



President's Perspective

TALKIN' 'BOUT MY GENERATION

By Amy Noe Dudas

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At the risk of sounding all “back in the day,” the above reference is to a song released by The Who in 1965, just as the youngest members of the silent generation were attaining what we now recognize as the legal drinking age (it actually wasn’t 21 nationwide until 1984) and they and their baby boomer peers were experiencing the British Invasion.

True to form, two of the four founding members of the band, Roger Daltrey and Pete Townshend, are still Alive and Kicking (that’s a Simply Red reference for my Gen X friends) and touring at ages 79 and 78, respectively. Like many of their silent generation and boomer peers, they’ll basically die at their desks.

I not only want to talk about my generation this month, but about all generations of lawyers, from the silents to the zoomers, how we approach the practice of law, and how that affects our well-being. Finally, I want to urge us older ones to stop and listen to the younger ones, because they have a state of mind that supports a healthier lifestyle. And DISCLAIMER: I’ll be painting all of us with a broad, overly simple brush, so no offense, OK? I’m just trying to make a point here.

As I’ve discussed in prior columns, we lawyers tend to have a strong sense of



professional identity and place a lot of weight on what we do for a living in terms of how the world sees us and how we see the world. Our work requires that we communicate effectively, analyze and synthesize information efficiently, solve problems by distinguishing between the big picture and immediate issues, manage a heavy workload with aplomb, and work independently. To achieve this, we are rigorously trained in research, critical thinking, issue spotting, and the basic foundations of law in law school. At some point, we’re expected to pick up self-awareness, civility, curiosity, emotional intelligence, and adaptability.

At the risk of being overly stereotypical (these traits are supported by research but certainly don’t apply across the board), we are inflexible, prefer intellectual over emotional interactions, are impatient and skeptical, and pride ourselves on being autonomous. And in many instances, these traits are helpful to much of what we’re supposed to do in our practices. They aren’t, however, particularly helpful to us finding meaning and purpose as human beings.

In the 2017 “The Path to Lawyer Well-Being: Practical Recommendations for Positive Change,” the National Task Force on Lawyer Well-Being deemed the state of lawyers’ mental and emotional health to

be at a critical breaking point. In 2016, an American Bar Association study found between 21% and 36% of lawyers qualified as problem drinkers. In addition, 28% struggled with depression, 19% struggled with anxiety, and 23% struggled with stress. An earlier study from 2016 found 25% of law students were considered at risk for alcoholism.

The oldest among us, members of the silent generation (the youngest of them is 78 this year), set the tone for the practice of law as we know it. Baby boomers (who in 2023 are between the ages 59 and 77) have largely followed suit. They value loyalty and a strong work ethic, expecting everyone to maintain a traditional work schedule and then some. Many of them were sure to get to the office before their bosses, so they could be seen getting in early, and they worked until after their kids had dinner, or perhaps even went to bed. And they wore suits to work. Every. Single. Day.

These sturdy reliable heavyweights never *shared how anything made them feel...damn it.* They expected the rest of us to pull ourselves up by our bootstraps, as they did, and

genuinely believed anyone could achieve anything if they worked hard enough. Or, put another way, if you didn't succeed at something, you didn't try. By the 1970s, both moms and dads were going to work pretty routinely, so their Gen X kids rode the bus home from school, let themselves in with the key hidden under the doormat, and pretended to

the decade's attitude. My peers and I went to law school based largely on the promise of high salaries and affluent lifestyles and followed our elders into firms that expected us to bill more hours than we were awake, woo clients at alcohol-heavy events, and support partners in their retirement as they sat at their desks reading the newspaper.

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practice piano. If you fell down, you were told to rub some dirt on it and walk it off. And by golly, *don't cry.*

Gen X came of age in the 1980s, for the most part, when rock music became synthesized and MTV showed heavily produced music videos. The Aqua Net we doused over our big hair poked a hole right through the ozone layer, and Michael Douglas's "greed is good," speech from the Oliver Stone movie *Wall Street* pretty much summed up

Up until the millennial generation, the practice of law looked a lot like the values and traits of the generations ahead of them: fiercely autonomous, working seven-day weeks, having little to no outside interests, and never retiring. "Though our profession prioritizes individualism and self-sufficiency, we all contribute to, and are affected by, the collective legal culture."¹ Framing well-being as a component of our ethical duty of competence, the Task Force includes in its definition



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of well-being emotional health, occupational pursuits, creative or intellectual endeavors, a sense of spirituality or greater purpose in life, physical health, and social connections with others. Lawyers of the millennial and zoomer generations get it, but existing law firm culture doesn't quite align with their life-work philosophy. That means older lawyers don't understand them, and younger lawyers hate their jobs, not because of the work they're doing, but because of the seemingly unbending culture we can't seem to shake.

Our millennial and zoomer colleagues recognize the importance of flexibility so each individual

works in their own most efficient way and of time off just for the sake of time off to rest one's brain, body, and psyche. They'll take less money to work at a place that shares their socially progressive values and allows them to flex. And I can about guarantee you they will absolutely refuse to die at their desks. They're on track to be happier, healthier human beings, if only we Gen Xers and boomers will listen and perhaps try it. We might like it.

So, my aging friends (and I count myself among you), listen to those young pups when they say "no, thanks" to the after-hours networking event to have dinner with their kids and take a walk with

their spouse. Try not to look cross-eyed at your new associate when she tells you she's spending the weekend learning how to basket-weave instead of reading the latest SCOTUS opinions. Maybe ask to tag along (to basket-weaving, not dinner with your associate's kids) or find something wholly *different* to try to rest your brain. You might come back to the office having slept better, feeling renewed, and ready to serve. ☺

FOOTNOTE:

1. National Task Force on Lawyer Well-Being. *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*, 2017, p. 9.