West explains to South that pass shows a full opening and the Committee 'decides' that he told South that 2♠ denied an opening bid but that he wasn't sure, and therefore committed no infraction. Do I have to understand this? Well, I understand the third pass by South given the explanation and am sure he would have bid 3♣ instead of his last pass. So the Committee made a terrible decision in my opinion. The dissenter's statement is fine but why couldn't he convince his Committee?"

✍ The following panelist provides the one piece of information that convinces me that there was MI and that the score should have been adjusted.

Gerard: "While the Committee forgot to overlook all of the issues, it became clear that its majority botched the few it did examine. West inaccurately reported that their agreement was that 2♠ denied an opening bid, period. What he stated was that 2♠ denied a full opener over a double. What he should have said was 'Without interference, 2♦ would show an opening bid.' The Committee focused on West's mitigating comments, conveniently not mentioning the 'we have agreed' one. N/S should not have had to assume that that referred to the uncontested 2♠ bid. The clear implication was that E/W had discussed the meaning of 2♠ over double but not the meaning of pass, as opposed to 2♦ say. So the Committee fumbled the big one and then did their Roy Riegels imitation at the end.

"The Dissent got it right and didn't have to be so apologetic about it. I don't hold to the same view of Directorial deference and would have found MI even if analyzing West's statement de novo. As to the continuation over 3♣, West might well beat East to 3♣ if he thought that pass showed an opening bid.

"Semi-finally, there was no requirement outside of Fort Worth for E/W to have an agreement on the meaning of pass. Even the question was improper. So the Committee blew the only other issue it examined.

"Finally, it's a sad state of affairs when the players know the rule book better than the Director. If he had just followed Law 21B1, we all could have saved some time instead of having to grapple with alternative reality."

✍ Yes, even West's statement at the end of The Appeal section implies that E/W discussed that a 2♠ bid by East over the double would deny a full opener, and that West was inferring from this that East's pass should show an opening bid. The Director should have reopened the auction and his failure to do so prevented the board from being scored normally. So both sides should get the benefit of the doubt regarding their assigned scores. (As David says, South might have reopened or he might not. His unattractive holdings outside of clubs and the menacing vulnerability suggest to me that his pass of 2♠ was not as egregious as some panelists believe.) So N/S get +50 defending 3♣ and E/W get +110 in 2♠. As Wolfie would say, "The candy store is open." If you hate this as much as he and I do, sue the Director.

CASE FORTY-NINE

Subject (MI): Too Many Possibilities

Event: Life Master Pairs, 21 Jul 01, First Semi-Final Session

Bd: 23	Marc Umeno		
Dir: South	♠ J10972		
Vul: Both	♥ 8		
	♦ K109843		
	♣ 5		
Daniel Levin	Hank Youngerman		
♠ AKQ	♠ 43		
♥ 107	♥ KQJ54		
♦ Q6	♦ J72		
♣ AKJ1064	♣ 932		
	Josh Sher		
	♠ 865		
	♥ A9632		
	♦ A5		
	♣ Q87		
West	North	East	South
			Pass
2♣	2NT(1)	Pass(2)	3♣(3)
Pass	3♦	Dbl	4♥
5♣	All Pass		
(1) Alerted; explained as clubs or red suits			
(2) Alerted; values			
(3) Pass-or-correct			

The Facts: 5♣ went down two, +200 for N/S. The opening lead was the ♥8. The Director was called at the end of play. He determined that there had been a mistaken explanation: N/S's agreement was that 2NT showed two non-touching suits. The Director ruled that the 5♣ bid broke the connection between the MI and damage (Law 40C, 21B), and allowed the table result to stand.

The Appeal: E/W appealed the Director's ruling and were the only players to attend the hearing. On the information given at the table, West had reason to believe that his partner would be short in hearts and therefore his high-card strength would be useful. West also believed that his defensive values were sub-par for a 2♣ opener against a red two-suiter on his left.

The Committee Decision: The Committee decided that the 5♣ bid was directly

connected to the misexplanation which, combined with the subsequent auction, created a clearly erroneous picture for West. The Committee discussed probable results if West had been told over 4♥ that North had either the pointed suits or the rounded suits and decided that there were too many possibilities. After considering awarding E/W Average Plus, the Committee decided that +500 defending 4♣ doubled was the best result that was likely. Therefore, E/W's award was limited to the lesser of +500 or Average Plus; N/S were correspondingly assigned the better of -500 or Average Minus.

DIC of Event: Henry Cukoff

Committee: Henry Bethe (chair), Lowell Andrews, Bill Passell

Directors' Ruling: 51.2

Committee's Decision: 72.1

☞ Once again the Director seems to have gone off the deep end by deciding that West's 5♣ bid was unrelated to the MI. Surely there must have been just a twinge of doubt about making such a ruling. If not, there certainly should have been.

Kooijman: "The Director should have ruled for damage himself."

☞ As for the Committee, while they at least recognized that E/W deserved a score

adjustment, their Average Plus/Average Minus nonsense is hard to fathom. After first throwing up their hands and claiming that there were too many possibilities to analyze, they then admitted that +500 in 4♣ doubled was the most favorable result that was likely for E/W. Excuse me!? If they knew that 4♣ doubled was the most favorable result that was likely for the non-offenders, then why in the world did they not just assign it?

And what about the Committee's claim that there were too many possibilities to analyze? Suppose West had been told that North's 2NT bid showed two non-touching suits. Once North bid 3♦ he reveals his suits to be diamonds and spades. When South jumps to 4♥ West no longer has any reason to place East with heart shortness and thus he is more likely to choose to defend. So now we're down to only two possibilities: 4♥ doubled or 4♣ doubled. We should allow North to run to 4♣ for the simple reason that South is a passed hand who just tried to play in 3♣. So South cannot have a strong preference for playing 4♥ doubled, and therefore that can never be the right contract from North's perspective.

So we're left with 4♣ doubled. Right, Ron?

Gerard: "Average Plus or Minus had nothing to do with it. There weren't so many possibilities, anyway. Over 4♥ North had only the pointed suits (his 3♦ bid), so West would have known that N/S were having a misunderstanding. Plus 500 was the almost guaranteed result, even if East led a club and West continued clubs at trick two (North makes five trump tricks on some variations). Despite the Committee's misplaced uncertainty, the attempt to avoid awarding a windfall was completely contrary to law."

☞ Other panelists address both the Director's and Committee's shortcomings.

Bramley: "The Director was way off-target about the 5♣ bid. Perhaps it would not have been the majority action, but it was certainly rational in the context of the explanations West had been given. The Committee, having properly found in E/W's favor, inexplicably failed to give them full redress. Once they decided that +500 against 4♣ was 'the best result that was likely,' they should have assigned that result to E/W, and, because no larger number was at all probable, to N/S as well. Limiting E/W's score to Average Plus was unfair to E/W and was in violation of Law 12C2. Note that once the Committee had started to use 12C2 to make the adjustment, they couldn't backtrack and use 12C1. Only when a result is impossible to determine, which was not true here despite the Committee's protestations, should a Committee resort to Average Plus/Average Minus."

Stevenson: "West was misinformed and went wrong without doing anything terrible: the ruling was certainly not best. The Committee decided 4♣ doubled was a reasonable decision, but then went completely haywire with a pointless and illegal Average Plus/Average Minus decision. Why?"

☞ One panelist expresses sympathy for the Average Plus/Minus nonsense while still agreeing that -500 in 4♣ doubled was the right decision.

Rigal: "This was a very harsh Director ruling: quite out of place to my mind. Although we all hate Average Plus/Average Minus adjustments, this is one of the rare instances where I can understand why the Committee could not work out what might happen. Still, I think I would have gone with 4♣ doubled for 500 for both sides without involving the averages in there. But it certainly seems right to me that E/W were damaged here, so I can live with the final decision."

☞ Two panelists think that West's 5♣ bid was egregious enough to leave E/W with the table result.

R. Cohen: "The Director was close to being correct, but West was seduced into his

CASE FIFTY

5♣ bid by the MI. If East had values as his first pass said, they had to be in North's alleged red suits. Based on West's cards in the black suits, only cards in the red suits were available to East—except for the ♣Q. What is this Average Plus/Average Minus the Committee muddled the waters with if it believed as it did that 500 was the correct decision. Actually, N/S -500 and E/W -200 was probably the correct decision."

Endicott: "West should envisage that East may have two heart losers and that diamonds are in question. He makes his pick and I see no reason why he should not retain his score. However, N/S should not have the advantage of this and 4♣ doubled for -500 seems fair enough for them. There is a relevant WBF Laws Committee decision of 30 August 1998."

☞ The remaining panelists, including two who sit on our Laws Commission and should know better, have been swept away to Average Neverland.

Polisner: "Give East the ♥A or ♦A and ♣Q and 5♣ still goes down (probably); however, the misexplanation created a more difficult situation for West. I tend to agree with the Committee's analysis."

Treadwell: "Although it is usually best to determine a specific table result that would have been obtained without the MI, in this case, it was virtually impossible to determine: there were simply too many possibilities. That being the case, the Committee had little choice but to assign an arbitrary score and they did this very nicely."

☞ Warning: The Appeals Administrator has determined that the following may be too intense for young readers or those with weak stomachs. Caution is advised.

Wolff: "N/S 0 and E/W Average, not Average Plus, since they did the wrong thing at the table. N/S's CD on a home brew convention should never occur and if it does it needs to be penalized out of existence."

☞ Good grief.

Subject (MI): The Trick Question Strikes Again
Event: Life Master Pairs, 21 Jul 01, Second Semi-Final Session

Bd: 3	Ata Aydon		
Dlr: South	♠	QJ54	
Vul: E/W	♥	A964	
	♦	3	
	♣	J1084	
Steve Weinstein	Bobby Levin		
♠ A8	♠	K93	
♥ KQ83	♥	J7	
♦ AJ965	♦	Q74	
♣ KQ	♣	A7653	
	Gokhan Yilmaz		
	♠	10762	
	♥	1052	
	♦	K1082	
	♣	92	
West	North	East	South
1♦	Dbl	1NT	Pass
3NT	All Pass		Pass

The Facts: 3NT made three, +600 for E/W. The opening lead was the ♠2 which was won in dummy with the ace. A heart was led and North won the ace to continue spades. The Director was called after the play of the next board. East had asked if the takeout double could be made on minimum offshape values and was told "No." Both CCs were marked that N/S could and did make minimum offshape doubles. There had been no Alerts. The Director determined that the MI had led to an inferior line of play. The contract was changed to 3NT made five, +660 for E/W (Laws 40B, 12C2).

The Appeal: N/S appealed the Director's ruling. The play had gone: ♠2 to the ace, ♥3 to the ace, ♠Q ducked, ♠J to the king. Declarer then played the ♣KQ, a heart to the jack, the ♣A, and a diamond to the ace at trick nine.

During the play East asked N/S whether a takeout double could be made on "minimum [offshape] values." N/S were sure that East had said "off shape" but East did not recall having said that. According to East, he asked at trick four but N/S said he did not ask until after cashing the ♣A. East said that both North and South answered with a definite "No" but North claimed he said "Maybe." N/S claimed that they had no agreement about takeout double strength with North's distribution. They presented two CCs, one of which had the "minimum offshape doubles" box checked and one of which did not. When asked, N/S stated that they did not have another (third?) CC that indicated "minimum offshape doubles." N/S further questioned how the ruling could be +660 when the best East could do in the end position was take the diamond finesse for +630. East said he would have double finessed diamonds starting at trick five because of entry considerations if he thought North could be so weak; he rejected that line because of the answer to his question. E/W did not call the Director until after the play of the next board when West noticed two CCs, both of which had the "minimum offshape doubles" box checked. E/W thought N/S had an obligation to Alert takeout doubles that could be as light as North's.

The Committee Decision: The Committee believed that this was a classic case of The Trick Question, where the answer could provide no useful information. If North's singleton diamond were the king his hand would be just as minimum as if it were the deuce, it being unlikely that either holding would be affected by N/S's agreements. In essence, East was on his own because even if N/S had a firm agreement to make "minimum" takeout doubles, their standards might not classify both relevant hands as "minimum." However, the Committee found that N/S had no agreement and that North had used his judgment rather than adhering to system.

N/S's agreements as to "offshape" doubles were irrelevant since North's shape was classic. Even an agreement to double with a hand as light as North's would not be Alertable since his hand is not offshape and there is no requirement to pre-Alert. The line of questioning and answers regarding offshape doubles was technically irrelevant, but N/S had accurately stated that they had no "minimum" agreement and had not engaged in MI. Therefore, the table result of 3NT made three, +600 for E/W, was allowed to stand. The Committee thought it likely that East had not asked until trick nine, not at trick four. He could not clearly recall when he had asked and trick three would have been much more logical—East could take twelve tricks by pinning the singleton $\diamond 8$ or $\diamond 10$ if he won the second spade rather than ducking. For that reason, the Committee believed that +660 had been an inappropriate ruling and that +630 was the most the Directors should have considered.

DIC of Event: Henry Cukoff

Committee: Ron Gerard (chair) Dick Budd, Ed Lazarus, Jeff Polisner, Robert Schwartz

Directors' Ruling: 47.1

Committee's Decision: 93.3

☞ One point requires clarification. When asked whether their doubles could be made on light offshape values (the operative word being "light") N/S were obligated to provide any information they had regarding their tendencies to make light takeout doubles, regardless of shape. (The ACBL Alert procedure says: "The opponents need not ask exactly the 'right' question. Any request for information should be the trigger. Opponents need only indicate the desire for information—all relevant disclosures should be given automatically.") So if N/S agreed to make, or were in the habit of making, doubles as light as North's was here, they should have told East that they made takeout doubles with minimal high cards and perfect shape. As the Committee noted, the Alerting issue was irrelevant since light doubles with perfect shape are not Alertable, and 8 HCP is not so unusual as to be pre-Alertable.

In any case, once the Committee determined that N/S had no special agreement as to the minimum strength required for their doubles (I agree), allowing the table result to stand was the correct decision. They were also correct to note that even had there been MI, the Director's assignment of +660 was inappropriately generous, given North's play of the $\heartsuit A$ at trick two.

The panelists are all in agreement. We'll start with Mr. Chairman.

Gerard: "Whoops. East could also take twelve tricks by pinning the singleton deuce or three. Something about this hand causes a blockage.

"Suppose North had answered 'Yes' and East's finesse lost to the stiff king. It turns out that North would not have considered his actual hand sufficient for even a 'minimum' takeout double (a 'yes' answer would make the distinction between offshape and on-shape irrelevant). Would you change East's +600 to +660?"

☞ Good point. Note that to take twelve tricks when North has a small singleton requires both a misdefense (North rising with the $\heartsuit A$) and three entries to the East hand; declarer must overtake one of dummy's clubs honors with the ace, not an easy play to find.

Another Committee member speaks...

Polisner: "Excellent decision if I do say so myself, having been on the Committee. East knew that North could have at most 11 HCP, which would qualify as 'light' under most players' understanding. Thus, the trick question."

Bramley: "Excellent. The Director's adjustment was wrong, as the Committee noted, but his ruling was also wrong. He, too, should have spotted the perversity of East's line of questioning and allowed the table result to stand. If E/W had appealed such a ruling they would have deserved an AWMW."

Rigal: "I can see why the Director made the initial ruling, but it seems rather generous to E/W even in the case of doubt. However, the Committee nailed this one to my mind. They took the point very efficiently re the box for offshape doubles not relating to 4-4-4-1 hands. I think they also made a number of very pertinent comments about the nature of the questioning too. Declarer's line seems to have earned him his +600."

Treadwell: "An excellent analysis by the Committee, and a good decision to let the table result stand. East simply misread the situation and, correctly, had to live with the result."

Stevenson: "Well-researched decision."

Wolff: "E/W were way out of line. East tried to pick off the $\diamond K$ which, to say the least, is anti-percentage. When that didn't work he wanted to win it back in Committee. He got past the Director, but where is the discipline when he loses?"

☞ As Bart pointed out earlier, N/S—not E/W—were the appellants. One panelist provides a bit of political insight.

R. Cohen: "E/W may not know it but, if they qualify for the 2004 US Team Olympiad in Istanbul, the North player will be their host as president of the Turkish Bridge Federation. The Director was way off base in his ruling, but the Committee set matters right."

Endicott: "Whether 'offshape' was included in the question or not is largely irrelevant. Having been asked the meaning of the double N/S should cover all of its possibilities when replying. Since the Committee was of the opinion that there was no partnership agreement, the question then turns upon whether N/S had given spurious information about a situation where they had no agreement. Presumably the N/S players are not a regular partnership if we are to accept that such a simple matter has not been the subject of partnership experience. This is something that one would expect to see explored."

Kooijman: "I'm puzzled again. Only one CC showing 'minimum offshape doubles' where West and apparently also the Director had seen two of those? What does 'minimum offshape double' mean? The same as 'minimum shape double'? My guess is that N/S have the agreement that the double can be very light. The one good thing is the decision as taken: +600 for E/W."

☞ For readers unfamiliar with them, "minimum offshape doubles" refers to a defensive bidding method in which a double of RHO's opening suit bid is for takeout but may be made with relatively balanced hands containing opening high-card values but non-classic takeout shape. (These are often referred to as "power doubles.") This may be contrasted with standard bidding methods, in which doubles with offshape hands require extra high-card strength (normally the equivalent of a 2NT rebid, reverse or jump-shift). This technique has much to recommend it and in one form or another is the method of choice of many of the top Italian pairs.

CASE FIFTY-ONE

Subject (MI): Obligation Fulfilled?
Event: Flight A/X Pairs, 21 Jul 01, First Session

Bd: 19	Yashu Maitra		
Dlr: South	♠ J764		
Vul: E/W	♥ AJ		
	♦ KQ6		
	♣ K1052		
Sharon Hait	Barbara Sartorius		
♠ A983	♠ KQ5		
♥ Q1053	♥ K9864		
♦ 54	♦ AJ82		
♣ Q83	♣ 4		
	Jerry Manioci		
	♠ 102		
	♥ 72		
	♦ 10973		
	♣ AJ976		
West	North	East	South
Pass	2NT(2)	All Pass	2♣(1)
(1) Alerted; weak			
(2) Not Alerted; non-forcing			

The Facts: 2NT went down one, +50 for E/W. The opening lead was the ♥4. The Director was called at the end of the auction. East stated that if she had been Alerted that 2NT was non-forcing she might have made a takeout double. The failure to Alert 2NT was discovered after West’s final pass. The Director ruled that there had been MI and changed the contract to 3♥ made four, +170 for E/W (Law 21B3: “When it is too late to change a call, the Director may award an adjusted score”).

The Appeal: Both sides appealed the Director’s ruling. N/S thought they should have been allowed to retain the table result of –50 in 2NT since they had properly pre-Alerted all of their two-level openings as weak (5-11 HCP), Alerted the 2♣ opening, and only forgot to Alert the 2NT bid as non-forcing. They believed that since “2NT Force” was not checked on their CC they had

fulfilled their obligation to disclose their methods. They also had written on their CC, in small writing in the box for the 2♣ opening, that only jump shifts below game were forcing. E/W’s appeal was based on their belief that had they been properly Alerted they would have bid the 4♥ game and therefore should have been assigned a score of +620 rather than +170. East stated that since she was certain that the auction would continue, she passed over 2NT, not wishing to enter a live auction where her RHO might hold a 20 count.

The Panel Decision: Four experts were polled. Two of them said they would have asked the meaning of 2NT at the time it was bid and would then have doubled regardless of what they were told. Two others said they would have doubled without asking and wondered why 2NT was not defeated +200 for a reasonable result. All four experts said they would have expected an Alert for a non-forcing 2NT (ACBL regulations do, in fact, require an Alert if 2NT is non-forcing). After considering the consultants’ input, the Panel was still left with the belief that even if the consultants would have doubled anyway, this East—who didn’t—surely would have doubled with a properly offered Alert and thus was damaged by the failure to Alert. The consultants were then asked how likely it would have been for E/W to have gotten to game after a double of 2NT. Based on their input, the Panel projected that an auction such as 2♣-P-2NT-Dbl; 3♣-4♣-P-4♥ was probable enough under Law 12C2 to adjust the score for both pairs to 4♥ made four, +620 for E/W.

DIC of Event: Richard Strauss

Panel: Terry Lavender (Reviewer), Millard Nachtwey, Matt Smith
Players consulted: Mildred Breed, Shawn Quinn, Tom Smith, Chris Willenken

Directors’ Ruling: 71.7 **Panel’s Decision:** 80.8

☞ While nothing is certain, I tend to agree with the Panel that there was enough doubt about what would have happened had 2NT been properly Alerted that I would have adjusted the score. East properly called the Director at the end of the auction, before she knew the whole deal, and stated that she “might” have doubled 2NT had she known it was non-forcing. (I treat all “might’s” as if they were “would have’s” in these situations.) Given her commitment to a different action with the proper Alert, and having eliminated the possibility that she was “resulting” the hand, I think an adjustment should be virtually automatic—even if it results in a *poorer* score for the petitioners than the one they achieved at the table. But caution is required since this principle should only apply when the petitioner states her case as soon as the MI—here the failure to Alert—is revealed. Had East waited until the hand was known to call the Director, I would not have honored her request.

As for what score to assign each side, I would not assume the same auction as the Panel. Passing 2NT doubled is much more in keeping with South’s action at the table, and if West bids either 3♥ or 3♠ it is doubtful that E/W would reach game. (East doesn’t have the values to raise 3♥ to 4♥.) What if West bids 3♣ over East’s double? East is not worth more than 3♥ since West might have four spades and fewer than three hearts. And West will surely pass 3♥ with her minimal values and wasted ♣Q. Since I make it unlikely but not totally improbable that E/W would reach game, I’d assign N/S –620 and E/W +170.

Our first panelist raises a very relevant issue.

R. Cohen: “When are experienced players going to learn to call the Director immediately when an irregularity occurs? East is experienced enough to know that when South passed 2NT there was a high probability that there had been a failure to Alert. She was also experienced enough to have known about Law 9A1, ‘...any player may call attention to an irregularity during the auction whether or not it is his turn to call.’ Had the Director been called before West’s final call East’s pass could have been canceled and a real table result achieved. My adjudication is N/S –620 and E/W +170. No double shots for E/W from me.”

☞ If East had enough information to know that South’s pass meant that 2NT was non-forcing, Ralph has a valid point. But four things cause me to question whether East should have spoken up before West’s final pass. First, East couldn’t be sure that South hadn’t just taken it upon himself to pass a forcing bid. Second, the final two passes might have occurred too quickly for East to react or work out that there was a possible (likely?) failure to Alert. Third, if East spoke up and was wrong about 2NT being non-forcing the resulting UI would prevent West from taking a marginal balancing action. And finally, if East speaks up and is wrong the AI would help declarer locate the E/W cards during the play of 2NT. Nevertheless, I like Ralph’s score adjustment.

Addressing Ralph’s issue of East’ obligations to ask and/or speak up...

Polisner: “Good Panel decision. This hand, as well as several others, points out a major problem with the laws related to asking questions to obtain necessary information, when the act of asking could convey UI which may result in an adverse position. We should not require East to ask if 2NT is forcing or not when a non-forcing treatment is required to be Alerted. On the other hand, when we know (or suspect) a player believes that his/her opponents are in the middle of a mixup and therefore doesn’t ask in order to perpetuate the opponent’s confusion, there should not be protection if, in fact, a mixup was not present.”

Rigal: “The Panel’s predictions of the hypothetical auction argue well that N/S

should get –620 here. What about E/W? Well, East should maybe have asked about the 2NT bid; never having played against a weak 2♣-bid I do not know what I would expect from a 2NT response. South's dereliction of duty in failing to Alert a highly unusual meaning of a 2NT bid persuades me not to grumble too much about the E/W bidding and play. Arguably though, their incompetence in the defense suggests they might have stopped in 3♥."

✍ And the next panelist adds some excellent points.

Bramley: "Tenuous. An Alert of 2NT might well have been disregarded unless the Alerter was insistent. (Many players routinely Alert 2NT responses to their weak two-bids, and their opponents just as routinely ignore the Alerts.) Furthermore, a weak 2♣-bid is unusual enough that an opponent might ask questions even without further Alerts. This case could qualify as one in which the opponent failed to protect herself adequately, despite the failure to Alert. The unanimous expert vote for double, regardless of the meaning of 2NT, corroborates this viewpoint. Finally, the technical requirement to Alert a non-forcing 2NT bid seems counter-intuitive when 2NT is bid over a minor-suit opening, where 'natural and invitational' is a plausible meaning for 2NT.

"The Panel should have gotten details of the play in 2NT. Did declarer guess clubs right and steal a later trick, or was there a complete defensive breakdown? I've almost talked myself into allowing the table result to stand, but I can't quite justify it. The Panel's decision, while extremely favorable to E/W, is technically correct, both as to deciding for E/W and in adjusting their score to +620. With a timely Alert and explanation East certainly would have doubled, and might have achieved +620. The clincher for me is that N/S, playing a very unusual system, are under a special obligation to inform their opponents of the meaning of their bids, even in situations where an Alert may not be explicitly required. Failure to honor that obligation should weigh against the pair using the unusual methods, rather than against their opponents for failing to ask the right questions."

✍ I find Bart's point that Alerts of 2NT are often disregarded unconvincing, but I agree that a weak 2♣-bid is unusual enough to have raised East's suspicions. In the end, like Bart, I think that N/S's obligations to Alert their unusual methods far outweigh any expectations that their opponents protect themselves. And while a "system maven" might realize that 2NT is more likely to be natural and non-forcing over a minor-suit weak two-bid (where is Kokish when you need him?), I would not place the burden of drawing such an inference on the typical player.

Regarding the play in 2NT, I don't see how the competence of E/W's defense was material since even had they gone +150 (the best they can do if South guesses the ♣Q) they would not have been compensated for their lost +170 in 3♥.

Bart could have had his cake and eaten it too if he had just thought a bit more about E/W's chances of getting to game if South passes East's double of 2NT.

Next, a word from our sponsor.

Endicott: "The Panel's decision is probably fair, but this is just the kind of case where a weighted ruling would be more equitable. The fact that 'most E/W pairs reached game' is not of consequence; what could be of consequence would be a whether most E/W pairs defending against a weak 2♣ opening by South reached game. Given the diffident approach to the auction by East, and the views of the players consulted, I doubt that it can be said confidently that E/W would get there. But, of course, when restricted to the crudities of 12C2 there is no more to say."

✍ I would certainly be happy with a 12C3 adjustment (but only for E/W) here. Are you listening Ralph, Jeff, Ron, Wolffie? We need 12C3 in the ACBL and there's no reason to wait for the next revision of the laws to permit it. How about a proposal from the Laws Commission to the Board of Directors to approve its use—but *only for non-offenders?*

I know I have the support of the next panelist, the chairman of the WBF Laws Committee, on this one.

