

From Trial Lawyer to Retired Lawyer

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He asked the question as if I might have the answer necessary for his soul's salvation. "Tell me: How are you managing it? You were so active, so involved in the daily practice of the law. You seemed to thrive on it. How, how, how . . . did you manage to give it all up?"

"Peter," I said, "the law is something I did. And something I enjoyed doing. But it never defined who I was."

He repeated my answer with wonder. "It never defined who I was.' I never thought of it that way."

"No. Men rarely do. Maybe that's where we women have a slight advantage over you guys in our culture. We are accustomed to defining who we are through our multiple roles instead of only our professional stature."

And then I continued: "Well, what would you do if you knew your time left on this earth would be a very short while? Would you really want to spend that limited time with all the stresses of an active litigation practice? Would you really want to measure that time, not in T. S. Eliot's coffee spoons, but in billable hours? Or are there books you want to read or write? Friends and family you want to see more? Places you have never been, places that you want to see before you are too decrepit to enjoy seeing them?"

I didn't need an answer. He didn't need to give one. And just a few short years after that memorable conversation, he is no more. He worked to the sudden end, his later years much like

his life had been the preceding half century. Yet, even while continuing his practice, he had managed to write *Beyond Peleliu*, a biographical novel of his father's bravery in World War II and of coming to terms with the life stresses that had made his father the difficult and challenging man he had been for Peter. And there was the other book, *Protecting Moscow from the Soviets*, published a couple of years after the novel.

I have often thought back on that conversation with my friend and fellow *LITIGATION* editor, Peter Baird. I recall it whenever I think about my transformation from actively practicing litigator with all its many stresses to actively retired former litigator or, as I still like to describe myself, "trial lawyer."

Yet the conversation with Peter was in some way a fraud. It was an explanation—given after the fact and when challenged—to a decisional process that had been far more organic, totally beyond my conscious radar, and far from the decision-tree analysis that marked my career as a litigator.

Making the Decision

In fact, the decisional process had not been anywhere near as rational as I made it seem. It was not a realization that the sand in the hourglass was *running* out. It was not a conscious decision that I had miles to go—other, different miles from those on



the road I already had traveled. It was, well, a decision of the heart—or perhaps the gut.

“Don’t sweat the big decisions,” my mother had always warned me. “Those are the easy ones. They make themselves.” Is that why she always sweated the small ones so thoroughly: “Shall we eat at the Dome tonight or at La Rotonde? Shall we go up for a day of skiing to Megève tonight or wait until tomorrow morning?” Lord, did she ever consume discursive thought and words on such weighty matters. And none at all on taking the train from Zagreb to Fiume one afternoon in August 1941 as a 26-year-old mother of a toddler and a babe in arms. “This marriage is over; I’ll try another one.”

So I didn’t sweat the decision of retirement. I didn’t ask, “When should I retire? What will I do when I retire? Will I be bored if I retire? Will I miss the courtroom when I do?”

One day, one of the tenants who had shared my suite of offices in the Chicago Bar Building—let’s call him Bill—announced that he would be moving into his own space. That was when my decision, so long in the making, made itself. I would not renegotiate a new five-year lease. I would call it quits. No more new cases. I would finish up the existing ones from a home office. I would pack up my hundreds of boxes of client files and put them into the requisite dead storage with Iron Mountain for the requisite seven years. I might even toss in a couple more years for good measure before I cleaned the lot out, putting them all on small hard disks of what would soon become outdated technology, case by case—and, of course, the backup tapes as well.

I sold the office furniture and the fancy new copying machine that collated and stapled Lord knows how many copies per minute, to a pair of guys delighted to get space in the Chicago Bar Building. And they promptly destroyed that office that people had commented on so favorably. The warm, feminine tones of plum and light woods were transformed into dark cherry and blue grays. Do men see color differently than women? Is that why girls get dressed in pink and boys in blue? I once looked at a perfectly exquisite loft apartment on Chicago’s West Side, developed by a pair of macho South American brothers. The place was gorgeous in dark greens and blacks but a living space that no woman could abide.

As the office was dismantled and packed up, the gal I had worked with for 10 years as “live-in” partners (because we had never quite gotten around to tying any official knot) watched and said, “You seem to be taking this far more in stride than I am.” Perhaps I was. But one reason was that I wasn’t leaving her—let’s call her Anna—in the lurch. One of the factors that helped the decision make itself is that she had decided to open a practice in a storefront office on the main street of a Chicago suburb, rather than continue to soldier on with me as a legal roommate downtown. She wanted to be closer, and more accessible, to her many wills and trusts clients.

This Is Quite Enough

So what did it? Surely, it was not simply the fact that the lease was coming up for renewal. Such events do have a way of concentrating the mind. Am I up for another five years of this? Maybe this year, but the year after that? But it was not that. Nor was it just the fact that Anna and Bill were striking out on their own. There had been the total hip replacement and the arthritis that sapped my strength and taught me that even my energy was not a bottomless, self-replenishing, inexhaustible well. But it was not that either.

