

Until Death ...or Retirement

Thinking Differently About the End of a Law Firm Career

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Anyone who fails to go along with life remains suspended, stiff and rigid in mid air.

Carl Jung (1875-1961)

Retirement is an important life transition for any professional. For a senior lawyer, the prospect of leaving the practice of law, as well as the partners and close professional friends with whom one has worked closely for many years, can be a complicated and difficult transition. For many lawyers, it feels like the end of a marriage, or even the best part of one's life.

This article investigates the complexities of retirement from the full-time practice of law, with a particular focus on the issues confronting senior lawyers in law firms. Why does retirement appear to be more difficult for lawyers than for most other professions and occupations? How should individual lawyers and their law firms think differently about the role of, and options for, senior lawyers who are approaching, have already reached, or are well past, the customary retirement age?

Changing expectations about the “golden years”

Less than a generation ago, age 50 was considered to be the “peak” of one's professional life, the time to start reaping the benefits of one's career. For most people in Western cultures, full-time retirement was no more than 10 to 15 years away.

Dramatic advances in medicine and education, as well as economic uncertainties in the past ten years, have changed much of that. In most countries, a much larger portion of the population are living active, healthy lives into their 80s and 90s.

Although the numbers are not perfect, there are some estimates that currently more than 450,000 people in the world are more than 100 years old. 84,000 of them live in the United States.

According to *The Centenarian*, there are estimated to be approximately 10,000 people over 100 years old in Spain and approximately 5,000 each in Canada, France, and Italy.

In some countries, centenarians are the fastest-growing age group. In the United Kingdom, the Office of National Statistics reported a 7% increase between 2005 and 2009 in the number of people in England and Wales older than 100.¹

This trend is going to continue. Serious scientific discussion now hypothesizes that, even without breakthroughs in the genetic controlling of aging or tissue regeneration, the current trajectory of medical science could easily push the upper limits of human life expectancy as high as 150 years within the next two decades.

In demographic analyses that Walker Clark, LLC, has conducted over the past five years, we have also observed a “graying” of the legal

profession. Our best estimate is that in the United States, at least 10% of the lawyers practicing law full-time are over 65. In North America and elsewhere, it is not unusual to see law firm partners still active and financially productive well into their 80s and 90s.

Having too much fun

To some extent, the decision to postpone retirement has been forced on many people, because of the economic uncertainties of recent years, reductions in pension benefits in some countries (notably the United States), and a raising of the retirement age, such as is taking place in the United States and has been proposed, amid much controversy, in France.

For most lawyers, however, the decision to keep working for many years -- even decades -- after the customary retirement age appears to be a conscious and welcome choice.

In many countries, it is the lawyers in their 50s through their early 70s who drive financial performance and continue to hold respected leadership positions in their law firms. At 1,500 billable hours per year, a 70-year old partner said recently, "I am having too much fun to even think about retiring."

As with other successful people in business and the professions, the "golden years" are truly golden. Rather than follow the paradigm of the mid-20th century of retiring at the earliest opportunity, more lawyers want to keep practicing their profession, not because they have to, but because they realize that they are in one of the most satisfying times of their professional lives.

The personal lives of most senior lawyers also are continuing on an upward trajectory, and present few, if any, compelling reasons to consider retirement. After years of work, lawyers in their 50s and 60s have accumulated enough financial security that they can happily afford to take on new roles: grandparent, chief justice, politician,

philanthropist, professor, ambassador, board member.

Lawyers are not alone in this. Research from the MacArthur Foundation Study of Successful Midlife Development (MIDMAC) seems to bear out that life in the 50s, 60s and beyond is perceived by an increasing number of people to be better than what went before. By their early 50s, most people feel that, perhaps for the first time in their lives, they have some control over work, finances, and marriage.²

At this same time, negative emotions decrease and positive emotions increase steadily until very late in the life span. Women, in particular, report higher levels of positive relationships with others as they age.³

The perception that one's life is getting better continues far into old age, stopped only when the physical decline associated with a final illness and death occurs.⁴

But it's not all golden.

It is no longer necessary for a lawyer to assume that "you retire, play golf for a few years, and then die."

