

THE VISITOR

By Lawrence Savell

SHE faintly heard a voice saying her name. “Annabelle, wake up, you have a visitor.”

Annabelle stirred on the couch as yet another dream of her childhood faded from her mind. She slowly opened her eyes, confirming that she was in fact in the first-floor sitting room of the assisted-living facility that had been her home for several years.

“Annabelle, Julie is here to see you.”

Annabelle saw two people in front of her. The first she recognized by sight and sound as one of the heads of the facility, whom she believed was put on this earth for the sole purpose of constantly waking her up and interrupting her dreams.

The second person was more of a challenge. She appeared to be a teenager, but Annabelle did not recognize her as one of her granddaughters who were still in that age range. She felt that gnawing upset she experienced whenever she had trouble remembering the people who were in her life, and bafflement at how she could seemingly precisely recall things from decades ago but struggle with current information and reality.

“Hi, Annabelle. I’m Julie from the high school.”

With that trigger, Annabelle remembered. From time to time, students of Julie’s age would appear at the facility to spend some time with them. Such visits had one of two origins. Some kids were among the top students, taking on a bit of extra “community service” to help put their Ivy League college applications over the top. Others were at the other end of the academic or behavioral spectrum, who had been assigned to come there as the “sentence” for some misdeed at school. In both situations, Annabelle’s usual sense was that the person would rather be somewhere else.

Julie sat down on the couch with Annabelle, and the facility person walked away.

“Nice to meet you,” Annabelle said, turning toward the girl. “So what brings you here today?” She was usually pretty good at assessing rather quickly which category of visit she was experiencing, but this time she had some trouble.

Julie smiled mischievously. “Well...,” she began, “I got into a little trouble at school.”

A “category two,” Annabelle thought, but a little different than the others.

“So what did you do?” Annabelle asked directly.

Julie smiled again. “I got into a fight with another girl.”

“What about?”

This meeting was already going differently than Julie had expected. She had assumed she would be prompting the person she was visiting to answer questions, instead of the other way around. But she liked that someone was taking an interest in her.

“She took something from me and I wanted it back.”

“I see,” Annabelle said. “Did you think that was the best way to deal with that?”

“What else could I do? I couldn’t just let her take it.”

“I’m not saying you should have just let her do it, but weren’t there other ways to get it back than fighting?”

“I asked her for it, but she refused. She denied she had taken it.”

“Doesn’t your school have some sort of code or rules of conduct, which say that taking other people’s stuff is a violation?”

“I don’t know. I never thought about that.”

“And maybe there’s a procedure for doing something about it that doesn’t involve getting physical.”

They talked a bit more, and Julie agreed to look into what Annabelle had mentioned. Julie said goodbye, and Annabelle smiled, closed her eyes, and drifted off again.

A Week Later

Julie showed up again, clutching a large envelope.

Annabelle, who this time had made sure she was awake in advance of Julie’s scheduled visit, smiled. “What do you have there?” Annabelle asked.

Julie opened the envelope and handed Annabelle an apparently unopened copy of the *Centerville High School Student Handbook*. Annabelle lifted into position the reading glasses that were suspended from the silver

chain around her neck.

“Let’s find the 10 Commandments first,” she said, as she read the index. “Here it is, ‘Student Code of Conduct.’”

Annabelle ran her finger down the paragraphs. “Here’s the reason we first met,” she said. “Under ‘Unacceptable Behaviors,’ item one is ‘Fighting.’”

Julie smiled guiltily.

“And here we go — ‘Theft’ — a.k.a. Thou shalt not steal. And the ‘Range of Consequences’ includes ‘Parent/guardian contact, restricted participation in school activities, loss of privileges, suspension, restitution, referral to police and superintendent’s hearing.’”

“Wow,” Julie exclaimed, “that’s a lot worse than getting beat up. How do we make that happen?”

They were both getting into it. “There’s got to be some kind of procedure spelled out somewhere,” Annabelle suggested. She flipped through the pages. “Here it is,” Annabelle said. “You have the right to bring violations to the attention of school authorities.”

“I’m not a tattler,” Julie protested.

“You’re not tattling,” Annabelle insisted. “You’re merely sticking up for yourself and asserting your rights against someone who wronged you.”

Annabelle explained to Julie the steps outlined in the booklet. “You should probably mention the fight you had, and that you realize it was not the appropriate way to try to get back what was taken from you.”

Julie agreed, took her booklet and said goodbye, with a more determined gait as she headed out the front door of the facility.

A No-show?

Julie did not show up that next week, although Annabelle had put on her best outfit—and drank an entire cup of coffee—in anticipation of her arrival. She was disappointed, and she was surprised to sense that emotion. It had been some time since she had looked forward to anything, and thus it had been some time since she had been disappointed that something did not occur.

When Julie did not come the following week, Annabelle’s long-

cultivated defense mechanisms kicked in. I guess she had a two-visit sentence, Annabelle silently concluded. Or maybe she just had something better to do.

