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MONA RETIRES¹

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It was the low blood sugar time of day when winter dusk casts shadows in the courtroom. The daytime shift had cleared out, leaving newspapers scattered on benches, candy wrappers on the floor, and a residual whiff of the day's odor of anxiety. The man sleeping in the back row somehow had been overlooked by the staff who locked the courtroom between the day and night sessions. It was hard to imagine how anyone could have failed to notice the inert body since he took up almost the entire length of the bench. His black coat was pulled over his head as both a pillow and a block against the fluorescent lights. His face was invisible but his enormity was impossible to miss. On his feet were a pair of black hi-top Converse sneakers affectionately known among Criminal Court insiders as "felony flyers," the last thing a pursuing cop would see as the perp jumped the backyard fence or ran up the fire escape. But there he was, sleeping in the quiet, empty room, oblivious to the impending changing of the guard, impervious to the hardness of the bench, lifelessly unconcerned about whatever legal difficulties had brought him there.

Mona Wrightson descended the courthouse stairs with late afternoon sluggishness. The crepe soles of her shoes stuck slightly to each grimy tread. For years, the stairs had been her main exercise as she raced from courtroom to courtroom trying to stay ahead of the calendar calls of her large caseload. She would bound from the stairwell into the hallway and push through the doors of each courtroom eager to do battle for her clients. It was a great day if she arrived in the courtroom just as the court officer called out her client's name; a disaster if she was late and had to wait for the 'second call' while her other cases impatiently stacked up in other courtrooms like planes on foggy runway causing her uncontrollable irritation and fidgets. She had to give up climbing the stairs several years ago. Her breath and legs had stopped cooperating, costing her valuable minutes when she had to pause to regroup before entering the courtroom.

¹ In 2002, this prose won Honorable Mention.

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She didn't even really try to walk downstairs quickly anymore, let alone race. Actually, she enjoyed walking slowly in the squalid quiet of the staircase. Almost no one else ventured there, either too scared by who else would spend time in such a grubby location, or too disgusted by the smells of urine, sweat, and staleness that never seemed to recede. This descent had become the highlight of each day as she walked by some favorite landmarks of past entertainment. Like the corner where she once saw, but was not seen by, a judge and prosecutor kissing with furtive abandon. It was years before she was able to appear before that judge without recalling those manicured hands in his tousled hair, and that was only because he had gone bald and his inamorata had long ago moved on to other places and other men. In fact, hadn't she just read an announcement of his retirement? Or the utility closet on the fourth floor landing in which she used to see a craps game played by court officers and a few of the courthouse reporters. Or the open window where she and her friends, all of whom had become boringly nicotine free since then, used to take their cigarette breaks blowing smoke into the air shaft. Every time she passed one of these spots, she smiled to herself, grateful for the memories of a funnier, more relaxed era.

As she left the stairwell and entered the main lobby of the courthouse, out of habit she smoothed her now grizzled hair, because, no matter how worn down her body and her spirit had become, a little bit of her still cared about her appearance and still had some of the conditioned reflexes of the optimistic young woman she had once been in this oppressive building. At this hour, the first floor luncheonette was closed otherwise she would have stopped in for a coffee and bagel, and the day's gossip dished out by Joanne, the waitress who had worked in this building as long as she. She walked into the arraignment part to begin her monthly rotation in night court, a shift that would last from 6 p.m. until midnight. It was purgatory duty, not at all like that old television show on which everyone had quirky zany personalities and humorous experiences. No indeed, this night court was where, years ago, the court officers would spray Lysol while following the dozen or so men who were nightly released from the drunk tank. Or the judge would preside over the "pros parade" as that evening's prostitution cases would push through the revolving

door of justice. Or the lawyers would try to take extended dinner breaks to flirt and do anything to avoid returning to court for the final press after ten o'clock to finish all the cases. Or where the judge once took her into his "chambers," actually a shabby room with a desk and a few chairs, so that he could sign warrants authorizing the seizure of pornographic videos. "You know how I can tell something is illegal?" he asked her with a leer, leaning too close. "If the story looks the same when I run the tape forwards and backwards. No redeeming social value there," he quipped merrily, pleased with his judicial acumen. Meanwhile, she felt so sullied that she wanted to issue an arrest warrant for him.