Kooijman: "The Panel's decision is reasonable, though I would have preferred a weighted score for E/W with using +170 and +620 if 2NT is constructive (not possible in the ACBL). N/S deserve their –620."

✍ The David/Dave twins support the Panel's decision and David adds a warning for players who would pick and choose which rules they wish to abide by.

Stevenson: "Good decision. Note that North believed that if some regulations are followed (the CC ones) then it does not matter if other ones are not (the Alerting ones). We need to educate players that you follow the rules—all of them. Why were the experts asked what they would have done over an un-Alerted 2NT? That does not affect the decision."

Treadwell: "Since 2NT after partner's weak-two opening is quite an unusual agreement, it is definitely Alertable. Even though the consultants maintained they would either double anyway or ask about the meaning of 2NT, the burden is on the side of the 2NT bidder. East did not commit an egregious error in bridge judgment by failing to take either of these actions. Hence, as the Panel decided, she was entitled to redress. Excellent analysis by the Panel."

✍ One panelist is dead-set against any adjustment.

Wolff: "To go from +50 in 2NT to +620 in 4♥ is not only a bit of a stretch for E/W, it is ridiculous. I don't know how many partnerships play random 2NT as forcing. I hardly play any non-conventional 2NT's as forcing and why the opponents can't ask baffles me. It's not as if North was trying to bamboozle anyone. This punishment does not fit this crime (if there is one)."

✍ I hope the next time Wolffie asks the meaning of an opponent's un-Alerted call he is careful in his selection of opponents.

Finally, with a "perfect" argument for the "perfect" decision, the final word goes to...

Gerard: "I'll bet one reason +200 didn't happen is that North guessed the clubs. I don't for a minute believe that business about asking and then doubling regardless. Picture West with a 4=3=3=3 yarrowborough. The Panel did well to reject the consultants' intelligence transfer, otherwise this would have been truly horrid. But that auction to 4♥ looks awfully contrived. If South bid 3♣ West would more likely bid 3♥, which East would raise. But if South passed West would also bid 3♥, which East would pass. And why wouldn't South pass? I'm for –620, +170."

CASE FIFTY-TWO

Subject (MI): Blame It On George
Event: Flight A/X Pairs, 21 Jul 01, First Session

Bd: 5	Leslie Bresge		
Dlr: North	♠ K97		
Vul: N/S	♥ AQ974		
	♦ AQ4		
	♣ AJ		
David Hemmer	Ed Hung		
♠ QJ3	♠ A10852		
♥ K10	♥ 8653		
♦ J97	♦ 53		
♣ K10982	♣ 63		
	Sarah Bresge		
	♠ 64		
	♥ J2		
	♦ K10862		
	♣ Q754		
West	North	East	South
	2♦(1)	Pass	2♠(2)
Pass	2NT	Pass	3NT
All Pass			
(1) Alerted; Mexican (18-20 balanced)			
(2) Alerted; transfer to 2NT			

The Facts: 3NT made six, +690 for N/S. The opening lead was the ♠5. Declarer won West's ♠J with the king and ran the diamonds. East pitched hearts, retaining his spades, which allowed North to take five heart tricks. The Director was called at the end of the play. West had asked for an explanation of the auction after East's opening lead had been placed face down on the table, and specifically inquired whether North could hold a five-card major. South replied that he "absolutely" should not, and then added "but I'm never sure with him" (or words to that effect). The Director ruled that there had been MI and changed the contract to 3NT made four, +630 for N/S (Laws 75C, 75D2 and 40C). A 1/4-board PP (6.25 matchpoints on a 25 top) was also assessed against N/S for North's failure to correct the MI before the opening lead.

The Appeal: E/W appealed the Director's ruling. E/W were upset that declarer, North, never spoke up to correct the misexplanation

that he could not hold a five-card major. Without the correction they believed they had no chance to get the defense right. N/S were convinced they played the "standard" version of Mexican 2♦.

The Panel Decision: Two experts familiar with Mexican 2♦ were consulted. Both believed that there was no restriction on holding a five-card major in the system: 2♦ simply showed a balanced hand with 18-20 (or 21) HCP with all 5-3-3-2 hands being considered balanced and acceptable. Both said they would have opened 2♦ with North's hand. Even though the Panel believed that South had given MI, since hearts were not mentioned in the bidding they did not believe it was likely that East would have discarded winning spades to keep the ♥8653. Thus, they decided that the MI did not cause E/W's poor result; rather, it was the concealment of the heart suit when North chose to open 2♦ that was responsible. Thus, Law 40C did not apply and the table result was allowed to stand. Regarding the PP imposed at the table, the law requires a player on the declaring side (here North) to correct his partner's misexplanation in the auction before the opening lead. N/S both claimed they played "standard" Mexican 2♦, which included that the 2♦ opener not hold a five-card major. Both experts said this was not part of the method. Therefore, the PP would only be removed if N/S produced documentation (e.g., system notes) to show that their 2♦ bid denied a five-card major and that South's explanation was accurate. When N/S could not produce any documentation, the PP was left in place.

DIC of Event: Richard Strauss

Panel: Terry Lavender (Reviewer), Millard Nachtwey, Roger Putnam
Players consulted: Eddie Wold, Eric Rodwell

Directors' Ruling: 60.0 **Panel's Decision:** 85.8

None of the panelists questions the appropriateness of the Panel allowing the table result to stand, which leaves us wondering why the table Director did not find that ruling.

Stevenson: "It is very easy to see afterwards that 8xxx is a stopper in an unshown suit but I do not believe East would have defended differently if told a five-card major was 'rare, but possible' or some such answer. Incidentally, why did North open 2♦ with a five-card major? Did anyone ask him?"

With the link between the MI and damage so obviously missing, several of the panelists choose to focus on the wisdom of hitting N/S with a PP.

Bramley: "The only doubtful point is the PP. Was North's failure to correct partner's explanation a flagrant foul? I think not, and would have rescinded the PP. This was a misexplanation that did not cause damage, and N/S did not deserve to be punished for it."

Polisner: "Should North have corrected South's statement if he did not hold a five-card major or only when he does? In light of the no harm, no foul aspect of the hand, a warning rather than a penalty seems more appropriate."

Treadwell: "I'm a bit uncomfortable with the PP assessment to N/S in this case, but I guess it is a good way to educate them to their responsibilities. A good analysis to let the table result stand."

Rigal: "Excellent decision by the Panel. However much my sympathies to the non-offenders, the Panel made the fine point that no one in the A/X pairs was even remotely likely to retain four small hearts here. The PP was on the harsh side, but once the Director had imposed it (rather harshly in the context of the score adjustment I believe) the Panel had no real reason to vary it. Frankly, I would have been looking at a tenth of a board, not a quarter of a board. Unless N/S were repeat offenders, I think this was out of line with the gravity of the offense."

I agree. While experienced players should know to correct MI before the opening lead when they are the declaring side, the N/S players here each had about 750 masterpoints. Thus, the PP may well have been unnecessary.
 Next, what about an AWMW? Here is the strongest case for one.

Gerard: "So let me get this straight. E/W got a ridiculous ruling in their favor, appealed because N/S weren't barred from the tournament, lost two tricks in the process, and didn't get an AWMW? If North had only held ♥AQ94, would East's heart pitch not have cost? The PP is about the most heavy-handed I've ever seen. It's discretionary, not mandatory. Documentation was unlikely to exist at this level, so some other line of inquiry should have been pursued. I know North's assertion smacks of 'I deliberately violated my system,' but it seems to me that N/S were just guilty of having an inferior agreement. Lots of PP waivers have been based on less."

Yes, this appeal rested on such shaky ground that an AWMW was justified. Agreeing is...

Kooijman: "Yes, declarers and dummies not rectifying a wrong explanation from partner deserve a penalty. A good decision by the Panel with an analysis that should have been found by the Director as well. What about an AWMW for E/W?"

✍ Two more panelists support the PP. The first agrees with the Panel’s decision.

Endicott: “I am particularly pleased that the Panel concentrated on the particular partnership’s methods and not what other players consulted thought should be the case when they made their decision about the PP. Partnership understandings are matters of fact, not of bridge judgment, and should be evidenced by the players concerned.”

✍ The second supports the table ruling for N/S and a variation of it for E/W.

R. Cohen: “The Director was correct in assigning N/S +630 plus the PP. The only question was whether E/W should be assigned –630 or –660. Since the consultants were so adamant in their opinions, the Panel had no option but to decide as they did. +630 and –660 was the proper adjudication.”

✍ Ralph, your homework is to read Ron’s comment and then write a 500-word report. The topic: Why Did East Not Keep His Hearts As It Was? Neatness counts. Finally, one panelist manages to maintain an especially aloof perspective amid all the turmoil.

Wolff: “More confusing rhetoric about not too interesting a subject.”

Subject (MI): The Price Of Confusion
Event: Flight A/X Swiss Teams, 22 Jul 01, First Session

Bd: 28	Abby Heitner		
Dlr: West	♠ AQJ104		
Vul: N/S	♥ 754		
	♦ 7		
	♣ A1064		
Gail Bell		Gila Guttman	
♠ 92		♠ 7	
♥ AKQ1032		♥ 86	
♦ KQ3		♦ J9854	
♣ 87		♣ KQJ92	
	Georgiana Gates		
	♠ K8653		
	♥ J9		
	♦ A1062		
	♣ 53		
West	North	East	South
1♥	1♠	Dbl	3♥(1)
4♥	4♠	All Pass	
(1) Alerted; explained as a spade raise with shortness			

The Facts: 4♠ made four, +620 for N/S. The opening lead was the ♣K. The Director was called when dummy was tabled. East claimed that she would have bid 5♥ except that she was worried about a possible trump stack if South was short in hearts. South made no attempt at the end of the auction to correct the MI about her heart holding. North’s CC was marked “mixed raise”; South’s was marked “JQ=LR.” N/S seemed unclear about what their bids meant after a negative double. The score was changed to 5♥ doubled by West down two (providing for one diamond ruff, not two), +300 for N/S (Laws 21B2 and 3). In addition, N/S were assessed a 1-VP PP for South’s failure to correct the MI before the opening lead.

The Appeal: N/S appealed the Director’s ruling. North said that she would have beaten 5♥ doubled three tricks: She would have led her singleton diamond and then underled her ♠A as they had at the

other table (against 4♥). N/S also stated that the sacrifice was more likely to work if South had the singleton heart she was said to have, although this was not the aspect of the ruling to which they were really objecting. East said she would have bid 5♥ had she been told that the jump cue-bid was a limit raise or a mixed raise. She did not bid because she was afraid of a bad trump break. It also came out that East had broken tempo when she was considering bidding 5♥ over 4♠.

The Panel Decision: Had South informed the opponents of the MI before the opening lead, East would have had an opportunity to state her desire to bid 5♥ before she saw the dummy. However, the fact that she paused over 4♠ and called for the Director as soon as dummy came down gave credence to her claim that she was seriously contemplating bidding 5♥. Three expert players were consulted as to what they would have led against 5♥ doubled. Two said they would have led the ♠A while the third said that the ♠A and ♦7 were both reasonable. Thus, the Panel changed the contract to 5♥ doubled down two, +300 for N/S (Laws 40C and 12C2). Also, the 1-VP PP was reaffirmed.

DIC of Event: Bob Katz

Panel: Charlie MacCracken (Reviewer), Mike Flader, Millard Nachtwey, Susan Patricelli

Players consulted: Henry Bethe, Margie Gwozdzinsky, Joey Silver

Directors’ Ruling: 77.9

Panel’s Decision: 75.4

✍ I like this decision. Offenders should not be given the benefit of the doubt about how they would have played had they not committed their infraction. As an aside (read: here's another paid, political announcement), it would be nice to be able to assign E/W a 12C3 average of -300 and -500. I also agree with the PP as South was an experienced player (with about 7300 masterpoints).

Most of the panelists agree and support the Director's and Panel's decision.

R. Cohen: "Well done by all of the officials, including the VP penalty."

Stevenson: "Good ruling and decision: players must learn to correct MI if they become declarer or dummy."

Rigal: "Another tough PP award in the context of a score adjustment against the offenders. However, N/S should indeed know better when it comes to correcting MI. What did she mean the bid to show anyway? Surely not a mixed raise? The experts' leads surprise me, but I guess we should live with their decision. In context, therefore, the Panel decision to let 5♥ doubled escape for down two seems reasonable. Again East's actions (without hindsight really) argue for allowing her to bid 5♥ here."

Endicott: "Here we have all the hallmarks of the cockup that comes from agreement in haste, without checking that both understand the same thing from what has been said. Oh that North had said less, or more, and South is at fault for saying nothing when she became dummy."

Wolff: "Okay, but so much speculation as a result of not knowing a convention."

✍ One panelist suggests an AWMW.

Kooijman: "Till CASE FIFTY-NINE some more AWMWs perhaps. How relaxing to have seven quite acceptable or good decisions in a row."

✍ The next panelist spent too much time contemplating how many different ways 3♥ can be played and not enough time thinking about what North actually told E/W about the meaning of 3♥ in her partnership.

Treadwell: "East claimed she would have bid 5♥ with the correct explanation because she feared a trump stack. In the first place, South could have had a stiff in either minor rather than in hearts, and secondly her partner had bid 4♥ on her own quite freely. Also, most pairs, I believe, play this jump cue-bid as a shapely limit raise, usually with side shortness. So, the N/S sin was not to have used the word usually. I think this infraction, if indeed it was an infraction, was so minor that it should not have warranted a PP."

✍ Sorry, but in my book when a player says her partner's jump in the opponents' suit shows "a raise with shortness"—not a "mixed raise" and not "shortness somewhere," either of which can legitimately be interpreted as implying that the shortness need not necessarily be in hearts—the implication is that the shortness is in the jumped-in suit. If not, then the proper explanation is "a raise with unspecified shortness" (or words to that effect).

Arguing along similar lines is...

Bramley: "I disagree. East's Director call could have been provoked by the whole dummy (especially its spade holding), not just the heart holding. It's a lot easier to decide that saving is right when you can see that 4♠ is probably cold and that 5♥ might be cheap. East conveniently forgot that her partner bid 4♥ solo and should have a suit that can withstand a three-one or four-one split. And South could have

been short in one of the minors instead of hearts. It's not hard to construct hands where both 4♠ and 5♥ are cold. (Give West a singleton diamond and the ♣A.) I would have let the table result stand. Also, the PP is awful. South had no reason to think that the mild difference between her hand and partner's explanation would have had any conceivable effect on the opponents' decisions, and, in addition, her hand was about to hit the table.

"Why weren't any experts asked whether they would have bid 5♥ with the explanation given? Or with the correct explanation?"

✍ Bart's argument does not explain East's long thought over 4♠, which clearly suggests she was considering bidding 5♥. (What else could she have been thinking about?) Yes, West's solo 4♥ bid suggests that his suit is pretty good, but ♥Jxxx or even ♥Q10xx with North are not impossible holdings.

Even if you buy Bart's arguments about the implausibility of East bidding 5♥, there's a compelling case (from East's tempo over 4♠ if nothing else) for adjusting N/S's score if not E/W's.

Next, that rarity of all rarities,... a lawyer playing lawyer.

Polisner: "Playing lawyer, what does 'shortness' mean? Is it defined in writing anywhere, or just a commonly accepted concept. Is a doubleton shortness? After all, North didn't say 'splinter,' 'singleton,' or 'void.' Further, should South 'correct' North's explanation if, after she hears it, she agrees that is what they play rather than the understanding she had when she made the bid. I have a difficult time believing that either East or West would sacrifice holding more than half the deck. East failed to do so allegedly based on a fear of a bad trump break. Baloney! Table result stands."

✍ Good grief. It is hard to know exactly how to respond to a question like "What does 'shortness' mean?" Suppressing my initial impulse, I'll simply suggest that Jeff ask himself why 4-4-3-2 and 5-3-3-2 distributions are considered balanced and 5-4-2-2 considered semi-balanced. Could it be because they all contain "shortness"? I'll bet that virtually all players would interpret the statement "someone has shortness" to mean that the player holds a singleton or a void. If a doubleton is possible, then such a statement is at best misleading.

Jeff's other question (should a player correct her partner's explanation if, upon hearing it, she's convinced it's correct and that she misbid?) is a better one. My answer, and the one I believe the laws and regulations require, is "No." If the player psyched would she "correct" her partner's (accurate) explanation? Of course not. Nor would she tell the opponents that she psyched. Nor would she lie and tell them that she misbid. The only time a player should correct her partner's explanation is when, in all good faith, she believes it to be wrong. And then she should *always* correct it, even if coincidentally it happens to describe her hand. But we've been over this ground before (see the McCallum-Garozzo case, CASE TWENTY-ONE from Miami).

Since East thought long and hard over 4♠ and called the Director immediately as soon as dummy appeared, it's hard to argue that she did not present a competent case that she wanted to bid 5♥ and might have with the right explanation. While Jeff might not have bid 5♥ it's surely more than just possible that East would have. In fact, unlike the player in CASE FIFTY-ONE the player here even said she *would* have bid 5♥, not just that she *might* have.

I think Jeff committed a "transfer of intelligence" error here. We should just be grateful that he didn't transfer his intelligence about what "shortness" means.

CASE FIFTY-FOUR

Subject (MI): Ignorance of the Law Is No Excuse

Event: B/C/D Pairs, 23 Jul 01, First Session

Bd: 25	♠ KQ43		
Dlr: North	♥ A		
Vul: E/W	♦ 53		
	♣ AJ10987		
♠ J107	♠ 8652		
♥ QJ9832	♥ K764		
♦ A10	♦ J2		
♣ Q6	♣ K32		
	♠ A9		
	♥ 105		
	♦ KQ98764		
	♣ 54		
West	North	East	South
	1♣	Pass	3♦
Pass	4NT	Pass	5♦
Pass	6NT	All Pass	

The Facts: 6NT made six, +990 for N/S. The opening lead was the ♠5. The Director was called at the end of play. Before making the opening lead East asked about the 3♦ bid and was told that it was 15-18 HCP with diamonds. East consequently decided to make a passive spade lead instead of an aggressive heart lead. The Director ruled that South had failed to properly correct the MI that his 3♦ bid was strong (he clearly intended it as weak) and that this information would have made a heart lead more attractive. The score was changed to 6NT down five, +250 for E/W.

The Appeal: N/S appealed the Director's ruling. South, a player with 22 masterpoints, said she had no idea what to do when her partner told the opponents that her bid showed 15-18 HCP. (She believed that her 3♦ bid meant the same thing as if she had

opened 3♦.) North thought that since 2♦ would have been a weak jump shift, 3♦ had to be strong. East stated that he would have led a heart had he been given the correct information.

The Panel Decision: Two Flight B players were consulted. Both led a spade when given the information that 3♦ was 15-18 HCP. When told that South showed a seven-card diamond suit with 6-10 HCP one Flight B player said he would absolutely lead a heart; the other thought she would still lead a spade but might lead a heart. The Panel found that N/S did not have an understanding about the 3♦ bid in this auction and in the absence of such an understanding the footnote to Law 75 instructs the Director to assume MI rather than a misbid. In addition, the consultants indicated that a heart lead would have been made more attractive had East been given a more accurate description of South's hand, as was required by law before the opening lead. The Panel found that the damage suffered by E/W was a direct result of the MI and assigned an adjusted score of 6NT down five (after a heart lead), +250 for E/W (Laws 75D2, 12C2).

DIC of Event: David Marshall

Panel: Terry Lavender (Reviewer), Charlie MacCracken, Millard Nachtwey

Players consulted: Two Flight B players

Directors' Ruling: 85.2

Panel's Decision: 85.2

✍ A fine solution to what was, in the final analysis, a pretty routine case. The only thing missing is a reassurance from the Panel that N/S were educated about their disclosure obligations in the future.

One panelist, still unhappy about the PPs issued in several earlier cases, can't resist a touch of sarcasm.

Bramley: "What, no PP for South? Nice going."

R. Cohen: "No other options available to the Director or Panel. Hopefully South got educated in the responsibility to correct misexplanations by partner."

Stevenson: "Fair enough. I hope that the decision was explained sympathetically to South."

✍ One panelist thinks a PP was appropriate.

Rigal: "I hate penalizing beginners but it seems as if the Directors have to do this here. As to the Panel, well the players consulted gave the Panel little choice but to adjust. I hope the Directors explained the whole thing to the players nicely."

✍ When we start giving PPs to players with 22 masterpoints (Flight D) for not knowing what to do in these situations, we can kiss the future of our game goodbye.

The next three panelists, two of them on our Laws Commission, think that the laws are subject to personal discretion. Shame. We're here to educate our readers on the proper way to decide such cases. It's one thing, after first indicating what the proper legal score adjustment is, to then opine that the laws need to be changed to allow for more equitable adjustments. But to suggest that Average-Plus/Minus is appropriate under the present laws is a disservice to our readers.

Polisner: "E/W didn't defend very well even after the opening lead to allow 6NT to make. I assume that East discarded a spade after West did not return the ♥Q when in with the ♦A. Perhaps that alone should deprive E/W of redress. I am reluctant to give E/W the whole enchilada when they couldn't beat the contract one trick. This is exacerbated by the speculation that East would have led a heart with the correct information, which would have been 'We have no agreement about the 3♦ bid.' Thus, East would still have been guessing what to lead. I think that an Average-Plus/Average Minus result should have been issued."

Treadwell: "North, obviously thought partner had 15-18 HCP else he would have merely bid 3NT. Apparently they had no agreement, so North committed an infraction. However, awarding E/W +250 is going way too far. I strongly doubt that East would have found the heart lead. On the other hand, N/S are not entitled to their fortunate bonanza. So I would score this the old-fashioned way: Average-Plus for E/W and Average Minus for N/S. This may not be procedurally correct in the modern era, but it is certainly the fairest way to handle it"

Wolff: "What about penalizing EW's defense after a spade lead? Perhaps N/S should receive -250 but to give E/W +250 after East's choice of opening lead and the later defense is a bugle-blowing official opening of the biggest candy store in America."

✍ And what about that twelfth trick that got away in 6NT? Our final panelist explains that it's completely irrelevant to our score adjustment.

Gerard: "It doesn't matter about the nonexistent twelfth trick, down five is better than down one."

✍ Yes, and as we saw in CASE FIFTY-TWO, even A/X players aren't too good about saving their four-card suits headed by the eight-six-five.

If 12C3 were available I'm confident that the three previous panelists would have used it to assign E/W's score. Can't we do something about legalizing 12C3 in the ACBL? Jeff, Wolfie, Ralph, Chip, Ron and the rest of you Laws Commission and Board members reading this? It's time.

CASE FIFTY-FIVE

Subject (MI): No Protection For the Lazy

Event: Flight A/X Pairs, 23 Jul 01, Second Session

Bd: 8	Fran Walton		
Dir: West	♠ J2		
Vul: None	♥ 9763		
	♦ Q82		
	♣ 7643		
Michael Cafferata	David Colbert		
♠ A8643	♠ KQ75		
♥ KQ	♥ A1042		
♦ 974	♦ K1065		
♣ A82	♣ 5		
	Paul Graham		
	♠ 109		
	♥ J85		
	♦ AJ3		
	♣ KQJ109		
West	North	East	South
1♠	Pass	3♥(1)	Pass
3♠(2)	Pass	4♣(3)	Db1
4♣	All Pass		
(1) Alerted; forcing spade raise with an unspecified singleton			
(2) Not Alerted; asked for singleton			
(3) Not Alerted; singleton club			

The Facts: 4♠ made six, +480 for E/W. The opening lead was the ♥3. Neither the 3♠ bid, which asked for East's singleton, nor the 4♣ bid, which showed it, was Alerted (the latter appropriately). N/S played special doubles of shortness-showing bids; the double of 4♣ (splinter) in the present auction should have asked for a heart lead. The Director ruled that East's 4♣ bid required a Delayed rather than an immediate Alert (it was above 3NT and on the second round of the auction) so South would actually have had to ask if he wanted to know the 4♣ bid's meaning. The table result was allowed to stand.

The Appeal: N/S appealed the Director's ruling. South said that when 3♠ was not Alerted as asking for East's singleton he thought 4♣ was a suit and doubled for a club lead. But since North worked out that 4♣ was a singleton she led a heart as per their agreement. N/S each had a bit over 2,500 masterpoints.

The Panel Decision: Three experts were consulted and all thought that 4♣ had to show a singleton and that a pass by South was automatic playing

the N/S pair's methods. Two of the experts believed that 3♠ did not require an Alert as it was merely a waiting bid. Gary Blaiss, Chief of ACBL Tournament Division, said that while 3♠ was technically Alertable, it was very difficult to see where there would ever be damage from a failure to Alert it. Were 4♣ a suit, opener would still not know responder's singleton. Given the preceding, the Panel decided there was no damage from the failure to Alert (Law 40C) and allowed the table result to stand.

DIC of Event: Susan Patricelli

Panel: Terry Lavender (Reviewer), Charlie MacCracken, Millard Nachtwey

Players consulted: Henry Bethe, Abby Heitner, Thomas Smith

Directors' Ruling: 71.4

Panel's Decision: 66.7

✍ We'd probably all be able to agree that in the B/C/D pairs N/S would deserve protection from the failure to Alert 3♠. But the question here is whether players in the A/X pairs should be aware of the likely meaning of the 4♣ bid from the Alert of 3♥ (as, in fact, North was). But that's not the end of it. Even if we believe that South's being asleep at the switch was sufficient to deny his side redress, it's still likely that he would have gone right and not doubled 4♣ had 3♠ been properly Alerted. So E/W should be prevented from profiting from their negligence.

There are a number of bids which are technically Alertable according to our

regulations but where it's difficult to see how experienced opponents could ever be damaged from the failure to Alert them. For example, suppose you open 1♠ and partner bids 2NT, which you properly Alert and explain as a forcing spade raise asking for your shortness (Jacoby). Partner then neglects to Alert your shortness-showing 3♣ bid. Or suppose you open 1NT and LHO bids a natural 2♠. Partner bids 2NT, which you properly Alert and explain forces you to bid 3♣ (Lebensohl). But partner then neglects to Alert your "forced" 3♣ bid. Should we protect the opponents in such situations? I personally can't imagine them deserving redress for damage caused by the failure to Alert 3♣ in either of these auctions (although I can easily see adjusting the score of the pair that failed to Alert).

So the question confronting us here is, "Did the failure to Alert the technically-Alertable 3♣ bid damage the experienced opponents so that they deserve redress or was the damage due to their own negligence which forfeited their right to redress?" In the latter case the offenders' (E/W's) score might still need to be adjusted.

The first group of panelists say N/S were damaged by South's own negligence and do not deserve any redress. In fact, some of them are so incensed at N/S's appeal that they would have issued an AWMW.

