

What's Next?

By Jim Brady

I was in a courtroom once with a very, very brisk judge. The instant a matter was finished, he would announce the next case and people would scramble. There was a faint buzz in the courtroom as people kept looking at the docket to keep up: “What’s next? What’s next?” Is that how your career is going? Are you scrambling from one thing to the next, wondering what’s next? If that next thing might be retirement, that could be shocking!

The whole notion of retirement is pretty scary. I mean, most people work extremely hard to get a job or to keep the job they’ve got. Then retirees deliberately give up a job and expect things to go well! That’s scary! Let’s think for a minute why it’s even scarier for lawyers.

Much of the writing about retirement deals with finances and accumulating enough dough to support one’s “current lifestyle.” Finances are important, there’s no doubt of that, but for lawyers there’s lots more. Oregon lawyer Michael Long lays out an excellent summary of these issues in his book, *Lawyers at Midlife*.¹ If a lawyer quits practice, there will be several significant losses in addition to income. Social connections and networks radically change, and the structure of purposeful activity may be gone. The sense of usefulness to others may take a huge hit. The strong intellectual stimulation of new facts, new analysis, and new applications of the law may disappear. Long, a lawyer with the Oregon Attorney Assistance Program, did a major survey of Oregon lawyers. The data he gathered

from several thousand practitioners in Oregon indicates a very strong satisfaction with the intellectual stimulation of practice. Long goes on to write that lawyers who retire need to plan methods to keep a strong dose of intellectual stimulation in their life.

David Corbett, writing in *Ohio Lawyer* magazine,² picks up on this theme of loss. He notes that many retirees introduce themselves with the phrase, “I used to be...” Corbett points out in his article that such language suggests people are only the sum of their work – a very, very limited perspective. For such thinkers, retirement means that they “used to be” a lawyer. I argue that once a lawyer, always a lawyer. Once law school insists you think like a lawyer, you can’t ever go back to thinking like an ordinary person again! If a lawyer stops working and focuses on other activities, they are still a lawyer, just not taking cases. In my view, a person should never, ever say, “I used to be a lawyer.” They still are!

There is even more risk of loss in retirement. Some folks think that retirement results in decreased mental and physical function, or that such decline makes retirement necessary. This is the “use it or lose it” argument. Retirement is thought to be for “old folks,” and we make lots of bad jokes about rocking chairs. Some folks think that if a person stops working, they will quickly decline and die, and are quick to offer anecdotal evidence. But stopping legal work certainly does not mean stopping valuable and meaningful activity. In fact, retirement could mean the opposite, in that a lawyer could finally engage activities, causes, or projects that are very meaningful

and satisfying.

There is scary stuff in this as well. If a person stops work, will they have the money, the energy, the physical stamina to do other things, even if those desired activities are meaningful and valuable to them? We worry that we might not be strong enough to retire!

With all these negatives lurking about, why would anyone want to retire? It’s way too scary! I recall the memorable words of the cruel warden in the movie “Cool Hand Luke.” After an escape and recapture, the warden tells Luke that he needs to “get your mind right.” That’s what is needed as lawyers look to retirement. I propose a very different definition from the long list of possible losses and cut-backs. Rather than conceptualizing retirement as one loss after another, I propose we see it as the next stage in a person’s development, the final quest for true fulfillment. Retirement is about growth, and not decline. If true, then how could retirees possibly be growing?

The famous psychologist Erik Erikson (1902-1994) writes about the stages of development of a human being across the entire life span.³ In Erikson’s schema, each of life’s stages is a challenge to master an issue. If a person is not able to master the developmental challenge, they fall into less desirable methods of coping. The final two stages in Erikson’s outline are Generativity vs. Stagnation and Ego Integrity vs. Despair. It is easy to apply retirement issues to this model. If

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a lawyer stops taking cases, how will they satisfy their need for Generativity? There are many positive answers, but each retiring lawyer must find one that fits for them. Finally, the Ego Integrity stage means reflection on what's been done, achieved, accomplished, lived. Is a person satisfied with how they've invested their time, energy, and skills? Are there a few things left to polish off? If so, retirement seems a good time to get those done.

