

# FINDING THE BALANCE IN OUR WORK

by [Joseph Shaub](#)

My eleven year old is a "tweener" - not a kid any more, but not yet an adolescent. She is delightfully borrowing from each developmental period. She still likes to have her raggedy stuffed dog Henry along when she thinks life's seas may get a little rough. She still conveys an innocence and unalloyed joy (and, occasionally, sadness) which in their purity pass as blessings upon our home. At the same time, her thinking is maturing and her questions about our life and the surrounding world are more penetrating. She sits in the back of the car singing along, with feeling, to her latest Hillary Duff CD...and she is beginning to, at times, don that look of tolerance for having to suffer my stupidity. Ahh, adolescence - bring it on.

Together with her loving, lovely and *truly* tolerant mother, my girls provide me a reliable source for centering and renewal. I suspect many of us treasured the recent holiday hiatus for its opportunity to spend more family time. This brings to mind the consistent theme of life *balance* with which we lawyers often struggle. How can we attend to those we love, while at the same time maintaining our professional commitments? It's not something we just decide to do one day and *voila*, we're balanced. As observed by Steven Keeva, "Practicing balance, like practicing law, is an ongoing affair. You don't just get it, close the file, and move on to other things. You keep practicing. You get better, wiser, more sensitive to nuance."

How many times have we heard the old saw that nobody on their death bed will ever say, "I wish I had spent more time in the office." While this statement may be facially attractive, it just ignores the myriad of personal values that may be satisfied by hard work, such as a sense of accomplishment, a commitment to serving others or the pursuit of a particular life style. Which brings us to the more central questions about this "balance."

What is it that we love and how can we achieve balance between those things that we love?

I like to start my law school classes with a round of student introductions, ending up with the answer to this question, "If law school miraculously disappeared tomorrow and you had to do something else, with money as no object, what would you do?" The answers renew my deep affection for law students, as they reflect a wonderfully diverse, very alive, group of people. What do these people love? I have travel writers; pianists; oil painters; chefs; cabaret singers; flower shop owners; special education teachers and parents in my class. Where do these passions go? For those of us who allow these touchpoints of our deepest being to atrophy, more's the pity...and for what?

Has anyone ever said, "Don't work too hard" to you? I used to disdain that comment (until I truly *did* work too hard last November and life spun out of control for a few weeks right before the holidays). The beauty of this society is that through working, sometimes very hard, we can accomplish extraordinary things. Sometimes we *have* to work "too hard," at least for while. However, to avoid burnout and spirit-sapping cynicism, we always need to have a clear idea of what we are working so hard *for*. What is it that we love about the practice of law...and if we can't answer that question, what is it doing to us to invest so much life energy toward this thing that we don't love and away from those things we do?

It is at this point that advocates of "life balance" tend to hold up the 50-60 hour work week as the bogeyman. To be sure, those hard driving types among us could likely benefit from a touch of perspective. What, after all, is going on in these 50-60 hours? That's the second "balance" question that needs to be answered.

The legal literature is replete with references to attorneys' dissatisfaction with the practice of law. Most recently, Elaine McArdle wrote a wonderful piece in the Boston Globe Sunday Magazine entitled *From Ballistic to Holistic*, recounting the efforts being made throughout the legal profession to instill human and humane values into the practice. The progressive law movement is gaining momentum as a reaction to the

adversarial culture's increasingly reported economic and human cost. A recent study by McArdle notes the abandonment of the profession by tens of thousands of people yearly. She cites a recent ABA study of young lawyers which concluded that, "The inability to make a contribution to social good is the aspect of practice that seems to disappoint young lawyers the most."

So the balance must be found *within* the practice of law, as well as between our professional and person lives. What is it we can say that we love about the practice of law? There are so many possibilities. I'll list mine for an example.

Lawyers are usually whip-smart people. Living and working in this environment can be loads of fun and extremely stimulating. McArdle says, "Scratch a lawyer deep enough and you'll find someone who hates what he does." I say, "Scratch a lawyer deep enough and you'll find someone who has deep and varied interests and enjoys engaging their world."

The practice of law is the only profession, I think, which focuses on how society organizes itself. I recently had an opportunity to mentor a law student through a wills and estates class and I read a casebook for the first time in, probably, thirty years. It was a blast. Seeing how these authors organized material around the development of the Anglo-American policies about wealth transfers was fascinating. As physicians are entrusted with the health of individuals, lawyers are entrusted with the health of our society. (Small wonder that the public expresses outrage at attorneys' assistance to Lincoln Savings or Enron.)

The practice of law is also an educational pursuit. We are the keepers of a body of knowledge that is intrinsic to the achievement of our client's goals and dreams. Our role as de-mystifiers of this canon can be enormously rewarding.

As lawyers, we can be problem solvers; healers; counselors; trusted advisers; dispassionate sounding boards and certainly, when necessary, spirited advocates. Few people are in a position to support the striving of others while at the same time have the implicit permission to address the moral consequences of their actions.

In short, the possibilities of influencing the lives of others, for the good, is almost boundless. Most lawyers I know who are solo practitioners feel this way. In fact, most solo practitioner love their work, for the most part. While not the wealthiest of practitioners, solos are by and large the most satisfied of practitioners because they have the freedom to do what they love. It certainly makes for a "fairer fight" in the balancing act between the professional and the personal. Finally, to be able to love your work will enrich your personal life as well, often freeing your heart to fully embrace the lovely image an 11 year old little girl on horseback, aglow with confidence and joy and ready to take on her world.