

APPEAL	Non-NABC+ TWELVE
Subject	Insufficient Bid – Director’s Error
DIC	Millard Nachtwey
Event	Board a Match Side Game
Session	Wednesday Evening – Only
Date	July 29, 2009

BD#	<b>22</b>
VUL	<b>E/W</b>
DLR	<b>East</b>

<b>509 Masterpoints</b>	
♠	5
♥	9 7 4
♦	J 9 8 7 5
♣	Q 8 6 3

<b>401 Masterpoints</b>		<b>Summer 2009 Washington D.C.</b>	<b>925 Masterpoints</b>	
♠	K 7 3		♠	A Q T 9 6 4
♥	A Q J T 8 6 3		♥	K
♦	6 4		♦	A K T 3
♣	4		♣	T 2

<b>1,169 Masterpoints</b>	
♠	J 8 2
♥	5 2
♦	Q 2
♣	A K J 9 7 5

West	North	East	South
		1♠	3♣
3♥	Pass	4♦	Pass
4NT <sup>1</sup>	Pass	5♦ <sup>2</sup>	Pass
5NT <sup>3</sup>	Pass	5♥ <sup>4</sup>	
		7♦ <sup>4</sup>	Dbl
Pass	Pass	Pass	

Final Contract	<b>7♦ dbl by East</b>
Opening Lead	<b>♣K</b>
Table Result	<b>Down 3, E/W - 500</b>
Director Ruling	<b>6♥ W made 6, E/W + 1430</b>
Panel Ruling	<b>6♥ W made 6, E/W + 1430</b>

(1)	Roman Keycard Blackwood in last bid suit.
(2)	0-3 Controls.
(3)	Asks for specific kings.
(4)	Intent was to show the heart king – after the director’s incorrect ruling changed to 7♦.

**The Facts:** The director was called immediately after the insufficient bid of 5♥. The director ruled in accordance with the 1997 Laws of Duplicate Contract Bridge, which treated the insufficient bid as conventional and barred West from the auction. Upon discovery of the error, another director went back to the pairs to correct the previous director’s error. East was attempting to show the king of hearts.

**The Ruling:** Upon review, the director determined that had the correct Law [27B1(b)] been applied, East would have been able to show the king of hearts by bidding 6♥ without barring his partner. West would have passed. Therefore, the result was adjusted to 6♥ by West making six, E/W plus 1430 for both sides.

**The Appeal:** N/S appealed the final director ruling and were the only players to attend the hearing.

N/S said that they felt that there was a possibility that E/W would bid 7♥.

West had stated to the director that he asked for kings because he would play 6♥ if partner had the king of hearts. He knew they were off one keycard.

**The Decision:** The panel judged that there was no chance that E/W would settle in any contract other than 6♥. Therefore, the director's adjustment to 6♥ by West making six, E/W plus 1430 for both sides was upheld.

While the appeal was not thought to have merit, the problem was caused by the director's error and an appeal without merit warning (AWMW) would not be appropriate.

**The Panel:** Bill Michael (Reviewer) and Jay Albright.

#### **Commentary:**

**Polisner** It is very sad that ACBL employs directors who apparently are incapable of giving what I consider to be a routine ruling properly. Good job by the second director and the panel – including consideration of an AWMW.

**Rigal** I agree about the merit issue. Looking at West's hand for the bidding I'd like to punish them (or lock them up) but can't see how. Someone else will show me how.

**Smith** The insufficient bid law underwent a major change in the 2007 version of the Laws. As mentioned in the writeup, in the old laws a potentially conventional insufficient bid barred partner. In the new laws, 27B1(b) states: "if . . . the insufficient bid is corrected with a legal call that in the Director's opinion has the same meaning\*as or a more precise meaning\* than the insufficient bid . . . , the auction proceeds without further rectification, but see D below." Part D allows the director to decide at the end of the hand that the non-offending side may have been damaged by the very fact of the insufficient bid and, if so, to adjust the score. I assume that the 5♥ bid wasn't just a slip of the hand (in which case it would be a free change according to Law 25), so this seems to me to be a good case for the director to allow a Law 27B1(b) change without rectification that would not have been permitted under the old laws. So I agree with corrected directors' ruling. Given that West apparently knew his side was off a key card, the final disposition of this case by the directors and panel seems right. But I do have a nagging feeling caused by not knowing why West asked for specific kings when he was off a key card. It would have been nice to know what he was thinking.

**Wildavsky** I see no merit in the appeal. The initial ruling was irrelevant, since it was made using an obsolete law. N/S ought to be able to understand that, and from the arguments it seems they did understand it.

**Wolff** Reason prevailed, but N/S should be penalized or disciplined for bringing this action. Also, the tournament director who ruled the wrong way needs to be educated on when and when not to follow a possible interpretation of the law.