

Ready for checkers at Starbucks®?

By Briggs Cheney

(With introduction and post script by William Slease)



Below is a poignant discussion about one lawyer's internal dialogue about what retirement from the practice of law might mean to that lawyer. But don't be fooled into thinking, "well, too bad for him." We are all headed in that direction; some of us more quickly than others. More on that and its impact on well-being at the end of this article. For now, let's listen in to the internal dialogue of that one lawyer.

Am I ready for checkers at Starbucks®? I don't know. I don't think so. I'm not sure?

What follows is not so much about what I might do if it is Checkers at Starbucks time for me. Rather, it is about how I'll know it's time for checkers at Starbucks and what it means for my well-being and sense of self.

In April this year, I started my 50th year of active practice. In August of this year, I turn 75. I am reasonably healthy, but for hitch in my gait – no pain – just makes me feel older. Money is not an issue; I have enough to go play checkers if I wanted to.

I know there is a time and place, a moment, when you have gone up and over the top of your bell-curve and you're headed down the right-hand side. For a while, cunning, wit and wisdom and reputation will slow the slide down. But I know there comes, or will come a point when, in the words of Simon & Garfunkel, "I've just been fakin it, not really makin it." In this day and age of Artificial Intelligence, you would think a "reminder" or "notification" would appear on the screen of my iPhone telling me, "It's time to go to Starbucks® and play checkers."

I have had a Plan, and that was to "not have a Plan". That is not intended to sound irresponsible – it truly has been My Plan. Rather than say, "I am done, I am retiring on Dec. 31, 2022" (I have pondered if a "date certain" or a "drop dead date", no pun necessarily intended, is possible), My Plan of having no plan was that I would know when it was time. One morning, I would go to work and there wouldn't be much (or enough) to do, all the cases would be pretty much done and I would know – it's time.

In my mind, that is still not a bad plan, but what if Simon & Garfunkel are right and, "I'm just fakin it, not really makin it"? Do I (or should I) rethink my plan?

Very recently, a good professional friend (a contemporary, temporally) passed away. Another lawyer I had worked with

years ago (fourteen years my junior) who I have not heard from in years (she is a judge in Colorado) but who had babysat for this departed lawyer and shared the same affection for him, sent me a one-liner text – "So sad, he didn't really get to enjoy retirement." My old friend's words made me more than pause.

I don't think it is ego that makes me want to keep going. I am sure at some point in my professional life I thought "being a lawyer" impressed others, but we all (hopefully) get disabused of that notion. But, even if I retired, I could still throw around the "lawyer" word and be reminded no one cares.

Self-worth? That gets closer. Is it about being productive? Making money? I have enough. It is not about the money – it is more elusive than money. I think it is about feeling **worthwhile** – that I am doing something that makes a difference. There have been moments in my professional life where I have questioned if what I did as a lawyer made a difference, or if it was worthwhile to society. But as I look back, I have had the opportunity to help others, and I cherish those opportunities. So, yes, no longer feeling self-worth is one of the culprits – one of the factors at play that makes stepping over that line into "playing checkers land" difficult.

But here is a conundrum for you. I am tired of **responsibility**. Figure that out – I want self-worth, but I don't want the responsibility. Doesn't that sound lawyer-like – talking out of both sides of my mouth!

Fear. Of what? Fear that if I take myself out of the game and go play checkers, that the wheels will come off. See, I must make light of it by using cute metaphors because I am afraid to say plainly what I am afraid of. That I will get old overnight. That I will be forgotten. I am afraid of that.

Pam Moore, putting on her Personal Coaching hat, recently asked me the following question: "what haven't you done that you want to do?" This wasn't an easy question because I thought I knew where she was going with it, but I was wrong.

There was some back and forth between us that clarified the question. I am not a Bucket List guy, and that is what I thought Pam was trying to draw out of me. For me, what I am struggling with is not Bucket List stuff - "I want to climb this whatever" or "travel to this place." What slowly came out as my answer was that I wanted to create some **space** in my life. I just want a **space** that is open to something else that is free of **responsibility**. I don't know what might fill that space - I just would like it to be there - to be filled with something else.

Anybody who knows me well, knows I love **magic lines** - one of my favorite metaphors. I need a conclusion to this article, and that is where I am headed - toward a **magic line**.

So everyone reading this knows, I had no idea where I was headed when I started writing this. I have been struggling with this for the last three years. I volunteered to write this article because I knew I needed to think this through, for me, and this was my opportunity.

So where does a **magic line** fit in? This is my hocus-pocus, but for me the **magic line** is that place that divides reality and the spiritual. I try not to overthink that. For ease, the **magic line** can be the dividing line between what you do understand and what you don't.

As I come to the end of this personal exercise, there are some things I do know (the left-hand side of the **magic line**, if you will) and those are 1) I am not ready to not be worthwhile and it is important to me to continue to help others; 2) I am tired of **responsibility** and of being in charge and out front; 3) there still is some wisdom in me, and I am capable of moments of semi-brilliance; 4) I can still play the game, but it's harder to get out on the field, and I sometimes have to dig down deep, and last 5) as my judge friend made me realize without knowing she was helping me, I want to find out what is on the other side of that **magic line** (the right hand side) and what could fill that empty space.

If I must come up with a conclusion, a final thought, it is the following: it is time for me to step over the **magic line** - with one foot.

Lawyers often romanticize what retirement will be like; the reduced stress, the slower pace, the relief from the constant demands, the control of our own calendars. This romantic notion is easily entertained when we are in the midst of a busy career and can sustain us and improve our well-being when the demands of practice seem overwhelming. But as the day we might actually retire draws nearer, romance gives way to reality; both positive and challenging as the discussion above reveals. Indeed, the above discussion shines a bright light on the themes that are common for every lawyer considering "retirement." "what's next; what is my next chapter; who am I if I am not a lawyer; what is my worth?" And the struggle with these questions, can send us into a tailspin, adversely impact our well-being and ultimately make us put off the thoughts and decision for another day.

As lawyers, we are not alone in struggling with the fear of retirement. A recent survey by Zety discovered that 40% of those surveyed feared retirement more than death. See <https://zety.com/blog/afraid-of-retirement#death-illness>. Why? Some have opined that it stems from three basic emotional reasons: 1) the loss of professional status that is closely related to one's self-image; 2) change; and 3) concern over how to spend the extra time. See Sharon Jayson, *Are You Afraid to Retire?*, AARP online (October 31, 2017) (available at <https://www.aarp.org/retirement/planning-for-retirement/info-2017/retirement-fear-fd.html>). Notice, it's not the fear of running out of money that weighs on us. Rather, it's that fear of losing who we are and not knowing what to do with ourselves.

So how do we get there from here? How do we "retire" and maintain our sense of self, our self-worth, and our well-being? Here are some coping tips from someone who works with others for whom actually retiring has become the hardest part about retiring: 1) consider first slowing down rather than stopping completely. By reducing your workload, you can pursue the best of both worlds; i.e. continuing to engage in your profession while pursuing, enhancing or developing your personal passions; 2) explore new things. Don't limit yourself to the hobbies you already have. Consider developing new hobbies and look for volunteering opportunities; i.e. ways in which you can contribute without the attendant stress; 3) think about retirement as a journey, not a final destination. It's simply another chapter in your life; one that you can choose to enrich and one in which you will remain relevant; See Kara Duckworth, *Help, I'm Afraid to Retire Even Though I Can Afford To*, Kiplinger online (March 26, 2021) (available at <https://www.kiplinger.com/retirement/happy-retirement/602502/help-im-afraid-to-retire-even-though-i-can-afford-to>); one in which, you will be well. ■

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