VOL. 49/NO. 3 • OCTOBER 2000

Virginia Lawyer

The Official Publication of the Virginia State Bar

Get A Life

A Message from the President

There is a song by James Taylor that's always been a personal favorite of mine, and it starts out like this:

The secret o' life is enjoying the passage of time.

Any fool can do it. There ain't nothing to it.

Nobody knows how we got to the top of the hill,

But since we're on our way down, we might as

well enjoy the ride.

I am afraid Taylor's "Secret o' Life" is still secret from most lawyers. Sadly, we are

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Get A Life

by Joseph A. Condo, 2000–2001 VSB President

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not exactly noted for savoring time, what with the way we constantly flip weeks or months ahead in our calendars to schedule meetings, trials, closings, depositions, and what have you, always mindful that, as one wag said, "objects on this calendar are closer than they appear."

Many people's lives consist of a steady drumbeat of too many things to do, with too little time in which to do them. For lawyers, this seems to be especially so. Somewhere along the way, the notion has been ingrained in the culture of our profession that a client's demands, however unreasonable, cannot be refused. And in our current society, where instant gratification isn't fast enough, client demands are more unreasonable than ever. First fax machines, then cell phones, and now e-mail have gradually eaten away at our personal space and left us little time for reflection, much less for our personal lives.

Then there is the crushing demand for billable hours. This falls especially cruelly upon those who have most recently entered our ranks; I once heard a judge observe that the law is the only profession that eats its young. Then, of course, by the time we are senior enough to have some control over our hours, many of us are hooked: we've become so invested in, enamored of, or committed to the practice of law, we won't reduce our hours even if we can. The man who coined the phrase "The law is a jealous mistress" knew what he was talking about.

What happens to our inner, spiritual lives—and what happens to our spouses, significant others, children, parents, siblings and friends—while we work all these hours and the weeks and months and years slip by? Well, you know the answer. As John Lennon is reported to have said, "Life is what happens when you're making other plans." At best, the quality of our relationships becomes less than what it could be, or what we hoped it would be, or what it once was. We aren't much fun to be around any more. Our life partners and children learn to make the best of what little of us they can get, and get used to our not being there the rest of the time. Life goes on; it just doesn't include us much any more. At worst, our spouses or companions grow tired of being alone, waiting around for us to get home from the office. They grow tired of raising kids, and attending school functions and social events, and doing lots of other things, alone. So they find fulfillment in their friends and in singular pursuits that don't involve us. Or maybe they just move on.

My message is that it doesn't have to be this way. It isn't easy, but we can—we must—make lives for ourselves outside the law. For, as novelist Anna Quindlen told the graduates of Villanova University last year, "You cannot be really first rate at your work if your work is all you are." Quindlen also had this to say:

> I am a good mother to my three children. I have tried never to let my profession stand in the way of being a good parent . . . I am a good friend to my husband. I have tried to make my marriage vows mean what they say. . . . I am a good friend to my friends, and they to me. . . . I show up. I listen. I try to laugh. I would be rotten, or at best mediocre at my job, if those other things were not true.

In an essay published in the ABA's *GP-Solo* magazine, North Carolina U.S. Magistrate Judge Carl Horn offered twelve steps for lawyers who want to take their lives back. He emphasized at the outset that we have to recognize that regaining control of our time is "a lifelong struggle. Once we decide to protect a certain portion of our quality time and energy to raise our children, volunteer in our communities, and follow other personal pursuits, *we should realize that the struggle is just beginning*." It is important to recognize, then, that regaining and keeping bal-

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ance requires a permanent change in the very way we think about our lives. It is a lot like taking off weight and keeping it off: we can't go on a "fad diet" for a few weeks and then go back to our old habits.

