

A VIEW FROM THE BENCH

We are all one family: A son, his mother and a judge

A boy's story is a reminder of the frailty of life and the preciousness of our children.

By MEL DICKSTEIN

Moments of wonder and moments of despair. That's what I expected when I sought a position on the state trial court bench 15 years ago. I've never been disappointed.

It's unusual, though, for wonder and despair to accompany one another, but that's what happened recently. A mother appeared before me seeking the release of minor settlement funds that had been deposited for her young son just two years ago. The funds came as a result of a car accident; the sum was not large.

This past March, over spring break, the young man's mother took him on a trip to visit an Ethiopian church in Louisville to bathe in its holy water. They were enjoying the holiday when the boy became ill. His mother took him to the emergency room for treatment. Her 13-year-old was laughing and chattering when he entered the hospital. But his heart stopped, and the doctors couldn't revive him; they had no good explanation for what occurred. They listed the cause of death as acute myocarditis, an inflammation of the heart, caused by the flu.

I carefully explained to her what she had to do to obtain the release of the funds. I gave her an affidavit form she had to fill out and take to the bank where the funds were deposited. I also issued an order authorizing release of the funds because they were from a minor settlement.

She wanted me to know the impact I had on her son's aspirations and her hopes for his future, a future that will now never be realized.

When we finished, she asked me if she could approach the bench to show me some photographs. The first photo she showed was one of her son in traditional dress. The second was her son at the hearing in my courtroom, when I approved the minor settlement. During a settlement hearing, it's not unusual for me to engage a child in discussion if they're of sufficient age. "Are you missing school today to be here in court? Is that good or bad? What's your favorite subject? Would you like to come up here and see what it's like from the judge's chair?" Only the shyest decline to come up to the bench. It's usually the highlight of a child's day. One little boy sat in my chair, leaned forward into the microphone and said, "Order in the court," to his mother's delight.

On the day this young man appeared with his mother, he accepted my invitation and sat in my chair. His mother took a photo of her son while I stood next to him in my judge's robe, both of us beaming. She enlarged the photo, framed it, and the young man hung it on the wall in his bedroom. He told his mother he wanted to be a judge someday.

His mother cried as she showed me the photos, her heart broken. She wanted me to know the impact I had on her son's aspirations and her hopes for his future — a future that will now never be realized.

It was a reminder how we feel when tragedy befalls another family, even one we didn't know well. I had the privilege of touching the life of this young man, and now grieve, along with his mother, because his promising future will never come to pass. It's a reminder, too, how precious are our children, and how important it is to nurture their dreams. If only those dreams could always come true.

Mel Dickstein is a Hennepin County district judge.