As macabre as those days had been, there was a crude humor that kept everyone from losing their minds and actually created a bond between everyone stuck there for the night. It was a place college kids came to sit for a while after a cheap dinner in Chinatown. A free show, a freak show. Not anymore. Just the other day, the presiding judge (if you can so dignify what the judge in the arraignment part does during the minute spent on each case) was overheard to retort with sincere indignation to a lawyer trying to argue that a search had been unreasonable, "The Bill of Rights! The Bill of Rights! This is arraignments. That stuff gets parked outside the door." The Constitution was just as unwelcome as the Lysol can that had been banned as improperly degrading to the drunks. The embarrassing indignity of the place was epitomized by the broken sign over the judge's bench: IN - OD WE - RUST, it read fittingly Mona thought, having long ago lost the G and T, although she doubted that anyone really noticed the gaps.

She went to the basket where the case folders were heaped waiting to be excavated. The pile was deep already, the night bound to be long. Without really paying too much attention, she called out the first name. "Walter Dukes! Mr. Dukes!" When there was no response, she walked down the aisle repeating the name a few more times. Just as she was about to give up, turn around and pick up the next file, she heard, "Here I am, Ms. Wrightson. Over here." She look in the direction of the voice and saw the man as he arose from the bench taking a long time to stretch to his full 7 feet. She stopped short, stunned not only by his size but by the clear memory of the last

time she had seen him. "Walter. I can't believe it's you. What are you doing here?" She quickly opened the file to look at the complaint. The actual charge was a probation violation. What the hell is this? Twenty-years ago, after Walter Dukes had been convicted of practicing law without a license at a trial in which he appeared pro se, he had failed to report to probation and a warrant had issued for his arrest. Tonight's complaint charged him with absconding and failing to appear. Mona couldn't believe this. Who in their right mind would bring this inconsequential charge after all this time? What would be the point?

When she first met Walter Dukes she also had been in night court, without air conditioning in a particularly muggy July. Their association began with the same bellowing of his name and the same stunning first impression of his gigantic height, his ebony color, his closed cropped hair. Every other man in the audience of the courtroom that night was wearing shorts and a tank top, most of which spelled out the name and number of an NBA player. Only Walter Dukes, who had been a star player at Seton Hall in the '50s and then played for the Harlem Globetrotters, the Minnesota Lakers, the Detroit Pistons and even the Knicks, wasn't in NBA mufti; he was wearing a three-piece suit, carrying an attache case at the end of his unending arms, the same arms which, in game after game, so gracefully lifted the ball to arch through the basket. Mona, growing up in New Jersey, could remember listening to Seton Hall games on the radio in her suburban living room with her older brothers, rooting for the amazing 7 footer.

Walter Dukes! It had to be the same guy, although she'd never seen him in person. How many other gigantic men with that name could there be? That long ago torpid night, she read the complaint in amazement:

Over a period of several months in 1982, Walter Dukes intentionally practiced law without being duly licensed in that he held himself out to be an attorney to Sarah Lytell and others thereby causing her to rely on him to her detriment. Furthermore,

Walter Dukes' licence to practice law in the State of Michigan had been suspended in 1975 for failure to pay mandatory dues.

"I'm Mona Wrightson, from the Public Defender's office. Walter, Mr. Dukes," she had asked aloud at their first interview, "What's going on here? Were you telling people you're a lawyer?" while asking herself, "Why would anyone want to say they're a lawyer when they're not? Especially if you'd played for the NBA with such virtuosity?" "Obviously an insanity plea here," she joked aloud. Walter had peered down at her, grimacing at her pitiful humor.

