

TAKING A BREAK: ONE ATTORNEY'S CHOICES ABOUT LAW AND LIFE.

By Jackie D. Armstrong

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There I was, in a fairly small city in Iowa. I had not practiced law in eleven years. How on earth did I get there? The answer to that question lies along the quirky career path that I picked out years ago. My daydream in law school was to be so brilliant that I could live in the wilderness and clients would helicopter to me for advice. Notwithstanding my inflated aspirations about my intellect, I did get to come close to my vision of wilderness living and urban work. I lived in the mountains in Massachusetts and worked for Schlumberger Limited. They flew me to cities around the country to help them with various legal needs of their corporate subsidiaries. This was glamorous and fun (particularly for the granddaughter of a Tennessee moonshine maker) but working away from home for two week stretches did not lend itself to parenting an infant very well.

Initially, I figured that I would just soldier on after the baby arrived. I identified with the Chinese woman Pearl S. Buck wrote about, you know, the one that just squatted in the field to give birth and then kept on plowing. I figured I would renegotiate my work week to a three day week out of town, briskly pump milk in my spare time in hotel rooms, and trot the stored supply home each week on dry ice in the airplane. Negotiating the three day week with my boss was a piece of cake compared to my naïve understanding of biology, so I decided to stop working altogether for awhile to focus on my daughter. Then I had a son. Then I had another son. Then my beloved mother-in-law, may she rest in peace, could no longer live alone in Brooklyn New York due to her slowly but relentlessly developing dementia and she joined our household. I continued to choose to stay home for a much longer period than I had first planned. My first career in the law lasted eight years. I did not leave it because I did not like it—I just found myself more intrigued and interested in my amazing new baby daughter than in the problems of my corporate client. I always knew that I would be back; I just had no idea that it would take 11 years. Although the length of my break complicated my plans for a return to work, it also provided me with a perspective that enabled me to re-enter the legal profession with a specific and clear determination about the work that I wanted to do. —11 years is a long time to reflect, reconsider and design a new career.

William Frank, with the Career Lab, lists 22 lessons that he has learned in his over 30 years as a career planner and consultant. In my view, the most important lesson that he lists is that we are responsible for planning, focusing and determining our futures. When I first arrived in Iowa, I confided to a new acquaintance that I was in a long term but not permanent break from work, and that I would renew my legal career when my third child started school. She is a smart woman, but somewhere along the way in her life, she had become discouraged and she told me “No one will ever hire you in this town. They will not take you seriously”. I was astonished. It was as if she announced that the sun rose in the north in Iowa. She turned out to be mistaken, and the important lesson I gleaned is that I was right not to falter from my assumption that I would find a job when I was ready. It would have been a mistake to anticipate

or expect failure. The corollary to Frank's rule about individual responsibility is that those who don't manage their careers—who just let things happen, often end up in painful, dead-end jobs.

In 1996 as I prepared to return to work my plan was to tell prospective employers exactly what I wanted. Although I did like corporate law, after years at home I wanted my second career to relate to me more on a personal, not just intellectual level. I was raised in a blue-collar family and I wanted to work with employees. Labor Law had been my favorite course at law school. I graduated from college in 1974 and the social idealism of my generation partly shapes my values. If I had stayed in corporate work without a break, I might never have had the insight that I would find more contentment in a different specialty. Corporate work offered intellectual challenge, the money was great, and I worked with sensitive interesting people from around the world; but I didn't feel the kind of gratification from my work that I wanted.

As I prepared to return to work, I tossed aside the warning of the woman who said that I'd never be taken seriously and I tossed aside all other advice that didn't suit me. For example, one of William Frank's "lessons" from his list is that in order to promote a career, you must

“Align yourself with winners. Hang around with winners; Success really does rub off from others. There's no substitute for 'knowing the right people' and for being in the right place at the right time.”

I just frost at this kind of advice, as if we can all be neatly categorized as winners or losers, instead of people with limitless capacities. I don't even like this advice if we define “winners” and “losers” in more intelligent ways than by the traditional money and status standards. I could define a winner as someone who persists toward their goal and remains optimistic, but I might choose to align myself with someone who lacks those qualities in order to encourage and support them.

Sometimes advice needs to be modified to fit our lives, not completely thrown out. That's what I did with the classic career advice to “network, network, and network” Its good advice and my career may have been enriched if I had applied the traditional concept of networking and I had stayed in contact with other attorneys. Instead, I modified the idea, and I networked with other parents that had chosen to stay at home. We had a lot more to talk about. I loved this aspect of being at home. During my years at home I formed some of the richest friendships of my life. Tending babies lends itself to making friends. It doesn't take much concentration most of the time, and there are huge blocks of boredom attendant to being at home that compelled me to seek out other parents. It is not as easy today as it was in our parent's generation. I had to organize and develop these friendships. No one was home next door and there were few who were home in the whole neighborhood. But I found them at the 10 a.m. YMCA swim classes for toddlers, in the parks with strollers and pulling toddler carriers behind bikes on bike trails. Then I nourished them, I gave hundreds of luncheons to introduce women to one another and I formed book clubs and playgroups and at the end of it all I have been left with lifetime fabulous friends. When the first of our group returned to work after a break, we made her a big sheet cake with a woman decorated in the center juggling children, a briefcase, and a little house. These women were and continue to be cheerleaders for one another. Networking is most effective when it is personalized. It would have been pointless for me to try to learn golf just to find good contacts for my career. I gave luncheons and formed book clubs because

reading and cooking are my favorite leisure activities. Another professional I know tapped into the biking and religious communities when she returned to work after a lengthy break.