Bramley: "If 3♥ was Alerted and explained at the time the bid was made, then N/S should have expected the subsequent auction to have some relation to locating the singleton. South, in particular, had a good reason to suspect that 4♣ might be a singleton, and, given that he could get a club lead (if 4♣ were natural) or a diamond lead (if 4♣ were shortness) by his action at that turn, it was incumbent on him to find out what 4♣ meant. South was so derelict in his duty that I would have given N/S an AWMW."

Rigal: "Excellent ruling and decision by the Director and Panel. They properly researched the rules point, and my only question is whether an AWMW was appropriate. Since they had to go consulting outside authority, I will let N/S off with a caution—but in my heart I believe they should get an AWMW."

Treadwell: "If you don't win at the table, maybe the Director will help you. Not so in this case, fortunately."

✍ The second group of panelists' position lies at the other end of the spectrum. The most eloquent advocate for this view is, not surprisingly...

Gerard: "Absolutely wrong. 3♠ was not merely a waiting bid, it had a conventional meaning. It was more than just 'technically' Alertable, it was just plain Alertable. What gives Gary Blaiss the right to decide that some Alerts are meaningless?"

"Suppose 3♠ was progressive and suggested cue-bids; that would be 'merely' a waiting bid. Wouldn't N/S be entitled to surmise that West had a different hand than if he bid 3NT to ask for the singleton? For example, after 3♠ (Alert), 4♣ (no Alert), pass by South, 4♠ by West, this North would lead a diamond. After the same auction with no Alert to 3♠, West will not hold xxx in either red suit. North might still lead a diamond, but she would do so knowing that it was riskier.

"So to enlighten Gary Blaiss, if South wanted a diamond lead he could be damaged from the failure to Alert an Alertable bid. He would never ask about 4♣ since he was not planning to double it, whatever it meant. His pass would be meaningful over an Alerted 3♠ bid but would be neutral over an un-Alerted one. If North didn't work out to ask whether 3♠ should have been Alerted and decided to lead a heart, wouldn't that constitute damage?"

"Since I've already been told it was difficult to come up with that example, I object to having to spend the time to do so. Why is the Chief of the Tournament Division telling me that the laws can be disregarded? And why do I have to be told that 4♣ 'had' to show a singleton? I recall that a World Championship was decided on a hand where Garozzo didn't ask for Belladonna's possible singleton because he wouldn't have been interested in the response.

“This is horrid. Everyone flunked, except for West, North and South. Just play by the rules and let the chips fall where they may.”

R. Cohen: “Everybody was wrong this time. If 3♠ had been properly Alerted, North would have had at least a 50% chance of finding the winning lead. Also, West had a responsibility to correct any MI before the opening lead and failed to do so. E/W +450 and N/S -450 was the correct adjudication. A pox on the consultants. Couldn’t 4♣ have been a cue-bid without the Alert of 3♠?”

Polisner: “I don’t agree that there was no damage in this case by the failure to Alert 3♠. If this had been Alerted, it is likely that South would have been aware that 4♣ showed a singleton and that he would not have doubled. Assuming that double asked for a heart lead over a splinter, pass must ‘suggest’ a diamond lead. We have learned that questions by a player in a position like South’s, about the meaning of a bid like 4♣, can create UI. We must protect the non-offending side. I would have decided to adjust the result to 4♣ made five, +450 for E/W, for both sides. I agree that South was not as diligent as he could/should have been, already having the knowledge that East had a singleton. But the failure to Alert did, in my opinion, contribute to the poor result.”

✍ So perhaps a two-way adjustment is appropriate?

Stevenson: “No doubt it is very rare to get damage from a failure to Alert 3♠ but the actual hand is the one case where there was damage. If it had been Alerted and N/S had asked the meaning South would have realized that he could not double 4♣ without asking. Alerts are required, and redress should be given when they are not and a player goes wrong as a result.”

✍ Well, there you have it. I find Ron’s argument as compelling as any he’s ever offered in these pages. While I believe in my heart of hearts that South’s double was a lazy action that deserved what it got (not unlike a famous player’s action in that infamous Spingold case many years ago), I can offer no tangible evidence from the write-up to support my view other than the fact that both the table Director and Panel were also convinced that N/S did not deserve protection. But even if I’m right and N/S do not deserve a score adjustment, E/W’s score should have been adjusted to -450. So I find myself endplayed into supporting the second group and adjusting the score to 450 for both sides.

In the final analysis, the following may be the only logical conclusion.

Wolff: “More ambiguous goblignook that no one can rely on.”

Subject (MI): Asking For the Impossible
Event: NABC IMP Pairs, 26 Jul 01, First Qualifying Session

Bd: 20	Zygmunt Marcinski		
Dlr: South	♠ K63		
Vul: E/W	♥ KQ872		
	♦ 6		
	♣ Q532		
Nathan McCay	♠ J7	Sandy McCay	♠ AQ1082
	♥ A43		♥ J5
	♦ KQJ42		♦ 7
	♣ AK7		♣ J10864
	Ronald Carriere		
	♠ 954		
	♥ 1096		
	♦ A109853		
	♣ 9		
West	North	East	South
			1♦
1NT	Dbl	3♠(1)	Pass
4♥	Dbl(2)	4♣	Pass
Pass	Dbl	All Pass	
(1) Alerted; no questions asked			
(2) Asked about the Alert of 3♠; told it showed both majors			

The Facts: 4♣ doubled made five, +990 for E/W. The opening lead was the ♣9. The Director was called at the end of the auction. East did not comment on West’s explanation of her 3♠ bid. The Director ruled that the 4♣ bid was not caused by any information associated with the explanation: Pass was not a LA. The table result was allowed to stand.

The Appeal: N/S appealed the Director’s ruling. N/S believed that West’s explanation of 3♠ gave East UI and that she should be required to pass 4♥. The final contract would then have been 4♥ doubled rather than 4♣ doubled. E/W rejected the possibility of playing in 4♥ because West would not have long hearts for his 1NT bid. E/W believed that when a player bids three-of-a-major in response to a notrump bid, the notrump bidder’s options are to bid 3NT or to raise the major. A new-suit bid is a cue-bid in support of the major, not an attempt to play in that suit.

Therefore, a contract of 4♥ could not be a consideration.

The Committee Decision: The Committee agreed with E/W that a 4♥ contract was never a possibility and allowed the table result to stand. They also decided that the appeal by N/S lacked substantial merit. Attempting to require the opponents to play in 4♥ on this hand was an abuse of the appeals process. N/S were each assessed an AWMW.

DIC of Event: Henry Cukoff
Committee: Doug Doub (chair), Abby Heitner, Ellen Melson, Richard Popper, Dave Treadwell

Directors’ Ruling: 97.6 **Committee’s Decision: 96.7**

✍ A fitting end to a most unsavory appeal. The following panelist expresses it best...

Bramley: “Let’s see. We psych and get a bad result, then call the cops? Twice? This appeal is off the charts.”

R. Cohen: “This appeal was an attempt to obtain a normal result after a psychic

opening bid backfired. It should be filed with the national Recorder as well.”

Polisner: “Excellent work, including the AWMW.”

Gerard: “We’ve had this before and the Committee missed it, so it’s good to see that these folks know the meaning of 4♥.”

Wolff: “More decisions and more CD. This decision is decent.”

Rigal: “Good Director ruling to cut through the irrelevancies. This did not have to be an AWMW, although if N/S put their case as badly as it appears they did, maybe they deserve one. Suppose North had said that if he had been on the same side of a screen as East and heard her explain her bid as showing a game-forcing hand with spades, with West cue-bidding for spades, would he have doubled? Perhaps not. As against that, South’s 1♦ opening bid deserved to concede 990 for his side.”

✍ We should stop using screen analogies in non-screen situations. There are a number of important differences between the two which have caused several laws to be modified for screen use. Without screens, players are not entitled to know what an opponent thinks his own bid means. (In online bridge one can ask *both* opponents what they think a bid means.) Relying on screen (or online) analogies in face-to-face situations is dangerous and often leads to erroneous decisions based on principles which do not apply.

Our last panelist makes a similar argument, though not relating it to screens.

Stevenson: “4♥ was never an option, true, but were N/S misinformed? The double of 4♠ is not nearly so clear if 3♠ is natural and 4♥ is a cue-bid.”

✍ It’s not clear from the write-up what either the Director or Committee thought E/W’s actual agreement was about the meaning of 3♠. My guess is that E/W played “system on” after 1NT overcalls. It also seems that they had not discussed whether this applied after a double. East seems to have assumed that it did not and that 3♠ was natural and a better hand than 2♠ (which would just have indicated a desire not to sit for 1NT doubled). West seems to have assumed that their system was still on. Since we don’t know which is the case—and it’s likely E/W didn’t either—West’s explanation was MI since it imputed an agreement which did not exist. He probably should have said something like “We play ‘system on’ after 1NT overcalls but we haven’t discussed whether it’s still on after a double.” So North was clearly misinformed.

East’s 4♠ bid was not based on UI, for precisely the reasons E/W stated at the hearing. It should then have been clear to North that East held just spades and that West’s 4♥ bid was not a cue-bid for spades. So North’s double of 4♠ was made with full information...uh, except that little detail that South had psyched. Since we all would have doubled 4♠ with the North hand after partner opened, that was not on E/W’s heads. Thus, the table result stands. In addition, N/S should have known that South’s psych was responsible for their poor result and that the MI had no bearing on North’s final double. So N/S deserved their AWMW as well.

CASE FIFTY-SEVEN

Subject (MI): Please Save Us From Ourselves

Event: NABC IMP Pairs, 26 Jul 01, Second Qualifying Session

Bd: 19	Jerry Helms		
Dlr: South	♠ AKQ95		
Vul: E/W	♥ ---		
	♦ J53		
	♣ KJ982		
Richard Potter		John Potter	
♠ 76		♠ J10432	
♥ K10952		♥ 8743	
♦ Q109		♦ A742	
♣ 1076		♣ ---	
	Ed Schultz		
	♠ 8		
	♥ AQJ6		
	♦ K86		
	♣ AQ543		
West	North	East	South
Pass	1♠	Pass	1♣
Pass	3♥(1)	Pass	2♣
Pass	5NT	Pass	4NT
Pass	7♣	All Pass	6♦
(1) Not Alerted; splinter			

The Facts: 7♣ made seven, +1440 for N/S. Before the opening lead North explained that his 3♥ bid had been intended as a splinter. The opening lead was a club. The Director was called at the end of play and told by East that he would have doubled 7♣ if he had known that 3♥ was a splinter. The Director ruled that West would likely have led a spade if East had doubled 7♣. Even with the actual opening lead, if West had not discarded hearts the contract would have been defeated. The Director allowed the table result to stand.

The Appeal: E/W appealed the Director’s ruling. The defense went as follows: Declarer won the trump lead and pulled the remaining trumps, East discarding the ♥3, ♦7 and ♥4. Declarer then played the ♠AKQ, discarding two diamonds, and ruffed a spade. On the play of the third and fourth spades West discarded two hearts. Declarer then took the ruffing finesse in hearts and, because of the heart discards, the ♥6 ended up as the thirteenth trick. East stated that had the 3♥

bid been properly Alerted he would have doubled the final contract. He thought that West would have led a spade but would then know that declarer was off the ♦A. Thus, he would have defended correctly and set the contract. When asked about his defense, West suggested that he expected his partner’s discards to show count against a grand slam. N/S admitted to the failure to Alert. They believed that the slam had made because of poor defense and an Alert would not have made any difference. The table result should therefore be allowed to stand.

The Committee Decision: The Committee believed that E/W earned their result with their poor defense. The only diamond holding for declarer that would require West to keep his diamonds would be ♦AKxx, but that was strongly contradicted by East’s discards. West did not need to have his partner double in order for him to know to keep four hearts. Therefore, the table result was allowed to stand. In addition, E/W were each assessed an AWMW because it was wrong for them to appeal in an effort to cancel their poor defense.

DIC of Event: Henry Cukoff

Committee: Doug Doub (chair), Abby Heitner, Ellen Melson, Richard Popper, Dave Treadwell

Directors’ Ruling: 82.8

Committee’s Decision: 84.3

☞ It's hard to see how the failure to Alert 3♥ affected anything...

Bramley: "How did the meaning of 3♥ affect East's decision whether to double the final contract? I was surprised to see the AWMW here, but I like it. Apparently it's hard not to bid 7♣ with these cards. (See CASE TWENTY-ONE.)"

Gerard: "Yeah, East would have doubled all right. What a triumph if South held 1-4-2-6."

Rigal: "The Director ruling slightly surprised me initially, given the difficulty of determining who was responsible for the defensive accident. Still, as the Committee demonstrated, the Director's conclusion was indeed reasonable. The Committee nailed this when they described the defense in the terms they did, and also awarded the AWMW. Sometimes when a Director is called during the auction or play the participants can get distracted. Here, however, East defended accurately to make life simple for West (who must be embarrassed to see this deal get written up—in his position I would not have let the appeal go through)."

Wolff: "Okay."

☞ The following panelist thinks the AWMW unjustified.

Stevenson: "Players are required to play to a reasonable standard after an infraction, and ridiculous defense would be sufficient to deny redress. However, it is often very difficult to defend adequately when the hand is way off expectations, and West's defense is not bad enough to deny redress. Furthermore, even if some people judge that it crosses that borderline, surely it is not so obviously clear that the defense is ridiculous to make it unreasonable to appeal. The AWMW seems very harsh. It is acceptable, in fact normal, to ask for a ruling when a player has produced 'poor' defense, but not if it is egregiously bad."

☞ The next panelist goes one step further: he would even have adjusted the score.

Polisner: "I have sympathy for E/W and do not believe that an AWMW was at all appropriate. Unless East is the kind of player who might throw in a double of 7♣ to try to move them into a non-making 7NT, I believe that West would realize that the double must be based on the ♦A and would have discarded correctly. Why was it 'obvious' that South did not hold ♦AKx(x) from East's discards? At the minimum, I would have adjusted N/S to -50 and would consider a reciprocal result for E/W to be reasonable."

☞ With spades not running, trumps breaking badly(?), and the ♥A behind the heart void (preventing a successful ruffing finesse) a double of 7♣ by East might have been worth a shot. So a double would not have *marked* East with the ♦A. But more to the point, why did East not double on the actual auction and what did the missing Alert have to do with it? Sorry, but the Committee recognized this for the thinly veiled attempt to win in Committee what E/W could not achieve at the table that it was. This is a classic case of: "If the opponents did anything wrong and we could have done better, then our error must have been caused by their mistake."

Finally, a question for the ages...

R. Cohen: "A waste of the Committee's time. By the way, what was the 6♦ bid?"

☞ The difficult questions we answer immediately, the impossible ones take a little longer. Don't call us, we'll call you.

Subject (MI): Where Is Casey Jones When You Need Him?
Event: Spingold, 26 Jul 01, Round of 16

Bd: 63	Ron Smith
Dlr: South	♠ 86
Vul: N/S	♥ K652
	♦ K9
	♣ 109865
Giorgio Duboin	Norberto Bocchi
♠ 93	♠ J1074
♥ AJ10974	♥ Q
♦ J53	♦ AQ10872
♣ AK	♣ QJ
	Billy Cohen
	♠ AKQ52
	♥ 83
	♦ 64
	♣ 7432

West	North	East	South
			Pass
1♥	Pass	2♣(1)	Pass
2♦(2)	Pass	2♥(1)	Pass
2NT(3)	Pass	3NT(4)	Pass
4♦(5)	Pass	4♥(6)	Pass
4NT(7)	Pass	5♥(8)	Pass
6♦	All Pass		
			(1) Alerted; relay
			(2) Alerted; any 11-15 HCP
			(3) Alerted; six hearts or 5-3-3-2
			(4) E to N: 0 or 1 heart, to play; W to S: diamonds
			(5) E to N: 6+ hearts, diamond control, no club control, 14-15 HCP
			(6) E to N: to play; W to S: control bid
			(7) E to N: non-systemic (East showing obvious bewilderment); W to S: two keycards, no spade control
			(8) E to N: to play; W to S: void

The Facts: 6♦ made seven, +940 for E/W. The opening lead was the ♣10. The Director was called after the end of the segment but before the comparison, when N/S discovered that they had received differing explanations from E/W. The Director ruled that North had received a systemically-correct explanation of the auction and allowed the table result to stand.

The Appeal: N/S appealed the Director's ruling. Both captains attended the hearing. N/S claimed that they had been given both MI and inadequate information as to E/W's methods. North thought that East's explanation of 4♦ was MI because E/W had no systemic agreement about its meaning. N/S also thought that East's explanation of the non-systemic 4♦ bid created an obligation on his part to describe E/W's general style of slam bidding, or at least to do more than express complete bewilderment at the meaning of 4NT. According to North, East became increasingly "flustered" after the 4NT and 6♦ bids and communicated the equivalent of "Maybe he thinks I have diamonds" as a possible explanation of the totality of West's auction after 4♥. North thought that after it became clear that West was slamming in diamonds, East should have explained the 4NT bid to him as West had to South on the assumption that the methods that applied to slam auctions (where 4NT would have fit West's description) applied here. Since East had previously gone out of his way to provide a conventional

explanation of 4♦, which was not defined in his methods, he should have made the same effort with respect to 4NT by comparing it with other auctions in which it would have had the meaning that West intended, perhaps producing a statement such as: "Not sure about this hand, but in other sequences 4NT would show two keycards and no spade control." Also, since East's hand actually supported diamond slam tries up to a point, he should have given the diamond slam auction explanation

of 4NT, which would have allowed North to make the winning lead. East said that his explanations were according to his system and that West was off on his own after 3NT. E/W produced system notes that described 3NT as natural and contained no follow-up auctions. E/W agreed that in cue-bidding situations after suit agreement, they systemically skipped over uncontrolled suits. Because they believed that East had properly described his methods, E/W did not think an adjustment was called for.

The Committee Decision: The Committee focused on the N-E side of the screen, since North was entitled to a full description of E/W's agreements before making the critical opening lead. East had given correct systemic explanations of all bids through 3NT, the latter being defined as natural according to E/W's notes. The fact that West explained 3NT as showing diamonds and that East actually had diamonds was purely a coincidence and not part of E/W's methods. Beginning with West's 4♦ bid, East's obvious state of confusion should have indicated to North that East and West had different impressions of the auction. The key issue here was whether East had an obligation to be more proactive in providing a systemic reason or analogy for West's 4NT bid in light of his Alert and explanation of 4♦. Since 3NT was natural, West's 4♦ continuation was both undefined and a surprise to East. East had Alerted and given an inferential explanation—not one contained in E/W's notes. All parts of that explanation were logical assumptions: at least six hearts (not 5-3-3-2), a self-cue-bid in diamonds, no club control (clubs skipped), and a maximum in HCP (14-15). North was not told at the time that this was an educated guess rather than the systemic meaning, but East's obvious confusion indicated that something unusual was happening. Thus, the Alert of 4♦ was proactive and the explanation was the obvious one to anyone with an understanding of the E/W methods. But trying to divine West's thinking behind his bid 4NT was a job of a different order, since it required East to assume that diamonds had been agreed upon (West's 4NT explanation would then have been consistent with the E/W slam methods). In effect, N/S wanted East to say "If we have agreed diamonds, then 4NT shows two keycards and no spade control" when he had no reason to conceive that there was any basis for diamonds to have been agreed. Contriving a general-principles explanation of 4NT was not something the Committee believed was part of East's responsibility merely because of the proactive nature of his Alert of 4♦. In addition, the confusion was apparent enough to North that he could have called for a Director to sort out East's obligations. Thus, the Committee did not agree with N/S's ideas about how East should have handled the 4♦ and 4NT bids (East had given correct explanations). Therefore, the table result was allowed to stand.

DIC of Event: Henry Cukoff

Committee: Ron Gerard (chair), Karen Allison, Doug Doub, Jeff Goldsmith, Jon Wittes

Directors' Ruling: 88.1

Committee's Decision: 92.4

☞ First, we'll hear from the chairman.

Gerard: "Sorry for the tome, but it was extremely complicated. It looks funny because East did hold diamonds, but at the hearing I specifically asked whether E/W had changed their methods recently and was told no. We felt that if East had not explained 4♦ on the basis that there was no systemic understanding, which was part of N/S's argument, we would have thought less of his efforts than we did of his attempt to be forthcoming. We could hardly penalize him for trying to be helpful when his explanation matched the meaning that 4♦ should have had. And it wasn't enough to say that after 6♦, when East realized that West was coming in diamonds all the time, East should have assumed that the agreement explanation of 4NT applied. East's statement—'Maybe he thinks I have diamonds'—seemed to preclude any meeting of the minds. Finally, North is an adult and is charged with

the responsibilities of that status."

☞ The auction was accurately explained to North through 3NT, as per E/W's notes. When 4♦ broke system, East gave North the only logical interpretation that was consistent with West's previous bids: that he had six-plus hearts, a maximum in HCP, a diamond control but not a club control (4♣ skipped), was looking to play 4♥ rather than 3NT and was showing his hand just in case East could move further. Perhaps West held something like ♠Kxx ♥AKJ10xx ♦Kxx ♣x. When East then signed off in 4♥ West bid 4NT. Impossible. Non-systemic. Could West have held something like ♠A ♥AKxxxx ♦Kxxx ♣x and bid this way earlier? Who knows.

From that point on East conveyed uncertainty through both his words and body language. He interpreted 4♦ in the only logical way possible, indicated that he was in uncharted waters, and refused to conjecture once there was no longer any basis for reasonable extrapolation. What more could he do?

Finally, North was aware of East's confusion. He knew the inferential meaning of 4♦ in E/W's system (even though it turned out to be undocumented) and could have drawn his own inference that West was slamming in a red suit. He could also have asked additional questions such as "If West is coming in hearts (or diamonds), what would 4NT mean?" But to expect East to project the possible meanings of West's bids after 4♦ when he clearly indicated that anything more would be a guess is more than he had a right to expect. Ron's final sentence covers that quite nicely. This was good work by the Director and an excellent job by the Committee.

Not surprisingly, some panelists have a lot to say about this decision. Let's start with one who has more than just a passing interest in the outcome. (Hint: What is South's last name?)

R. Cohen: "Yes! I had a paternal interest in this appeal and stayed up until 3 a.m. to hear the result. This E/W pair has a proclivity for misexplaining their agreements behind screens, as demonstrated subsequently in Las Vegas. If they are caught with a third offense perhaps they should be asked to restrict their play to the European theater of bridge. National Recorder please note.

"What are the applicable laws in this instance? First there is Law 75A, which requires partnership agreements to be 'fully and freely available to the opponents.' In the absence of the E/W pair's notes, this Law could only be complied with if East correctly explained to his screenmate any inferences available from his partnership experience. The applies to both West bids of 4♦ and 4NT. If he only realized a possible inference of the 4NT bid after West bid 6♦, under Law 75D1 he was obliged to call the Director. The Director would apply Law 21 and, if necessary, subsequently Law 40C (the awarding of an adjusted score).

"Nowhere in the laws is it spelled out that MI—as demonstrated by East's explanation of 4♦—must be ferreted out by the opponents. Law 75D1 says the perpetrator of the MI *must* call the Director when he becomes aware of his own error. To fail to call the Director is a dereliction of his responsibility. If, on the other hand, East failed to realize he had misinformed North, then we have a proven case of MI vis a vis the 4♦ bid. There was no agreement in the notes, and East took the liberty to explain a non-existent agreement which completely misled North in selecting his opening lead.

"Furthermore, in order to fully comply with Laws 75A and 75C, it was incumbent on East to tell North of any inferences that might be available from the 4NT bid. It was also necessary to inform him that these were inferences from experience and not from any partnership agreement in the notes.

"Finally, did anyone on the Committee ask East why he chose to bid at all over 4NT? He had bid 3NT—offering it as a final contract. He had bid 4♥ offering it as a final contract. What inferences and experience led him to bid over 4NT opposite a semi-balanced hand with 15 HCP, where only a hand with three aces and the ♦K would give him a reasonable play for a slam? What inferences and experience were available that led him to choose 5♥ rather than 5♦ as his call?

To fail to try obtain answers to these questions is an abdication of the

Committee's responsibility. To take a position that if there is no agreement nothing need be explained is outrageous. In the ACBL we don't require 100 pages of notes, but we demand full disclosure in order to comply with Laws 75A and 75C."

☞ Where to begin. East explained his agreements until the auction reached a point where he could no longer be confident about his partner's bids. No one is obligated to say any more than their system tells them. To suggest that East should have tried to guess all the possible meanings West might have intended for 4NT and explained all the inferences derivable from each of them is beyond belief—even for a father. Could 4NT have been a slam move showing two keycards and no spade control? Only if East thought West thought East had shown diamonds. And why should East think that? Could 4NT have been natural? I'm sure that's also possible. How about DI? After all, West had already shown a good heart suit and a diamond control. Was West coming in hearts or diamonds? So many possibilities, so little time.

How exactly did East's explanation of 4♦ constitute MI at the point where North led? By then East had already made it clear that all of West's actions after 3NT were undiscussed. Remember what East said about the entire auction after the 4NT and 6♦ bids ("Maybe he thinks I have diamonds"). This clearly calls his original interpretation of 4♦ into question by suggesting that West might not have six-plus hearts if he thinks East has diamonds.

And that nonsense about 75D1 requiring the Director to be called is especially hard to stomach. East's explanation of 4♦ was systemically correct and conveyed with a distinct sense of uncertainty. Similarly, the explanations of 4NT and 6♦ were even more clearly billed as conjecture. By the time he led, North had as accurate an explanation of West's bids as was possible. There were no earlier explanations that East "subsequently" noticed were "erroneous or incomplete" (the problem that Law 75D1 deals with) since those explanations had all been labeled as conjecture. And if North had a problem with any of those explanations they certainly had not yet affected his lead. By that time it was abundantly clear that East was "flustered" and confused, and that his explanations of West's later bids were conjecture. So if there was any need to call the Director, North was clearly in a position to do it by then.

But as long as we're playing The Law Game, MI is an irregularity and the law requires that the Director be called once attention is drawn to it. If North thought he heard East's explanation of 4♦ change with West's subsequent bids, he was just as responsible under Law 9B1(b) for calling the Director as East was. So Gerard's last sentence strikes again. North was an adult and should have called the Director himself. As the co-chairman of our Laws Commission knows, the laws provide no automatic penalty for MI. Any score adjustment or penalty requires a judgment of damage or contributory negligence, and the Committee found no evidence of either. The only possible MI that I can see here is if East's explanation of the 4♦ bid gave North the impression that it was systemic. But even if that was the sense that was conveyed initially (and I do not believe it was), there can be no doubt that it was corrected well before North made his opening lead. So how was North misled in his choice of leads? Because East failed to guess which of the 57 varieties of error West had made for his 4♦ and 4NT bids? Because East failed to call the Director when North had just as much responsibility to do that himself? Or maybe it was because East was not clairvoyant?

