Eric Walters FINDING HARMONY

By the author of *The King of Jam Sandwiches*, winner of the Governor General's Literary Award

a novel

FINDING HARMONY

Eric Walters

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For those trying to find Harmony in their lives.



ONE

"Your Honor, I'd like to call Ms. Jennings to the stand," the lawyer said.

"Proceed," the judge replied.

The judge had a serious expression, almost a scowl, and she looked like somebody you wouldn't want to mess with.

The social worker, Ms. Jennings—Gloria, as she always told me to call her—got up from her seat beside the lawyer. She was dressed in formal sort of court clothes, but that didn't hide the fact that she didn't look that much older than me and was at least as nervous. Come to think of it, I'd probably been in court more times than she had.

The room was so quiet that her shoes made a squeaking sound as she walked to the witness stand and took a seat. The court person asked her to state her name and then "swear to tell the truth, the whole truth and nothing but the truth," and Gloria agreed.

I couldn't help but think that if somebody was going to lie about things to begin with, they would definitely lie about telling the truth. I knew I'd lie if I had to. Really, I had lied more than once to get out of trouble. Who wouldn't? That was only the natural and smart thing to do.

Gloria gave me a smile and a nod. I frowned at her. She could try to be friendly all she wanted, but she wasn't my friend, and I knew that anything she was going to say—or do—wouldn't help me or my mother. She might work in "child welfare," but was she really trying to make my life better?

The agency lawyer got up and walked toward her. He was way too happy to be in court. He reminded me of some sort of cartoon character. I just couldn't put my finger on who—then it came to me. If Winnie-the-Pooh came back as a person, he'd be this guy. Sort of roly-poly and round. I could picture his head being stuck in a honey jar.

"Can you please state your qualifications and your position with the agency?" the lawyer asked.

"Yes, sir. I have a master's degree in social work and I'm employed as a family services caseworker. In that capacity I have been working with Harmony and her mother, Ms. Stewart."

"And what has that work involved?"

"I've met with them individually and together, as well as having meetings with the foster parents where Harmony is residing in care, having phone conversations with the substance-abuse counselor assigned to Ms. Stewart and reading her discharge report."

Yeah, my mom had been in rehab and had a counselor to talk to about her drinking and drug use—and maybe this time it might actually work. At least, I had to hope it would. What else did I have except hope?

"At this time I'd like to verify that that report has been filed with the court and that the lawyer for Ms. Stewart was given a copy," the lawyer said.

"I have received a copy and have read it," the judge noted. "Can Mr. Gallows acknowledge receipt."

Mr. Gallows, our lawyer—my mother's lawyer—rummaged around in his briefcase and held a report up. "Yes, Your Honor."

I leaned closer to my mother. "Do you think he's read it?" I whispered.

She shrugged. I figured not. He was somebody who had been appointed by the courts because we couldn't afford a lawyer. Judging by the coffee stain on his shirt and the fact he didn't look like he'd shaved that morning, I figured we were getting what we'd paid for, which was nothing.

"Have you read it?" I whispered to my mother.

"No, but I know what's in it," she said quietly. "I lasted the whole time in treatment, but...well, you know."

I didn't know what was in the report, but I did know my mother. The best we could hope for was that it wasn't too bad. Being there in the treatment center didn't mean she'd recovered. "And Ms. Jennings, in light of the report concerning Ms. Stewart and your own observations, can you tell us what the agency's position is regarding Harmony being returned to her mother's care?" the lawyer asked.

Why did he still have a Winnie-the-Pooh smile? Did he find it amusing to think I wouldn't be able to go home?

"Both the agency and myself as a professional believe that it is premature for her to be returned and that it's in the best interests of the child to remain in foster care at this time."

None of this was a surprise to me. Gloria had told me in advance what she was going to say.

"Could you please explain your position?" the lawyer asked.

"The report from the substance-abuse program clearly states that while Ms. Stewart completed the length of stay, she did not complete the treatment itself."

Winnie tilted his head. "Could you elaborate further, as this is an important point."