Nonetheless, retirement is a much harder transition for lawyers who have not planned their post-retirement income, who lack nurturing social networks, or who have neglected their own personal growth and development. This may be why so many senior partners say, "I can't retire. I don't know how to do anything else."

One of the more dispiriting findings of the MIDMAC study is that, for both men and women, there can be steady declines in both personal growth and purpose in life as one moves from mid-life to old age.⁵

The dilemma for law firms

Except in "family firms," the traditional pattern of career management in law firms has

included a strong “up and out” preference to govern the tenure of partners. Once a partner reaches a certain age, usually assumed to be in the early to mid 60s, “best practices” have favored a variety of succession planning strategies, most of which were intended to move senior partners out of the equity partnership, so that the “next generation” of partners can assume leadership of, and greater financial benefits from, the firm. This trend became especially noticeable in the 1990s and early 2000s, as the median age of law firm partners dropped significantly in most parts of the world.

The problem with the “up and out” model today is that it no longer fits a profession that, while becoming younger is also growing older at the same time. It makes little, if any business sense, to jettison an otherwise productive partner who wants to continue to contribute to the firm just because he or she is “too old.” Moreover, as discussed previously, the definition of “too old” is changing rapidly. It is not unrealistic to contemplate that by 2050, a lawyer who is 80 or even 90 might still have, and want to enjoy, another 20 or even 30 years of active practice.

The implications for multi-generational law firms are substantial, both in the short term and over the next 10 to 30 years. For example,

- Although some senior lawyers will gladly trade their share of the profits for the more predictable income and lack of risk inherent in non-equity partnership, some of them will be unwilling to “cash in” their equity until much later.
- Younger lawyers might have to make a choice between a longer wait for equity partnership and moving to another firm in mid-career.
- Law firms will need to understand the measurable, but currently unmeasured, economic value that older lawyers can

contribute to the firm in areas other than fee earning.

- Partners will need to become more flexible in designing alternatives to equity ownership, such as consultancy, non-equity senior partnership, or partner *emeritus* programs.
- Expectations and standards of performance for older lawyers will need to be defined with clarity and flexibility. This could be a challenge for many law firms that have never seriously considered performance standards for any partners, or that have a cultural aversion to holding partners accountable.

“Letting go” is never easy

Even with the ability and desire to work into one’s 70s, 80s, or even 90s, there should be a time in most lawyer’s careers when they realize that it is time to “let go.”

Why is the reluctance to move to a next phase in one’s personal and professional life such a gut-wrenching torment for many lawyers?

Why do they hang on when even their own logic convinces them that they have “paid their dues” and should spend more time with friends, family, and the non-legal activities that they enjoy best?

The unique psychological and social factors that contribute to the progression of a lawyer’s career also produce specific factors that affect, and sometimes can inhibit, thinking differently about the transition from a full-time practice in one’s law firm. These factors also present some significant risks, not only for the senior lawyer, but also for the firm.

Why do lawyers want to hang on?

There are ten aspects of the practice of law and of law firm culture that can deter a partner

from making an otherwise rationale decision about the transition to retirement.

1. Purpose and personal identity from one's work

This is one of the most powerful forces affecting a senior lawyer's transition out of a law firm. Although it can affect a female partner's thought processes, it is much more pronounced among men for whom "my life is my work."

Lawyers identify themselves with their positions. This is also very typical of men in contemporary Western culture. Their relationships outside the office are often dominated by professional colleagues and clients. These relationships are vital to maintaining a sense of self importance, purpose and power.

Both men and women achieve a sense of purpose through these close relationships with clients and professional colleagues - unmatched in most other occupations.

At the same time, social expectations for men and women differ, which can have an "up side" and a "down side" at retirement.

Is work-defined personal identity less common among women?

Women are more likely to view their jobs as just one element of who they are. Why? Other aspects of their lives simply take up too much time to permit the total identification with their careers.

They make more time for relationships and activities not directly related to their work, e.g., children, in-laws, and parents. In my own work with lawyers, I observe that women lawyers are more likely

to read books that are not work-related.