The key networking lead that led to my job came through my youngest son. Watching a soccer game at Hoover Elementary, I chatted with the father (Scott Brown) of a child that attended preschool with my youngest, and he suggested that I talk to his law partner, Chip Kinsey. Flooded with employment and workers compensation cases, Chip was looking for another attorney to lend a hand. Thus was born my fortunate relationship with Brown, Kinsey, & Funkhouser, a group of attorneys that share my values about the smart balance between work and families and who have been unflinching with their patient support of my efforts to excavate my career from its lengthy repose.

Another career consultant, Dawn Rosenberg McKay, advises her clients to keep their skills sharpened so that they are not hopelessly out of date when they decide to return to their career. She recommends several alternatives to accomplish this “keeping your foot in the door” strategy. Part time work is the best amongst her suggestions. You stay connected, you keep up with changes and you get paid to do it. My best friend from law school, Stephanie, took this option. For years, she was home by 1:00 p.m., which left her plenty of time in the day to enjoy her two sons. When she wanted to turn up the volume of her work and the financial rewards, it was simply a matter of adding more hours to her schedule. She formed a firm with smart and sensitive attorneys that placed a high value on time for families. Ms. Rosenberg-McKay’s other ideas for keeping your foot in the door, are simple to initiate but more difficult to sustain. She suggests that we should continue to read professional journals or visit web sites. I don’t know anyone that did this. For me, it takes some immediate relevance to sustain my interest in professional journals. While I was at home for 11 years, I was more interested in reading Brazelton than Brandeis.

When you put together a resume for your return to work, some career development professionals advise you to use a “functional resume” that highlights skills as opposed to a chronological resume that focuses on each job that you held, in order to avoid a gap in the resume for the time you choose to be at home. You might consider, however, whether it is smarter to be unapologetic about your decision to take a break from the law. My hunch is that if a prospective employer does not value your time commitment to your family, you probably don’t want to work for her anyway.

As I prepared these reflections, I wondered whether my sense of fulfillment is a rarity in our profession, whether I was unusually lucky in the gratification that I have found. I discovered some surprising and encouraging information as I looked at some of the data on this question.

Professor David Chambers at the University of Michigan has been studying data from research about women who graduated from the University of Michigan in the late 70’s. His early analysis was published in 1989 in the Law and Social Inquiry Journal of the ABA and he has continued to review ongoing studies of these women as their careers and personal lives matured. His conclusions inspire confidence in anyone who has contemplated an adjustment in their career to attend to family interests.

There are two conclusions from Professor Chambers' studies and analysis that I would like to share. Although his research is limited to the experience of the graduates of a single school, and the data may not be mirrored at other schools, the information is inspiring and useful to evaluate decisions about breaks in career paths.

First, as a group, when surveyed five and fifteen years after graduation, the Michigan Law School graduates who are women with children are substantially more satisfied with the balance of work and private or family life than are women without children or than men, whether or not they have children. He also found that women with children who have stopped working for long periods or who are currently not working are as satisfied with their careers overall and much more satisfied with the balance of work and family than the women who have always worked full-time. His findings are consistent with a report done by the Families and Work Institute, on a study of 1000 workers on work stress and families. That 2001 report found that having children under 18, having children under 6, having elder care responsibilities, and having child care and elder care responsibilities at the same time are not—in themselves—associated with feeling more overworked.

A second tentative conclusion reached by Professor Chambers' preliminary analysis of the recent Michigan data, is that the actual long term impact on income appears slight for those who have spent time out of the work force altogether or who have worked part time. Obviously we make less when we work less and make nothing when we don't work, but the studies suggest that when we return, we do not pay a substantial penalty for the time that we have been off, particularly if we take a break earlier rather than later in our careers.

Thirty years after women have entered into the profession in large numbers, Professor Chambers found that very large numbers of the female Michigan law graduates have made major adjustments in their work in order to care for children. Forty percent of the mothers 15 years out of law school and 53 percent of the mothers 5 years out of law school report stopping work for a period of at least three months to care for children. In contrast the men with children work just as long hours as the men without children, they almost never work part-time or take time out of the labor force to care for children. In Professor Chambers' findings, the life scripts for women are much more varied than the scripts for men. In his words,

Thirty years after women have entered into the profession in large numbers, men are still behaving like the men of the past, even with the example around them of women who fashion different lives....the women with children in the classes studied have come about as close to 'having it all' as any women in our culture. They earn good incomes of their own. They have very high family incomes. They can work full-time and afford expensive childcare. Or they can work less than full-time and return to the labor market later with some but very little decline in their earning capacity.

With the wide options open for us to write our own scripts these past 30 years, we can find data and anecdotal support for what ever we want to do. Whether man or woman, whether a break is for children, to learn French or hike Everest, our profession offers us unusual flexibility.

Carpe Diem.