Gloria gave a small nod. "It clearly states in the report that she didn't contribute during group time, failed to fully accept that she has a substance-abuse problem and is at high risk of continued use and abuse of substances. They describe her as being consistently oppositional to direction and authority, and failing to take responsibility for her actions."

This meant she hated doing what she was told and never admitted she was in the wrong. Yup, that checked out. She hadn't fooled them at all. I felt like our lawyer should say something, but I wondered if he could smell the same thing I could. I was pretty sure my mother had had something to drink this morning. It wasn't so much the odor of alcohol as the gum she was chomping on and the perfume she was wearing to try to cover it up.

"And do you have further concerns?"

"She failed to show for an appointment, canceled one scheduled visit with her daughter and was thirty minutes late for a second supervised visit."

"I was busy!" my mother snapped.

The judge looked down at my mom with an expression that not only silenced her but left little doubt how she felt about her.

"Are there other issues?" the lawyer asked.

"We had requested that Ms. Stewart secure a larger place of residence. At present she is in a studio apartment that doesn't have suitable space for her daughter."

"Do you know how hard it is to find a place to live in this city?" my mother asked.

"Ms. Stewart, I know it's hard not to speak in your defense," the judge said.

My mom nodded. "It's just that I'm looking for a better place. I have a friend who has a friend, and I might have a line on a new place. It could only be a few days."

"That is helpful information," the judge replied.

"But so far her accommodation remains unsuitable," the opposing lawyer said.

"Like I said, I got friends who are looking," my mother said. She turned directly to Winnie-the-Lawyer. "I have lots of friends. Probably more than you."

Why didn't she just button it? Fighting with the lawyer wasn't going to help. Why didn't she understand that?

"And I think we're now seeing evidence of some of the attitude that is noted in the substance-abuse center's report," the lawyer said.

"I've never been somebody who just agrees with people who don't know their elbow from a hole in the ground," my mother said. She looked up at the judge. "Look, Your Honor, I'm clean and dry. I have been since the day I set foot in that place. Maybe forty-five days ain't much, but I'm taking it day by day."

That was her regurgitating Alcoholics Anonymous talk—taking it *one day at a time*. She always knew all the words and little buzz phrases. She was good at fooling people who didn't know her very well. Hopefully the judge wouldn't see through her in the next thirty minutes.

"Day by day is the only way to go," the judge agreed. "And the first forty-five are the hardest forty-five. My congratulations."

This was actually working. Not really knowing her was believing her. Then again, she'd always been a very good liar.

"Judge, I'll keep going to AA meetings, and I'd take a blood test right now to prove that I'm clean if that would help. Right now," she added. "Keep going to those meetings. Taking a blood test right now isn't necessary," the judge said.

I felt an instant sense of relief. My mother was bluffing. If they took a test, they'd find alcohol in her blood and maybe something more. I didn't need the results of any test because I could tell the signs.

"I understand how difficult this is, Ms. Stewart, so I've given you some latitude to talk."

"Thanks, Your Honor, I appreciate that. I really do." She gave a big, overly friendly fake smile. Did she think that would work on the judge?

"But I'm going to ask you to refrain from making further comments for now and allow the proceedings to continue. Am I understood?" the judge asked.

"Yeah, sure," she mumbled and looked down at the table.

"I'll continue my questioning," Winnie said. "Hopefully uninterrupted. Please outline the request for the court."

"We are recommending that Ms. Stewart continue to receive outpatient treatment while she seeks more suitable accommodations. To allow that to happen, we are requesting that Harmony remain in care for a further six months."

I'd known they didn't want me to go home, but I'd had no idea it would be for that long. Six months. Half a year! On top of the three months that I'd already been there. On top of the three other times I'd been taken into care before. And that was assuming my mother was going to do the things she'd been asked to do.

"Thank you for your testimony," the lawyer said. He returned to his seat.

"Mr. Gallows, you may cross-examine the witness," the judge said.

Our lawyer groaned slightly as he got to his feet, like standing was a major effort. "Um...I have no questions to ask at this time."

"What?" I asked as he sat back down. "Aren't you supposed to ask questions?"

