

CLOSING ARGUMENT

By Kimberly Simpson



No matter how I try to spin it in my mind, hospice is not a forward-looking concept.

The finality of it reminds me of taking exams at school when I was young. “Time to put down your pencils,” the teacher would say. I always experienced a few seconds of panic. Sometimes, I could quickly bubble in one more answer before she finished that sentence. The second after the pencil went down for good, I would run through the test in my brain, and in that unsure instant before resignation set in, I would evaluate my performance. Did I make an A? Could I have been one bubble off on all my answers? Now is that moment, not for a test, but for my whole life.

The end of my story began on a 100-degree afternoon in August three years ago. It was an ordinarily busy day at the firm. I looked out of my glass-walled office above the Dallas skyline and did quick math in my head. Time to my car—five minutes. Time up Harry Hines to UT Southwestern—10 minutes. Waiting time for the doctor while I answer emails on my phone—15 minutes on a good day. What a waste of billable time when the doctor could just call with my test results.

In due course, my grim-faced physician walked into the exam room. He sat down, pulled a chair close, leaned in, and said a string of words, most of which I don’t remember. A sharp, finite reality began to come into focus.

Inevitably, like a metal tape measure retracting with a snap, that reality began to spool in on itself over the subsequent years. I expected it, but the snap surprised me nonetheless.

Eventually, my wife sat next to me in the hospital and held my hand, dark circles under her eyes from nights of bedside vigil. “Honey, I am going to take you home tomorrow,” she said in her soothing Southern drawl. “I’ve spoken with the doctors, and we’ll have hospice help us make sure you are as comfortable as possible.”

As a man who has written countless briefs and argued in front of juries for more than 30 years, I should have anticipated the kick-in-the-gut power of a single word. *Hospice*. *Hospice*, *hospice*, *hospice*. It rang through my head like my son yelling “echo” during a family vacation to the Grand Canyon.

Now I want one hour without that word. I want to sit by my pool under the Texas sky and eat a rare steak off the grill, with a cold Fat Tire to wash it down.

Every 10 years, I celebrate my birthday in style. When I turned 30, I got married for the first time, figuring I could always remember my anniversary. When I turned 40, my second wife and I flew to the Mexican Riviera to drown my midlife sorrows in an all-inclusive beach blow out. When I turned 50, I bought a new Porsche. For my 60th, I was planning a first-class trip to the Italian lake country. But now, my life stretches behind me like I-20 in a rearview mirror. I can only dwell on what I’ve done, and how well I did it.

The journey home from the hospital blurred by me. I arrived and settled in, knowing there’s little time before the morphine does its warm work and my body’s last line of defense fails. Soon, my friends and colleagues will read my obituary, which I drafted weeks ago, a resume that will never be updated.

I wake from fitful, pained sleep in my king-sized bed, five stars after the one-star hospital bed. This house has long been my castle, Park Cities at its finest. For me, the 4,500 square feet have shrunk to 500, the center of my retracting universe.

Over the never-used fireplace in the bedroom is a deer head mounted on the wall. I had to argue with my wife over that one. Now, I wish she had won. Its cold, glassy eyes stare across the room at me, and the irony is not lost. I try to focus on what it represents, the first hunting trip with my son. I haven’t seen him in almost a year, but he should be home from Boston soon. I am determined to be here when he arrives.

My son is my crowning achievement. He lived with his mother most of the time, so I went overboard with fatherly activities on my weekends. We fished, skied, shot baskets, camped, and I made sure he would be a lifelong Cowboys fan, even if they never win another Super Bowl. I paid for the best college. After I’m gone, he will marry, have children, and remem-

ber me every time he looks at his bank balance. All of those hours I billed will ensure that he never has to worry.

A private nurse walks in the room, smiles at me reassuringly. I am grateful that she doesn't say much as she hovers because I don't want to waste my energy. There is too little of it. I turn my aching head slowly and look toward the French doors to the balcony. Outside, an old oak stands between me and the sun, and speckled light shines through.

For an instant, I am a child again, sitting on the old green couch and looking out the second story windows to our sloping, tree-filled backyard. I remember summer afternoon thunderstorms, with the trees moving under the weight of the heavy raindrops. The cool air-conditioning lapped over me, a contrast to the damp heat outside the window. I had nowhere to be, nothing else to do.