Finally, whatever it was that caused East to bid over 4NT, on this hand he was wrong to do so: Nine tricks were E/W's limit in notrump, ten tricks in diamonds or hearts. But East was entitled to guess what to do over West's *uncharted* 4NT bid and was under no obligation to tell his opponents why he took his action. Perhaps his reason for bidding 5♥ lay in his own hand. For example, having opened and being suspicious that West thought he had diamonds, he might not have wanted to make a 5♦ bid that sounded like a cue-bid in support of hearts. East's only obligation was to tell North his systemic agreements and draw any inferences that derived from them. But Ralph would have him not draw any inference about the 4♦ bid (since the only logical one works to E/W's advantage) but to draw the one inference about the 4NT bid that would help N/S even though there's no legitimate

basis for drawing it, and several others are just as likely. Sorry, but he can't have his cake and eat it too. He's talking more like a father than a law maker or a panelist by only looking for reasons to support N/S; and he's come up with a fist full of air.

None of this is intended to suggest that I think the decision is unquestionable (although I do think it was the correct one). The next panelist raises some of these questions.

Bramley: "The highlight appeal of the tournament. The Committee members that I spoke to, along with many other players, claimed that the decision was clear. They said that North was unlucky, but that East had done his duty, and that North had enough information to ask the right questions so that he would have gotten the answers he really needed.

"I think that the right decision is not at all clear. First let me add that I kibitzed this hand from behind West, whose hand was the only one I could see during the auction. This was the penultimate board of an extremely well-played fourth quarter. (I saw the whole quarter.) West gave complete explanations of his version of the auction to his screenmate, South. Nevertheless, I had the feeling that something was going wrong and I was not surprised to see a wholly unsuitable dummy arrive. At that time the opening lead seemed unlikely to matter, since I did not know (nor did West) that both red-suit finesses were working. What I did know was that North certainly had gotten a different set of explanations from the ones that I heard. Alas, I was not an eyewitness to the critical exchanges across the screen.

"The two important questions are: (1) Was North given MI? and (2) Were E/W obligated to tell North more than they did? The answer to (1) is surely 'Yes.' East's explanation of 4♦ was conjecture, not system, and his conjecture was wrong. Despite East's increasing discomfort during the auction, the original explanation of 4♦ may never have been cancelled adequately for North's purposes. Throughout the rest of the set (and all day, I think) N/S had seen E/W give extremely accurate and identical explanations of their bidding, including some highly unusual meanings. The Committee asserts that North was at fault for not taking a leap of 'non-faith' on the 63rd board of the match. But let us suppose that the Committee is correct that the confused nature of the auction was readily apparent on the N-E side of the screen. That brings us to (2), Did E/W fulfill their duty? The answer is 'No, but almost.' E/W were not obligated to assign specific meanings to bids for which they had no agreement, but they were obligated to tell North that they had no understandings, *starting with* 4♦. Then, North, a very experienced player, would have been in the right position to ask the questions that might have illuminated *West's* understanding of the auction. At a minimum, the critical statement about lacking a club control would have been withdrawn.

"If North had requested an explanation of the auction from West (across the screen), was West obligated to give it to him? Under present screen rules the answer is unclear. I think that a player should be able to ask across the screen, but only at times that will not give UI to asker's partner across the screen. Before the opening lead is such a time. But since such questioning is rare and not formally sanctioned, one can forgive North for not attempting to do so. Note also that South, who knew from his hand what might be happening, would have been out of line to suggest to his screenmate that he tell North his (West's) version of the auction. However, some players in West's position might have done so voluntarily.

"If the screen had been drawn the other way, or if there had been no screen at all, or if this match had been played on a computer, then North would have gotten the information he needed to make the winning lead. That he was unable to do so at this table strikes me as a perversion of the game. Since I think that North did receive MI, I would have ruled in favor of N/S. On a spade lead 6♦ is down two, +100 to N/S, so I would assign both sides that score."

☞ As I've said, I think it was abundantly clear to North that East's explanations, beginning with 4♦, were inferential by the time North chose his lead. East's original explanation of 4♦ can be excused for not being phrased perfectly when it was *the*

only possible explanation from the earlier auction. By the time West bid 4NT East was shaking his head and shrugging his shoulders (“Who knows, I’m guessing”). And when the auction ended East paged through his system notes (resting on the chair beside him) and showed them to North. Bart may have been at the table, but I was present for the entire hearing. While some of these details are not in Ron’s write-up—which is understandable since so much went on that no one could note every detail, and he covered so most of it so well—this is what North and East said.

Bart is right that, according to the ACBL’s Screen Procedures, either member of the declaring side *may* (but is not required to) ask partner across the screen to disclose his explanations of their side’s bids to the asker’s screenmate. However, the European E/W did not know this since the WBF/European Screen Procedure does not permit any such request (I looked it up). While it’s true that ignorance of the regulations does not excuse an infraction, E/W were not required to ask across the screen and can’t be held liable for not doing it. But my point is that E/W didn’t simply chose not to ask for clarification for N/S—they thought it was *illegal*. And both Screen Procedures make it very clear (contrary to what Bart says) that the defenders cannot make any such request, so that option was not available to N/S. (Kit Woolsey and I co-authored a proposal that we submitted to the ACBL a couple of years ago that would have permitted this sort of information exchange, with some UI safeguards built in. It was rejected.)

As with the if-only-screens-had-been-in-use argument from CASE FIFTY-SIX, we’ve got to stop trying to make every form of the game subject to the rules which govern all the others. Screens help a lot in many situations, hurt a little in others, and must be drawn one way or the other across the table (from N-W to S-E is the universal convention). It is senseless to complain “If the screen had been the other way this would never have happened” since one could also complain “If only declarer’s RHO was the opening leader this would never have happened” or “If we were playing on computers North would have had all the information he needed.” So what? That’s not the game we’re playing and even if it were changing the rules to solve that problem would create new problems in other situations. Under no set of rules that I’m aware of is a player entitled to know what an opponent has in his hand when he makes a bid. That West misbid is clear from E/W’s system notes. North was entitled to know what West’s bid meant according to E/W’s system. He was told that. Before he led he knew that this explanation was conjecture. That it worked to North’s disadvantage this time need not concern us. That North had the information he was entitled to and knew enough to ask other questions or call the Director if he needed to know more was enough to allow the table result to stand.

Happily (since my fingers are getting numb), the remaining panelists support the Committee’s decision.

Rigal: “Again I would have ruled the other way as a Director here, since it appeared to be a case of MI and doubt. I would have liked to see E/W have to appeal this. But having said that, the Committee agreed with the Director and to my mind did an excellent job here in determining East’s responsibilities. It is hard to see that East had to both work out what an impossible sequence meant and to give all the inferences arising from it. A very thoughtful and thorough job done, to my mind. Though E/W got remarkably lucky, that is not yet a federal offense.”

✍ No, but apparently some are in favor of making it one.

Polisner: “Messy, but correct. North knew, or should have known, that E/W were in uncharted waters and could/should have made more of an effort to figure what the E/W auction was potentially all about.”

Stevenson: “If North wants educated guesses from an opponent obviously at sea perhaps he should ask for them rather than hope a Committee will sort it out. If he wants to know the meaning of 4NT in a different sequence, for example, he should ask specifically.”

Treadwell: “The opponents had a bidding mixup in a complex auction and reached a bad slam; now the opponents want redress because they failed to find the right lead. Nonsense.”

Wolff: “Correct ruling, but how could West be so off the rails in his description?”

✍ He said in the hearing that he simply had a mind glitch. All of us with graying hair can certainly sympathize with that.

CASE FIFTY-NINE

Subject (MI): A Simple Case Of Restricted Space
Event: 0-1500 Spingold, 26 Jul 01, First Session

Bd: 14	♠ KJ9743		
Dlr: East	♥ A85		
Vul: None	♦ Q6		
	♣ K10		
♠ Q		♠ A102	
♥ KQ102		♥ 76	
♦ 9842		♦ AJ5	
♣ J874		♣ AQ953	
	♠ 865		
	♥ J943		
	♦ K1073		
	♣ 62		
West	North	East	South
		1NT	Pass
Pass	2♠(1)	Pass	Pass
3♥	All Pass		
(1) Alerted; spades and a minor			

The Facts: 3♥ went down two, +100 for N/S. This was the last board of the first half. During the comparison E/W learned that North had a one-suited hand (spades) and consulted a Director. West claimed that he would have passed 2♠ if he had known that it showed only spades. It was discovered that N/S's CC had marked that 2♠ in the direct seat showed spades and a minor; no agreement was indicated in the balancing seat. The Director ruled that there had been MI (Law 21B3) and changed the contract to 2♠ down one, +50 for E/W (the result at the other table). It was also noted that North had not corrected his partner's misexplanation at the end of the play. However, since this was the last board of the half the Directors did not believe this infraction was as serious as it might have been.

The Appeal: N/S appealed the Director's ruling. West did not attend the hearing. During screening it became apparent that N/S were not sure whether the agreement on their CC applied in the passout seat. N/S believed that the MI in no way affected West's decision to bid 3♥ on a four-card suit and that the score should therefore not have been adjusted. They and their team captain (who also attended the hearing) thought that West should have been there to justify his action. East stated that if North really had a two-suited hand it meant that West could place more hearts in East's hand, which justified his 3♥ bid. When asked about E/W's agreements with regards to a reopening double or a 2NT bid by West, East stated that they had none. E/W had played together for some time but played only periodically.

The Panel Decision: The Panel decided that N/S had given E/W MI. The West hand was given to a number of Flight B players with the information that North had shown spades and a minor. Several of them bid 3♥, citing similar rationales to those voiced by East: If North had nine or ten cards in two suits it was logical to place more hearts in the East hand. Based on Laws 40C and 12C2, the contract was changed to 2♠ down one, +50 for E/W.

DIC of Event: Henry Cukoff
Panel: Mike Flader (Reviewer), John Ashton, Ron Johnston
Players consulted: A number of Flight B players

Directors' Ruling: 71.4 **Panel's Decision: 73.3**

☞ Was there MI? Absolutely. South's should have said: "We haven't discussed it in balancing seat, but 2♠ directly would have shown spades and a minor." Did the MI suggest West's 3♥ bid? Hardly. Even though the MI suggested that North would have more cards in the minors, players have been known to balance with four-four

(we don't know if that was possible for this N/S). And even if North promised at least five-four, there's no reason why he couldn't have three hearts, or that the long hearts couldn't be with South, or that East couldn't hold five or six of the "other" minor—or even four spades. Playing transfers, balancing in *two* of an unbid major is a common practice since partner will only play balancer for a four-card suit (having passed 1NT) and correct with a doubleton. But balancing at the three-level on a four-card suit is dangerous since partner cannot "correct" at a safe level. 3♥ here was quite risky (especially as it bypassed both minors); it would not be the choice of most players (double and 2NT are far more attractive) and was not made substantially more attractive by the MI. Therefore, I would not give E/W redress.

On another note, how did this being the last board of the set make North's failure to correct the MI less serious? Is this something like the New Math?

I could have understood the Director or Panel adjusting (only) N/S's score to 2♠ down one since it is possible that the MI contributed in some small way to their good result, although I personally would have allowed the table result to stand for both sides. Most of the panelists have the same problem with this decision that I do, although some are willing to excuse it as a Flight B thing.

Stevenson: "Wow! Spades and a minor shows more hearts in partner's hand than spades only. I must remember that when looking for an excuse for playing in a four-two fit. Quite frankly, I think West caught the Director and Panel on a bad day. I also think he did not appear at the hearing because he was too embarrassed to try to justify his action. Why is it more acceptable not to correct partner's explanation on the last board of a set? That rule is new to me. Incidentally, does no one play takeout doubles any more? West doubles, East bids 3♣, what's the problem?"

Polisner: "Couldn't North have 5=3=1=4, or 5=3=4=1, or a similar distribution? Why, would the MI make passing more correct? I think the Director and Panel bought a bill of goods. Table result stands as the MI was not the cause of the result. West had 8 HCP opposite a strong notrump and would likely have taken some action even at IMPs with a double partscore swing very likely over a natural 2♠."

Treadwell: "South was negligent in not saying, 'I am not sure about the 2♠ bid in the balancing seat,' so N/S should be penalized in some manner. But West chose to balance with a four-card suit—quite a gamble. Perhaps a better way to have ruled would be to have assessed an I-VP penalty to the N/S team, but let the table result stand otherwise."

Rigal: "The Director followed the right principle here, I believe, but I hate the Panel's decision, although I cannot object to it on the grounds of principle. It is disheartening to know that several B players would really bid 3♥ on a four-card suit instead of bidding 2NT or doubling. But what can one do? Those who live by the Panel must die by it, I suppose."

Gerard: "It's amazing that only East could hold North's extra hearts, not South, or that North would always have held the maximum number of hearts, three, before but the minimum number, zero, after. I'll bet on average we're talking about no more than a major fraction of a heart. I guess the Panel had no choice but to allow the Flight B 3♥, but I really would like to see a faulty-logic exception to the concept of the peer questionnaire."

☞ I'd like to hear more about this idea of a faulty-logic exception. Perhaps Ron will elaborate on it in a future casebook.

R. Cohen: "No problems here."

Wolff: "Grudgingly agree, but how complicated because of CD!"

CASE SIXTY

Subject (MI): Save Me from Myself

Event: NABC IMP Pairs, 27 Jul 01, First Final Session

Bd: 19	William Epperson		
Dlr: South	♠ 7		
Vul: E/W	♥ K832		
	♦ AKJ92		
	♣ 976		
S. Kustazov	Anton Tsyarkin		
♠ J10942	♠ AQ53		
♥ J10	♥ AQ75		
♦ 63	♦ 7		
♣ KQ82	♣ AJ103		
	Doris McGinley		
	♠ K86		
	♥ 964		
	♦ Q10854		
	♣ 54		
West	North	East	South
			Pass
Pass	1♦	Dbl	3♦(1)
All Pass			
(1) Alerted; explained as a limit raise			

The Facts: 3♦ went down two, +100 for E/W. The opening lead was the ♠A. The Director was called after dummy was faced. The Director believed that the N/S CCs were improperly marked. South thought her partnership agreement was that 3♦ was preemptive; North thought it was a limit raise. West said that with proper information he would have bid 3♠ over 3♦. The Director changed the contract to 4♠ made five, +650 for E/W (Laws 40, 75, 12).

The Appeal: N/S appealed the Director's ruling and were the only players to attend the hearing. The Committee discovered that both CCs were identically filled out with 2NT preemptive over minors and the words "flip-flop." In particular, the player that bid 3♦ had a computer filled out card that she had created. North had a hand-printed card, identically filled out (in the relevant section). The Director read the applicable portion of Law 40 to the

Committee.

The Committee Decision: A player is entitled to make a mistaken bid (for example, to bid 3♦ preemptively when the card is properly marked "limit raise" and the correct explanation of the actual agreement is given). The Committee decided that this was the case here and allowed the table result of 3♦ down two, +100 for E/W, to stand.

DIC of Event: Steve Bates

Committee: Henry Bethé (chair), Karen Allison, Michael Huston, Bill Passell, Bob Schwartz

Directors' Ruling: 56.7

Committee's Decision: 97.1

✍ What was going on with the table ruling? How were N/S's CCs improperly marked when they identically indicated that 2NT was a preemptive raise and when the bid was Alerted as such? Is every mistaken bid going to be forced to become an appeal by assuming that the bidder knew her system in the face of compelling evidence to the contrary—even on her own CC? But that's not all. Look at West's hand and tell me that virtually everyone would not have bid 3♠ with it. Why should the meaning of N/S's bids deter West from bidding his own hand? In fact, even East has a pretty clear balancing action over 3♦.

Right panelists?

R. Cohen: "Another lazy ruling by the Director. West needs to bid his own cards,

not the opponents' cards. He has to play bridge, and not bidding 3♠ is a travesty on bridge. End of case."

Bramley: "A circuitous route to justice. E/W failed to continue playing, since both of them have clear action over 3♦, regardless of its supposed strength. I wouldn't have given them anything anyway. Poor investigative work by the Director."

Gerard: "The Director thought that two CCs and one conforming explanation were incorrect rather than one conflicting explanation. Not very good odds."

Stevenson: "When two CCs and a player say one thing, I wonder why the Director ruled the other player was right? No doubt he had a good reason, but it would have been nice to know what it was."

✍ No doubt he had his reasons, but I for one don't want to know them. Life's too short.

Treadwell: "No infraction, so no adjustment. But where do E/W have a protest? Any player who would fail to bid 3♠ in this auction, regardless of the meaning of the 3♦ bid, deserves whatever score he gets. Why not an AWMW for E/W?"

✍ Maybe because it was N/S who appealed? Duh.
Perhaps the next panelist's solution will satisfy poor Dave.

Kooijman: "I would have liked to know why the Director decided to adjust the score. We need an infraction for that."

✍ Right. We give the AWMW to the Director.

Polisner: "Rub of the green. South is entitled to psych or misbid. E/W are entitled only to the agreed conventional understandings (right Mr. Wolff?). Good decision; however, N/S should be 'recorded' in case this happens again. Also, East has a clear reopening double even with a limit raise on his left."

✍ Recording hands like this is overkill. South misbid. End of story.
The following panelist is too accepting of a blatantly poor table ruling.

Rigal: "Good Director ruling in the case of doubt, it seems to me. Similarly, the Committee correctly addressed the point re mistaken bid, the evidence of both cards pointing firmly in that direction. I would have liked to see N/S warned that in future they should advise their opponents about forgetting this sequence. From experience I know that this is one of the toughest sequences to get right. And I suppose since both East and West had a clear second action, even given the misbid, they do not deserve anything more here either, even if there were doubt, which as I say I do not believe there is."

✍ And finally, there's the tunnel vision that comes from a punitive predisposition.

Wolff: "In any game approaching high-level both West, in response to his partner's double, or East, if West did pass, would double again. So E/W must keep their +100 defending 3♦. Since N/S's card was improperly marked they should be penalized something for that. All masters are then served."

✍ Great, except that N/S's CCs were not mismarked. They were both marked identically and correctly.
Good grief.

CASE SIXTY-ONE

Subject (MI): Forestalling the Inevitable

Event: Strati-Flighted Senior Pairs, 27 Jul 01, Second Session

Bd: 9	♠ 43		
Dlr: North	♥ KQ109643		
Vul: N/S	♦ 2		
	♣ 1072		
♠ Q76		♠ AJ1052	
♥ 5		♥ AJ	
♦ J1087543		♦ K96	
♣ J5		♣ K83	
	♠ K98		
	♥ 872		
	♦ AQ		
	♣ AQ964		
West	North	East	South
	Pass	1♠	1NT
2♠	4♦(1)	Dbl	Pass
Pass	4♥	Dbl	All Pass
(1) Not Announced; transfer			

The Facts: 4♥ doubled made five, +990 for N/S. The opening lead was the ♠A. After East doubled 4♥, South said that the 4♦ bid should have been Announced as a transfer. With the proper information East said she would not have doubled 4♦. Away from the table East was given the opportunity to change her last call and chose not to. The Director ruled that had screens been in use, East would not have doubled 4♦ and South would have passed because he'd forgotten what he was playing. The contract was therefore changed to 4♦ down five, +500 for E/W.

The Appeal: N/S appealed the Director's ruling and were the only players to attend the hearing. N/S thought that West was the only player taken away from the table at the time of the original Director call and that East was then offered the

chance to change her double of 4♥ and chose not to. South agreed that he forgot that transfers applied here even after 4♦ was doubled. It was only when his partner bid 4♥ that he woke up. He maintained that he would not have passed 4♦ if East had passed. He didn't try to figure out what his partner was doing once 4♦ was doubled.

The Panel Decision: The Panel found this to be a difficult problem in that its solution depended in part upon estimating the likely actions of a player whose confusion may or may not have lifted under the pressure of knowing that his possible pass would probably end the auction. Several players were consulted. Two experts were asked about the merits of East's contention that she would have passed 4♦ with correct information. Both found that argument credible. They and several others were presented with South's problem over 4♦ (with East passing) and with the explicit instruction that 4♦ was not a transfer. All found the problem of what partner was doing perplexing. The player with 1300 masterpoints first thought partner was weak with diamonds but then had second thoughts when he realized the vulnerability and that partner had not opened 2♦ or 3♦. Two experts couldn't understand partner's action but said that they would bid something rather than risk disaster by passing. One expert bid 5♦ but also did not understand what was happening. Another expert thought bidding something rather than passing was right and was relieved to pass when told 4♦ was doubled on his right. He noted that it was understandable that after a double this player no longer felt the need to work out what was going on. Two experts each thought that South would pass one time in four if 4♦ was passed by East. Law 12C2 instructs the Director (and therefore the Panel) to assign "the most favorable result that was likely" for the non-offenders (E/W) and "the most unfavorable result that was at all probable" for the offenders (N/S) had the irregularity not occurred (had East known that 4♦ was a transfer). The Panel thought that with the available player opinions the likelihood of 4♦ becoming

the final contract was not sufficiently high to assign to either side. If South made any bid, the inevitable result would be 4♥ or 5♥ doubled by North because North would always correct to hearts and East had demonstrated the desire to double at least 4♥. Therefore, the contract was changed to 5♥ doubled made five, +850 for N/S (Law 12C2).

DIC of Event: Charlie MacCracken

Panel: Roger Putnam (Reviewer, non-voting), Betty Bratcher, Matt Smith, Gary Zeiger

Players consulted: Cam Doner, Ralph Katz, Brenda Keller, Josh Parker, Harry Steiner, Chris Willenken, one player with 1300 masterpoints

Directors' Ruling: 70.5

Panel's Decision: 86.1

Now the Directors are doing it. Screens have nothing to do with the non-screen game. We must stop thinking in terms of these inappropriate analogies.

Now if I understand this correctly, East said that with the proper information she would not have doubled 4♦. She was then given the chance to retract her double of 4♥ and declined. Does the one have anything to do with the other? I think so. It's likely her double of 4♥ meant she would have doubled anything they bid because she thought she had enough aces and kings to beat it.

But she did say that she would not have doubled 4♦ as soon as she was told it really showed hearts, before she knew the whole hand. Thus she should be allowed to retract her double of 4♦. It doesn't matter that at that point she knew North really had hearts (from North's 4♥ bid). What she was saying, in essence, is that she was willing to defend 4♦ undoubled or any higher contract doubled. So while she can defend 4♦ undoubled, if the auction would inevitably have gotten past 4♦ (to 4♥, 5♦ or higher) she was committed to defending all such contracts doubled.

Next, what would have happened had East passed 4♦? Couldn't North have passed in first seat with a long diamond suit, perhaps ♠x♥Kxx♦KJ109xxxx♣x? I think so, but as the consultants indicated, South would be reluctant to pass 4♦ when 5♦ might make. (On the expected spade lead 5♦ depends on the club finesse.) I personally think a pass is at all probable but not likely. I accept the +850 the Panel assigned to N/S, but I would have made E/W defend 4♦. (See, the Director's ruling didn't require screens or even mirrors.) On a spade lead East wins and shifts to a trump. South finesses, plays a heart to the king and ace, and East plays a second trump. South wins and tries a second heart. West ruffs, knocks out South's ♠K, and South cashes his ♣A or loses it. So N/S take either three or four tricks: that's -700 or -600. (I wonder how the Director thought N/S would take five tricks with no dummy entry for the club finesse.) So the proper ruling is down either six or seven, depending on whether you allow South to cash the ♣A. I personally would allow it for E/W and assign them +600 (not that it's likely to affect their matchpoints).

Not surprisingly, the panelists are all over the place on this one.

Stevenson: "Both the ruling and the decision are reasonable, the Panel having more information to work with as to what players would do."

Treadwell: "The Panel found a cute way to penalize N/S slightly by giving them +850 rather than +990, rather than destroying them as did the Director's ruling with +500. An excellent way to handle this problem."

R. Cohen: "The Director did what he had to do forcing N/S to appeal. As to the Panel, they followed the direction indicated by the consultants."

Rigal: "Reasonable if harsh decision to rule against N/S, and to get the offenders to appeal. As to the Panel decision, well the Panel looked hard at the crucial issues and got the opinions of the right people on whom to base their judgment. I think they used the right criteria to determine that South would not pass. Even if one were

to disagree with their decision, it is clearly close enough that their decision was reasonable. Having determined that South would not pass, the final adjustment of 850 seems a fair one.”

Gerard: “Picky, picky. North could not correct to 4♥, only 5♥. If the consensus was that South would pass 4♦ one time out of four, N/S should have been adjusted to –500. However it wasn’t the consensus, only a minority view.”

✍ Except that –500 wasn’t possible. It’s –600 or –700.

Bramley: “The Panel slides in under the wire. I don’t at all believe that East would not have doubled 4♦ if it had been Alerted. What possible difference could it have made to her? She thought she had enough aces and kings to beat whatever they bid. No way should East get anything out of this, except an AWMW if the Director had ruled against her initially, as he should have. And N/S shouldn’t be screwed out of their good result by blatant whining from East.

“By the way, is 4♦ Alertable? I’m supposed to know and I’m not sure. It’s above 3NT in a competitive auction, on the second round of bidding (sort of). But it’s the first bid by responder to a natural initial notrump call, so I guess it is Alertable.”

✍ North’s 4♦ bid was a diamond-to-heart transfer response to a notrump overcall, so it was Announceable, not Alertable. (There is no such thing as a Delayed Announcement: all Announcements are immediate.) As for Delayed Alerts, a bid must be above the level of 3NT and occur at opener’s (or overcaller’s) rebid or later. It does not matter what round of the bidding it is: an initial pass is immaterial.

Kooijman: “If I have to choose between the Director ruling and the Panel decision I go for the Director. In my opinion this should have been a case where experience and previous statements would have led to an easy and united decision. Isn’t this why all this work is being done, to get more uniformity in the decisions? The data and opinions as described do support the decision to let N/S play in 4♦. Does the Panel know how high the likelihood of 4♦ being the final contract needs to be to decide for it? Quite low, dear members. And if the Panel was reluctant to give E/W a huge score where they probably would have scored no better than –990 there is always an escape: give E/W Average-Plus and N/S Average-Minus using a free interpretation of law 12A2, deciding that normal play of the board has not been possible. Though the original meaning seems to be that once the board has been played such an artificial score isn’t possible anymore, I don’t agree with that interpretation. East having the possibility not to double 4♦, not knowing what South would have done then, it is not too far stretched to decide that the normal play of the board wasn’t possible. If I remember well the ACBL does accept and apply that interpretation. Use it then.”