"Excuse me?" the judge said. She was looking directly at me.

"I was just asking him what he meant, that's all."

"Please excuse my client for speaking out," our lawyer said. "She's just a child."

"I'm not a child, and I don't need you to excuse me for nothing!" I snapped.

"I take it you're not happy with your lawyer's decision not to ask questions," the judge said.

"If he doesn't ask them *at this time*, when is he planning on asking them?"

The judge raised her eyebrows. "That is a very valid point. Do you have an answer, Mr. Gallows?"

"I'm, um, yes, um, I could have some questions for Ms. Jennings."

"Great, just great," I mumbled.

"Harmony, you were distressed when he didn't have questions, and now you're upset that he has questions," the judge said. "Which is it?"

"Shouldn't he have some questions ready in advance?" I asked. "Isn't that what they teach in lawyer school?"

The judge cracked a smile, which I hadn't seen before this. "Counselor, please proceed with your cross-examination."

Once again Mr. Gallows got to his feet. This time with an even louder groan. I was starting to think that maybe *he* was the one who needed a blood test.

"So, Ms. Jennings, you're the caseworker for the family, is that correct?"

"Brilliant," I mumbled under my breath. "Just brilliant." "Yes, I am," Gloria answered.

"And it's your opinion that Harmony should stay in foster care."

"Not just my professional opinion but the position of the agency."

"Could you tell us why?" our lawyer asked.

"As I've stated, there are a number of reasons, including Ms. Stewart's need for further treatment, her not fully participating during the in-patient rehab stay, her not keeping appointments and the lack of suitable accommodations."

"Anything else?"

"I think that her job is also a factor," she replied.

"Ah, so you admit that my client does have a job," he said, pointing his finger in the air like he'd scored an important point.

"She does. I just think it's hard for a person with a history of substance abuse to work as a server in a bar."

"Oh, I guess that could be a problem," Mr. Gallows mumbled.

"Whose side are you on?" I said under my breath.

He turned to me and scowled. Apparently I hadn't said it quietly enough.

"And at the end of the six-month period, do you think she can be returned?"

"That'll be the decision of the court at that time. However, we feel that a period of six months would be sufficient to determine when, and if, she can return."

"If?" I exclaimed.

The social worker looked directly at me. "I'm sorry, Harmony, but we have to be sure that you'll be cared for, that your mother will provide a stable environment."

"You don't think I should ever go home, do you?"

"Harmony," the judge said. "Normally we leave questioning to the lawyers, but it sounds like you have things you'd like to say."

"Me?"

"Why not you, since this is about you? Mr. Gallows, why don't you take a seat, and Harmony, please stand up."

TWO

I slowly got to my feet as Mr. Gallows sat down. What had I gotten myself into, and why hadn't I just kept my mouth shut? Why could I *never* keep my mouth shut?

"Harmony, there's nothing to be afraid of," the judge said.

"I'm not afraid!" I said. It was important not to let people see it even if you were feeling it. Bullies took advantage of people who looked afraid.

"Then please proceed. I know I'd certainly like to hear what you have to say. Why don't you ask Ms. Jennings some questions?"

What did I have to lose? It wasn't like I could do any worse than our lawyer. I took a deep breath. "How old are you?"

"I don't think the age of our caseworker is a factor here," Winnie said.

I'd really like to shove his head in a honey jar.

"She's been put forward as an expert witness, and her age and experience are both factors in determining her expertise," the judge said. She turned directly to Ms. Jennings. "Well, how old are you?"

"I'm almost twenty-three," she said meekly.

"And how long have you been employed by the—" The judge stopped. "My apologies, Harmony. You're asking the questions. Please proceed."

"So, if you're almost twenty-three," I said, "if I do my counting right, that means you're twenty-two, right?"

"Yes."

"That makes you about ten years older than me," I said. "And how long have you been actually working?"

"I was employed straight out of school, so almost three months."

"Wow, nearly three months. Very impressive. Which means you've known me and my mother for *less* than three months," I said. "How many times have you met either of us?"

