

WORK AND LIFE AND DEATH: A LAW SCHOOL DEAN'S PERSPECTIVE

*Margaret Raymond**

I never thought about aging and dying as much as I do now that I'm a law school dean.

Once, a dean told me that the best guarantee of longevity was making an estate gift to his law school. I laughed. But that was before I was a dean, before my days were intimately involved with other people's living and dying.

Of course, everyone's life is intimately involved with living and dying. But, I daresay that it's a more present, persistent, and perennial aspect of the life of a dean. That's because of two things. One is that we are visibly and intimately connected in a rich network of interactions with the people who work with us and the people we engage with in our broader communities, and many of those folks are close to the end of their lives. The other is that, because we are deans, it matters very profoundly to people that we are engaged with them in these challenging life passages.

We're intimately involved in the living and dying of our faculty and staff. Academic work, while demanding, is not physically taxing, and many colleagues continue to do it well into their seventies or eighties. Staying active in a professional community can "keep you young," relatively speaking. But, there are several points where you, as dean, will need to attend to other people's decisions about work, life, and death.

One such point comes when a colleague is considering retirement. Retiring is not just a decision about income (though that's a very significant part of any decision to retire). It is also a decision about identity, community, and what the retiree is going to do all day. You'll be there as your colleagues process this decision, and, sometimes, they'll rethink and regret the decision they've made. A person to whom work is life may quite literally not be able to survive a life without work. You can help, by creating space, welcome and the expectation that your retired colleagues will, even if they stop doing work for money, remain part of the community and able to do work they want to do.

Another is when your colleagues, though still working, perhaps ought not to be. As a dean, you may begin to hear (often from students, very delicately and kindly) that a colleague is struggling in the classroom. You have a responsibility there driven by the law school's mission: people who have slipped cognitively past the point where they can teach effectively shouldn't be teaching. But you also have an obligation to be humane, to respect and appreciate all that your colleagues can still offer, and to invite and encourage connection and

* Fred W. and Vi Miller Dean and Professor of Law, University of Wisconsin Law School.

community. Your colleagues' work at the law school may be a huge part of their vision of themselves, and they will (rightly) expect you to respect that as a continuing aspect of their lives. You want to be committed to the law school's needs, but understanding about the anxiety.

A third point arises when a faculty colleague dies. This can be, at the same time, an emotional and sad loss, an opportunity for recognition, commemoration and memorial, and a logistical challenge.¹ As a dean, you are thinking about all of those things at once.

As deans, we relate to a wider range of constituents than our colleagues, including alumni, donors, and the broader university, practice and judicial communities. All of these relationships are similarly affected by important issues surrounding work, life, and death.

Our relationships with donors tend disproportionately to involve older graduates. Aging alumni are often the ones contemplating major gifts or planning their estates, so we spend time with those folks. They've also, often, got time to join you for lunch or a football weekend on campus.

Some of these alumni are also struggling with the decision to retire. If they're law firm partners, that decision is sometimes made for them, while others struggle to make the decision on their own terms. They may find themselves, in their early sixties, at the end of a career that has dominated their waking hours for decades. They're worried about how they're going to spend the next thirty years of their lives. They may share those worries with you in a way they wouldn't with others. You are a parachutist, arriving from another world. You won't tell.

And then, you meet graduates who are well past that bottleneck. They are fully retired. As a law school dean, you see the progression of your graduates from new-old, to middle-old, to old-old,² and you observe what it means for their lives clearly and powerfully.

The young-old may still be maintaining multiple homes, travelling a lot, and working at least some of the time. They may be very involved in the lives of their families or care of their grandkids. They may be very committed to charity or mission work; they may run a business or chair a board or be politically involved. They may still be in great shape and very physically active.

As they age, they stay active, and they're still travelling. But, they might be replacing a hip or a knee. They might be thinking more about their estate plans or their legacy. And they may be downsizing, moving from the house into a condo or spending more time at the snowbird location or the vacation home. That changes too as mobility, interest, and energy flag somewhat.

One of the remarkable things about this role is that, in visiting regularly with graduates who are aging, we are witness to and participants in the changes alumni face that come with aging. That vibrant couple in their early eighties you met in the first year of your deanship? On this visit, he's recovering from a hip

1. This issue, and the concerns surrounding it, were the subject of an interesting earlier publication in this journal. John W. Fisher, II & Alvin H. Moss, *Confronting Death in the Academy: A Dialogue*, 37 U. TOLEDO L. REV. 75 (2005).

2. I find this concept of age progression and the associated terminology helpful. See, e.g., VICTOR CICIRELLI, *OLDER ADULTS' VIEWS ON DEATH* (2002).

Winter 2017]

WORK AND LIFE AND DEATH

305

replacement; on your next visit, she begins to share the same story over and over. The following visit, she's in the memory unit of the local nursing home and lunch is with him alone; he's had a bad fall and is now in a wheelchair.

Sometimes, you know about changes before you see them. A donor who calls to ask for basketball tickets, is assured that the tickets will be made available, and who calls again the next day to ask for those same basketball tickets is telling you something—something you may be the first in his world to know. That affects your work; a donor who is slipping may lack the cognitive capacity to make a major gift, and if you've got colleagues relying on an anticipated gift, you've got some explaining to do. But it will also affect you emotionally; this is a person to whom you will have become attached, and his proceeding down the pathway to further debility is hard for him and sad for you. As I move from handshakes to hugs in the second five-year term of my deanship, this happens more and more.

You start out seeing alumni in your city. At some point, they move to the places that older folks from cold climates go—Florida or Arizona or Texas. And then they pass away. You drive a good distance to a county seat church to attend a memorial service, and you hear stories about how good and big and meaningful the person's life was, and how important the deceased was to so many.

And here's the thing: it matters to people if you come. As dean, those condolence notes and signatures in the guest book and drives to churches mean a lot. Your relationship with the deceased may not be as long-standing as some, but you represent a place that was important to them. You are the place.

The life of a dean is full of other life cycle events too. Your faculty, staff, and alumni will have babies. (Onesies with the law school logo on them make a great baby gift!) Your co-workers will get sick, have surgery, and need rehab. They'll fall off bicycles, or motorcycles; they'll have roller derby accidents and concussions. They'll have marital problems, parents who need help, kids in medical difficulty. Your students will go through the same thing: they'll have babies, get cancer, lose family members, get deployed. Through these events, as all others, you need to be both mission-driven and humane, and as consistent as you can in a universe where no one's situation is exactly like anyone else's. Being a part of the lives of the people in your community is a privilege; figuring out how to help and support them during the challenges and triumphs that are part of everyone's life is one of the joys of the job.

Yet, the work, life, and death issues stay with me more profoundly. Perhaps that's because I'm at the stage of life where everyone around me is caring for aging parents and thinking about how many more jobs they've got in them. Aging, retiring, and dying are down the road, but not nearly as far down as they used to be.

I guess the lesson, which should have come as no surprise, is that we will all work and stop working, age, and die. As a dean, you will be witness to a lot of brave and fine living, working, aging, and dying. Let it be a lesson to you about the way you want to live, and, perhaps, the way you hope to die.