But the next week, Julie came again.

"I got my earbuds back from the girl that took them," she reported.

"That's great," Annabelle responded, not being completely sure what earbuds were.

Julie nodded but did not come across as very happy. Maybe she really does not want to be here, Annabelle wondered to herself. "Is anything wrong?" she bravely asked Julie.

"I don't know...." Julie trailed off.

"You can tell me. Whatever happens in assisted living stays in assisted living."

The slightest sign of a smile appeared on Julie's face.

"I don't know—I guess, I guess I don't feel like I'm going anywhere."

"What do you mean?"

"With my life. I don't want to end up like my parents trapped in boring, dead-end jobs they hate, with no hope of things ever getting better."

"But you're in school, getting an education. Your whole life is in front of you, and I'm sure you will have lots of choices."

"Yeah, maybe, but I haven't done very well in school. The guidance counselor says I don't apply myself enough. But there's no point in it."

"Why do you feel that way?"

"Because the ones who succeed are born smarter, or have more money or know important people who can give them an advantage."

Again Annabelle felt a sense of disappointment—that emotion that she thought had moved on long ago but was now like the party guest who refuses to accept that it's time to go home. And right behind that was another feeling that had long gone AWOL: compassion.

"That's crazy," she said, surprising herself with her directness. "If you put your mind to it, you can do anything."

"How do you know?" Julie countered.

"Because I was there once also," Annabelle replied. "When I started out, I had a dream. But in what I wanted to do, there were almost no women who did that, or who were encouraged to do that. My own family told me not to do it, that the odds were too high, that I would be disappointed, and—worst of all—that maybe I didn't have what it

took to succeed."

Julie hung her head down and nodded. Annabelle reached for her walker next to her chair, unfolded it and stood up.

"I think we need a nice cup of tea," she said.

Heading Upstairs

Annabelle's room was one floor above. As they rode the methodical elevator upward, Julie noticed the bright green tennis balls that had been sacrificed to smooth the glide of Annabelle's walker, foregoing a career on the court for impalement at the bottom of the device's rear, wheel-less legs.

Annabelle's door had her name beside it, and hanging below the peephole was a small, pretty arrangement of artificial flowers. Annabelle fumbled through a purse congested with facial tissues, finally fishing out her key.

Her room was just as Julie expected—immaculate, sunny and decorated with more photographs than she had ever seen in any frame store.

Most of Annabelle's pictures seemed to be of family, but there were a few in a small collection from her school days.

"In my high school, there were just about as many girls as boys. That was good. But in college, we were definitely a small minority. And in law school—well, you really had to look carefully to find us."

So Annabelle had been a lawyer, Julie thought. Maybe that was why she knew so much.

"That must have been scary," Julie suggested.

"It was," Annabelle agreed. "But we women stuck together and supported each other. I'm not sure I could have been successful in law school without that."

"Did you work as a lawyer after you graduated?"

"I did, but getting a job was not easy. Back then, a lot of firms would not hire a woman lawyer. But I got lucky, and found a top firm that took me on."

"Wow, you were really ahead of your time."

"I didn't think of it that way. I was not looking to stand out or break through any walls."

"Did you like it there?"

"I did for the most part. But although most of the other lawyers

accepted me as an equal, some never could. I worked very hard and made many sacrifices, including in my personal life. Ultimately, several years later I ended up becoming the firm's first female partner."

"That's fantastic," Julie exclaimed.

"It was great, although even then I still sensed some resentment. But I dealt with it, and over time I sensed it less and less.

"Julie, the point is you can never sell yourself short. Nothing is impossible if you really want it and if you are willing to commit yourself to it completely, with hard work, time and sacrifices. It's not easy, but I think you owe it to yourself to try."

Julie nodded. It was a much-appreciated kick in her motivational pants.

"Why did you become a lawyer?" she asked. "Was it the money?"

Annabelle smiled. She was sure Julie would be amazed if she knew how little she was paid when she started.

"That's a good question. I had two reasons. The first was that I was fascinated by the law—that there was a system that took all the people there are in this town, or this country, or this world, and tried to the extent possible to allow them to live together and pursue their goals and happiness in a reasonable manner. And that when someone broke the rules, that the situation would be assessed fairly, and that where wrongdoing was found, the person who was hurt could expect and would receive justice. I was also intrigued by the way the law could evolve as circumstances evolved, as new issues arose and new situations and technologies appeared. At the very least, I was certain I would never be bored.