As noted in Sally Helgeson's *The Female Advantage: Women's Ways of Leadership* (Doubleday, 1995):

Women typically approach adulthood with the understanding that the care and empowerment of others is central to their life's work.

For that reason, women may have more integrated and fulfilling careers, and may already feel a greater sense of purpose, when they reach retirement. This makes the transition easier.

On the other hand, women may have less flexibility to invest in "new directions" at retirement because family responsibilities have a disproportionate impact on their time and resources.

For example, women who waited into their 30s and 40s to have children, which is common for professionals, frequently find themselves caring for young children and aging parents at the same time. *The American Anthropologist* noted back in 1990 that, in the United States, middle-aged daughters and daughters-in-law provide up to 90% of the medical and personal care for their functionally impaired parents. The deterioration of the "social safety net," and health care services in particular, in the United States since then has probably raised this surprising figure even higher.

This role of the middle aged professional woman as multi-generation caregiver is even further complicated by the trend, particularly in the United States but also

observable in other countries, of children and grandchildren moving back home to live, and of more people in their 40s, 50s, and 60s, assuming primary responsibility for the care of their grandchildren.

2. The desire to maintain control

Information -- in the form of legal technical expertise, contacts in the business community, or knowledge of a client's business -- is the chief source of some lawyers' power in their firms. This can make a senior lawyer suspicious of the interest of a junior partner, for example, to learn more about the senior lawyer's clients. Sometimes senior partners are reluctant to share knowledge, because it may feel as if they are diluting their value to the firm, as well as weakening the source of their personal identities.

As long as a senior partner retains knowledge, he or she will be able to hang on the myth that "no one can ever do this as well as I can."

The habits of traditional legal practice, in which lawyers tend to practice individually, and not usually in teams, might also contribute to a lawyer's reluctance to give up information and knowledge, which are symbols of professional power in the firm.

Letting go of this knowledge --even as part of an effort to transfer the client relationship to younger partners and to keep a client after the older partner retires --can appear threatening: "Once they have this information, the firm won't need me and I will get pushed out."

This suspicion can be aggravated by the traditionally competitive nature of most law firm partnerships.

The desire to use knowledge as a weapon to retain control or, if not control, then

influence, can have bad consequences for a law firm transition:

- Key information that the firm needs -- not just the one senior partner -- can be withheld as a conscious or unconscious ploy to sabotage, or at least slow down, the partner's transition out of the firm.
- Hoarding information, work, or client relationships can actually be counterproductive for a senior lawyer. Overburdened with work, a senior partner has less time to redirect professional energies into alternative activities or personal development of outside interests.

3. Loss of personal prestige

Many senior lawyers enjoy great personal prestige and professional status in the community and in the law firm. They frequently fear that any reduction of their activities -- even remaining affiliated with the firm as a consultant or attorney "of counsel" -- will cause them to lose their prominence and, with it, some of their own sense of self-worth.

4. No clear succession of leadership in the firm

If a law firm has not taken succession planning seriously, a senior partner might fear that everything "will go to hell in a hand basket" once the senior lawyer leaves the firm. This can be an especially powerful force in the decisions of a founding partner, who might see the law firm as the only lasting legacy of his or her professional life.

5. No bridge to life after retirement

A career in a law firm can be all-consuming. Lawyers whom I counsel frequently complain that they have no life outside the firm, because of:

- The unrelenting pace imposed by clients' needs and expectations
- The perceived inability to take a break during the day
- "Working vacations" rather than real ones
- Little spare time for hobbies and family life
- The need to take work home almost every night
- Not enough time for reflection, including about legal matters
- Inability to detach from work and the related nagging sense there is always something not being done
- No opportunity to pursue personal or even professional development

All of this contributes to a kind of intellectual isolation with a deep but narrow focus on life and learning. Men, in particular often complain of social isolation, because their personal relationships with family members and male friends have suffered as a result of their all consuming careers over the years.

A senior lawyer may have viewed his or her work - and even the people in the firm - as simply a "means to an end," without holding any intrinsic personal value that could be sustaining long term. For many lawyers, legal practice becomes a series of finite tasks and achievements, with few long-term benefits.

