

APPEAL	NABC+ TEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Tom Marsh
Event	USPC Truscott Senior Swiss Teams
Session	First Final
Date	July 28, 2009

BD#	35
VUL	E/W
DLR	South

Albert Ross	
♠	J T 9
♥	A 9
♦	K Q 9
♣	Q J T 4 3

Jonathan Kurasch		Summer 2009 Washington D.C.	Jack Forstadt	
♠	5 3		♠	A 2
♥	Q J T 6 4 3		♥	K 8 7 5
♦	A T 7		♦	J 2
♣	A 7		♣	K 9 6 5 2

Donna Chambers	
♠	K Q 8 7 6 4
♥	2
♦	8 6 5 4 3
♣	8

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

Final Contract	4♠ doubled by South
Opening Lead	♥Q
Table Result	Made 4, N/S + 590
Director Ruling	4♥ dbld made 4, E/W + 790
Committee Ruling	4♥ dbld made 4, E/W + 790

(1) Break in Tempo (BIT).

The Facts: The director was called after the auction and again after the play had been concluded. All agreed that the double of 4♥ was out of tempo.

The Ruling: The director concluded that South's 4♠ bid was demonstrably suggested by the out of tempo double and that pass by South was a logical alternative. Therefore, the result was adjusted for both pairs to 4♥ doubled by West making four, E/W + 790.

The Appeal: N/S appealed the director's decision. All four players attended the hearing. South felt that bidding 4♠ was normal and said she would have done so after any length hesitation.

E/W had no further comments.

The Decision: All the facts were agreed by both pairs. North's ten second hesitation (before doubling 4♥) was a BIT, which made UI available to South. The hesitation demonstrably suggested that bidding would be more successful than passing. The only remaining question is whether pass is a logical alternative for South.

While the committee agreed with South that bidding is sensible from a bridge logic standpoint, it felt that a significant minority of players who would pass the first time over 4♥ would also pass the double of 4♠. Pass was deemed to be a logical alternative.

Therefore, the committee ruled as the director had, adjusting the score for both pairs to 4♥ doubled by West making four, E/W plus 790.

The Committee: Aaron Silverstein (Chair), Tom Carmichael (Scribe), Gary Cohler, Joanne Sprung and Howard Weinstein.

Commentary:

Goldsmith Of course bidding 4♠ is reasonable. But it was reasonable on the previous round, too, and South didn't bid it then. Does the fact that her partner suggested defense by doubling make it now more reasonable than less? The committee, of course, got this easy one right, but they forgot to award an appeal without merit warning (AWMW) and a procedural penalty.

Polisner I feel like a broken record about the lack of a poll to assist the directors and committee as to whether pass is a logical alternative. The process is seriously flawed.

Rigal Excellent ruling and decision; I would not give an AWMW because the argument that swayed the committee may not have been obvious to the player. The fact that we might all act as South (double 4♥ if action or sacrifice in 4♠ unilaterally) is neither here nor there. E/W got lucky but they deserve to when South commits the infraction.

Smith If the goal is to reduce appeals, here is how we should start. The directors take the South hand to several players and find out what they would do in an auction untainted by UI. Then, if that poll shows that passing the double is a logical alternative N/S should be told that and why it means South is not permitted to bid 4♠ as a matter of law. Then if N/S appeal and the committee agrees with the original ruling N/S can expect an AWMW.

The model should be that directors routinely perform such due diligence on rulings like this and take the time to explain to potential appellants why the ruling was made. Then committees should start with the presumption that the directors' ruling is correct in the absence of new facts or some error in process made by the directors. Currently committees do not start with that instruction. Appellants should then have the burden to show a committee why the directors made a mistake. If not, they don't win their appeal and they often get an AWMW. This model works well in many other jurisdictions (including the World Bridge Federation, where the number of appeals has plummeted since it has been adopted). Many decry the number of appeals we have at NABC's and the resources we devote to the appeals apparatus. This approach would help greatly in eventually reducing the number of appeals. Why don't we try it?

Wildavsky How can it be less attractive to defend 4♥ after partner doubles than it was beforehand? This appeal had no merit.

Wolff Clearly the right ruling since South didn't bid the first time.