"But for me there was a second and probably even more important reason. I needed to find something that allowed me to help others. Being a lawyer is in some ways like being a doctor or a nurse, or a teacher, or a police officer, firefighter or EMS technician. You encounter people who are at an extremely difficult time or circumstance in their life, who feel like they are all alone, and who look to you to help them somehow get through it. As a lawyer, I had clients who found themselves at the end of their rope, in desperate

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- ⁸⁰TEX. EST. CODE § 1151.051 (2016).
⁸¹TEX. EST. CODE § 1151.053 (2016).
⁸²TEX. EST. CODE § 1151.054 (2016).
⁸³TEX. EST. CODE § 1151.101 (2016).
⁸⁴TEX. EST. CODE §§ 1151.001 & 1151.351 (2016).
⁸⁵TEX. EST. CODE §§ 1101.151(b)(5) & 1101.152(b)(4) (2016).
⁸⁶TEX. EST. CODE § 1151.351 (2016).
⁸⁷TEX. EST. CODE § 1105.051 (2016).
⁸⁸TEX. EST. CODE § 1105.101(a) (2016).
⁸⁹TEX. EST. CODE § 1105.101(b) (2016).
⁹⁰TEX. EST. CODE § 1105.101(c) (2016).
⁹¹TEX. EST. CODE § 1105.101(d) (2016).
⁹²TEX. EST. CODE § 1106.001 (2016).
⁹³*Id.*
⁹⁴TEX. EST. CODE § 1106.002 (2016).
⁹⁵TEX. EST. CODE § 1154.051 (2016).
⁹⁶TEX. EST. CODE § 1154.052 (2016).
⁹⁷TEX. EST. CODE § 1163.001 (2016).
⁹⁸*Id.*
⁹⁹TEX. EST. CODE § 1163.002 (2016).
¹⁰⁰TEX. EST. CODE §§ 1163.005 & § 1163.051 (2016).
¹⁰¹TEX. EST. CODE § 1163.006 (2016).

- ¹⁰²TEX. EST. CODE § 1163.101 (2016).
¹⁰³TEX. EST. CODE § 1163.101(c)(4) & (5) (2016).
¹⁰⁴TEX. EST. CODE § 1163.101(c)(7) (2016).
¹⁰⁵TEX. EST. CODE § 1163.1011 (2016).
¹⁰⁶TEX. EST. CODE § 1151.056(b) (2016).
¹⁰⁷TEX. EST. CODE § 1151.056(e) (2016).
¹⁰⁸TEX. EST. CODE § 1151.056(d) (2016).
¹⁰⁹TEX. EST. CODE § 1151.055 (2016).
¹¹⁰TEX. EST. CODE § 1155.002(a) (2016).
¹¹¹*Id.*
¹¹²TEX. EST. CODE § 1155.002(b) (2016).
¹¹³TEX. EST. CODE § 1155.054 (2016).
¹¹⁴TEX. EST. CODE § 1155.053 (2016).
¹¹⁵*Id.*
¹¹⁶TEX. EST. CODE § 1155.101 (2016).
¹¹⁷TEX. EST. CODE § 1155.152(a) (2016).
¹¹⁸TEX. EST. CODE § 1166.152(b) (2016).
¹¹⁹TEX. EST. CODE § 1156.001(a) (2016).
¹²⁰*Id.*
¹²¹TEX. EST. CODE § 1156.052 (2016).
¹²²TEX. EST. CODE § 1156.001(b) (2016).
¹²³TEX. EST. CODE § 1202.001 (2016).
¹²⁴TEX. EST. CODE § 1204.001(b) (2016).
¹²⁵TEX. EST. CODE §§ 1204.101 & 1204.102 (2016).

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and seemingly hopeless situations. I comforted and stood by all of them, and fought with everything I had for their rights."

Julie was riveted to Annabelle's words. "I, I would like to do that," she said, swallowing audibly, adding, "to have the power and opportunity to make a difference in people's lives."

"It is a kind of power," Annabelle agreed, "but, like they say, with power comes great responsibility. I've held in my hands the careers, livelihoods, futures and freedom of clients who depended on me. The stress of that enormous responsibility never really goes away, and it probably never should go away."

Annabelle looked at her clock. "It's nearly five p.m., and as you may know, around here that means dinner time."

"I've really enjoyed our talks," Julie said. "I was only required to come here three times, but if it's okay with you, I'd like to come back from time to time."

"I would like that very much," Annabelle replied.

Julie waved as she headed out the door of Annabelle's room. Annabelle sighed and closed the door.

Annabelle guided her walker toward her closet and opened the door. There, among the outfits that had been pardoned from their confinement in the storage unit she rented in town, was the long black robe she had worn when she retired from the bench. She ran her fingers softly down one of the sleeves, as a flood of recollections and accomplishments flowed through her mind.

I think I'm going to look out for this girl, Annabelle decided.

She closed the closet and turned toward the door of her room, through which she heard the muted but unmistakable thunder of rubber-soled shoes, cane and walker leg tips, and, yes, tennis balls, as they made their way to a dining room full of steaming meat loaf, chicken soup and shared experiences. ❖

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EDITORIAL CORRECTION

The Special Edition Fall 2017 issue of *San Antonio Lawyer* erroneously stated "she" instead of "he" in reference to Pat DiGiovanni. Further, Sheryl Sculley has been City Manager since November 7, 2005 and was City Manager when the consideration of the new site for the Federal Courthouse was ongoing.