The intense focus on solving the problem at hand for the client, combined with the tradition of "virtual solo practice" even in large law firms, can also make it more difficult for a lawyer to develop full and rewarding personal and professional relationships with others in the firm.

The end of a lawyer's career in a law firm can often bring the realization that he or she has not cultivated skills and developed expanding professional interests that would bridge into other areas of meaningful, continued post-partnership contribution to the firm, or the application of a lawyer's knowledge and experience to other worthwhile activities in the legal profession or in the community.

As a result, a senior lawyer might discover that most of the wonderful opportunities that might be available to others are, for all practical purposes, closed to him or to her.

6. Financial concerns

Surveys show that most people welcome the idea of retirement if it is accompanied by income that is adequate to maintain a comfortable life style.

The economic crises of the past decade have almost wiped out retirement funds which many older lawyers had always assumed would be adequate to fund their retirement. Most of the older lawyers whom our firm advises tell us that they are postponing retirement or are considering part-time practice rather than complete retirement from the legal profession.

7. The desire to remain mentally active

The practice of law requires a level of thinking and analysis not available in many other occupations. It can be a career-long intellectual "high."

A crucial factor in succeeding as a lawyer is a healthy and active mind. This is also a crucial factor in "letting go."

Carl Jung said, "Anyone who fails to go along with life remains suspended, stiff and rigid in mid air."

The risk of becoming mentally and emotionally rigid is very real, even as lawyers profess to want to remain mentally active through continued service to the firm and clients.

Lawyers can become so self absorbed about their past glories or bitter about disappointments and missed opportunities that they turn inward, retreating into self pity and selfish obsessions. They can hang on to their “right” views of how things should be done while depleting the their own intellectual energy, as well as the good will of the next generation of leaders and partners in their firms.

Remaining mentally active can produce important emotional insights during this period in a lawyer’s life. When we are in our 50s and 60s we often become more aware of the way that the heart and the head are balanced.

Many of my clients describe greater insight as they enter their sixth decade of life. They find that they are more emotionally expressive, more forgiving of others’ limitations, more able to negotiate adversity with cautious optimism, and less likely to take personal offense from others. They become more emotionally self aware because they are capable of listening to others without defensiveness and judgment.

This mental and emotional balance opens the doors to new learning opportunities and experiences. This may be one reason why we see so many “mature lawyers” pursue career options in practice areas such as mediation and negotiations.

We also know, through medical research with Alzheimer’s Disease and stroke patients, that more highly educated people will likely have a surplus of brain connections or neural networks to take over damaged areas of the brain and that

the brain continues to make new cells well into old age.⁶

In short, an older lawyer’s mind might not just be able to handle continued intellectual challenges and growth. It might demand it.

8. Still having fun

The desire for continued mental activity and growth produces a heightened sense in many older lawyers that they still have goals to accomplish and unexplored opportunities for intellectual enjoyment and professional satisfaction.

“Why should I retire?” one 70-year old lawyer recently asked. “I love being a lawyer. I’m having too much fun!”

Senior lawyers realize that professional maturity also brings an opportunity to reinvent themselves.

In the words of American writer and social critic Gloria Steinem, “There is a great unexplored land after 60.”

9. Difficulty coping with change and a sense of loss

People react differently to change in their lives.

Senior lawyers sometimes turn their personal energy inward and “retire in place,” instead of committing to new directions in their careers. They may become obstructionists, resisting new procedures or arguing, “If it’s not broken, why fix it?”

Men in some cultures have particular difficulty because they have learned to internalize their expression of certain emotions. They have been socialized to be “strong” and see displays of emotion as “weak.”

Women lawyers often struggle with this dilemma, too; because, they value self control. They know -- often from personal experience -- how the expression of emotions can be perceived in a law firm, even if they feel somewhat more comfortable than their male colleagues with outward displays of sadness, worry, and grief.

Sometimes, it is more difficult to “let go” when a retiring partner has unresolved feelings of regret or shame, particularly in relationship to other partners. These feelings linger, making it hard to refocus on “new beginnings” beyond the life of the firm.