"I'd have to consult my case notes, but including phone calls it would be—"

"I said *met*, not talked to, and I don't need notes. You've met me four times and my mother three times."

"That sounds about right," she agreed.

"Oh, it is right. I think I've already proved with my 'twenty-three minus one is twenty-two' that I'm good with basic math."

The judge's expression changed slightly. Was that a hint of a smile? Before I could be sure, it was gone.

"And since you mentioned my mother missing appointments or being late, have you ever canceled an appointment with me or been late?" I asked.

"Sometimes there are emergencies and—"

"Please answer the question," I said, cutting her off. I'd heard lawyers say that on *Law & Order* episodes. All that unsupervised time in front of the TV was paying off.

She looked taken aback. The judge actually chuckled this time.

"Please answer the question, Ms. Jennings," the judge said.

"I had to cancel two meetings, which I rescheduled, and I was late for the last visit."

"You said my mother wasn't qualified to be my parent because she did just about the same thing, so does that mean you're not qualified to be my social worker?" I asked.

"That's different." Gloria tucked a strand of hair behind her ear.

"How? And when my mother didn't come or was late, did you ask her why?"

"She said there were complications and there was an emergency at work."

"Like the ones you had?" I said. "If it's not okay for her, it's not okay for you either."

She looked down at her feet. "I'm sorry for those times I didn't follow through."

"I think my mother was sorry when she was late, because she was crying. I didn't see you cry." "Again, those are different things."

"Okay, maybe." I decided to try a new angle. "Where do you live?"

The other lawyer jumped to his feet so fast he would have made Kanga and Roo proud. "The address of a staff member is not something we are going to release to—"

"I don't want her address," I said. "I just want to know if she lives in a nice place, that's all."

Gloria shrugged. "I just moved into a condominium by the lake."

"Must be nice. And do you have a bedroom?"

"It's a two-bedroom condominium."

"And does having two bedrooms make you better than people who only have one bedroom?"

"Of course not!" Her cheeks were going red.

"And do you think that somebody with two bedrooms would be twice as good at being a parent as somebody who only has one bedroom?"

"Your Honor, this is a ridiculous line of questioning," the agency lawyer yelled as he jumped to his feet again.

I turned to the judge. "It's just that didn't she say my mother couldn't be a good parent because she had no bedrooms?"

"I didn't mean that!" Gloria said.

"You did testify to that being one of your concerns," the judge said. "Therefore, I believe it is a valid line of questioning. Please continue, Harmony."

The lawyer slumped back into his seat.

"Go get 'em, honey," my mother said. She reached out and gave one of my hands a little squeeze.

"Then you think the size of the apartment really doesn't matter?" I asked. "That you can be a good parent even in a place with no bedrooms?"

"Of course you can," she replied.

"Because that's just about having more money, not being a better person or a better parent, wouldn't you agree?" I asked. Before she could answer or the lawyer could get to his feet again, I asked another question. "Do you have any kids?"

Now the lawyer did jump to his feet. At least he was getting some exercise. "This is becoming far too personal and—"

"Overruled. This is a valid question."

"I'm not sure that's any more relevant than asking if you, the judge, have children, Your Honor, in your rendering a verdict," the lawyer said.

"You're probably right. So I'll answer. I have three children, and I'm certain it has helped to make me a much better family court judge. Anything else you'd like to know about me, counselor?"

"Um, I think that covers it." He sat down. He was looking more like Eeyore, the sad donkey, now.

"How about you?" the judge asked him. "Do you have any children?"

"We're expecting our first in two months," the lawyer stammered.

"My congratulations. You better get some sleep while you can," the judge said. "Now back to the question. Ms. Jennings, do you have children?"

"Not yet."

"That means the answer is no, you don't have children," I said. "I'm just wondering, if you ever do have children, do you think they'd want to live with you?"

"Most certainly—at least, I hope that would be the case. I can't think of any reason why they wouldn't live with me." She looked flustered.

"That's all my mother and I want. Do you think people deserve a second chance?"

As soon as the words left my mouth, I knew I'd made a mistake.