✍ We are not entitled to be reluctant to give non-offenders a huge score. How big or small the score is that we are considering assigning should not affect our decision if we judge that result to be likely. As long as a result can be projected (the board had not been fouled or anything like that) it’s our job to do it. So I guess we’ll just have to agree to disagree about whether assigning an artificial score is legitimate once the board has been played (unless projecting a result is impractical).

Finally, one panelist sits back in Ft. Worth and clucks, “See, I told you.”

Wolff: “CD disrupts everyone and perhaps beginners are hardest hit. It is so hard to determine what to do when CD strikes.”

✍ Yes, I guess we should just pummel anyone who forgets (or doesn’t know) what a bid means. Then, after a while, the two of us could play Honeymoon Bridge.

Subject (MI): Tell Me More, Tell Me More, Uh Huh, Uh Huh

Event: NABC Fast Open Pairs, 28 Jul 01, Second Qualifying Session

Bd: 17	Richard Zucker		
Dlr: North	♠ 64		
Vul: None	♥ K97		
	♦ A63		
	♣ KJ876		
Hang Zhang	Ringo Chung		
♠ J987	♠ KQ3		
♥ J	♥ AQ62		
♦ QJ8542	♦ K9		
♣ 43	♣ Q1092		
	Peter Weidon		
	♠ A1052		
	♥ 108543		
	♦ 107		
	♣ A5		
West	North	East	South
	1♣	1NT	Dbl
2♠	All Pass		

The Play (North on lead):

Trick	1	♦3, ♦9, ♦10, <u>♦Q</u>
	2	♥J, ♥K, <u>♥A</u> , ♥3
	3	♥Q, ♥4, ♣3, ♥7
	4	♠K, <u>♠A</u> , ♠7, ♠4
	5	♦7, ♦4, <u>♦A</u> , ♦K
	6	♠6, ♠Q, ♠2, ♠8
	7	♠3, ♠5, ♠J, ♠6
		Claim (see The Facts)

The Facts: 2♠ spades made three, +140 for E/W. The opening lead was the ♦3. The Director was called at the end of play. East did not Alert West’s 2♠ bid. Before the opening lead West told the opponents that his 2♠ bid should have been Alerted as a “transfer to clubs.” The play proceeded as shown. At trick eight West claimed the remaining tricks except for a club and a spade (saying he would run diamonds). The Director ruled that N/S were damaged by MI and adjusted the score to 2♠ made two, +110 for E/W (judged the mostly likely result had N/S received the proper information).

The Appeal: N/S appealed the Director’s ruling. East did not attend the hearing. N/S asserted that if they had been informed that West’s hand could have been based on long diamonds, their defense would have been better and would have defeated the contract. They did not state what that line of defense would have been.

The Committee Decision: The Committee determined that there was clearly MI. West’s bid was intended as a relay to 3♣ so that he could get out in three of either minor. However, the Committee determined that after dummy had been displayed, both North and South could have ascertained that the explanation given by West had been incomplete and could have asked additional questions

(for example, whether a long club suit was the only possible hand). In addition, West had misplayed the hand by rushing to pitch a club, thereby establishing a tap suit (hearts) for N/S. When South was in with the ♠A he should have been able to determine that tapping declarer with continued heart plays would be a successful line of defense. In fact, this would have limited West to three spade tricks in his hand, one in dummy, two heart tricks, and a diamond. Accordingly, the Committee determined that N/S’s inferior defense after West’s declaring error and their failure to ask additional questions, and not West’s incomplete explanation, were the causes of the damage. The Committee allowed the table result of 2♠ made three, +140 for E/W, to stand. They also considered a PP against E/W for the inadequate explanation of the meaning of the 2♠ bid. However, because West was an inexperienced player with only 110 masterpoints who had played tournament bridge for only two years, the Committee informed him of his obligation to give more complete explanations in this type of situation. They told him that if he had been a

more experienced player, a PP would have been assessed.

DIC of Event: Ron Johnston

Committee: Richard Popper (chair), Karen Allison, Jeff Goldsmith

Directors' Ruling: 65.2

Committee's Decision: 91.4

✍ I'm not convinced that N/S's defense was inferior enough to forfeit their right to redress. However, since they failed to demonstrate how the correct information would have allowed them to achieve a better result I do not think they were entitled to anything. In essence their claim seems to be "They didn't Alert us so we deserve something." I could see adjusting E/W's score if the Committee found a connection between the MI and the defense even if N/S didn't see it, but not based solely on the fact that a better defense existed. So I agree that the table result should stand and wonder what the Director's reason was to adjust the score under the circumstances and why, once he decided to do so, he chose +110 rather than -100 for E/W.

The panelists all agree with the decision to allow the table result to stand.

Polisner: "Transfer or relay, don't they mean the same thing to lower level players? Perhaps a better method of explaining is: 'Partner is asked to bid 3♣ which I could pass or bid over, depending on my hand.' But I digress. On this hand, North just wanted a better unspecified result than he was able to achieve at the table (ping pong table that is). I agree with the Committee that the MI was not the cause of any damage and the table result stands."

Stevenson: "People must understand that bids that ask partner to bid a suit come in two types, transfers and puppets, and the opponents have a right to know which."

R. Cohen: "West was not as inexperienced as the write-up indicates. While he should have called the Director before doing so, he knew enough to correct the MI before the opening lead. N/S wanted a second bite at the apple after failing to seek out the correct information and messing up the defense. No sympathy here. Table result stands."

Wolff: "Under the circumstances (novices and inexperience) probably an okay decision."

Treadwell: "Very good."

✍ Some panelists point out that even considering a PP here was a bit much.

Rigal: "After the fairly uninspired defense it seems to me that N/S deserve no better than the table result. I might have given E/W a less favorable result, but the Committee considered all the relevant points and came to a perfectly sensible decision. The PP decision must also be right in the context of West's inexperience. But even had West been more experienced I am not sure that his failure to complete the explanation (as opposed to not giving one at all) was that serious."

Bramley: "Right except for the discussion of a PP, which would have been horrendous for any caliber player. Many players innocently confuse the meanings of transfer and relay, which should not be punishable by a PP. Only flagrant fouls should qualify and this one is a world away from flagrant."

✍ The difference between transfers, puppets, and relays is pretty obscure, even to most experienced players. Those who don't understand the distinctions should avoid using those terms and just explain clearly and simply what their bids mean.

CASE SIXTY-THREE

Subject (MI): Ask, Or Forever Hold Your Peace

Event: Fast Open Pairs, 28 Jul 01, First Qualifying Session

Bd: 20	Rashid Khan
Dlr: West	♠ Q97
Vul: Both	♥ AK3
	♦ 3
	♣ AQJ875
Larry Delfs	Trevor Dundas
♠ 3	♠ AK865
♥ 108762	♥ QJ95
♦ KJ852	♦ AQ76
♣ 43	♣ ---
	Brad Bart
	♠ J1042
	♥ 4
	♦ 1094
	♣ K10962

West	North	East	South
Pass	2♣(1)	Dbl	2♥(2)
3♦	Pass	3♠	All Pass
(1) Alerted; no explanation requested			
(2) Alerted; pass-or-correct			

The Facts: 3♠ went down three, +300 for N/S. The Director was called about halfway through the play of the hand. E/W had not been told that South could be very short in hearts or that North needed five hearts to pass. E/W said that they had asked for information twice because the explanation they were given was not clear. The Director ruled that E/W had received an incomplete explanation of N/S's agreement (Law 40C) and changed the contract to 4♥ made five, +650 for E/W.

The Appeal: N/S appealed the Director's ruling. West did not attend the hearing. N/S explained that 2♣ was either long clubs or a canapé from clubs to a major. N/S told the Director they were playing canapé. When the auction began 2♣-Dbl, South bid 2♥ which North Alerted as "pass-or-correct." Both North and South attempted to get E/W to ask for an explanation of 2♣, unsuccessfully. N/S, though

playing a complex system, had not played together for the past four years and this was their first event together at this tournament. The Committee questioned whether this version of 2♣ was allowed in the Fast Pairs and were told by the proper authorities that it was.

The Committee Decision: The Committee believed that E/W had not adequately followed up on the initial explanation of the Alert of 2♥, nor had they accepted the attempted explanation of 2♣. The Committee thought it was inappropriate that such an unusual treatment was allowed in the Fast Pairs but, given that it was, the problem was not the explanation but the failure of E/W to clarify the possible North hands. The Committee therefore allowed the table result of 3♠ down three, +300 for N/S, to stand.

DIC of Event: Ron Johnston

Committee: Henry Bethe (chair), Dick Budd, Dave Treadwell

Directors' Ruling: 66.2

Committee's Decision: 86.7

✍ First, an "important" disclaimer.

Bramley: "I'm no relation to South. Hasty Director's ruling (again), correct Committee decision."

✍ Now that we've gotten that out of the way, all of the remaining panelists but one are free to voice their equivocal support for the Committee's decision.

Stevenson: “Someone who asks about 2♥, gets an answer ‘pass or correct,’ and then assumes he knows what is going on without asking about the Alerted 2♣ bid has not been misinformed.”

R. Cohen: “N/S should have gotten a stern lecture on how to explain their system. I’m not sure I would have gotten all the nuances implied by ‘pass or correct’ on being faced with it out of the blue. This is a rarely encountered treatment and N/S should have been more forthcoming in their explanations both before the round started and during the bidding. Unfortunately, the Committee could do little to correct the situation.”

✍️ But 2♥ was pass-or-correct—no more, no less. The real problem was that E/W refused, even at N/S’s insistence, to accept any explanation of 2♣, which might very well have clarified things. Canapé is not, despite some popular misconceptions, about it, a complex or difficult bidding method to understand. I see nothing terribly wrong with what N/S did other than perhaps not being more insistent or devious and incorporating the explanation of the 2♣ bid into the explanation of 2♥.

Rigal: “Reasonable Director ruling in favor of the non-offenders. But I agree with the Committee that the opening bid looks odd in the context of the event. Given that though, E/W created their own downfall, when West failed to double 2♥, for no reason at all that I can see. Even after that they could have recovered, so they are surely due –300. Depending on how serious the N/S infraction re explanations were deemed to be, I might have been harsher than the Committee to them.”

✍️ Sorry, but the 2♣ opening here looks suspiciously like a Precision 2♣ to me, even if hands with clubs and a longer major were systemically lumped in.

Wolff: “Okay under the laws, but not okay to be happy about.”

✍️ One panelist thinks something was afoul here.

Polisner: “I would not have allowed N/S to keep this good result if it was clear that E/W had made some reasonable effort to obtain clarification. Since Multi-type bids are not generally allowed in most ACBL events, the phrase ‘pass-or-correct’ may not be well understood. N/S certainly owed E/W a more complete explanation of their methods. I believe that with full and understandable disclosure, E/W would have reached 4♥. How much time can a pair expend in a fast pairs to get opponents to give them full disclosure? I would assign N/S –650 and E/W + 500 in 5♣ doubled.”

✍️ Do I think N/S did everything they could have to avoid this problem? Indeed not. But N/S’s system was legal and, contrary to what Jeff says, the 2♣ opening was not even remotely related to Multi. Look at the explanation: 2♣ showed long clubs or clubs with a longer major. 2♥ said “Pass if you have a longer (five-card) major and correct otherwise” (to 2♠ with a club-spade canapé or to 3♣ with just clubs). And pass-or-correct is not only a part of Multi. For example, it has been used with Roman 2♦ for decades and is a part of many 1NT and strong club defenses. Regular duplicate players are familiar with it; others have to ask for (or be willing to accept) an explanation and not complain if they refuse to listen and then end up confused.

Look, East made a takeout double of clubs, South bid 2♥ (pass-or-correct), and West, holding five (count them) hearts, failed to find a penalty double, a bid that was guaranteed to get E/W to their nine-card heart fit and probably to game. Were E/W really entitled to something here? Were N/S responsible for E/W refusing to let them explain their bids’ meanings more completely?

Bah. Table result stands. In fact, had the table Director ruled that way and had E/W appealed I’d have given serious consideration to an AWMW for E/W.

Subject (MI): Freedom To Be Deviant

Event: NABC Mixed BAM Teams, 28 Jul 01, First Qualifying Session

Bd: 9	Debbie Rosenberg		
Dlr: North	♠ 542		
Vul: E/W	♥ 95		
	♦ AQ432		
	♣ A63		
Mary Paul	Bruce Gowdy		
♠ 983	♠ AK7		
♥ 1043	♥ KQJ7		
♦ K106	♦ J95		
♣ K752	♣ 1098		
	Michael Rosenberg		
	♠ QJ106		
	♥ A876		
	♦ 87		
	♣ QJ4		
West	North	East	South
	Pass	1♣	Pass
1♦	Pass	1♥(1)	Pass
Pass	Dbl	Pass	1♠
2♣	Pass	Pass	2♠
All Pass			
(1) Alerted; shows unbalanced hand			

The Facts: 2♠ went down one, +50 for E/W. The opening lead was the ♠3. The Director was called at the end of play. East won the ♠K at trick one and shifted to the ♣10, queen, king, ace. In order to make the contract declarer would have had to duck the ♣K, playing for diamonds to be three-three—a distribution the explanation made impossible. Instead, declarer hoped to duck a heart and then ruff a heart. East said that he violated his agreement on purpose because he had no minor-suit stoppers. The Director ruled that E/W’s agreement was not as explained or had been improperly explained. The contract was changed to 2♠ made two, +110 for N/S, but in screening (only E/W attended) the table result was restored.

The Appeal: N/S appealed the Director’s ruling. North did not attend the hearing. The play of the hand was as follows: A spade to the king, followed by the ♣10 to the queen, king, and ace. Declarer then ducked a heart and the defense played two more rounds of spades. Declarer took the diamond finesse

and eventually lost six tricks for down one. South said he could have made his contract by allowing the ♠K to win at trick two, winning the club continuation in hand and then ducking a heart. If the defense did not switch to trumps he could ruff a heart in dummy to come to eight tricks (+110); if the defense cleared trumps he could set up diamonds with a ruff and use the ♣A as an entry for nine tricks (+140). However, this line required both spades and diamonds to be three-three, an impossibility given E/W’s explanation of 1♥ as showing an unbalanced hand. South believed that since he had been given MI about E/W’s agreement and with the correct information he might have made 2♠, the result should be changed to +110 for N/S. E/W explained that they were a new partnership. At West’s suggestion, they agreed that after opening a minor suit a major-suit rebid at the one-level would promise an unbalanced hand. This was clearly marked on their CC and had been explained to the opponents. At the table, East chose to deviate from that agreement and rebid his strong heart suit, judging that to be a better call than rebidding 1NT with weakness in both minors. West bid as if her partner had a real club suit by supporting it freely at the two level, despite her flat 6-count. She obviously expected her partner to have clubs and East simply had elected to make a call that violated their agreement.

The Committee Decision: Declarer asserted that he had to duck the ♠K at trick two in order to make the hand. The Committee noted that as the play went, he could have made the hand by ducking a diamond after winning the third round of spades,

though that would have risked going down three if the diamond finesse lost. The Committee determined that E/W did, in fact, have the agreement that the 1♥ rebid showed an unbalanced hand, though it appeared that East did not fully appreciate the implications of that agreement. The information was properly explained to N/S and was consistent with the CC. Thus, there was no MI and the table result was allowed to stand. The Committee cautioned East that, in the future, if he believed that the correct rebid with his actual hand was 1♥ despite his partnership agreement to the contrary, then either he and his partner needed to change their explanation of their agreement or he needed to rebid 1NT instead of 1♥.

DIC of Event: Henry Cukoff

Committee: Martin Caley (chair), Doug Doub (scribe), Bill Passell, Robert Schwartz, Michael White

Directors' Ruling: 58.1

Committee's Decision: 97.6

☞ Another imponderable table ruling. Luckily, both the Screening Director and Committee were on top of things here and rectified the error. Had the table ruling been what it should have been I think N/S's appeal would have been very shaky. As it was, I am willing to let them slide. On the same wavelength is...

Bramley: "If the E/W treatment was clearly marked on the CC then the table Director gave a bad ruling. If he had correctly allowed the table result to stand, an appeal by N/S would have been meritless. Since the ruling upholding the table result was not given until screening, N/S get to slide on the AWMW. Still, I am perplexed why the E/W CC did not come to light immediately, which should have been sufficient to get N/S and the table Director to give up the fight."

Treadwell: "This case should never have come to Committee since the CCs confirmed that the explanation was correct and that East had deliberately violated his agreement as he is entitled to do. I don't think for extremely rare deviations from an agreement that the opponents should be told. That is, if the partner of the bidder will always assume the bid is in accord with the agreement, then no additional explanation is required."

R. Cohen: "I guess in the future E/W will inform the opponents they can rebid 1NT with a four-card major. Too bad East wasn't playing the system he employed when he won the Spingold in 1949. He'd have opened the bidding 1♥ and saved all the hassle. Oh well."

Gerard: "Totally bogus argument by South. After three rounds of spades South assumed that East was 3=4=2=4, so he already knew not to trust the explanation. There was no risk of down three if East played the ♥K at trick three and little if he played the jack (KJ10 was the only realistic holding). Once again, screening put the Director in his place."

Stevenson: "No MI, no redress."

☞ One panelist thinks it was wrong to change the table ruling in screening since he finds sufficient evidence that N/S were damaged to force the offenders to bring the appeal.

Rigal: "The Directors had no reason to overturn the ruling in favor of the non-offenders to my mind. Unless I misunderstand the Directors' brief, where there is a reasonable chance that an infraction has taken place and a similarly reasonable chance that the non-offenders were punished, the ruling should be in favor of the non-offenders when in doubt. This should be the default approach. The Committee considered all the issues and came to a rational conclusion that East had breached

partnership system—albeit in a new partnership. Hence no adjustment could be considered. West's bidding did indeed confirm this. I like the caution given by the Committee to E/W."

☞ I find the clearly marked CCs and Alert enough to refute those arguments. The following panelist makes a strong point about N/S not being at screening.

Polisner: "If South had attended the screening he would have found out that there was no MI and thus no infraction, and no redress. Why wasn't an AWMW awarded for this trivial appeal?"

☞ It's not clear where the next panelist stands: he makes arguments against both sides. Perhaps he is suggesting ruling against both of them?

Wolff: "During the play, when East switched back to the ♠Ax declarer should then have known that he must be balanced unless West freely raised clubs with ♣Kxx. Addressing E/W's culpability, when pairs play methods like Walsh but frequently deviate, it becomes dangerous and illegal to plant in their expert opponents' minds their allegiance to their system. Again, it seems best for partnerships to announce systems and then not adhere to them. Here it caught a very good player in its net. Directors and Committees should be aware of this possibility. Clearly correct as CD is present now as never before."

☞ Why should declarer have worked out that East was balanced? Might not West have competed to 2♣ with ♣Kxx in case East had five of them, knowing that East could work out from her pass of 1♥ to correct to 2♥ if he wished? Also, in a new partnership it takes time to work out which of partner's pet system preferences one is comfortable playing. We're all entitled to make whatever bid we think is best in each situation, regardless of our agreements (although repeated deviations establish an implicit understanding), as anyone who reads Danny Kleinman's articles in The ACBL Bulletin must know only too well. Until there's a place on the CC to check "We do []/do not [] play a disciplined system" so that the opponents can gauge how predisposed we are to violate our agreements (not a bad idea, actually; are you listening, Bart?) we have to allow players leeway to deviate in the blind.

Finally, a view that I find quite troubling.

Kooijman: "We had this before: a Director ruling made and then cancelled and replaced by something else still on the Director level. I repeat that I strongly believe this to be a wrong procedure, asking for appeals for sure. Why not wait until some final Director ruling is made? I am too old to agree with the Committee that there was no MI. It is naive to let the future decide whether this was a very special situation or common enough to call it a partnership understanding. My experience tells me it was the latter, or possibly East simply forgot his agreement, not being familiar with the convention, which should have been told to the opponents. In that case the next question is whether N/S were damaged by the infraction. My answer is 'yes' they were and I would apply 12C3 giving the contract half of the time and leaving the table result for the other half. Nice solution in BAM-teams."

☞ Rulings are usually made only after consultation and with the DIC's approval, but in some situations consultation may not be practical (for example, at the end of a session when the Directors are all quite busy and things are hectic) or a ruling may be approved by a DIC who is not as experienced or knowledgeable as we'd like. The Screening Director has the authority to catch and correct deficient rulings, but this only happens when an appeal is filed (and thus someone is unhappy with the initial ruling). I see no reason to force such cases to take up a Committee's time and energy when they can be corrected by a single Director in screening.

As for the MI issue, I don't see what age has to do with it. The CC was clearly marked and the Alert was consistent with it. Ton's position seems to be to have

Directors rule mechanically and reflexively rather than intelligently, which can't be the right approach. If East simply forgot his agreement (rather than deviated from it intentionally) what difference would that make? The Alert and explanation still accurately reflected E/W's agreement, so there was no MI. The laws say a player need not tell his opponents that he has forgotten or deviated from his agreements, so why should East have done that here? Not saying anything was not an infraction.

Finally, once again I must remind our European panelists that 12C3 is not an option in the ACBL (to my continuing chagrin). We need to provide feedback to our readers that's consistent with the regulations here in North America rather than those in the WBF or Europe.

CASE SIXTY-FIVE

Subject (MI): Confusion Reigns Supreme

Event: NABC Mixed BAM, 28 Jul 01, Second Qualifying Session

Bd: 9 Bob Gookin
 Dlr: North ♠ QJ9853
 Vul: E/W ♥ A
 ♦ QJ3
 ♣ QJ9

Lee Rautenberg Andrea Culberson
 ♠ K76 ♠ 2
 ♥ 104 ♥ QJ8653
 ♦ K654 ♦ A1087
 ♣ A862 ♣ 107

Janet Gookin

♠ A104

♥ K972

♦ 92

♣ K543

West	North	East	South
	2♠(1)	Pass	2NT(2)
Pass	3♥(3)	Dbl	Pass
4♣	Pass	Pass	Dbl
Pass	Pass	4♦	Pass
Pass	Dbl	All Pass	

(1) Alerted; 11-16 HCP with six spades

(2) Alerted; invitational values; asked for more information

(3) Alerted; explained as four or more hearts; actual agreement was shortness

The Facts: 4♦ doubled went down three, +800 for N/S. The opening lead was the ♦2. The Director was called in the middle of the play and determined that the N/S agreement was that 3♥ showed shortness. The Director ruled that the table result would stand. The Screening Director changed the contract to 4♠ down one, +50 for E/W.

The Appeal: N/S appealed the Director's ruling. South did not attend the hearing. South's pass of 3♥ doubled was undiscussed. E/W were told that 3♥ showed four or more hearts while N/S's actual agreement was that it showed shortness. The Director was called during the play when it was discovered that North's hand did not match South's explanation. N/S believed that West had exercised very poor bridge judgment in treating East's double of 3♥ as takeout, and thus should keep the table result in 4♦ doubled. E/W believed that if 3♥ had been properly explained, West clearly would have passed the double and N/S would likely have continued on to the normal spade game, which would go down one with the ♠K was offside.

The Committee Decision: Clearly N/S were guilty of MI which contributed to their good result, and thus it was decided to adjust their score. South's 2NT did not promise any spade support, so a final contract of 3♥ doubled was a possibility. However, the Committee decided that North's passing out 3♥ doubled was not a probable enough action to assign that contract, and that 4♠ down one was the most unfavorable result that was at all probable on the deal. The Committee also believed that West's decision to treat East's double of 3♥ as takeout was highly questionable and they seriously considered allowing E/W to keep the table result. Ultimately, they decided that based on the MI West had received it was barely within reason to remove the double of 3♥ and that 4♠ down one was also the most favorable result that was likely for E/W. Therefore, the contract was changed for both pairs to 4♠ down one, +50 for E/W.

DIC of Event: Henry Cukoff

Committee: Michael Huston (chair), Martin Caley, Doug Doub (scribe), Robert Schwartz, Michael White

☞ Assuming that a direct 3♥ response by South would have shown a heart suit I agree that North would not have passed 3♥ doubled in the actual auction if West had passed. Therefore, I support both the Director's ruling and the Committee's decision to change the contract to 4♠ down one. In fact, I think this appeal was a total waste of the Committee's time. North's 3♥ bid showed four-plus hearts and East's double *was* for takeout. So why should West know not to take it out? In fact, I'm closer to assessing an AWMW against N/S than I am to leaving E/W with the table result.

Agreeing...

Gerard: "Didn't this happen to Pavlicek and Root in a team trials? When one of them took out his partner's takeout double, I don't recall it being classified as 'highly questionable.' In fact, they got back their -1700 with no questions asked."

Rigal: "The Director correctly ruled for the non-offenders here. The Committee also pursued a sensible and conscientious line of reasoning. I think they worked a little too hard here, though. If West had been told that the 3♥ bid showed shortness he would not have pulled the double, and the final contract would surely have been 4♠, as the Committee determined. Regardless of what we think of West's actual decision, it was not one he should have faced."

☞ A good question is raised by...

Stevenson: "If 3♥ is natural surely double is takeout showing the minors. But if so, why did East double? The whole auction is shrouded in mystery, but with a correct explanation no doubt E/W would not have done anything so silly."

Polisner: "Excellent work by the Committee and Screening Director."

Treadwell: If you wish to play complex or unorthodox methods, you had better be sure that the explanation of the bids are accurate. Failure to be accurate is likely to result in a score adjustment as it was in this case."

Bramley: "I agree. West's removal to 4♣ was poor but not egregious. Judging whether doubles of secondary natural bids are penalty or takeout is a tricky business, made more so by N/S's uncommon system. West was entitled not to face that problem."

☞ One panelist thinks the original Director's ruling was the proper adjudication.

R. Cohen: "Why couldn't the double of 3♥ have been takeout for the minors? East knew North had a legitimate opening bid and South had at least invitational values. What purpose was served by showing hearts when East was in all likelihood going to be on lead? A good player would be expected to hold something like ♠--- ♥Qxx ♦QJxxx ♣KJxxx. I'm with the Director, not the Screener or Committee."

☞ No one (I hope) would argue that East's double with her actual hand was theoretically sound. But it was still (arguably) for takeout and West did what he thought he was being asked to do. Had he been told that 3♥ showed shortness there can be little doubt he would have passed.

On another note, N/S have these sorts of problems repeatedly and it's about time they started to receive PPs when they forget their "uncommon" system and consequently misinform the opponents. (Where's Wolfie when you need him?)

Finally, one panelist seems confused about the difference between a proven error and a non-proven one.

Kooijman: "You know my opinion about the screening procedure by now. I didn't change that. In CASE SIXTY-ONE an argument was that an opponent knowing about the misbid could have decided to pass. Why don't I read that consideration here? 4♥ down five or something seems a reasonable decision to me (South will certainly bid 4♥ then)."