It may be enough just to become aware of this emotional residue in order to develop a plan for moving on. In other cases, learning about the stages of loss and grief will help a lawyer develop greater self acceptance and forgiveness of others.

Some lawyers at this transition point often become acutely aware of their own physical decline. They may have suffered their first major illness or chronic condition that makes them confront their own mortality. They may also have recently lost a parent or a spouse. Coping with these personal losses can make it more difficult to deal with the conclusion of a long standing professional career.

The retirement may become an emotional lightning rod for all of the painful feelings associated with prior losses. The net effect can be mentally and emotionally paralyzing and physically exhausting.

10. Inertia

In many law firms, there is an institutional inertia that forces complex decisions about transition and retirement of senior lawyers into a “case by case” mode. (This is more accurately described as “making it up as

we go along.”) The symptoms of this inertia include:

- The absence of any policy or guidelines
- No experience in structuring terms and conditions for the retention of older equity partners or the transition of older partners into non-equity partner roles
- Uncertainty about the ability of the firm to retain the clients whom the older partner served
- No plan or standard procedures to transfer responsibilities for client relationships and internal management duties to other partners

Not seeing any clear policy, precedent, or practices in their firms, many older lawyers are reluctant to initiate the discussion about their transition out of the firm or to a new role in the firm. It seems too risky.

At least the *status quo* has some degree of certainty, even if that certainty is “We will cross that bridge when we come to it.” The problem is that any progress toward the “bridge” takes place only when suddenly changed circumstances force movement on the parties.

This inertia is further encouraged by the fact that “gradual” retirement” can be very difficult. The work ethic in most older lawyers is very strong; and it is reinforced by partner compensation systems that can create strong disincentives to “letting go.”

Some law firms -- particularly multi-generational family firms -- struggle with “role reversal.” The senior partners sometimes retain their nominal positions of authority in the firm, but their practice is, in effect, managed by the younger generation of partners, which may include protégés, sons and daughters, and former associates. This reversal of long-standing

roles tied to respect and authority of the “elders” creates avoidance behaviors and legitimate fears about damaging lifelong personal relationships.

Perhaps each law firm needs to develop its own special “rite of passage” into senior lawyer status. Like many such rites in other aspects of human life and experience, it could provide guidance about intense personal and far-reaching business issues such as:

- How do we know when it is the right time for an older lawyer to make the transition?
- How will the relationships between the partner and the firm change after the “rite of passage?”
- What old rights, benefits, roles, and privileges will be put away?
- What new roles, responsibilities, and opportunities will be available?

Author and teacher, Savina Teubal originally created a ritual she called *Simchat Hochmah* (Joy of Wisdom) to mark her 60th birthday. Drawing on many elements from her Jewish faith, she writes:

...The reason I was drawn to assume my new status with a ceremony was inspired by the Genesis narratives I have been so involved with for the past decade. I came to realize that the biblical stories that dealt with Sarah, Hagar, and Abraham were, in most cases, rituals. Each time a ritual was performed, the life of the protagonist changed radically...

In her own ritual, Teubal wore an ancient Macedonian robe which she discarded in the middle of the ceremony for a simple

white linen garment. At the end of the ritual she planted a tree.⁷

This metaphor translates very well to what should happen -- but too often fails to happen -- when an older lawyer is ready to move to a new phase of his or her professional life.

When does “letting go” become a problem in a law firm?

There are several signs that indicate that a law firm could soon find itself in a serious business crisis arising from not managing the transition of its older lawyers.

1. **Senior lawyers are under-performing**, relative to other partners, as well as compared to their own previous performance.
2. **Senior lawyers contribute a disproportionate amount of revenue.** The sudden departure of a senior lawyer could produce a dire business crisis for a law firm that manages transitions and retirements on an *ad hoc* case-by-case basis.
3. **Senior lawyers are hoarding work.**
4. **Younger partners are expressing frustration** with their lack of involvement with major clients and the management of the firm.
5. **The firm does not provide a reasonable financial exit** from the partnership or from the firm.
6. **The partners do not want to talk openly about retirement.**

How can a law firm encourage senior lawyers to begin to “let go?”

