



## "Nick?" The intercom bellowed, startling him.

"Yes, Berta," he replied, trying not to lose his train of thought.

"Line two is for you."

"If it's Sheffield again, tell him I'll have our response done this afternoon." That is, Nick thought, if I don't get interrupted anymore this morning.

"It's not Sheffield. It's a new client."

Just what I need, a new client. Nick was up to his ears in cases that consumed his time and paid him poorly. He had begun to believe that no new clients were worth the hassle if they didn't have million-dollar claims.

"Okay, I'll take it," Nick groaned, as he jotted down some quick notes before realizing he had indeed lost his train of thought. Damn.

He'd been working on the discovery response in Horace Sheffield's slip-and-fall case on and off for four days, while juggling the other 57 cases on his desk as well. He was nearly finished with the response, but Sheffield was the kind of anxious client that wanted everything done yesterday. All he needed was another "Sheffield" demanding his time.

"Nick Hartwell speaking," he said as cordially as his cynical disposition permitted.

"Hi, Mr. Hartwell. It's Sandy Newell from across the street." Across the street from where? Nick's mind raced to connect the dots. He couldn't think of anyone across the street from his office with that name. Was she from his neighborhood? Next door are the Franklins, next to them are the - He couldn't remember any of his neighbors' names.

Nick started to apologize for his hesitation. "I'm sorry, I —"

"I live across the street from you, Mr. Hartwell," Sandy interrupted. "My husband is Kent. Our dachshund, Millie, likes to play with your daughter."

Nick's memory finally kicked into gear. He was acquainted casually with the Newells after having met them when they moved into their home, but he hadn't bothered to get to know them. His wife, Trish, had complained about his apathy toward social interaction, but he argued that he was too busy with his growing solo practice to spend time meeting people who weren't contributing to that endeavor. Trish was not amused.

"Of course, Sandy. I apologize. I was just right in the middle of an important project, and — "

"I can call back later, if you want, Mr. Hartwell."

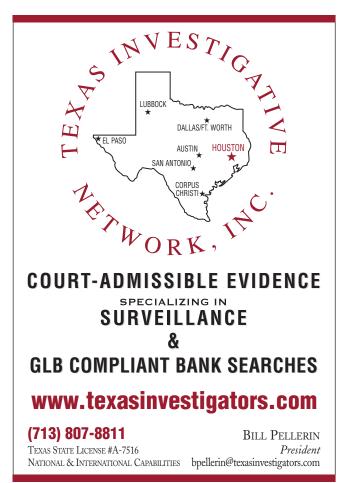
"No, no. It's fine, and call me Nick. What can I help you with?" he asked, feeling a twinge of guilt for his forgetfulness.

"I'm afraid I need some estate planning documents."

"Not to worry, Sandy," Nick replied. "These matters are relatively straightforward. I'll just need some basic information from you and your husband to get started."

"The documents are not for me or my husband," Sandy said gravely. "They're for our son."

Robbie Newell was Sandy and Kent's only son. He was 23 years old and had been diagnosed with a rare and aggressive form of kidney cancer a year earlier. Sandy explained to Nick that Robbie had just graduated from a local college after having played baseball his last two years and had planned to try out for a minor league team in San Antonio. A few weeks before the tryout, Robbie developed a nagging pain in his side that he thought was muscle strain brought on by intense workouts. When medication didn't improve the pain, Robbie's doctor ran a series of tests that revealed the problem. After getting the grim diagnosis, Robbie remained confident he would overcome what he believed to be a temporary setback. The affected kidney was removed and immunotherapy began, but a follow-up exam showed the cancer had metastasized to his lymph nodes, liver, and brain. His doctor told him there was nothing more that could be done. Robbie was now in hospice care. He had been sent home to die.



## Acceptance STROUD

"A boy this healthy shouldn't be going through this," Sandy said. "It's just not fair. He is only 23. He has his whole life ahead of him. A baseball career, eventually a wife and family, and now — " Tears overcame her. Nick tried to console her as best he could over the phone, but his attempts were lost in his stiff persona. "I'm sorry," she said. "Sometimes I forget it doesn't help being angry." She sighed deeply.

"Sandy, I'll be happy to help you out," Nick offered.

He squeezed in a meeting with the Newells the following day to gather the information he would need to complete the

documents for their son. Robbie didn't have many assets so his estate wouldn't be significant, but he did have some mementos he wanted to leave to particular family members and friends, and Sandy and Kent wanted to be sure they had no problems tying up the loose ends that inevitably arose after such a loss. Nick viewed this as an easy fee, something he needed desperately.

Nick's practice was thriving but, like many new solos, it seemed the countless hours of work were not paying as much as they should. Early on, he had eagerly taken new business just to cover his overhead — collections, an adoption, a quickie divorce, estate planning. As the months went by, however, the cases became more complex and less lucrative. A few of the personal injury cases

he'd taken ended up costing him thousands of dollars with no certainty they would ever pay off. Not to mention the Sheffield case, which was redefining the term "money pit."

The enthusiasm Nick had when he'd first decided to hang out his shingle had slowly soured into cynicism. Berta had to be paid every Friday, rent on the office space was due every month, the computer system needed upgrading, and so on. The Newells' case would help ensure the lights came on Monday morning.

