

APPEAL NABC+ FIFTEEN
Subject: Claim or Played Card
DIC: Steve Bates
Event: Jacoby Swiss Teams
Session: 2nd Qualifying, April 8, 2006

Board # Bill Pettis
Vul: ♠
Dir: ♥
 ♦ K
 ♣ Q

Howard Einberg	Jim Glickman
♠	♠
♥	♥
♦	♦
♣ A J	♣ 7 2

Fred Allenspach
♠
♥
♦
♣ 4 3

West North East South
Not Given

The Facts: The director was called at trick 12. South was the declarer in a contract of 2♠. East had led the ♣2. West had either claimed as a defender and placed the ♣J on the table first or played the ♣J.

The Ruling: While it was clear what West meant to do, the director judged that because West did not say anything about claiming such as, "I claim" or "The rest are mine" that he had played a card rather than claimed and that play was the ♣J first. Therefore, in accordance with law 45C1, the result obtained with the play of the ♣J at trick 12 stands, 2♠ making two, N/S +110.

The Appeal: West stated that he was attempting to show his hand to claim the last two tricks. The ♣J appeared first, but it was not his intention to play that card. N/S stated that the ♣J appeared first, whether or not it was his intention to play it.

The Decision: There were three possible laws that may be applicable: laws 45, 50 and 68-70 – played cards, penalty cards and claims.

Even though West said nothing while attempting to face his cards, his clear intent was to claim one way or another. Had this not been established, the ♣J would have been a played card or a penalty card and it would have to be played at trick 12.

The view of the committee was that West had tried to make a claim, however poorly executed. Once a claim had been made, play ceases. In claiming the last two tricks, any doubt must be resolved in favor of the non-claiming side. In this instance, the committee had no doubt. West's claim was valid and he is entitled to the last two tricks.

The result was adjusted to 2♠ down two, N/S -100.

The Committee: Barry Rigal (Chair), Tom Peters and Ellen Wallace.

Commentary:

Goldsmith Good ruling, AC. This is another case where I'd like to give the non-appealing side an AWMW for calling the director.

Polisner The facts, as presented, do not, in my opinion, support the AC's decision. In fact, West's statement that "he was attempting to show his hand to claim the last two tricks" but that the CJ appeared first is nonsensical. The ruling should have been affirmed even though it seems harsh. Players get confused and play the wrong card. So be it!

Rigal There is some argument in these 'played card' cases that equity should be more of a factor than in some other areas of the game. The committee felt that West had not actually 'played' the club jack. They all wondered if they would even have called the director in the first place. In the circumstances this was their best approximation to restoring equity.

Wildavsky How did the tournament director (TD) judge that it was clear what West meant to do? If it was clear to the TD then it ought to have been clear to all. N/S seems to be looking for something for nothing, and the TD was prepared to give it to them. Good work by the AC.

Wolff A below acceptable write up. It becomes important to the person who is to judge to have some evidence of the caliber of the claimer and a less than clear write-up (this one for example) makes it hard to determine. I think I would allow the claim. When committees quote rules "resolved in favor of the non-claiming side," it is usually because they want to rule against the claimer. This is, perhaps, another abuse of power.

Zeiger You mean N/S wanted those two tricks? You mean they GOT them from the tournament director? Off with everybody's heads, including West's for not saying something. For that matter, off with the head(s) of whomever is responsible for not recording the board #, auction, and play to that point. I know the hands might have had "xs", due to the board being shuffled before the appeal was filed, but these are all good players. They could surely have reconstituted the hand.