Law firm managers should remember that an older lawyer is unlikely to “let go” if there is no

intellectual and financial context in which to make a well-informed decision. The best thing that a law firm can do to help a senior lawyer make the best decision for all concerned parties is to provide information, guidance, and support.

1. **Ensure that the partnership agreement, or similar document, addresses the mutual rights and responsibilities of the firm and the partner** who is considering a transition. This will avoid sloppy *ad hoc* decision making.
2. **Make sure that the senior lawyer is not “harmed”** by the transition, especially in terms of being able to continue to do legal work that is valued as important to the firm, as well as in terms of the lawyer’s respect and influence in the firm.
3. **Support and provide financial and other incentives** for non-billable roles for senior lawyers in the firm and with clients.
4. **Institutionalize the transition** at the working level of the firm, especially in the reassignment of supervision and management responsibilities to others. This can remove the uncertainties that frequently make older partners reluctant to go through a transition to a new role in the firm.
5. **Offer peer coaching and assistance from external experts** and peer mentors to address the older lawyer’s individual adjustment and career concerns.
6. **Make the time to communicate.**

Talk candidly with the retiring partner about the firm’s expectations. Senior partners are often relieved to know what their peers are thinking and what their peers expect of them. Not knowing creates far more stress and anxiety.

Sometimes lawyers need the chance to vent with a trusted colleague. They are reacting to a loss. Without it, the frustration and anger build up, create mental blockages and may spill over into other negative behaviors. I have had my clients say, “It’s not so much what people say, it’s that they took the time to listen and to care. That is what made all of the difference to me.”

Explain options and help the lawyer work out a strategy. An older lawyer might be unsure about how to communicate a new role to others in the firm or to clients.

Draw out any doubts or concerns that the retiring partner has so that you can confront “reality” and find workable solutions to implement, together and separately.

Positive “ownership” of the changes that are required for the transition is much more likely if the retiring partner is involved in internal discussions. If lawyers are active participants in anticipating and resolving transition issues, rather than passive bystanders -- often being talked about behind closed doors by other partners -- they are much more likely to assist with the transition efforts.

7. **Do more than “accommodate.”**

Sometimes an older lawyer might want to do something innovative, which he or she might not have had the opportunity to do previously. For example, an older lawyer might want to develop a mediation service as an adjunct to the firm’s employment law practice.

If the idea makes good business sense, the partners should support it. If not, they should state and resolve their concerns directly. Without this discussion, younger partners might feel that they are merely “finding something to do” for the older

lawyer and might resent the investment. The partner whose interests are merely accommodated, rather than endorsed, soon discovers that his efforts are not considered to be meaningful, but instead are viewed as busywork or worse.

- 8. Create rituals** to commemorate retirements and transitions to new post-partnership roles.

These should involve more than presentation of the traditional “gold watch.” For example, if a partner is transitioning to a post-partnership position, this is a good opportunity for him or her to make a presentation about the new role and the opportunities it will provide to the firm.

- 9. Create bridges back to the law firm** and its practice for partners who are retiring and leaving the firm.

This can help reduce the emotional pain of loss and dislocation that the retiring lawyer may feel in “cutting ties” to the firm as an institution, his or her colleagues, and the client relationships.

Some firms provide “on request” office space and limited clerical support to retired partners. Many firms include retired partners in partner meetings, retreats and firm social events. These gestures cost relatively little; and they can produce a large return on the investment from new clients and new business referred by the retired partner from among his or her contacts in the community.

How can each lawyer prepare for retirement or a post-partnership role in the firm?

- 1. Take a gradual approach** to transitioning clients and management responsibilities by involving and developing others.

Be confident enough to hire and develop talent even better than yourself.

- 2. Don’t seal yourself off** from the new generation of lawyers and their ways of seeing the world.
- 3. Find value in other types of contributions** such as mentoring, teaching, *pro bono* work and other service oriented pursuits, and business development.

Find ways to give back to the profession or the community in some meaningful way. This taps into the desire that most lawyers have for a sense of lifelong purpose and legacy.

This is sometimes known as *generativity*: receiving something from the past, putting your unique contribution into it, and passing it on to the future.