☞ These two cases do not appear to me even remotely similar in the way Ton suggests. In CASE SIXTY-ONE East knew from the 4♥ bid that either North's 4♦ bid had been an error or South not Alerting it was an error. But in the present case, as Bart points out, deciding whether a double of a secondarily-bid suit is penalty or takeout is a tricky business; there is simply no good indication here that a misbid has occurred. As for N/S playing in 4♥, I can't imagine North passing even if South raised 3♥ to 4♥. If South had a long heart suit she would have bid it directly over 2♠. Yes, I know 2NT didn't necessarily show spade support but where no support exists responder is almost always looking for 3NT with either a balanced hand or one containing a source of tricks in a minor. Also, North knew that his 3♥ bid showed shortness (he could even have had a void) so he would likely interpret a 4♥ bid as an artificial bid to show spade support and higher aspirations.

Sorry, but all roads lead to a 4♠ contract here.

CASE SIXTY-SIX

Subject (MI): Fooled By the Convention Card They Never Saw
Event: Spingold, 29 Jul 01, Final, Second Quarter

Bd: 18	Mike Moss		
Dlr: East	♠ QJ732		
Vul: N/S	♥ A9765		
	♦ Q		
	♣ 102		
Ralph Katz		George Jacobs	
♠ 1064		♠ K8	
♥ KQJ		♥ 1043	
♦ K954		♦ 3	
♣ K96		♣ AQJ8543	
	Fred Chang		
	♠ A95		
	♥ 82		
	♦ AJ108762		
	♣ 7		
West	North	East	South
		1♣	2♦(1)
Pass	Pass	3♣	Pass
3NT	4♦	Pass	Pass
Dbl	All Pass		
(1) Not Alerted: explained as weak on both sides of the screen			

The Facts: 4♦ doubled made four, +710 for N/S. The opening lead was the ♥K. The Director was called at the end of play when North's 4♦ bid (opposite a weak jump overcall) and South's hand led E/W to discover that South's CC was marked "intermediate when vulnerable." West never looked at South's CC during the auction or play. North had left his CC at the other table during the previous segment and when it was retrieved it was found to be marked "intermediate at the two level, vulnerable." At the time the 2♦ bid was made N/S both described it to their screenmate as weak. N/S told the Director that had they changed their agreement to "always weak" after the Life Master Pairs but neglected to re-mark their CCs. East said if he had known that 2♦ was intermediate he would have pulled 4♦ doubled to 5♣. The Director deemed that South's hand did not possess intermediate values and the

description E/W received was accurate. He ruled that E/W were not damaged by N/S's mis-marked CCs and allowed the table result to stand.

The Appeal: E/W appealed the Director's ruling. Only South and East attended the hearing. (North did not attend for health reasons but asked the chairman to convey several points to the Committee on his behalf.) East believed that the South hand was an opening bid (he would have opened 1♦) and was thus an intermediate-jump overcall. Had West known this he might have bid 2NT over 2♦ rather than passing and hoping to defend 2♦ doubled. Had East known that 2♦ was intermediate he might have passed 4♦ or raised 2NT to 3NT. East also questioned whether it was reasonable to believe that N/S were really playing weak-jump overcalls when, on the seventh day of the event, they still had intermediate marked on their CCs. He thought North's 4♦ bid with only the stiff queen suggested that North expected an intermediate hand from South. East also mentioned that on another board in the same session North had opened 2♥ vulnerable in first seat holding ♠108 ♥AQ97653 ♦Q ♣1074. South said that when he explained his 2♦ bid to West as weak he indicated that it was not so weak at this vulnerability. He said his agreement with North was that their weak actions would take the vulnerability seriously. He believed that they hadn't noticed that their CCs were mis-marked because they had been volunteering the meanings of their bids to the opponents, so no one had ever asked to look at their cards—just as neither East nor West had here. The chair conveyed North's message that N/S were playing together for the first

time at this tournament. They had played in the Life Master Pairs to practice and agreed then to play intermediate-jump overcalls vulnerable at the two level and weak-jump overcalls otherwise. When the Spingold started they decided to simplify their agreements and play weak-jump overcalls all the time, but to take vulnerability seriously into account. They simply neglected to re-mark their CCs. North believed that had South's bid shown an intermediate (opening) hand he would surely have bid 2♠ directly over 2♦ since game in either major would have been quite possible. He also questioned why E/W didn't say anything when he put down the dummy (they chuckled at his hand with its singleton ♦Q) and why they didn't call the Director. He also said he thought that E/W had misdefended 4♦ doubled and didn't deserve a score adjustment, although he did not specify how they had misdefended.

The Committee Decision: The Committee quickly decided that the South hand would qualify as a weak-jump overcall for most players at unfavorable vulnerability—especially conservative ones. In fact, North's seven-card weak-two bid on the other hand mentioned by East actually reinforced that N/S were conservative preemptors, as their professed agreement to take vulnerability seriously into account indicated. The Committee concluded that the explanations E/W received at the table accurately reflected N/S's agreements. Had either East or West looked at the mis-marked N/S CC during the auction there might have been a reason to consider a score adjustment. But since N/S's CCs played no role in determining the table result there was no reason to adjust the score. Therefore, the table result was allowed to stand. Regarding the merit of the appeal, the Committee members (excluding the chair) all agreed that the mis-marked CCs justified bringing the appeal. Consequently, an AWMW was not issued.

DIC of Event: Henry Cukoff

Committee: Rich Colker (non-voting chair), Fred Hamilton, Mark Itabashi, Jim Krekorian, Adam Wildavsky, Kit Woolsey

Directors' Ruling: 96.7

Committee's Decision: 89.5

✍ I stand by my disclaimer at the end of the decision: I would not have hesitated to issue E/W an AWMW for this travesty of an appeal. Unfortunately, I could not convince the other members to do so.

Happily, most of the panelists agree with me on this one.

Bramley: "Outrageous appeal. N/S gave identical explanations and E/W never consulted the CC until the hand was over. Where was the damage? And where was the AWMW? The Committee found that the mis-marked CC was irrelevant, so why did the card bestow merit on the appeal? This is one of the vilest appeals I have ever seen, the more so given the setting in which it occurred. Pressing this case in the Spingold Final only serves to give the game a black eye."

✍ You want more? Can you handle more?

Gerard: "You want more examples? North opened 2♠, not vulnerable versus vulnerable, with ♠KQ10xxx ♥J9 ♦108 ♣KQJ. Does that mean N/S weren't playing weak two-bids because East would have opened 1♠? Another Moss 2♠ opener with ♠AK9xxx ♥x ♦K10xx ♣xx. 2♥ by Chang with ♠x ♥KQJxxx ♦xx ♣A9xx. 4♥ by Chang with ♠x ♥AKJ9xxxx ♦xxx ♣Kx. E/W apparently didn't know their opponents. I would have put both of them on my list of top ten most traditional preceptors, something I know a little about. Just because East would never raise his partner's preempt with stiff queen doesn't make it illegal; in fact, if you've never made that little ol' single raise you don't know what you're missing. When I first saw this hand for my Bridge World article, no explanations were provided. I thought about an intermediate jump overcall but decided that North would never have passed 2♦, as he suggested.

“North was wrong that E/W misdefended. They did not defend to best effect, but the most they could have done was force South to pin the ♠8. But they did nothing terrible, so this line of thinking was irrelevant. I find East’s arguments distasteful. He basically accused his opponents of untruthfulness just because he has different standards for certain actions. Playing for penalties with that West hand over a weak 2♦ bid has to result from competing against a surfeit of opponents who never have their bid, so there’s plenty to suggest that E/W were just unfamiliar with the conservative preempting style. I question whether it was reasonable to doubt that N/S were really playing weak jump overcalls when they both said they were. It’s symptomatic of the random style publicity campaign that N/S should have been made to defend their actions and to suffer the innuendo they were faced with. Count me on the side of an AWMW.”

Rigal: “All the critical issues were properly considered, and E/W keep up their record with meritless and litigious appeals. Given their history in this area I vote with the chair and happily give them an AWMW. The point about CCs might be relevant to the N/S scores—though I say no—but here E/W need to be given a sharp kick in the pants and another AWMW looks to be the right way to do it.”

Treadwell: “If ever a pair earned an AWMW it was E/W. It is not difficult to defeat 4♦ for an excellent result (unless South makes a double-dummy play in spades) and East claimed he would have pulled to 5♣, for down at least two, if he had known more. The argument was specious.”

Polisner: “I believe that players at this level understand that at this vulnerability players are not bidding 2♦ on ♦Q10xxxx and out. I would have issued an AWMW for this meritless appeal.”

R. Cohen: “That team is here again. They achieved the result in Committee that their play at the table merited. ‘Nuff said.’”

Wolff: “This is bridge, Mister! It’s funny how people want it back when they double the opponents out.”

Kooijman: “That is not exactly the main Director job, to decide whether South’s hand meets the criteria for a weak or intermediate call, is it? Not touching that subject you can’t go wrong either. What he should try to find out is what the players had agreed upon. May I add that I do not like players pleading for no score adjustment for their opponents because of misplay, mis-bidding, etc. Leave that to the Committee please. Good decision by the Committee.”

☞ Of course there’s always bound to be a Secretary Bird in the flock.

Stevenson: “What excuse is there for not changing CCs when you change the system for a top-class event? Simple, you are not getting penalized. Is it really enough to ‘educate’ this pair with a verbal warning? There seems to be a dislike of enforcing regulations in North America. If the CCs had been correctly marked there would have been no appeal, and possibly no ruling would have been requested. Is this much time-wasting really necessary to avoid very small PPs?”

☞ In words of one syllable, “Yes.”

Subject (Claim): Never Claim With a Trump Outstanding: Part I
Event: Bracketed KO Teams I, 21 July 01, Semi-Final Session

Bd: 15	♠ A10		
Dlr: South	♥ K64		
Vul: N/S	♦ K85		
	♣ QJ985		
♠ Q73		♠ KJ984	
♥ J108752		♥ Q	
♦ AJ		♦ Q9763	
♣ K10		♣ A6	
	♠ 652		
	♥ A93		
	♦ 1042		
	♣ 7432		
West	North	East	South
			Pass
Pass	1♣	1♠	Pass
2♣	Pass	2♦	Pass
2NT	Pass	3♠	Pass
4♠	All Pass		

The Play (South on lead):

Trick	1	♠2, ♠3, ♠A, ♠4
	2	♠10, ♠J, ♠5, ♠7
	3	♦3, ♦2, ♦J, ♦K
	4	♦5, ♦6, ♦4, ♦A
	5	♣10, ♣J, ♣A, ♣2
	6	♦7, ♦10, ♠Q, ♦8
	7	♣K, ♣8, ♣6, ♣3

Declarer claimed the rest

The Facts: The contract was 4♠ by East. The opening lead was the ♠2. Declarer, with the lead in dummy, claimed at trick eight, conceding a heart in the position below:

	♠ ---		
	♥ K64		
	♦ ---		
	♣QJ9		
♠ ---		♠ K98	
♥ J108752		♥ Q	
♦ ---		♦ Q9	
♣ ---		♣ ---	
	♠ 6		
	♥ A93		
	♦ ---		
	♣ 74		

When N/S expressed doubt East said that her hand was high. West believed she mentioned spades then diamonds. No outstanding trump was mentioned or line of play proposed. The Director assigned the contract of 4♠ down one, +50 for N/S (Laws 70C2, 70C3).

The Appeal: East said that at the point of the claim, she showed her hand and said “This hand is over. I have to lose a heart, all my spades are good, my diamonds are good.” West said that declarer said, “I have to give up a heart; my spades are

high and my diamonds are good.” West argued that using different words for spades (high) and diamonds (good) implied a knowledge of an outstanding trump. East maintained that she always knew a trump was outstanding. She denied that a pause occurred between the first statement and the statement about spades being high. West agreed. N/S remembered East stating “I have to lose a heart.” Then, after a pause during which N/S did not react, she further said “my spades are high, my diamonds are good.” After a further hesitation (during which the claim was disputed) she said “I’ll draw trump.” N/S believed that the pause after East’s original statement was long enough to warn her that something was amiss—i.e., a trump was outstanding.

The Panel Decision: This appeal was heard after a playoff that ended at about 5:45 pm. Game time was 7:30 pm and the side winning the appeal had to be ready to

play, so the Panel's opportunity to poll expert players was severely limited. The first player consulted was asked if ruffing a diamond at trick six rather than playing the $\diamond Q$ followed by a ruff if diamonds didn't break clearly indicated knowledge of the outstanding trump. He believed it was evidence in that direction, but definitely not conclusive. The claiming side had not made this argument themselves. The second player thought that this declarer may well have forgotten there was an outstanding trump. Law 70A states that in ruling on a contested claim, the Director should decide "as equitably as possible to both sides, but any doubtful points shall be resolved against the claimer." Law 70C states that if the claimer failed to mention an outstanding trump, and it is "at all likely" that claimer was unaware of it, and a trick could be lost to it by any "normal" line of play (normal including careless or inferior, but not irrational, for the class of player involved), then the Director should award a trick or tricks to the opponents. In claimer's favor were: (1) saying spades were "high" and diamonds were "good"; (2) stating that she would draw trumps before seeing South's hand; (3) ruffing a diamond instead of simply playing the good queen. Against claimer were: (1) making two statements before explicitly saying she would draw trumps, during which the opponents did not agree to the claim; (2) taking time to mention a heart loser but not a trump to be drawn; (3) not arguing before the Panel that ruffing a diamond instead of playing the queen was evidence that she was aware of an outstanding trump. The Panel believed that a pause between declarer's statements probably did occur and this could have aided her. With this in mind, and with the input of the players consulted, the Panel decided that a second trump trick would be awarded to N/S. Declarer may have forgotten that a trump was still outstanding and her statement was not intended as an order of play (i.e., spades first). If she believed the trumps were all drawn it would not have been irrational to play good diamonds before trumps. Consequently, the contract assigned was 4 \spadesuit down one, +50 for N/S.

DIC of Event: Patty Holmes

Panel: Matt Smith (Reviewer), John Ashton, Gary Zeiger

Players consulted: Michael Huston, a second player of comparable experience to the claimer

Directors' Ruling: 87.6

Panel's Decision: 79.0

☞ First let me say that decisions of this sort are always distasteful; they are among the most subjective that Directors, Committees and Panels have to make. I have a great deal of sympathy for anyone having to adjudicate a case like this.

Now that I've gotten that out of the way, just let me say, "Good grief!"

If East thought there were no trumps out she could have claimed two tricks earlier by simply laying down the $\diamond Q$ and seeing whether she needed to ruff one in dummy. Her line of play leaves *no* doubt in my mind that while the form of the claim may have been flawed, it was valid in substance. I shall once more remind the reader (and the Panel) what Edgar wrote many years ago:

...it is important to duplicate bridge to avoid a punitive attitude towards minor errors in claim procedure. Probably no more than one claim out of every five is free from all technical flaw. The basic approach is not to punish the flaw, but to rule in equity: to protect innocent opponents against any substantial chance of damage from a faulty claim, while trying to give the claimer the tricks he would have won had he played the hand out. (Appeals Committee X, *The Bridge World*, December, 1982).

Was there a "substantial chance" that N/S were damaged here? Was this ruling in equity for E/W? Forgive me for repeating myself, but "Good grief!"

Unfortunately, only two of the panelists see this one clearly (my way), although some of the others are unhappy with what they think was the correct, legal ruling.

Gerard: "Oh give me a break. Didn't declarer's line of play speak for itself? Why did she have to argue that she didn't play the $\diamond Q$? So you could bad mouth her for

bridge lawyering? What about that $\clubsuit K$ play? A player who had forgotten the trump would have claimed after the diamond ruff. The only point of the $\clubsuit K$ was so that it wouldn't get ruffed. Jeez, if you're only going to consult one expert, make it a good one."

Treadwell: "It is virtually automatic to play high trumps in an end position such as this, if for nothing more than to check one's count of the suit. The fact that declarer stated her trumps were high, before she mentioned her diamonds were good, would have convinced me she was only trying to, quite properly, speed the game up. We should not be so automatically litigious in these kinds of situations."

Wolff: "Where is it, in what book, does it say that when one is playing out what she thinks is a cold hand that leading a high side-suit card is as rational as leading the high trump? These hands always leave a bad taste so let's apply the law and be done with it. Down one, but close."

R. Cohen: "Did the Panel really think they decided equitably for both sides? I have strong doubts. However, since they listened to all of the evidence I'll bow to their judgment."

Polisner: "Harsh, but correct under the Law."

☞ That S.B. is back, and this time he's brought some friends with him.

Stevenson: "It is so easy to say 'drawing trumps.' Players who do not bother should always be ruled against in any case of doubt since despite all their arguments the most likely scenario is that they forgot the trump."

☞ Yeah, except when the immediately preceding line of play just shouts, "*I know there's a trump still out!*"

Bramley: "We've seen this before. If you don't acknowledge the missing trump, you lose. It's in the laws. Indeed, the laws are so clear here that appeals of this type deserve AWMWs. I think that the only reason Committees and Panels don't give AWMWs is the lingering sense of injustice that arises when an 'impossible' result is assigned."

Kooijman: "CASES SIXTY-SEVEN to SEVENTY-ONE: Nice cases; apparently the Committees do understand the standards for these claim cases. Could have been learning moments for the Directors involved."

Endicott: "In a case like this the Director is right to rule as he did, regardless of the view an Appeal Committee might take. I think a highly important statement is the one about the argument the appellants did not make for themselves. The Panel is not there to erect a defense for a player. One of the better exercises with something to be learnt from it beyond the norm. Also, the scribe has done a better job than some; the style is less loquacious, the sentences punchy. Use him again if this is typical."

☞ And finally, one lone panelist, with sympathy for the Right Side, tries his hand at prognostication.

Rigal: "Good Director ruling to my mind. The standard of proof of satisfying the Director should be harder than that for the Panel. The Panel did a sensible job here; I think I would have come down on the other side of the fence, but it is so close that I can't believe anyone will get too worked up about this!"

☞ Boy, is he wrong about that.

CASE SIXTY-EIGHT

Subject (Claim): Is There No Equity In the World?
Event: Life Master Pairs, 22 Jul 01, First Final Session

Bd: 16	Carl Chadwick		
Dlr: West	♠ KQ932		
Vul: E/W	♥ AQ108		
	♦ Q1086		
	♣ ---		
Beverly Perry	Jonathan Greenspan		
♠ J864	♠ A105		
♥ J42	♥ 953		
♦ K	♦ 9742		
♣ Q10932	♣ A76		
	Abe Paul		
	♠ 7		
	♥ K76		
	♦ AJ53		
	♣ KJ854		
West	North	East	South
Pass	1♠	Pass	2♣
Pass	2♥	Pass	2NT
Pass	3♦	Pass	3NT
All Pass			
The Play (West on lead):			
Trick	1	♥2, ♥8, ♥9, ♥K	
	2	♠7, ♠4, ♠K, ♠A	
	3	♣6, ♣J, ♣Q, ♠6	
	4	♣3, ♠2, ♣A, ♣4	
	5	♦7, ♦3, ♦K, ♦8	

The Facts: The contract was 3NT by South. The opening lead was the ♥2. Having lost four tricks and needing the rest, declarer claimed at trick six in the position below:

	♠ Q93	
	♥ AQ10	
	♦ Q10	
	♣ ---	
♠ J86		♠ 105
♥ J4		♥ 53
♦ ---		♦ 942
♣ 1092		♣ 7
	♠ ---	
	♥ 76	
	♦ AJ5	
	♣ K85	

Declarer said he had the rest of the tricks but that he would take the heart finesse if he needed to—but he had nine tricks without it. The Director ruled that since declarer thought he had nine tricks without the ♥10 he might discard it if West led a club to trick six. He assigned the score for 3NT down one, +50 for E/W (Law 70).

The Appeal: N/S appealed the

Director's ruling and were the only players to attend the hearing. After West won the ♦K at trick five, the bell sounded to change for the next round. Declarer then said he had the rest of the tricks: he would take the heart finesse if he needed to but he had nine tricks without it. He had not actually counted his tricks, but it simply "felt like he had the rest." He would have accepted going down had the opening lead been from three small hearts, but he would certainly have taken nine tricks on the actual lie of the cards.

The Committee Decision: Although declarer was careless in not actually counting his tricks before claiming, he was clearly focused on the potential of the ♥10 as a trick. Had West continued with a high club at trick six it would have been *irrational* for declarer to do anything but discard a small spade from dummy. With the ♥J dropping onside tripleton, declarer would definitely have taken the rest of the tricks. The result was changed to 3NT made three, +400 for N/S.

Majority Note (Barry Rigal): Further investigation confirmed that declarer's early discards from dummy had been a low diamond followed by a low spade. Accordingly, declarer had to that point followed a coherent line. For the defense to prevail, declarer would have had to pitch the ♥10 on the ♣K (which the Committee deemed irrational) or, slightly more likely, a spade on the club and then run the diamonds. This would leave the ending shown at right. Whereas at the time of his faulty claim declarer might not have been sure he had nine rather than ten tricks, in this ending it would surely be irrational—not just careless or inferior—to pitch a heart rather than the low spade on the ♦J.

♠ Q9
♥ AQ10
♦ ---
♣ ---
♠ ---
♥ 76
♦ J
♣ 85

DIC of Event: Henry Cukoff

Committee: Martin Caley (chair), Larry Cohen, Doug Doub (scribe), Gail Greenberg, Barry Rigal

Directors' Ruling: 53.3

Committee's Decision: 96.7

✍ It is true that declarer had lost touch with the hand to a certain extent and was operating on "feel," but as the first four panelists point out...

Endicott: "When a player says he will take the heart finesse if he needed to I would think this a fair indication that it is not in his mind to throw it away. Players can sometimes trip themselves up by rather fudgy use of words. (Can't we all?) I think the Director has not thought through the situation with his mind sufficiently on the bridge. The case is a potential example to Directors for its reference to what is 'irrational.'"

Stevenson: "Did the Director not listen to the claim statement? How can declarer finesse the heart if he has discarded the ♥10?"

Bramley: "I agree. The Director's ruling was draconian. The Committee was correct that discarding the ♥10 would have been irrational after declarer explicitly mentioned that card in his statement."

Polisner: "Good work by the Committee in light of South's statement about the heart suit. To go down would be irrational for most players; however, the write-up is void of information as to the 'class of player' involved. If he were a novice I would have decided down one, but in the LM Pairs, a good decision."

✍ The next panelist suggests making another attribution to declarer's statement.

Gerard: "I think 'if he needed to' meant if East showed out on the second round of hearts, which means that the five-card ending of the Majority Note could not have taken place. So I don't think declarer gets to take the heart finesse when West has jack-fourth. I know that's inconsistent with his apparent willingness to pay off to a lead from three small, but if he had nine tricks he didn't 'need' the heart finesse."

✍ It's certainly possible that when he said "if he needed to" declarer meant he would cash a second high heart to get a better idea of whether he needed the finesse. But a more straightforward interpretation, since he hadn't counted his tricks, is that if it turned out he had only eight tricks (and not the nine it "felt" like) he would take the heart finesse and pay off to ♥xxx in opening leader's hand. This interpretation would make failing to cash a second high heart not merely careless (something we must assume if the claim statement did not encompass it) but it would now not play any role whatsoever in South's stated or implied plan. Similarly, cashing the ♠Q

before reaching Barry's end position would also be a less careless line (and thus not allowable) since it too would help declarer know "if he needed to" take the heart finesse (by effecting a show up squeeze on West if he started with the ♠J10 and ♥Jxxx). So Ron is right that South can't take the heart finesse when West has jack-fourth, but not for the reason he suggests.

So is the previous point about declarer having mentioned the heart finesse still valid? Would it be irrational for him to pitch the ♥10 once he said he might need it (because he hadn't yet counted his tricks)? I didn't think so when this case was in the process of being heard, but I've changed my mind and do now. I think declarer simply mistakenly believed he had nine tricks and thought it would save time if he just showed his hand: Surely the "reasonable" opponents would "feel" the same nine tricks he did. Fortunately for him, however, he had enough presence of mind to say he'd take the heart finesse "if he needed it," just in case his count was wrong (as it turned out it was). I think he planned to count his tricks if his claim was disputed and take the heart finesse if he needed it. I would not allow him to make any play which would be less careless than just taking the heart finesse (such as cashing a second high heart to guard against the ♥Jx with East, or cashing the ♠Q in case West had started with ♥xxx and ♠J10, as previously discussed), but I would not force him to pitch the ♥10 and abandon the one fallback line he mentioned in his statement.

The remaining panelists also support the Committee's decision.

Wolff: "Where is it, in what book, does it say that declarer is liable to throw away a potential good trick from the dummy as likely as a worthless card? These hands always leave a bad taste so let's apply the law and be done with it. Making 3NT."

R. Cohen: "The Committee corrected the ruling. All's well that ends well."

Treadwell: "The Committee in this case, unlike the Panel in the preceding case, used good judgment in supporting the somewhat nebulous claim."

✍ Finally, Barry prepares to present his hands (I'm trying desperately to avoid an image of him taking down his trousers), along with those of the other Committee members, expecting to be slapped with a stick (in this country our teachers used rulers) as punishment for their decision. I'm sure he will be relieved to read that his decision has garnered unanimous support.

Rigal: "I know the Committee will run into a fair amount of stick for determining that a losing play would have been irrational but not inferior. To my mind, though, we can't say declarer would have pitched a winner from dummy just because he hadn't counted his tricks carefully. There has to be a valid moment to pitch that winner before we can assume he would make the play. As far as the Committee could see, declarer could not let go of the ♥10 any earlier than the second pictured ending (even playing inferior but not irrational bridge). We just did not believe it would have been rational to let go of the ♥10 in this particular five-card ending. Therefore, although we knew we should try hard to rule against the man making the bum claim, none of us could cast the first stone here. Oh well, now to assume the position..."

✍ Save it for another time.