“Don’t sweat the big stuff. You’ll know. The decision will make itself. If you let it. If you listen.”

So I was telling Peter a half-truth—and fooling myself—when he asked how I had managed it and I answered that I had other fish to fry while there was still world enough and time. It was far simpler. Or maybe it was more complex. But it was not a conscious, logical, thought-out process. It was not the sort of decision I had made for my clients and had urged them to make for themselves.

Something deep within me had clamored, “This is quite enough. No more.” And did it ever surprise me. I had planned to work until I was at least 80. “I’m going to go with my boots on,” I had always told myself. “They are going to have to wheel in a coffin for me,” I had always quipped. “Yep. They’ll have to

carry me right out of this chair, out from behind this humongous table. Nice—the blonde wood and mahogany trim and the central large foot of chrome. Now that’s what I call style. It’s big enough at six feet across to match any managing partner’s staid and boring desk. I hope they don’t scratch it.”

So it was not the sand running out in the hourglass that had prompted my seemingly sudden, overnight decision to retire. It was, to mix metaphors, that one fine day too much water had been poured into the glass. The water spilled all over table and floor. And I said, “Enough!”

So what has it been like, some 10 years on? What have I done with those 10 years? Do I regret the loss of prestige? The excitement? Walking in downtown Chicago and running into at least 10 people I know between my office and the courthouse?

For starters, I have found that if you don’t sweat the big decisions, if you listen to that voice in yourself that “knows,” you rarely have cause for regrets. And I have avoided the epitaph that I did not want: I would hate to have “I coulda, woulda, shoulda” written on my gravestone.

Another thing retirement has taught me is a corollary of the ancient lesson from Ecclesiastes: There is a time and a season for most living things, and if one respects those seasons, things work out all right. I have often thought that these past 10 years have had all the wonderful freedom and joy of childhood but with the knowledge and wisdom that age brings and without the Sturm und Drang of youth.

So, no, I have not missed the active practice of the law and a busy trial call. And, no, I do not miss the self-importance of daily running into people who know who I am. But perhaps that has been because other things have filled that space.

Like the freedom of time without deadlines.

Instead of vacationing just a couple of weeks, I spend entire summers at the lake house in the north Wisconsin woods, baking and making jams (after I have picked the berries), and learning about mushrooms (which ones you can dry and eat and which ones will poison you).

A Different Lifestyle

Instead of taking a 10-day whirlwind tour of the France I love (perhaps because it is so utterly nutty compared with Anglo-Saxon society), I spend eight full weeks in the apartment we rent annually just across the street from the Sorbonne, a few blocks from the Luxembourg gardens, a few blocks from the Pantheon. With a cloth *filet à provisions* (a string bag) to carry home my daily marketing with just enough ever-so-fresh good things to eat for the next meal, I immerse myself in a different lifestyle and a different language. And the pleasure of being seen in places where I am known has given way to the pleasure of being taken

for a native speaker of that different language. Suddenly, I am two and three people instead of one. There is the American me and the almost-French me and the never-quite-Croatian me as I immerse myself in the bath of different languages, different cultures, different histories. There is time to return to Zagreb,

I didn’t sweat the decision of retirement.

in the former Yugoslavia, now in the independent country of Croatia, a city I left at age three, and find distant cousins whose lives have been different from mine. Time to stroll down the quite lovely streets of the center of the city with its multiple cafes where my parents came to adulthood. Time to contemplate how much more tragic its history has been than the one our generation has known in the United States. “You are in the Balkans here,” Christian, a sociology professor, explains to me. “Here, when you say ‘The War,’ people ask, ‘Which one?’ When you say ‘The Genocide,’ people ask, ‘Which one?’”

And, of course, there is more time to get to know our English grandchildren and see them blossom and trudge off to school . . . a walk of a good mile daily in their school uniforms, seven-year-old Seth with a jacket and a tie. No wonder they are different from my American grandchildren. If I still were actively practicing law, I would see far less of them than I can now that I have retired.

And then, too, it is not quite as if I have abandoned the life of the law altogether. I still am an editor on this magazine. I still write articles and books; I still participate in panel discussions; I still judge moot court. This year, I even had to renew my license to help a friend with a case. It was nice to realize that I still could do it effectively—maybe even more so than in the past—and that my reputation lingered on and helped resolve the case.

And for the first time ever, I am in-house corporate counsel. Well, not really, but I am on the board of the apartment building we moved into after 35 years in a mini-mansion in the same neighborhood. All those legal and political skills now are being put to use cultivating my new garden. You know the expression “all politics is local”? Well, it doesn’t get any more local than this. Or more maddening.

So, there is nothing to fear in or from retirement. Although many do fear it, retirement can be the best time of your life. It can be a time to do the things you always wanted to do and explore the things you never had time to explore before. That is, if you listen when your inner voice says, “Maybe I’ve done this long enough.” ■