Where do we start? The answer to that question is in a story that was sent to me called "The Big Rocks of Life." A time management expert begins his lecture to a group of business students by placing a five-gallon jar on the counter in front of him and putting fist-sized rocks in until no more will fit. Then he asks the students if the jar is full. They say it is, but then he takes some gravel, pours it in, and shakes the jar until the pieces of gravel work themselves into the spaces between the rocks. He asks again if the jar is full. By now the students are starting to catch on, and one says, "probably not." "Good," he says, and pulls out some sand and pours it in until it fills in all the spaces between the rocks and the gravel. This time, when he asks if the jar is full, the students all shout "No!" Then he takes a pitcher and pours water in the jar until it is full to the brim. When he asks the class the point of the illustration, one says, "The point is, no matter how full your schedule is, if you try really hard, you can always fit some more things into it." "No," the expert replies. "The truth this illustration teaches us is: If you don't put the big rocks in first, you'll never get them in at all." So the first step is to examine our lives, and identify the people and things that are really important, and fulfilling, and resonant, and long-lasting—the "Big Rocks"—and put them in first.

It would seem to be self-evident that a lawyer who has struck a balance between work and life's other enrichments will be a better lawyer . . .

One of the best of Judge Horn's twelve steps for a more balanced life in the law is: protect and nurture good relationships. "Relationships take time," he reminds us, "and the demands they bear are frequently inconvenient." But it's worth it. Anna Quindlen said at Villanova that without her friends, she would be "a cardboard cutout." This has been true in my life, as well; my friends have made the difference between a life lived in black and white and one lived in color.

Law firms with unreasonable hour-quota and vacation policies are major culprits in lawyer burnout, and Judge Horn argues that law firms have a responsibility to encourage their partners and associates to strive for balance in their lives. "Of all factors contributing to lawyer stress and burnout," he says, "none is mentioned so often as what has been called 'the tyranny of the timesheet'." I've often wondered why firms don't realize that a burned-out lawyer isn't likely to do very good work. How much value is a client really getting for an hour billed at three o'clock in the morning? It would seem to be self-evident that a lawyer who has struck a balance between work and life's other enrichments will be a better lawyer—more efficient and productive. (Are you listening, managing partners?)

The judge's final tip: take your vacation. He's right. You should block vacations off on your calendar months in advance, and make them the "third rail" of your calendar (touch them and you die). Tell your clients far in advance that you will be gone during that time. Don't routinely call the office while you're gone, and tell your staff not to honor clients' requests that you be contacted, except if there's a genuine emergency. Yes, this takes discipline. Yes, it takes planning. But it can be done. I know; I've been doing it for 25 years! During that 25 years I've had countless conversations with other lawyers who tell me, when I ask if they're planning to get away, that they are "trying" to take one or two weeks. Translation: they've made arrangements for a trip or vacation with the family, but also scheduled trials or other important commitments at the same time, which have to be settled or resolved if they're going to go on vacation. We know how that story usually turns out—the family goes and they don't, or they go—and then come back for the trial! I also know of many lawyers for whom a vacation consists of simply taking their practice on the road, constantly calling the office and running to the nearest Kinko's to get faxes. That's not a vacation. Is anyone *that* indispensable?

In her wonderful commencement address, Anna Quindlen told the graduates that something very bad had happened in her life that had changed her forever. She said she learned from this tragedy "to love the journey, not the destination;" that life "is not a dress rehearsal, and that today is the only guarantee you get." She went on, "Well, you can learn all those things, out there, if you get a real life, a full life, a professional life, yes, but another life, too, a life of love and laughs and a connection to other human beings."

Quindlen closed with a story of a homeless man she had encountered years before on the boardwalk at Coney Island. It was December, and they sat on the edge of the boardwalk and dangled their legs over the side as the man told her of his life with no home, panhandling on the streets after the summer tourists were gone, and sleeping in churches when the temperature got below freezing. But most of the time, he said, he stayed on the boardwalk, facing the water, "even when it got cold and he had to wear his newspapers after he read them." She asked him why he didn't go to a shelter or check into a hospital for detox. He just stared out at the ocean and said, "Look at the view, young lady. Look at the view." That is the message with which Quindlen left her audience, and the one I leave with you, "words of wisdom from a man with not a dime in his pocket, no place to go, nowhere to be."

Look at the view.