Subject (Claim): Out of the Mouths of Babes...
Event: B/C/D Swiss, 22 Jul 01, Second Session

♠ AKJ1063 ♥ 107 ♦ 105 ♣ K54 ♠ Q5 ♥ 985 ♦ Q763 ♣ AJ106 ♠ --- ♥ AKJ2 ♦ AKJ842 ♣ Q98	♠ 98742 ♥ Q643 ♦ 9 ♣ 732 ♠ 987 ♥ 6 ♦ --- ♣ ---																											
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">West</td> <td style="width: 25%;">North</td> <td style="width: 25%;">East</td> <td style="width: 25%;">South</td> </tr> <tr> <td colspan="4" style="text-align: center;">Auction not available</td> </tr> <tr> <td colspan="4" style="text-align: center;">Final contract: 3NT by South</td> </tr> </table>		West	North	East	South	Auction not available				Final contract: 3NT by South																		
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<p>The Play (West on lead):</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Trick</td> <td style="width: 5%;">1</td> <td>♣6, ♣4, ♣2, ♣8</td> </tr> <tr> <td></td> <td>2</td> <td>♦A, ♦3, ♦5, ♦9</td> </tr> <tr> <td></td> <td>3</td> <td>♦K, ♦6, ♦10, ♦9</td> </tr> <tr> <td></td> <td>4</td> <td>♦8, ♦Q, ♣3, ♣3</td> </tr> <tr> <td></td> <td>5</td> <td>♥9, ♥10, ♥Q, ♥K</td> </tr> <tr> <td></td> <td>6</td> <td>♣9, ♣A, ♣5, ♣7</td> </tr> <tr> <td></td> <td>7</td> <td>♣J, ♣K, ♥4, ♣Q</td> </tr> <tr> <td></td> <td>8</td> <td>♣A, ♣2, ♥2, ♣5</td> </tr> <tr> <td></td> <td>9</td> <td>♣K, ♣4, ♦2, ♣Q</td> </tr> </table>		Trick	1	♣6, ♣4, ♣2, ♣8		2	♦A, ♦3, ♦5, ♦9		3	♦K, ♦6, ♦10, ♦9		4	♦8, ♦Q, ♣3, ♣3		5	♥9, ♥10, ♥Q, ♥K		6	♣9, ♣A, ♣5, ♣7		7	♣J, ♣K, ♥4, ♣Q		8	♣A, ♣2, ♥2, ♣5		9	♣K, ♣4, ♦2, ♣Q
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	4	♦8, ♦Q, ♣3, ♣3																										
	5	♥9, ♥10, ♥Q, ♥K																										
	6	♣9, ♣A, ♣5, ♣7																										
	7	♣J, ♣K, ♥4, ♣Q																										
	8	♣A, ♣2, ♥2, ♣5																										
	9	♣K, ♣4, ♦2, ♣Q																										

The Facts: The opening lead was the ♣6. Declarer won in hand and played as in the diagram to produce the following position with the lead in dummy (North) at trick ten:

♠ J106 ♥ 7 ♦ --- ♣ --- ♠ --- ♥ 85 ♦ 7 ♣ 10 ♠ --- ♥ AJ ♦ J4 ♣ ---	♠ 987 ♥ 6 ♦ --- ♣ ---
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Declarer claimed, saying "They're good." Upon inquiry she then said, "Both hands are good." East then said she had a spade, at which point declarer immediately said, "I'm playing two spades from dummy and coming to my hand." The ♥AJ were high. The Director was called at that point and ruled that E/W would get one spade trick (Laws 70D and E). 3NT made four, +630 for N/S, was assigned to both sides.

The Appeal: N/S appealed the Director's ruling. South stated that she had gone out of her way to lead the ♦8 earlier in the play to set up the remainder of the diamond suit; she clearly had six of the last four tricks. N/S thought it would be irrational to play the third spade (which was not known to be good) when the ♦J and ♥AJ were clearly good. E/W stated that South never said she was playing the heart, not the third spade, until East said "So I get a spade trick?"

The Panel Decision: Law 70A states, "...the Director adjudicates the result of the board as equitably as possible to both sides, but any doubtful points shall be resolved against the claimer." The footnote to Law 70 instructs that "... 'normal' includes play that would be careless or inferior but not irrational for the class of player involved." Declarer went out of her way to set up the diamonds. The Panel was convinced that this was a valid claim that was badly stated; had play continued, declarer certainly would have taken the rest of the tricks. Two experts and two Flight B players were consulted. The two expert consultants both said, "I guess that's a bad claim, so you have to award a trick to E/W, but I'd hate to do that." The

two Flight B players both said, “You’ve got to be kidding! How could she not win them all?” The Panel assigned a contract of 3NT made five, +660 for N/S.

DIC of Event: Richard Strauss

Panel: Millard Nachtwey (Reviewer), Mike Flader, Terry Lavender

Players consulted: Mark Itabashi, Zeke Jabbour, two Flight B players

Directors’ Ruling: 74.8

Panel’s Decision: 72.8

☞ Were the two experts really asked to comment on a point of law? They should have been asked whether a declarer who played and claimed as South had appeared to have lost touch with the hand—i.e., if there’s any doubt to be resolved.

Our S.B. from CASES SIXTY-SIX and SIXTY-SEVEN seems to have turned in his S.B. card just in time to remain double-dummy...wrong.

Stevenson: “Bad claims should be ruled against, but not necessarily bad claim statements. I feel sure declarer would have made the rest if she had played it out. Note that the expert consultants wanted to play Director rather than expert player; their answers were unhelpful, possibly because of the way they were asked the question.”

☞ Along similar lines...

Bramley: “These consultants were useless. They were being asked about a point of law, a subject about which they were *not* experts. (Not more expert than the Directors, anyway.) The viewpoint of the Flight B consultants was the same as most witnesses to a claim disaster: How can you make them do that? Not helpful. The only question here was whether it would have been rational to ‘run’ spades. Note that South did not state a line until pressed. Perhaps she was exasperated to be asked to do so when one hand was high and the other was nearly high. The Panel got it right, but I hope the consultants didn’t influence them.”

Endicott: “Another Director not thinking bridge. There seem to be some who are too much immersed in the law book and who do not relate the laws adequately to the logic of the bridge. This claimer’s statements all seem to add up to two spade tricks and then a move to hand, although again the player has found it difficult simply to list the tricks he will take. ‘You’ve got to be kidding!’ sums it up well.”

Treadwell: “I can’t imagine E/W even contesting declarer’s claim in this case. And the Director upheld it!? Fortunately, the Panel reversed the ruling and allowed the claim.”

Wolff: “Resolve silliness in favor of a stable bridge result.”

☞ While the above is clearly the popular (and sentimental) position, it’s wrong. The following panelists explain why the Director was right and the Panel members, who judged with their hearts rather than their heads, were wrong.

Gerard: “You’re right, you’ve got to be kidding. What is so confusing about ‘Both hands are good’? ‘I’m playing two spades from dummy’—why? Of course if play had continued declarer likely would have made the rest. Why not tell me something that matters? How could you possibly feel bad awarding a trick to E/W, unless you don’t believe in applying the laws? Declarer went ‘out of her way’ to lead the ♦8—boy, I sure hope she didn’t contort herself. This is a very poor performance by Panel members who should know better.”

Rigal: “Unlike the previous case, there is a normal and careless way for declarer (whose comment implied she thought dummy’s spades were good) to lose a trick,

by leading them out. The Director made the right ruling here, and my immediate sympathies are with E/W. Despite the comments from the consultants, I think the correct ruling is +630 for N/S. I’d like to give E/W –660, but I don’t think the rules work that way...do they?”

Polisner: “I’m afraid that I would agree with the Director. South stated ‘both hands were good’ after having West play the ♠Q. This leads me to conclude that she miscounted the spades and may well have been careless in taking the rest of the tricks.”

R. Cohen: “This is a case of ‘careless’ and E/W should have been awarded a trick.”

☞ Declarer, in dummy for the last time, cashed the two high spades pitching her losing heart and lowest diamond. When the ♠Q fell (unexpectedly making dummy’s ♠J10 good) she said “They’re good.” Now which “they” did she mean? Certainly not her own hand; if she knew it was good she would have claimed when West played the ♣A, two tricks earlier. But she didn’t. And she didn’t just cash the ♠A, pitching her losing ♥2, and then face her hand and claim. She proceeded to cash the ♠K and pitch a good diamond as well. Why? Because she wasn’t sure the ♦42 were good. So when she said “They’re good” she must have meant dummy’s spades. Then, when her RHO asked, she said “Both hands are good.” *Both*. That proves she thought dummy was high. Of course she also knew her ♥AJ and ♦J were good, but a declarer who thought dummy was high might carelessly have tried to cash all three spades. It’s not certain she would have done this: maybe she would have cashed the ♠J10 and played the last heart to the ace. But maybe isn’t good enough. Cashing the last spade would have been careless but not irrational for a player who thought the spades were all good. So E/W get a trick.

Dave may not be happy that E/W chose to contest N/S’s claim, but they were entitled by law to do so and had a valid complaint.

Sad? Yes. But maybe next time South will be more careful.

Think Flight B/C/D is a gentler game? Not when there’s blood in the water.

CASE SEVENTY

Subject (Claim): Never Claim With a Trump Outstanding: Part II
Event: Bracketed KO (Bracket 4), 23 Jul 01, Second Round

Bd: 11	♠ 832		
Dlr: South	♥ J954		
Vul: None	♦ 95432		
	♣ 10		
♠ K7		♠ A105	
♥ KQ7632		♥ A10	
♦ A8		♦ K7	
♣ KJ4		♣ A76532	
	♠ QJ964		
	♥ 8		
	♦ QJ106		
	♣ Q98		

West	North	East	South
			Pass
1♥	Pass	2♣	Pass
3♥	Pass	4NT	Pass
5♠(1)	Pass	6♥	All Pass

(1) Two keycards plus the ♥Q

The Play (North on lead):

Trick	1	♣10, ♣2, ♣Q, ♣K
	2	♥2, ♥4, ♥A, ♥8
	3	♥10, ♠4, ♥3, ♥J
	4	♠2, ♠5, ♠9, ♠K
	5	♥K, ♥5, ♠2, ♠6

West claimed (see the Facts)

The Facts: The contract was 6♥ by West. The opening lead was the ♣10. The Director was called when Declarer claimed at trick six, mentioning his good clubs, diamonds and spades but saying nothing about the remaining outstanding trump. The Director ruled that declarer must play his side-suit winners (including, eventually, his clubs) before being allowed to play trumps and that N/S would take another trick (Laws 70C1, 2 and 3). 6♥ down one, +50 for N/S, was the assigned contract.

The Appeal: E/W appealed the Director’s ruling. Declarer (West) said he claimed saying: “I have the high hearts; my diamonds, clubs and spades are good.” East started to say that West’s claim was “I have the high diamonds, the high heart...⁵ when West interrupted saying “I said high hearts.” East continued, “...my clubs and spades are good.” E/W both said that it would be irrational not to pull the last trump. N/S both said declarer never mentioned hearts when he made his claim.

The Panel Decision: Law 70C states (in part): When a trump remains in one of the opponents’ hands the Director shall award a trick or tricks to the opponents if:

(1) claimer made no statement about that trump, and (2) it is at all likely that claimer at the time of his claim was unaware that a trump remained in an opponent’s hand, and (3) a trick could be lost to that trump by any normal play (where normal includes play that would be careless or inferior, but not irrational, for the class of player involved). Declarer, by his own statement, never mentioned “that” trump. Had he said “I have the high heart” (N/S contended he did not say this and, taken together with East’s description of West’s statement, the Panel found N/S’s contention to be the more credible) the Panel might have accepted that as an indication that he knew there was an outstanding trump. Alternatively, had he claimed when North won the ♥J or when he won the ♠K the Panel might also have accepted it. But when he claimed after pulling only one of the two remaining trumps (without making a further statement such as “Drawing trump and I have the rest...”) he created a doubtful point (Law 70A) which must be resolved against him. Failing to pull the last trump did not qualify as being irrational under Law 70. Therefore, the Panel assigned the contract of 6♥ down one, +50 for N/S. As the four players all had about 500-600 masterpoints, the Panel believed the appeal had sufficient

merit (for players at this level) to avoid an AWMW.

DIC of Event: John Ashton
Panel: Charlie MacCracken (Reviewer), Terry Lavender, Millard Nachtwey
Players consulted: none reported

Directors’ Ruling: 97.1 **Panel’s Decision: 94.8**

✍ The only issue here was the AWMW. I tend to agree with the Panel that none was called for in this case. Not so...

Bramley: “Second verse, same as the first (CASE SIXTY-SEVEN). Here it is even clearer that declarer may have missed the trump, since he took a bizarre line after South showed out on the second round instead of claiming immediately. No merit here, either.”

✍ Certainly not for you or I.

Rigal: “Again both Director and Panel could find a rational way for declarer to lose a trick and so they made the right decision. I also agree with the obiter dicta about when they *would* have accepted a claim. Declarer put himself in the one position where it could be argued that he had forgotten a trump was out. Unlucky for him, and I wish I did not have such an unpleasant taste in my mouth at the end of the hand.”

Endicott: “The statement ‘He created a doubtful point’ is the essential difference from the previous case. The bridge does not argue for him here. Opinions of other players would not be valuable; the questions have to do with facts: what did claimer say and do at the point of the claim.”

Stevenson: “As in CASE SIXTY-SEVEN, it is so easy to say ‘Drawing trumps’ that a presumption is reasonably created by the failure to do so.”

Treadwell: “I am uncomfortable in not allowing this claim, but the fact the claim was made after only one of his remaining high trumps was played, combined with his rather peculiar play of the trump suit, lends some substance to denying the claim under the laws as now written.”

R. Cohen: “No problems here.”

✍ One panelist forgets how poorly he played when he had 500-600 masterpoints.

Polisner: “It must be pretty easy to get 500-600 masterpoints and still play this poorly on a baby hand. One would think that West knew that North started with four trumps when he passed the 10 to North. Since everything up to this point was irrational (unless passing the ♥10 was in hopes of having a careless North duck), I would have to agree with the Panel.”

✍ Even the Wolff man admits that the law is the law—even if it is an ass.

Wolff: “Resolve silliness in favor of a stable bridge result or have I said that already? They sure didn’t here, but maybe they had to according to the law.”

CASE SEVENTY-ONE

Subject (Claim): 20-20 Hindsight—Not Good Enough
Event: Side Game, 24 Jul 01, Evening Session

Bd: 12	♠ 87		
Dlr: West	♥ Q1076		
Vul: N/S	♦ Q9543		
	♣ 105		
♠ KJ6		♠ A109543	
♥ KJ84		♥ A9	
♦ KJ107		♦ A62	
♣ 43		♣ K7	
	♠ Q2		
	♥ 532		
	♦ 8		
	♣ AQJ9862		
West	North	East	South
Pass	Pass	1♠	3♣(1)
4♠	All Pass		
(1) Preemptive			

The Facts: The opening lead was the ♣A. Declarer won the club continuation at trick two, played a spade to the king, then rode the ♠J around to South’s queen. He then faced his hand and said, “You must either give me a ruff and sluff or lead a red suit.” He did not state a line of play in the event of a heart lead. North called the Director who explained that East could not adopt any line of play which depended on finding one opponent rather than the other with a particular card (Laws 70D and E). The Director ruled that East would lose a diamond trick and assigned the contract of 4♠ made four, +420 for E/W.

The Appeal: E/W appealed the Director’s ruling. East was the only player to attend the hearing. East admitted that he had stated no

line of play at the time of his claim or to the table Director. He subsequently mentioned an “obvious red-suit squeeze” to the DIC after filing his appeal. He then added, “Even the *e-bridge* robots would make five on this hand.” He went on to explain that once he played three rounds of hearts South would be marked with at most two diamonds, assuming she had at least six clubs for her 3♣ bid, and a red-suit squeeze on North would be automatic. This was aside from the fact that North rated to have the ♦Q on the bidding and play to that point. He thought it would be irrational for a player of his experience and expertise (he had over 3000 masterpoints and several Regional wins to his credit, despite only playing sporadically) to fail to make five.

The Panel Decision: Since East made no statement when he claimed regarding the resolution of the red suits, any doubt must be resolved against him (Law 70A). Failure to properly count a hand is inferior, not irrational. Since he did not state that he would play North for the ♦Q, Law 70E makes it clear that East may not play North for the ♦Q unless failure to do so would be irrational. As no red-suit tricks had been played, it would be careless to forget the relative likelihood of North or South having the ♦Q. The line of play involving the squeeze was not proposed until long after the round had ended. Thus, it could not be considered and in any event East’s failure to see it would be considered careless, not irrational (note Law 70D). The Panel assigned the contract of 4♠ made four, +420 for E/W. Since Laws 70D and E were thoroughly explained to East by the DIC before the appeal, and East had sufficient experience and expertise to know that his appeal could not succeed, E/W were each assigned an AWMW.


DIC of Event: Eric Platt

Panel: Gary Zeiger (Reviewer), John Ashton, Charlie MacCracken, Roger Putnam


Players consulted: none reported

Directors’ Ruling: 97.1

Panel’s Decision: 96.2


 I guess it would be irrational for a player of East’s experience and expertise to claim without stating a line of play, too—if he had one in mind when he claimed. The AWMW was well deserved for a player as full of himself as East was here. The panelists agree.

Rigal: “Very nicely done all around. A bum claim, and any doubt goes against East. There were plenty of unsuccessful lines available to declarer still. And the AWMW is especially appropriate here, it seems to me, in the light of the comments made.”

 In case you are wondering why this is a “bum” (to use Barry’s term) claim, one panelist discusses its deficiencies in detail.

Gerard: “Yes, but the e-bridge robots would have played it correctly. The obvious red-suit squeeze was an after-the-fact creation, since it depended on seeing four hearts in the North hand. That is, what if South had one of those “intermediate” jump overcalls from CASE SIXTY-SIX with ♠Qx ♥Qxxx ♦x ♣AQJ98x? Then the “obvious” red-suit squeeze is on dummy and North makes a diamond trick in the ending. It would have served a player of East’s expertise right if South’s singleton diamond in that scenario were the queen. So East could not play for the red-suit squeeze not because other lines of play would have been rational but because it depended on finding North with a particular card, the fourth heart. Therefore, East couldn’t play North for the fourth heart, couldn’t play either opponent for the ♦Q and had no way to make five.

“It was okay to play three rounds of hearts, but the right line of play after that would have been to take the diamond finesse through North while one trump remained. That wouldn’t get you in the papers but it would have been a sign of maturity, something I expect the e-bridge robots would have exhibited. East’s performance deserved a stronger rebuke, since it so clearly resulted from knowing the hand.”

 I suspect the AWMW was sufficient, given East’s obvious self-admiration, but I do wish I had been there to see his face. Some Panels have all the luck.

Bramley: “The usual. Players who make claims like this cannot receive the benefit of the doubt, since they’ve already blown their credibility with an inferior claim. Taking the rest would have required East to do *something* right, and you don’t get to do that unless you state it up front. Furthermore, East cannot develop a mathematical certainty for the contract no matter how he plays it. (His ‘squeeze’ line would fail if South were 2416, for example.) No merit again.”


Stevenson: “Very clever, all this counting of hands and squeezes. East must think everyone is very naive to appeal this one.”

Polisner: “The Panel’s decision is correct, especially the statement that failure to count a hand is inferior, not irrational. (My reference is to the double squeeze claim in Maastricht last year).”

Endicott: “Agreed. A plain book ruling. A side game, a Panel lenient with a weak player who appeals when he should just accept that he has no case.”

R. Cohen: “No problems here.”

Wolff: “Everything was done right here, but the patient died.”

 Committed suicide is more like it.

CASE SEVENTY-TWO

Subject (Illegal Convention): The Vacuum Effect: Suction
Event: Stratified Senior Pairs, 20 Jul 01, Second Session

Bd: 4	♠ 932		
Dlr: West	♥ K54		
Vul: Both	♦ K982		
	♣ K94		
♠ AJ754		♠ K106	
♥ Q8		♥ J10762	
♦ 103		♦ Q764	
♣ Q853		♣ 6	
	♠ Q8		
	♥ A93		
	♦ AJ5		
	♣ AJ1072		
West	North	East	South
Pass	Pass	Pass	1NT
2♥(1)	Dbl	2♠	Pass
Pass	2NT	Pass	4♥
All Pass			
(1) Alerted; spades or minors (Suction)			

The Facts: 4♥ went down two, +200 for E/W. The opening lead was the ♦10. The Director was called at the end of play. N/S complained that they were unfamiliar with the defense (Suction) E/W were playing to their 1NT opening, which caused confusion as to the meanings of their own calls in the subsequent auction. The Director determined that, since the General Chart was in use for this event, direct calls other than double and 2♣ over the opponents' notrump were required to have at least one known suit. Thus, E/W were playing an illegal convention. However, in such cases no "automatic" penalty or score adjustment is provided without proof of damage from the illegal method. In this case it was the Directors' judgment that once N/S learned that West had spades they should have been able to cope with the situation and that they had

ultimately caused their own damage. The table result was allowed to stand.

The Appeal: N/S appealed the Director's ruling. Only N/S attended the hearing. N/S told the Reviewer that they were unfamiliar with the opponents' defensive methods over 1NT and that this had confused them as to their own methods. They were playing methods for dealing with one-and two-suited overcalls when the suit(s) were known. They were an experienced 20⁺-year partnership and South had played for years in Saudi Arabia.

The Panel Decision: Three Flight B players were consulted and none thought that "Suction" was the cause of N/S's problem as the nature of West's hand was known before South's 4♥ call, which was cited as the culprit. All three players believed that if North had the hearts South needed he would have bid them over 2♣-P-P. N/S's contention that playing in a foreign country for so long made them unable to cope with new competitive treatments and that they therefore deserved protection was not deemed a compelling argument (Law 21A: "A player has no recourse if he has made a call on the basis of his own misunderstanding"). E/W were not aware that Suction was not allowed at this level of play at this tournament since it was a very popular and widely-used convention on the west coast, where they played. The Panel allowed the table result to stand.

DIC of Event: Charlie MacCracken

Panel: Terry Lavender (Reviewer), Mike Flader, Millard Nachtwey, Matt Smith

Players consulted: Three Flight B players

Directors' Ruling: 88.6

Panel's Decision: 86.7

✍ While N/S were responsible for their own poor result, had E/W not been playing an illegal convention which confused them (although it should not have) E/W would not have received as good a result as they did. Therefore, their score should have been adjusted to the most unfavorable result that was at all probable.

Rigal: "I am surprised there was no PP against E/W for using an illegal method that helped to contribute to N/S's demise. But had 2♥ simply been a transfer, N/S would probably have had the same accident. The Director took a position when he ruled against the non-offenders here; however, I like that action in this case. South's rush of blood to the head clearly earned him his -200, and he should keep it. I frequently consider with sympathy the argument that if N/S had not been put in an illegal position their accident would not have happened. But here it seems to me that the non-offenders were no worse off after 2♠ got back to North than they would have been over a transfer."

Endicott: "Hilarious. The Saudis are to blame? Given the regulation it is open to the Director and the Panel to exercise bridge judgment to decide 'no score adjustment.' However, I think the Director should apply a penalty to E/W for use of illegal methods (the Panel might then decide a warning is sufficient) and the Panel should certainly raise the question when he has not done so."

✍ As the write-up states, there is no "automatic" penalty for unknowingly playing an illegal convention. Certainly E/W cannot continue to play it in GCC events, but a PP is only indicated in exceptional situations, such as where the offenders knew the convention was illegal or are repeat offenders. But there's little doubt that E/W's convention confused N/S and helped cause their accident, so an appropriate score adjustment needs to be found for E/W. One possible contract for N/S after a 2♠ overcall is 3♣ (doubling 2♠ is -670 dangerous), but that seems remote with 25 HCP between them and a club suit as a source of tricks. 3NT seems much more likely (just hope the spades block or that West leads something else). If West does not enter the auction 3NT seems even more normal. On a spade lead E/W take the first five tricks and declarer has to guess clubs to take the rest. Since the spade position makes that very improbable, I'd assign E/W +200 defending 3NT (the same score against a different contract).

Stevenson: "No doubt a correct ruling and appeal in that no adjustment was given. But what effort was made to make sure that E/W did not continue to play this convention?"

✍ Perhaps when E/W were told their convention was illegal in GCC events. The next panelist thinks N/S should not have appealed.

R. Cohen: "Really, this should have earned N/S an AWMW. The Panel was generous in their assessment of merit."

✍ When a Flight B pair encounters opponents who play a convention that confuses them and which is later ruled by the Director to be illegal, but the Director inexplicably (to them) allows the table result to stand, it doesn't seem a penalizable offense for the pair to request that the ruling be reviewed on appeal. Two panelists choose an artificial score adjustment for E/W.

Kooijman: "I agree with the decision for N/S: keep the table result. But I am quite sure that I would not have allowed E/W that superb result on this board after using an illegal convention. Average Minus seems enough for them."

✍ In the ACBL we project actual bridge results rather than assigning artificial scores when replacing a result actually obtained at the table. We believe Law 12C2

requires this. (Perhaps the use of 12C3 for so many years has altered the European view of this requirement.) Since that is not impossible here (or even very difficult) we should do it rather than simply assigning E/W an arbitrary below-par result.

Polisner: “Certainly this result would not have occurred in the absence of E/W playing an illegal convention. I couldn’t let E/W keep their good side and would have given them Average Minus. As for N/S, I agree that South self-destructed, but would still have given some redress, perhaps –100 rather than –200.

✍ How about thinking in terms of actual bridge results rather than just pulling numbers out of thin air? If there is no “likely” or “at all probable” result that would yield down –100 then it would be entirely inappropriate to assign it to either side. That sort of thinking is more like what we have come to expect from another panelist, one who chose to go the PP route in this case...

Wolff: “Okay, except E/W should be penalized for using an illegal convention. If someone doesn’t think ‘Suction’ had anything to do with the 4♥ contract he must be living in another world.”

Subject (Inadvertent Call): The Devil Made Him Do It
Event: Open Pairs, 22 Jul 01, First Session

Bd: 9	♠ AKJ8753		
Dlr: North	♥ 10		
Vul: E/W	♦ K987		
	♣ Q		
♠ 1062		♠ Q9	
♥ KQ74		♥ A932	
♦ J62		♦ A543	
♣ J75		♣ AK3	
	♠ 4		
	♥ J865		
	♦ Q10		
	♣ 1098642		
West	North	East	South
	1♠	Dbl	Pass
Pass(1)			
2♥	2♠	3♥	Pass
Pass	3♠	All Pass	
(1) Spoken; the Director allowed the change to 2♥ (see The Facts)			

The Facts: 3♠ made four, +170 for N/S. The opening lead was the ♥A. When 1♠ doubled was passed to him West said “Pass. Oh!” The Director was called, took West aside, and asked him why he bid verbally and not with the bid box (which was not on the table when the Director was called). West was at a loss to explain why he said “Pass”; later he suggested that the reason might have been that he was looking at South’s Pass Card. The Director was convinced that West intended to bid 2♥ and ruled that his pass was inadvertent. The change to 2♥ was allowed without penalty.

The Appeal: N/S appealed the Director’s ruling. East did not attend the hearing. North stated that West said “Pass” and as she was reaching to pick up her bid card said, “No, that’s not what I meant to do.”

The Panel Decision: The Panel believed that there was clearly “pause for thought” (Law 25A) and therefore

the table Director should have applied Law 25B (Delayed or Purposeful Correction) instead of Law 25A (Immediate Correction of Inadvertency). Law 25B provides that the auction and play continue, with the non-offending side receiving the table result and the offending side receiving no better than Average Minus. The Panel therefore assigned the table result (+170) to N/S and Average Minus to E/W.