MIDMAC research suggests that meaningful engagement in generative activities with schools, communities, the extended family, and other groups and organizations links to psychological well-being in middle age. It becomes an even stronger force in a successful transition to a post-partnership professional life or to retirement. Someone who no longer has to worry about raising a family, pleasing a boss, or earning more money might have, for the first time in his or her life, a realistic opportunity to join with others in building a better society.

This is often the time of life when seeds planted at earlier stages of development blossom and bear fruit. Former U.S. Vice President and Nobel Peace Prize laureate Al Gore traced his own deep concern for the issue of global warming back to an inspiring teacher he had as an undergraduate at Harvard University in 1968.⁸

4. Expect to feel a sense of loss.

It's natural.

Sometimes it helps to ask for advice from an older lawyer who has gone through the situation. Benefit from the wisdom and experiences of others in dealing with your own personal difficulties.

5. Take care of yourself throughout your career by investing in relationships, good physical and mental health, and financial planning.

6. Think early and often about what you want to leave behind in the firm as your legacy and act accordingly.

The strongest legacy consists of the values that you make a part of the lasting culture of your firm. What values do you want to promote and model?

According to psychotherapist, Irving Zyalom, there is a danger that those who have lived through their productive years immersed in a materialistic culture will enter late middle age with a deep sense of existential emptiness. They might realize for the first time that they have not used their time on earth to remember who they really are, nor to ponder life's deepest mysteries. Instead they have squandered their years in a mindless and frequently frustrating attempt to adapt to the superficialities in the world around them.⁹

7. Develop interests outside the law firm and the practice of law in order to build a bridge to the future.

One of the most reliable predictors of whether an older partner will have a satisfying transition to his or her future, or will experience a crisis, is the extent to which the partner already has developed passionate interests in areas other than the law.

Thinking differently

Lawyers and law firms are thinking differently about issues of post-partnership roles in the law firm, transition, and retirement. Many of the old rules, such as "up and out," are no longer relevant to the needs of law firms and their clients nor to the capabilities of older lawyers.

This article demonstrates that, although succession planning and transition management are highly firm-specific issues, a strategy that is most likely to produce the best results for law firms and their lawyers over the next 20 to 30 years will involve:

- Better definition of roles, responsibilities, and options to govern the relationships between law firms and their older partners
- Retention of the talents and capabilities of lawyers who want to continue to contribute to their firms for decades beyond the traditional retirement ages that prevailed in most law firms as recently as ten years ago
- Structured, but flexible solutions that meet the needs, aspirations, and expectations of all parties involved
- Earlier development of skills, interests, and capabilities to prepare each lawyer for a career transition that will produce the most professional satisfaction and personal enjoyment, either by staying active in the law firm or by exploring new opportunities outside it

Retirement and career transition will continue to be complex and often emotionally intense issues. There is no universal "best practice" that applies. However, the creativity, flexibility, and the intellectual discipline that have made lawyers and law firms so successful in their practices can also promote new and better ways to think about the contributions that older lawyers can make to their firms.

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Notes

¹ *The Centenarian*, <http://www.thecentenarian.co.uk/>.

² Thomas Armstrong, *The Human Odyssey: Navigating the Twelve Stages of Life* (Sterling, 2007) p. 183.

³ Orville Gilbert Brim, "MacArthur Foundation Study of Successful Midlife Development," *Inter-University Consortium for Political and Social Research Bulletin* (Summer 2000).

⁴ Carol Magai and Beth Halpern, "Emotional Development During the Middle Years," in Margie E. Lachman, ed., *Handbook of Midlife Development* (Wiley: 2001), p. 323.

⁵ Brim, *op. cit.*

⁶ See, for example, David Snowden, *Aging with Grace: What the Nun Study Teaches Us About Leading Longer, Healthier, and More Meaningful Lives*, (Bantam, 2002).

⁷ Savina J. Teubal, "Simchat Hochmah," in Ellen M. Umansky and Dianne Ashton, eds., *Four Centuries of Jewish Women's Spirituality* (Beacon Press, 1992), pp. 257-264.

⁸ Armstrong, *op. cit.*, p. 184.

⁹ *Ibid.*, p. 188.