On clear days, I spent hours outside, wading through the local creek looking for tadpoles and playing army with the neighbor kids until the mosquitoes won the battle. But for all the moments of idyllic childhood, there were others of fear, when my father's anger would flare. I loved him, admired him, hated him. I vowed to never be him. In that, I have been successful. I may have been an infrequent dad, but I was reliable, even-tempered, and interested.

My father is sitting in the other room. All I can think is that the bastard is going to outlive me. He is old, decrepit, and barely cognizant, but he's still kicking. If I could, I'd hang on just to win the race against him. But the pain will soon be greater than my determination. Pity.

The Bible tells me that I should honor my father. I suppose in this and other ways, I have not been a particularly outstanding Christian. Fact is, I haven't had much time to be a good Christian. Church was a once-a-month affair, and I was as interested in meeting potential clients as I was in the service.

I thought that I could save true Godly devotion for retirement, but now, the question of my faith has been called. In the last few months, I have prayed—really prayed—probably for the first time since I was a child. Heaven and hell aren't just concepts anymore. One of them is a near-term destination.

I lose track of time, but the shadows grow long as the sun sets on another day. My wife is in and out of the room. I clutch the morphine release like a lifeline, and I hurt. The kind of hurt that the best drugs can barely reach. Man may control his destiny on earth, but biology trumps. As bad cells proliferate inside my skin, my goal is simple—to make it through the night. I don't want to die in the dark.

I used to work until the cityscape outside of my office went black and the lights of the adjacent buildings glowed bright. Work was my jailer, my mistress, and my reason for being. I started as an eager associate, back in the day when associates knew their lot in life was to work day and night, six to seven days a week. I threw myself into the role with wild abandon. I billed for thinking about work in the shower. I billed when I woke up and right before I put my head on the pillow. I led my class in billable hours and proved that I could make even the worst senior associates and partners look like they were good mentors. I lock-stepped my way up the ladder in starched white shirts and made partner the first chance I got. My life was divided into six-minute increments that I measured on my gold Rolex.

I got results for my clients, and they liked me. I was always accessible and always returned phone calls. I could summon endless patience and charm for general counsel, even as my wife would bemoan that little was left when I got home.

Success has always come easily to me. At trial, a complex idea would come out of my mouth as simple as a nursery rhyme. I could spot a bad juror a mile away, and I perfected the art of silence in depositions so that the opposing side's witness would eventually start babbling to fill the void. Litigation was as normal to me as breathing.

A wave of pain pulls me back from my thoughts. I grit my teeth until it passes, pressing for more morphine that the machine probably won't give me yet. I could take a handful of pills at once but I'll be damned if I give my life insurer any reason to withhold the payout to my son and wife. I have known men who willed themselves to live until the first day of January, holding out for a better estate tax year. Money is a powerful motivator.

My son enters the room, dark except for a low-wattage lamp on the dresser and the television screen, silenced but moving with images of a vintage Packers and Steelers game. “Dad,” he says softly, testing whether I am awake.

He made it. I made it. Pleased by his arrival, I am also scared for the moment to pass, knowing that he was called home to say his final goodbyes. I look at him through foggy eyes and summon the energy to speak.

“Son,” I say, trying to choose my words carefully, since I have few left. “I’m glad you came.”

“Of course I came, Dad,” he replies, with a quiet seriousness, like he is speaking in church.

I am tired, so tired. One more sentence. “You know I love you,” I manage. I hope he can understand.

I’ve only said those words to a select few, and I’ve truly meant them with fewer. It took many years for me to realize that love was more than pleasure at how someone made me feel. But it was always true with him. Always with him.

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After what seems like a year, or maybe just a few minutes, the morning dawns. I can tell because I see the yellow light behind my closed eyelids. The realization washes over me like warm bath water. I made it to another morning, one last triumph. Today is a good day.

By sheer force of will, I open my eyes to see my wife sitting nearby, my son behind her. My eyes meet theirs, and I manage a small, ragged grin. Their answering smiles are soon accompanied by tears, like a rain shower while the sun is still shining. They are eager to connect with me, as eager as I am to be present with them.

But soon my eyes close again. Half-waking, half-sleeping, I am back in the classroom, a kid at school, and the teacher has called time. My pencil is down. I have passed the panicked moment of evaluation, deciding that of course I made an A. Of course I filled in the right circles.

Resignation that the test is over has set in. Nothing more to be done now.

And finally, I rest. **TBJ**



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