DIC of Event: Tom Quinlan

Panel: Millard Nachtwey (Reviewer), Terry Lavender, Roger Putnam

Players consulted: none reported

Directors’ Ruling: 76.1

Panel’s Decision: 71.1

✍ There’s a lot more to this decision than meets the eye.

Gerard: “Law 25B only applies ‘until LHO calls,’ so it’s not clear to me that North’s reach for her 1♠ bid card didn’t constitute a pass. However, on the assumption that it didn’t, I guess –170 for E/W was better than Average Minus.”

✍ Ron makes an excellent point. If North (improperly) reached to pick up her 1♠ bid card intending thereby to end the auction, it constituted a pass and as such made a purposeful change of West’s pass illegal. However, an inadvertent call may be changed until partner makes a call. That being the case...

Bramley: “Mysterious decision. On what basis did the Panel decide there was pause for thought? Obviously West would never have passed if he had seen the auction. Was there additional evidence that he had *not* seen the auction? The

description in The Facts is inconsistent with that in ‘The Appeal.’ This looks more like an inadvertent call immediately corrected. I would have let the table result stand for both sides. By the way, N/S were pretty unsporting to appeal. An AWMW against them would have been more appropriate than a score penalty against E/W.”

✍ While I agree that no one would intentionally pass 1♠ doubled with the West hand, that alone does not make West’s pass inadvertent. Law 25B was created to allow a player who has had a mental lapse, and thus whose action is not inadvertent, to change his call and thereby avoid an anomalous bridge result at the cost of his side receiving no better than Average Minus. The example typically given of this (which actually motivated the Law) is of a player who, while pondering whether or not to bid a slam over his partner’s cue-bid, decides not to bid the slam but has a mind glitch and passes the cue-bid instead of signing off in his side’s suit. As for why the Panel decided that there was pause for thought...there is no indication.

Our laws experts are not of a single mind about this one. The next panelist proposes a very plausible explanation for West’s pass which, in the absence of compelling evidence to the contrary, invalidates the inadvertent call theory.

Polisner: “When bid boxes are in use, is a player allowed to bid orally without prior permission of the Director? If not, then West’s pass shouldn’t even be considered as a call. Assuming that one can bid orally, it seems likely that West didn’t see East’s double until after he said pass. If the factual determination was that there was pause for thought, then the Panel correctly applied Law 25.”

✍ To answer Jeff’s initial question, a call made orally when using bid boxes *is still a legal call*, even though it violates the regulation specifying the form for calls using bid boxes (and could be the source of UI under Law 16).

Regarding Jeff’s suggestion that West didn’t see East’s double, our Laws Commission has said that in order to treat a call as inadvertent very strong evidence supporting its inadvertency is required (the standard is “overwhelming”) and there must be nothing about the next player’s actions (even when LHO has not yet made a call) that could suggest changing the call. For example, suppose a player with a close decision between passing or raising his partner opts to pass. Now his LHO starts to think (obviously) about balancing, suggesting that the raise would have worked better by making it harder for LHO to balance. So the player claims that his pass was inadvertent. Sorry, no dice.

The next panelist thinks the timing of the correction is everything. He’s wrong.

Endicott: “Not very clear how quickly the correction of inadvertency came. The Director thought it was soon enough to be ‘without pause for thought.’ Usually such a judgment is more easily made by the Director who was at the table. Both Director and Panel have the law right; they see the incident from different angles.”

✍ As fast as some of our Directors are in getting to the table, I’m confident that none would have gotten there in time to judge how long it took West to “correct” his pass. The Director, like the Panel, must rely on the players’ statements, the cards they held, and the bridge logic of the situation. He is also constrained by the laws to require “overwhelming” evidence of inadvertency, which he failed to do.

Kooijman: “The Panel applied the laws well. West is allowed to change his call under 25A if he had decided to bid 2♥ but for an unknown reason inadvertently said ‘Pass.’ That was apparently not the case. With the Director making this mistake restoring the situation is not so easy. The Panel made the best of it.”

✍ Why is it so clear that the Director made a mistake? If Jeff’s suggestion is right and West didn’t see East’s double, that would clearly make his pass intentional (not inadvertent) and refute Bart’s position. In other words, if West passed thinking he was passing out 1♠-P-P, then his pass was clearly intentional and not inadvertent.

Ton clearly knows that only if a player intends to do one thing and inexplicably finds he has done something else is his action considered inadvertent. For example, a player with a weak hand and seven hearts reaches to place the 3♥ bid card on the table, only to find moments later that the 3♦ bid card has ended up on the table by mistake. But if, for whatever reason, at the time the player made his call he intended to make precisely *that* call (maybe because he mis-saw the auction, got a bid ahead of himself, thought the auction was something other than it actually was, etc.), then it is not considered inadvertent for the purposes of changing it. Unfortunately, the next panelist is under the misconception that this sort of brain-glitch is inadvertent.

Rigal: “I know this decision hardly matters, but I’ve seen people do such odd things at the table with bid boxes (I’ve had a partner repeatedly try to *lead* a bid) that I believe West did not ‘bid’ pass and thus should have been allowed to bid whatever he wanted to. Looking at his hand suggests he had no intention of ‘bidding’ pass, so whatever happened was just a brain-glitch, not an attempt to call.”

✍ The next panelist provides an important piece of evidence that West’s pass was not inadvertent.

Stevenson: “In matters of fact a Panel or Committee should very wary of overruling the table Director, and the evidence given here suggests they were wrong. If it really did go ‘Pass. Oh!’ then there was no pause between the call and the attempt to change it. Despite no one being able to give a reason for West’s actions, they seem clear enough to me: the only time people sometimes say ‘Pass’ instead of using a bid card is when they are passing the contract out. I have little doubt that West thought at the moment of his call that the bidding had gone 1♠-P-P to him. So, while I do not agree with the reason given for the decision, since there was no pause for thought, it was not an inadvertent action, so a ruling under Law 25B was correct. Of course, Law 25B gives options to players, but I am happy with the score assigned by the Panel.”

✍ So there you have it. West’s oral pass is evidence that he thought he was passing the contract out. But that must mean that when he passed he *intended* to do just that, so his pass was *not* inadvertent. And David is also right about the Panel’s reason for adjusting the score being erroneous. There’s no clear evidence of a pause for thought, which is irrelevant since even without a pause for thought the evidence against inadvertency is overwhelming.

The next panelist does not understand the standard used to judge a call to be inadvertent.

Treadwell: “I tend to agree with the floor Director that pass was inadvertent and would allow the 2♥ bid. The so-called ‘clearly pause for thought’ was merely realization she had made the wrong call. Is that really thinking?”

✍ If the “pause” was really just the time before the player realized he made the wrong call, then Dave would be right that it would not really count as time spent thinking. The real issue is *why* West passed, and two compelling pieces of evidence suggest that pass was the bid he intended: (1) it is consistent with his not seeing East’s double (thinking the auction had gone 1♠-P-P to him); and (2) it was made orally, which suggests he thought he was ending the auction. And what evidence is there that his pass was inadvertent? None. Only his word. To accept West’s pass as inadvertent the law requires overwhelming evidence—as in “the cards speak”—and not just a loose “belief” (as in “I tend to agree with the floor Director”).

Right, Wolfie?

Wolff: “Okay with the two-tiered verdict. I like it as it takes care of some of our current appeal miseries.”

CLOSING REMARKS FROM THE EXPERT PANELISTS

Bramley: “I can’t believe I ate the whole thing. The volume of appeals seems to be related to the size of the tournament, and this was the biggest tournament in a long time. Do we have figures comparing table count to appeal count?”

“More AWMWs were given, but not nearly as many as should have been. The Directors’ rulings are continuing their downward trend. The usual suspects are digging even deeper for excuses to bring appeals.

“The record for ‘shortest hesitation to be accused of being a break in tempo’ is now down to *two* seconds (CASE TWENTY-NINE). Unfortunately, that record probably won’t last too long, either.

“I commented on the tendency of some Committees to invalidate completely normal actions if they could construct a layout that would make the normal action wrong. This is not an appropriate way to consider logical alternatives.”

Endicott: “Regarding the write-ups, it is bad scribing when the lessons to be drawn are hidden in dust storms of words. The editor should perhaps instruct his scribes to make simple statements, a sentence at a time, one thought to each sentence. Some of these reports make great efforts to teach, but they fail to be as effective as they could because it is hard work reading them.

“Regarding the Directors’ performance, I feel concern about the widely varying standards of their rulings. The ACBL has a number of excellent Directors, including some of the more senior ones. But at the base of the pyramid there are quite a few incompetent Directors. Some of their rulings appear to have no feel for the game. The ACBL deserves sympathy over its difficulties in training Directors, due, I think, to the length of its chain of command. I know nothing of what steps the ACBL has taken to overcome this. My thought would be to institute a program of seminars at the regional level using materials prepared nationally. The ACBL could despatch visiting tutors, who could inform, counsel, appraise and report. They should prepare for the role intensively. I would be inclined to let a local person lead the seminar.”

Gerard: “Summary.

“Number of appeals: 73.

“Number of appeals with any real interest: about 2.

“Appeals by those who should have known better: 7 (CASES ONE, FOUR, SIX, NINE, TWENTY-SIX, SIXTY-FOUR and especially SIXTY-SIX).

“Theories that boggle the mind: 7. These are worth mentioning, lest any one of them become the latest ‘I was looking for 7NT’ fad. So here’s the rundown. CASE TWO (hearts outbid spades), CASE TEN (limit raise is forcing to four of a minor), CASE TWELVE (mandatory cue-bid shows extras), CASE THIRTY-THREE (no LA to bidding with a four-count), CASES THIRTY-FIVE and FORTY-FOUR (some natural calls are automatic ‘forgets’), CASE FIFTY-FIVE (some Alerts are only technical), CASE FIFTY-NINE (one opponent’s distribution changes partner’s hand, never the other opponent’s).

“Hopeless Director rulings: 16 (CASES FIVE, THIRTY, THIRTY-FOUR, THIRTY-FIVE, THIRTY-SIX, FORTY-ONE, FORTY-TWO, FORTY-FOUR, FORTY-SEVEN, FORTY-NINE, FIFTY, FIFTY-TWO, FIFTY-FIVE, SIXTY, SIXTY-THREE, SIXTY-FOUR).

“Hopeless Panel decisions: 3 (CASES FIFTY-FIVE, SIXTY-SEVEN, SIXTY-NINE).

“Hopeless Committee decisions: 3 (CASES THIRTY-THREE, THIRTY-SIX, FORTY-EIGHT).

“Winner of the mindless appeal to emotion award: The dissent in CASE THIRTY-TWO.

“It figured that 73 Canadian appeals were worth only 47 or so American ones (by the way, that’s the number I commented on), so it shouldn’t have come as any surprise that there wasn’t a lot of there there (with apologies to Gertrude Stein). It was just my luck to get the one that lasted until past 3 a.m. and may have decided

the Spingold winner. That didn’t make it into the Daily Bulletins, so I hope the faction that complained about the decision at least understands what was going on.”

Kooijman: “I have mixed feelings after finishing this job. The main reason is that I do not see much improvement in the quality of the rulings and decisions during the last years. On the contrary, I am too tired to start analyzing but my feeling is that many weak (zero) rulings and decisions, especially by the Directors, have been taken. Assuming that part of that staff is doing this job as a profession this lack of quality is alarming. And I really do not understand some of the procedures followed and some of the questions Committees or Panels are stating, for which they need to find an answer themselves. (Should 5 seconds be considered a hesitation?, etc.) There need to be more guidelines, instructions, etc., given by the ACBL. This group of Appeal Committee members should be a learning group, using previous experience, which probably means that you need more selection and a smaller group to work with.

“The way we go in the EBL and WBF makes it possible to get rid of Appeal Committees within the foreseeable future. Probably the administrators don’t want it, but looking at the quality of the decisions taken by the Directors it is possible. No chance in the ACBL with the current outcome of the decisions taken. On the contrary: the Director decisions and some procedures make Committees indispensable.

“A lot to do. Just continuing these comments won’t do it.”

Rigal: “Hard to find anything constructive to say after such a depressing number of cases. So much for our hopes that we thought we had discouraged people from meritless appeals with the AWMW system. Still, the AWMW awards were done pretty well I thought.

“Overall it seems to me that the standard of Director, Panel and Committees continues a general climb. The one issue that worries me is the Director ruling against non-offenders where real doubt exists. Most of my unfavorable marks come for that reason.

“The quality of the appeals is another matter. Until we start showing people what is the consequence of making too many appeals (and we missed our chance this time by not awarding one of our biggest offenders his *n*th AWMW) they will carry on wanting something for nothing.”

“Request for Information: Could you clarify the position on names being published and on the awards of AWMW? Is anyone who comes before a Committee or Panel liable? Plus, can you provide some commentary on rulings being changed in screening: The norm rather than the exception, and how does that affect AWMWs? (Incidentally I think I disagreed with more ‘changed’ rulings than with any other subcategory of decisions).

Separate Issue: I am too lazy to do this myself, but I would like for us to try to analyze in a single sentence what the reasons for hesitation in the first thirty-three cases were. Can they be summarized into categories such as ‘minimum with extra offence’ for slow passes in competitive auctions while slow doubles are always ‘extras and bad trumps’? If there are several different reasons that we can identify for pausing in congruent auctions, then we should not use the argument slow doubles always show xxx when they patently do not. If there is a trend to unity here, it becomes a powerful argument.”

CLOSING REMARKS FROM THE EDITOR

How'd We Do?

Again we summarize the performance of the various groups in Toronto (Directors, Panels and Committees) by classifying their actions as either Good or Poor. Some cases in each category will inevitably display elements of the other (i.e., some cases classified as Good may have Poor aspects while some classified as Poor may show some Good qualities). Table 1 presents cases heard by Panels; Table 2 cases heard by Committees.

		Panel's Decision		Total
		Good	Poor	
Table Director's Ruling	Good	8*, 11, 13, 14, 16*, 17, 18, 23*, 25, 27, 38*, 39*, 43, 45*, 53, 54, 70, 71	12, 47, 69	21
	Poor	29, 34, 52*, 61	7, 15, 19, 24, 28, 51, 55, 59, 67, 72, 73	15
Total		22	14	36

* Missed or unwarranted AWMW or PP

Table 1. Cases decided by Panels

		Committee's Decision		Total
		Good	Poor	
Table Director's Ruling	Good	2*, 3, 4, 6*, 9*, 10*, 20, 21*, 22, 26*, 31*, 32, 46*, 56, 57, 58, 60, 65, 66*	5, 35	21
	Poor	30*, 33, 37, 41, 42, 50, 62, 63, 64, 68	1, 36, 40*, 44, 48, 49	16
Total		29	8	37

* Missed or unwarranted AWMW or PP

Table 2. Cases decided by Committees

Looking at the table rulings for all cases combined, 42 of the 73 rulings (58%) were classified as good while 31 (42%) were judged poor (see chart on next page). This index continues its random fluctuations around the chance level as the dip we noted in Kansas City turned slightly upward. Perhaps the anticipated new Director training program will help change what continues to be a regrettable state of affairs.

Panel performance dropped to a near three-year low in Toronto as it was swept away in the flood of cases. Only 22 of the 36 decisions (61%) were judged good while the other 14 (42%) were classified as poor (see chart on next page). The performance high we saw in Kansas City and hoped would mark a quantum leap in

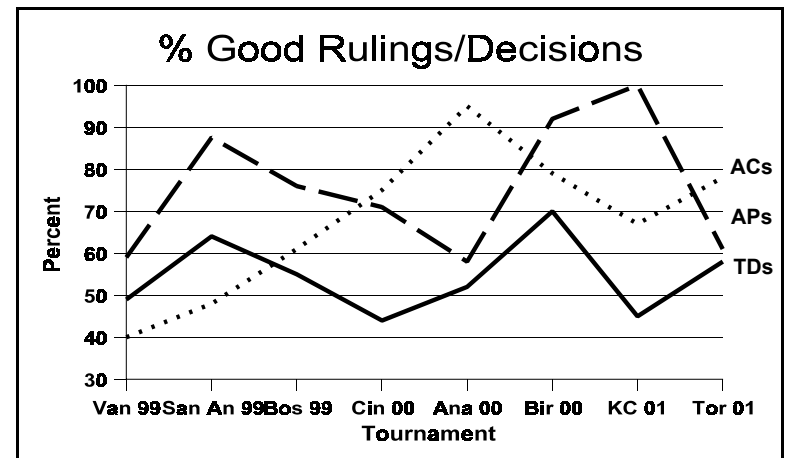
the quality of table rulings turned out to be (as we warned it might) an artifact of the exceptionally small number of cases (7) heard.

Committee performance, on the other hand, was quite good: 29 of the 37 cases (78%) were classified as good decisions while only 8 (22%) were judged poor. This effectively tied for the second highest rating since the advent of Panels; the flood of appeals which took its toll on Panels did not appear to have the same detrimental effect on Committees.

It is again worth noting that of the 8 poor Committee decisions, 6 ratified poor table rulings while only 2 replaced a good table ruling with a poor one. For the first time in quite a while this tendency was also observed in the Panels' performance as 11 of the 14 poor Panel decisions retained a poor table ruling while only 3 replaced a good table ruling with a poor one. As I've noted before, Committees (and now Panels) appear to be unduly influenced by the table ruling. Members of the NAC and Panels alike need to make a greater effort to think more independently if we are to overcome this negative influence.

Neither the Panels nor the Committees did a good job in issuing AWMWs and PPs. Of the 34 cases heard by Panels, 7 errors were noted while of the 39 cases heard by Committees, 10 failed to do the right thing in this area: 17 errors out of 73.

Overall, good appeal decisions were made in only 50 of the 73 cases in Toronto (68%) compared with 77% in Kansas City, 85% in Birmingham, 75% in Anaheim, 73% in Cincinnati, 68% in Boston, 69% in San Antonio and 51% in Vancouver. The large number of cases may have been at least partially responsible for this dip in performance, but as previously noted we may be seeing the previous trend toward improvement leveling off. We're not yet at a level of performance where we can become complacent. Seventy percent accuracy is still a long way from where we should be (I think we can exceed 90% good decisions on a regular basis).



(APs = Panels {dashed}; ACs = Committees {dotted}; TDs = Directors {solid})

Reactions to Panelists' Closing Remarks

This casebook has been a long and demanding one and the deadline for completion draws near. I shall have to react to panelists' closing comments more briefly than usual, but rest assured that I'll return to normal form in future casebooks, at which time I have several "special features" planned, when time and space permit.

The table count of a tournament does not appear to have an obvious connection to the number of appeals. For example, Toronto (Summer, 2001) ran 16,079.5 tables and had 73 appeals, while Las Vegas (Fall, 2001) ran 16,818 tables and had only 42 appeals. Of course the size of any tournament, and thus the number of tables, will

be related to the number of appeals, all “other” things being equal, but those “other” things play a far more important role. For example, the factors which I find related to the number of appeals, in roughly decreasing order of importance, are: crowding (are the tables too close together; are the hallways and areas where players congregate to chat and buy entries too small); temperature (are the playing conditions too warm or too cold, the former being worse); lighting (are the playing areas well lit; can you see the cards easily); food and hospitality (are there drinks and snacks readily available near the playing areas; is there adequate hospitality after the evening sessions). In general, the more comfortable the players are the less contentious they are and the fewer appeals that materialize.

I agree with Bart that the time intervals for hesitations are distressingly getting smaller and smaller. I attribute this to the growing belief on the part of many players that any time an opponent thinks for any length of time, UI is present which justifies a Director call and a possible score adjustment (as in CASES TWENTY-EIGHT and TWENTY-NINE). And I cannot say that in many cases this is not the truth. If players would always give the appearance of thinking about every call, even if for only a couple of seconds, then when a player needs to think for a few extra seconds there will be no UI, since when you always bid deliberately a few seconds more or less becomes meaningless. We have got to do what we can as a body to come down harshly on players who push this to absurd limits, by claiming that small pauses in tempo-sensitive situations are breaks in tempo by calling the Director, as we saw in several cases here.

And of course Bart is also right that one layout which demonstrates that a normal action can be wrong does not a LA make.

I suspect that some of my Canadian friends who read Ron’s devaluation of Canadian appeals will have some choice words for him. On the other hand it is hard to argue with his US-to-Canadian exchange rate (of 1.55).

Ton’s point about there not being much improvement in the quality of rulings and decisions is only partially accurate. While he’s right that the quality of the table rulings we’ve seen has been more-or-less random over the past few years, there has certainly been an improvement in the quality of Committees’ decisions. As for the performance of Panels it may be too early to say; the initial promise we saw back in 1998 seems to have gone through dramatic swings and cycles and at the moment they’re almost exactly where they began. It’s important to keep in mind that to date we’ve not seen any systematic training program put into place by the League. I do not think it was reasonable to believe that dramatic changes would take place in the absence of any formal training or incentive programs. Improvement, especially that which requires learning new skills and concepts and extinguishing old, outmoded ways of thinking, requires considerable effort and does not occur spontaneously or by osmosis (except, perhaps, in a few highly motivated individuals).

I do agree with most of Ton’s suggestions regarding the form and content of this training. (This should not surprise anyone since it is similar to what I proposed in the St. Louis (Fall, 1997) and Orlando (Fall, 1998) casebooks. If we integrated NAC members and Directors to hear appeals we could certainly get rid of Appeals Committees in their present form. But the process requires strong players and laws people to sit in judgment or it will fail. In fact, any procedure (including the present one) will fail if it does not have a pool of qualified bridge and laws talent upon which to draw.

Regarding our policy on the publication of names, we publish the names of all players in NABC+ events and in *separate* Flight A (or A/X) events, but not of A or A/X players in events which include lesser-ranked players such as Stratified events. Regarding AWMWs, any member of an appealing pair or their team captain are liable for an AWMW if the appeal is found to be without merit. In other words, anyone whose concurrence is required under Law 92D in order for the appeal to be heard is liable for an AWMW. Members of a team who did not play or were not at the table where the ruling was made are not liable (except for the team captain) nor are any members if they went on record with the Director as not wishing to appeal but were overruled by their captain. As for rulings being changed in screening, see

my comments in CASES THIRTY and SIXTY-FOUR.

Finally, regarding Barry’s “I am too lazy to do this myself” question about the reasons for hesitations in the tempo cases (I wouldn’t do this for anyone else, Barry) I categorized the reasons and/or hand types for each of the hesitations in CASES ONE through THIRTY-THREE. And while I can’t exactly present it in a sentence, I have summarized what I found below. Remember, in many of these cases I had to use my judgment to decide what about the player’s hand caused him to break tempo.

I first eliminated CASES SIX, NINE and TWENTY-FOUR which all occurred during the play. Next I eliminated CASE TWENTY-ONE because the hesitation was due to the player working out the meaning of his partner’s bid (it had nothing to do with his own hand). I eliminated CASE TWO because it involved MI and not UI (in other words, the huddle allegedly deceived the opponents; it did not pass UI to partner). Also, NINETEEN, TWENTY, TWENTY-EIGHT, TWENTY-NINE and THIRTY-ONE were all cases where I did not think there was a break in tempo. But since others may think there was I included them in the analysis.

So here, in no particular order, are the reasons for the hesitations in the tempo cases. (Note: Some cases fell into multiple categories and appear more than once.)

Reason for Hesitation	Case(s)
Extra useful values, shape, or cue-bid for partner	7, 12, 13, 23, 26, 28
Did not take an attractive or clear-cut action	5, 11, 27, 28, 33
Hesitation (or misuse of) Blackwood	20, 21, 22, 25
Unshown or better-than-previously shown support	3, 4, 15, 16, 18, 31
Wanted to bid own hand again or wished to save	8, 10, 19, 30, 32
Double with inadequate trumps or unshown feature	1, 14, 18, 29
Sign off in 3NT with unshown/extra distribution	17

As you can see, all of the breaks in tempo indicated that the hesitator either: (a) had a feature which he/she had not been able to show previously (or was too timid to bid him/herself), (b) wanted to bid a feature again (strength, shape, support, etc.) that had already been bid, (3) penalty doubled the opponents with “inadequate” trumps, or (4) committed Hesitation Blackwood.

Slow bids were never randomly slow (i.e., a player never took the action which best described his/her hand or took an action which had no attractive alternative). Slow always showed extras, support, or conflict about an obvious alternative action.

Convinced? I am.

THE PANEL'S DIRECTOR AND COMMITTEE/PANEL RATINGS

Case	Directors	Committee/ *Panel	Case	Directors	Committee/ *Panel
1	78.3	74.7	39*	90.0	86.7
2	83.7	74.0	40	69.6	79.2
3	91.3	90.0	41	65.0	86.2
4	85.3	80.3	42	51.2	97.5
5	59.0	94.0	43*	88.3	91.7
6	93.7	86.3	44	66.7	70.0
7*	80.0	80.7	45*	98.3	85.0
8*	96.3	91.1	46	85.0	80.0
9	92.6	86.3	47*	61.2	88.7
10	93.3	84.8	48	55.0	67.5
11*	91.8	94.8	49	51.2	72.1
12*	85.9	59.3	50	47.1	93.3
13*	98.5	99.2	51*	71.7	80.8
14*	93.0	94.3	52*	60.0	85.8
15*	48.5	85.9	53*	77.9	75.4
16*	95.2	97.4	54*	85.2	85.2
17*	83.0	89.3	55*	71.4	66.7
18*	87.0	83.3	56	97.6	96.7
19*	43.3	80.3	57	82.8	84.3
20	85.9	84.1	58	88.1	92.4
21	85.5	71.8	59*	71.4	73.3
22	85.5	85.2	60	56.7	97.1
23*	88.9	86.3	61*	70.5	86.1
24*	98.1	90.0	62	65.2	91.4
25*	89.6	88.9	63	66.2	86.7
26	91.8	83.7	64	58.1	97.6
27*	71.8	83.0	65	83.3	87.6
28*	84.1	83.7	66	96.7	89.5
29*	67.4	92.2	67*	87.6	79.0
30	38.7	87.1	68	53.3	96.7
31	83.3	79.2	69*	74.8	72.8
32	91.7	78.7	70*	97.1	94.8

33	72.1	80.4	71*	97.1	96.2
34*	63.8	94.3	72*	88.6	86.7
35	61.2	70.0	73*	76.1	71.1
36	75.0	74.2	P-Mn	81.2	85.3
37	64.6	95.4	C-Mn	74.4	84.5
38*	91.2	89.6	O-Mn	77.8	84.9

*=Case decided by a Panel; P-Mn=Mean for cases decided by Panels;
C-Mn=Mean for cases decided by Committees; O-Mn=Overall mean for all cases

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