

THE Last Word

Shelf Life: Forty-Something



By Mitchell E. Kowalski

On a professional level we are the sandwich generation of lawyers. Those older than us came out of law school at a time when making partner at any law firm was as easy as walking and chewing gum at the same time.... Behind us now is the next group of students starting law school who will make partner easily as the older group ahead of us retires.

I have now completed almost 42 years of life, having been born on the day that Marilyn Monroe was found naked and dead from an overdose of sleeping pills—perhaps not the most auspicious day to enter into the world. Now more than four decades later and firmly ineligible for *Lexpert's* "Top 40 Under 40," I find myself increasingly philosophical about life and my career.

My generation was the first to have experienced rock music. We are therefore understandably upset when our children's babysitter is amazed to learn that Paul McCartney's first band was not Wings and that Sting was once actually part of a band. It seems that my generation is at a stage of life when our experiences no longer resemble those of the majority around us. And most

allergies, who's getting divorced, who's been diagnosed with a terminal illness, or how sports injuries no longer seem to heal. We scoff at invitations to parties thrown by our younger friends that still say BYOB at the bottom of the page and, much to the horror of the twenty-something ad executive who unilaterally decided that our generation is now firmly ensconced in our Carlsberg years, we drink wine. In a bizarre reversal of roles, we rant and rave about our parents always being out with their significant other, when they should be spending more time with their grandchildren so we can go out.

Sadly, we've also buried a number of friends, co-workers and relatives. It's no longer hard to wonder if we'll be next. Looking back, I remember that I couldn't wait to be 20. And I didn't mind being 30.

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disturbing for those of us with families, our lives are beginning to resemble episodes of *Everybody Loves Raymond*.

Like a new millennium version of *The Big Chill*, when we gather with our friends we sit around and discuss our children's

In all those years I was always moving forward, *up* the slope of age. There were still many years ahead of me. And I hope there still are. But I'm definitely starting down the slope of life. Ensconced on the *old* side of the median age of Canadians, things like

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wills and life insurance are becoming relevant.

Diane, my 40-plus colleague and friend put it bluntly, "We're actually more than middle-aged when you think about it. We might live another 40 years, but then for the last 10 of those years we'll be unable to function properly so we really won't enjoy them. So, my guess is that we've probably got about 30 good years left. Maybe."

On a professional level we are the sandwich generation of lawyers. Those older than us came out of law school at a time when making partner at any law firm was as easy as walking and chewing gum at the same time. We came out to be greeted by a recession and bloated partnerships that had little room to grow. We lived by the refrain, "There's always next year." Behind us now is the next group of students starting law school who (assuming no economic disaster) will make partner easily as the older group ahead of us retires. There is also a growing consensus among the

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In other words the chances of someone actually offering you a job at this stage in life is unlikely, unless of course you have a huge book of portable business, or you can lie convincingly about one. Otherwise firms are looking for younger and cheaper grunts. Your year of call also dooms you if age doesn't. A search through any set of advertisements for lawyers indicates a distinct lack of positions for lawyers with more than six or seven years of experience. Now I know what professional athletes feel like at 40 or even 35.

Cyril Connolly reflected on being this age in his opus *The Unquiet Grave*: "Forty—sombre anniversary to the hedonist—in seekers after truth like Buddha, Mohammed, Mencius, St. Ignatius, the turning point of their lives."

Marilyn Monroe didn't make it to 40; she died at 36. Perhaps it was a sombre anniversary she didn't want to celebrate. Now that my generation passes 40, it's time for us to determine whether or not it will be the turning point in our lives. ♣

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