"I was just trying to help my good friend Sarah and her neighbors to stay in their apartment on 137th Street. I went to Housing Court, argued that they shouldn't have to pay rent since their apartments were uninhabitable. I guess I didn't do a great job because they got evicted anyway and now they went to the DA's office to complain that I tricked them. I was just trying to help. It's not fair that they want me to go to jail for trying to help them. No one else would. And I am a lawyer; I believe in the law." He showed Mona his law school ring: New York Law School, the same school Mona had attended

Walter had refused to be represented by Mona or anyone else. He actually went to trial, arguing that he was a lawyer even though he wasn't licensed in New York. "My heart was in the right place," he told the jury. "Don't be burdened by technicalities. I just wanted to help these helpless people when no one else would." He paced, he gestured, he orated, he even cried. He had his day in court, all right. Mona watched the entire trial, impressed that he had so much passion and conviction despite his lost cause. She was there when the jury returned its guilty verdict after only one hour of deliberations. There really wasn't much to deliberate about, after all. His self-representation was almost prima facie proof of the charges. Only Walter failed to appreciate that irony of appearing as his own lawyer when accused of pretending to be a lawyer, so intent was he on seeking elusive justice for himself. The judge sentenced him to probation, but after Walter strode out of the courtroom apparently, much to Mona's amazement, he had never returned until tonight. And even though the

system had never caught up with Walter Dukes, here he was. "I have unfinished business, Ms. Wrightson. I shouldn't have absconded. I need to clear up the record. So I turned myself in."

When Walter's case was called, Walter stood up, towering over everyone, Mona beside him, the ADA, the court reporter. He was almost at eye level with the judge seated on the raised dias. The judge didn't know what to do with this ancient probation violation and with the now aged, but only slightly stooped, giant. So he solved his dilemma the easy way: he dismissed the charges to get rid of the problem.

"Before I leave, Judge, could I do something for you and everyone out there?" Walter asked humbly. He pointed to the audience and then in the general direction of the world outside the dirty windows. "I'd need to get up there with you, Judge." Blinking incredulously at this remarkable request, the judge did something that surprised everyone, especially him. "All right, Mr. Dukes, come up here." To a one, the court officers nervously started to handle their night sticks and unsnap their holsters moving closer to Walter as he climbed the one step that elevated the dias from the floor. The judge gingerly stepped to the other side of his chair.

Walter stood behind the judge's chair, extended his right arm upward in a gesture so familiar to the millions of fans who had watched him make this same fluid movement with a ball in his hand at game after game, and touched the letters on the wall behind the bench. He reached inside his jacket to pull out a marker pen, prompting another flurry of activity by the jumpy officers. But before they could stop him, Walter, who, unlike the custodians who had failed to fix the sign for lack of an available ladder, needed no help to reach that height, started to draw. Soon, the letter "G" appeared in the spot before "OD" reinstating the word "GOD." Next, he drew a "T" returning TRUST to the phrase.

He stepped down, pocketed his marker. "I think this place needs a little reminding," he said, waving good-bye to Mona as he strode out of the court.

"What a night," thought Mona. "Thank god, it's dinner break." Her brothers would never believe this story. Mona went to the Chinese restaurant behind the courthouse where she usually ate

during night court. That day's newspaper was on the counter. She turned the pages, dunking her dim sum in sauce. On the obituary page she read, "Walter Dukes, a 7-foot center who set the NCAA single-season rebounding championship, was found dead in his Detroit home on Tuesday. He was 70." The story continued with a statement from his sister who had found him at home. "He was in bed, the covers up to his chest and his feet, he had socks on, were hanging out. I thought he was alive, he never could fit onto a regular bed. But he wasn't. He'd been dead for some time, I could tell."

This was crazy, bizarre, impossible. Mona went running back to the courtroom to look for her file, concrete proof that Walter Dukes had actually been there tonight. No file. "No case by that name," replied everyone she asked. Mona sat on a bench confused, tired, frustrated. She knew she'd been too long in this place. She had to fantasize nobility, to imagine an inspirational moment just to keep herself going. She was really nuts. This was it. She was quitting. It took an hallucination to make her realize that she'd stayed too long, that she'd grown old and sad on the job. She packed her bag, left the newspaper on the bench, and walked out.

"Where do you think you're going, counselor?" yelled the judge without an ounce of respect in his voice, not even remembering her name. "Get back in here and finish the calendar."

Without regret, Mona turned around. Like Walter, she owed this place a final wave. Mid-gesture she stopped with her hand in the air. The G and T were there, right over the judge's head, right where Walter had drawn them. Walter's message, the hopeful legacy of the lapsed lawyer, made it easy for her to leave.