Gloria raised her eyebrows. "Second chances are good. Maybe even third, but this would be the fourth time you've been returned to your mother's care."

I looked over at my mother, who was staring down at the table again. Did she really deserve another chance? Did I? Would this really work? I had to rethink this or I'd have just shot myself in the foot.

I shuffled over and wrapped my arms around my mother and whispered in her ear. "Cry. Start crying."

I released her and stood back up. Within seconds she started to sob.

"I'm sorry, Mom, I know how much you love me and how much all of this hurts, because it hurts me so bad too." I turned back to the witness stand. "When I had to come into foster care before, was it ever because my mother hit me or abused me?"

"Not as far as we know."

"You don't know that?" I asked.

"It's not in the records."

My mother started crying louder.

"That's because she didn't. Ever. My mother would *never* hit me." I looked straight at the judge. "My mother would never, ever do that. She never has and she never will."

That was the truth. She'd never hit me, and I couldn't see her ever doing that. Although one time her boyfriend, Gerald, had hit me badly, and my mother hadn't stopped him. I had to hope that Gloria hadn't read that deep into our case file.

"I know she did some things wrong," I said. "Gloria, I mean, Ms. Jennings, do you think people can change?"

Her expression softened. "I wouldn't be a social worker if I didn't."

"And if I go home, would you still have contact with me and my mother?" I asked.

"I'm your caseworker regardless of where you live, and we'd formally request a supervision order from the court."

"And a supervision order would certainly be granted," the judge agreed.

"What does a supervision order mean?" I asked. I knew already, because we'd had one of those twice before, but her answer would set up my next question.

"It means I can drop in and check on you at your home or school any time of the day or night."

"So if something went wrong or was going wrong, you'd be able to tell because, you know, you're a trained social worker, right?"

"I'd be able to tell."

"And then you'd snatch me and bring me back into foster care, right?"

The agency lawyer got to his feet again. "We are not in the business of snatching children. We follow legal recourse and bring matters before the court."

"I don't think we're going to trip over the words," the judge said. "She is a thirteen-year-old and not a lawyer." She paused and then smiled. "Although her ability to offer cross-examination is something both you and Mr. Gallows might want to take note of."

I had to work hard not to smile.

"Harmony, have you ever considered a career in law?" the judge asked.

I scoffed. "I'm way too smart for that."

"You're probably right. Now, once again, back to the question originally posed by Harmony. If there were problems, you would apprehend and bring the matter back before the courts within forty-eight hours, correct, Ms. Jennings?"

"Yes, of course, Your Honor," Gloria said quietly.

"Then what have you really got to lose?" I asked. "If I go home and it works, then everything is great. If I go home and it doesn't work, then you get what you want now."

"It's not that simple," she replied.

"Seems pretty simple to me. I want to go home. My mother wants me to go home. Right, Mom?"

She brushed away the tears. "It's where you should be. Where I can take care of you. I'm your mother, and that's what mothers do." Her voice broke at all the right places. If I didn't know better, I would have believed her. Home was where she was *supposed* to take care of me, but we both knew it was often the other way around.

"Unless there are more questions, Ms. Jennings, you are excused."

Gloria left the witness stand and returned to take a seat beside the lawyer. I was glad that neither of them looked so happy.

"Are there any more witnesses to hear from, or anything to add?" the judge asked.

Both Mr. Gallows and Eeyore the lawyer indicated they had nothing more.

"Ms. Stewart, would you like to ask, add or say anything more?"

"Harmony said it all," she said. She was still working the tears.

"Harmony," the judge said. "You're a very mature young lady. In my experience, I've found that's often the case with children who've had to take care of themselves."

Okay, that was bad. Had she seen through all of this? Had doing good actually been bad?

"This matter is adjourned for a thirty-minute recess so I can consider all the information before rendering my verdict."

"All rise!" the court worker called out.

We scrambled to our feet as the judge rose and then left the bench, exiting through the side door.

"Do you think we won?" I asked my mother.

"I guess we'll know in half an hour," Mr. Gallows said.

That was probably the first smart thing he'd said this afternoon.