Later in the week, Nick completed the documents for Robbie. It took him only two hours. With the estate planning forms he had developed, he could simply fill in the blanks with the vital information supplied by the client and conveniently provide a nice, thick stack of paper to justify his \$1,000 fee.

That night, he arrived at the Newells' house, armed with a hefty package of documents. Sandy answered the doorbell just when Nick was about to ring again. "I'm sorry, Nick. Come in." She was obviously frazzled, not nearly the picture of composure Nick had seen in his office when they met earlier that week. "I was just starting a pot of coffee," she said, straightening her hair and trying to appear in control.

Nick stepped through the foyer and his breath caught in his throat as he stopped and surveyed the room where Robbie would eventually die. The Newells had converted their living room into a makeshift hospital room. Robbie lay emaciated in an adjustable bed that faced a large window, tubes in his arm and nose, staring out the open blinds. A monitor stood coldly in the corner measuring his oxygen level, pulse, and cardiac rhythm. The sight was sobering. The poor kid didn't have much time.

Kent sat in an armchair next to Robbie's bed, reading to

him quietly. He smiled and nodded, acknowledging Nick's presence, but never stopped reading.

"Robbie likes the sunlight," Sandy said, as she entered the room behind Nick. "It reminds him of playing baseball."

She offered Nick coffee, but he respectfully declined. Somehow it just seemed wrong to enjoy anything in a room filled with so much sorrow.

"The pain has been horrible for him the last few days," she whispered. "It's almost a blessing there isn't much time left." Nick realized Sandy had reached the final stage of her grief. *Acceptance*. Over the past year, she had experienced the denial, the anger, the bargaining, and the depression, all preparing her for the inevitable loss.

"Do the drugs help at all?" Nick asked, watching Robbie's labored breathing.

"Actually, he's as stubborn as his father," Sandy said, smiling, never taking her eyes off Robbie. "He tries his best to keep from taking anything for the pain. He really wants to be aware of what's going on around him, to see his friends and family, to be able to enjoy every minute he has left."

Nick pondered that statement, glancing at the heart monitor, then again to Robbie. *Enjoy every minute he has left.* An awkward silence came over Nick. He stared at Robbie with the realization that sometime soon the monitor would flatline and, according to the desires in the medical directive Nick had just drafted, no effort would be made to save Robbie, and the Newells' only son would be gone from their lives forever.

While he had written plenty of wills, none had ever been so urgently required, and no experience had brought him face-to-face with death like this one.

Not knowing exactly what to say next, he handed the large envelope of documents to Sandy. "You'll just need to have Robbie sign these when he has a lucid moment," Nick said. He explained the requirement for witnesses and notarization that would make probate a bit easier for them. Sandy understood.

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Her eyes welled with tears. Losing a child must be unbearably painful, Nick thought, but Sandy was handling it with amazing courage. He put his arm around her as they both watched Kent read to Robbie. "You're a brave woman," he said. "Robbie is lucky to have had you as a mother." Sandy laid her head on Nick's shoulder as her tears began to flow freely.

After a minute, Nick thanked Sandy, turned toward the door and made it only a few steps when she called after him. "I'm sorry, Nick. I forgot to ask how much we owe for your work. Will we be getting a bill in the mail?" she asked. Nick hesitated then held up a hand. "No charge," he said, smiling.

Sandy's pleasant countenance was replaced by slack-jawed surprise. She peered at Nick, puzzled, thinking she couldn't possibly have heard him correctly. "No charge?" she finally managed. Nick nodded, a bit surprised himself.

Without saying a word, Sandy stepped forward and hugged her neighbor with warm sincerity. She released him, sighed, and looked at Nick with complete reverence. "Thank you," she said. "I really didn't know how we were going to pay. I just knew it had to be done." The bills for Robbie's treatment had overwhelmed the Newells and their insurance failed to cover so many of the costs of his procedures and medications. Nick's offer was a godsend.

"If you need you anything else," Nick paused, looking at Robbie once more over Sandy's shoulder. "Trish and I are just across the street."

It was just a short time after his will had been finalized that Robbie passed. Several weeks later, Nick received a thank you card from the Newells saying the documents had worked out well. There had been no problems winding up Robbie's affairs, and his once-cherished belongings had all been distributed according to his wishes.

After that, Nick saw Sandy and Kent walking Millie occasionally and he made a point of saying hello and catching up. Eventually these casual conversations turned into a genuine friendship. He and Trish dine out frequently with the Newells now. Nick has extra time since he stopped working on the weekends.

He pared down his caseload, throwing out the speculative matters and only keeping files that paid the bills. He also reduced his fee on his estate planning package so his clients could afford it more easily. The funny thing is that he's getting more clients since that change, which more than makes up for the lost revenue. Word gets around quickly.

Trish seems happier too. She and Nick recently signed up for a country and western dance class. Neither of them knew the first thing about two-stepping, but it seemed like a fun thing to do.

This Saturday, Nick's going to his daughter's soccer game for the first time. In fact, Nick is busier than ever these days. It seems life can be pretty hectic when you're enjoying every minute.



## D. GREG STROUD

is owner of the Stroud Law Firm in Tomball, where he specializes in business litigation. Stroud thanks his wife, Missie, and kids, Abbie and Aidan, for their support and inspiration.



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