One current reflection of such thinking is the recent movie "The Bucket List," where the lead characters set out to do all the things they've always wanted to do before they "kick the bucket." In Erikson's developmental schema, it is possible for a retiree to fall into stagnation and despair, but he certainly doesn't present that as a foregone conclusion! Rather, later life in his model is seen as a continuing arena of personal development. In the vernacular, old dogs had better be learning new tricks, and tricks that are highly valuable to that dog. Thus, retirement is not an end, but merely a transition for another ordinary step in the process of being human.

James Autry, a retired business executive, has also written on the idea of retirement as the final stage of human growth. In his book "The Spirit of Retirement," Autry contends that the real task of retirement is spiritual growth, not in the religious sense, but in the sense of finding meaning and expressing core values.⁴ Autry writes:

If you've spent years thinking of yourself as a person who "gets things done," you'll undoubtedly have difficulty letting go of doing, so it will

become all the more essential for you to understand that a life of meaning or of personal and spiritual growth is a life of being and not of doing. This is true even in the more active aspects of a spiritual retirement, such as performing community service, renewing family ties, or traveling the world with new eyes. If these very active and relationship-involved pursuits are not embraced in an introspective and reflective way, they can easily become just an extension of your work life, another phase of getting things done, of checking things off the list, of racking up accomplishments, or building that great celestial resume.

For lawyerly folks who are accustomed to finding answers, this sort of fuzziness can be unsettling. Autry adds more fuel to the fire:

The fact that spirituality does not yield to easy definition tells me that the spiritual life is, by its fundamental nature, a life of questioning, exploration, understanding, reexamination, and ever-new understandings.

What might that mean for you? I'm reminded of an encounter I had a number of years ago. I was asked to speak at a lunch meeting of a local service club. Before the meeting some people were teasing a fellow who had just retired, and he commented, "I had to retire. I'm way too busy to be going to the office." I knew the fellow

slightly, and knew that he was active at the state level in this club, that he was heavily involved at his church, and that he was working on a local school bond issue. He was too busy to be going to work. In my mind this fellow had discovered the key to a vibrant retirement; he wasn't losing cherished things, he was moving to new highly-desired things.

This seems the key to the scary aspects of retirement – to see the process not in terms of all the losses, or potential losses, but rather the gains. Retiring lawyers need to be moving to something great, rather than merely leaving the bad, usually the pressure and conflict.

There is the issue of finding those new areas in which to invest one's intellect and energy. As the saying goes, when you are up to your rear in alligators, it's hard to drain the swamp. I think we might be able to go to school on our day-dreams. When we take a moment to catch our breath, maybe when driving, maybe when playing on the computer, where do we go? Do we explore places to retire? Do we think about projects in volunteering or with our favorite cause? Do you imagine yourself writing or teaching or doing once-in-a-lifetime things with the grandkids? Those moments of imagination may lead us to the unfulfilled spiritual development that retirement writers advocate. You might complete this sentence: "I've always really wanted to..." Write a couple of different answers to that, then share those with the important people around you as you continue to consider and plan.

Retirement might seem rather scary because of all the changes that may come with it. But then, change is not always bad, and "scary" can some-

times be quite exciting. I can hardly wait to see what happens next!

ENDNOTES

1. MICHAEL LONG, JOHN CLYDE, AND PAT FUNK, *LAWYERS AT MID-LIFE: LAYING THE GROUNDWORK FOR THE ROAD AHEAD* (Lawyer Avenue Press 2009).

2. David Corbett, *Six Perils of Retirement*, *OHIO LAWYER*, May/June 2007.

3. ERIK ERIKSON, *CHILDHOOD AND SOCIETY*, 1950. *See also*, *VITAL INVOLVEMENT IN OLD AGE* (with J.M. Erikson and H. Kivnick), 1986.

4. JAMES A. AUTRY, *THE SPIRIT OF RETIREMENT: CREATING A LIFE OF MEANING AND PERSONAL GROWTH* (Random House 2002).



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