

by Gene A. Weisberg

Closing Argument

A year ago I wrote in *Los Angeles Lawyer* about my battle with pancreatic cancer and what it was like to practice law during that time. A year and a half after my last chemotherapy treatment, I remain cancer-free. Blood is taken every two months and tested to determine whether any evidence of the DNA in the tumor that was removed is present. So far, every test has been negative. I know the cancer can come back any time, but it is comforting to be able to test to see if that has happened.

One thing going through that experience teaches is perspective. It teaches we should appreciate what is truly important. I thought one result would be that I would work less and spend more time doing non-lawyer things. I had some concern that clients would become accustomed to using other lawyers because of the time I could not take their matters. What happened was the opposite. Clients were great about coming back once I was able. More importantly, I found that I missed doing the work, so when I was back up to full speed it was enjoyable, not a burden (to a point; I still need to learn some moderation). In the past year I have tried two lengthy cases, had one court of appeal argument and, otherwise, am back to being

Practicing Law After Cancer: Nearly Two Years Going Strong

as busy as I was before my diagnosis. Thankfully, the energy needed to work at that pace returned.

The importance of perspective has not been forgotten. I appreciate even more the support I continue to have from family and friends, and I try to provide the same support to others. Real life tends to remind us that the unexpected will happen. I have had a number of friends and family who received cancer diagnoses over the past couple of years. Some were able to overcome it with good treatment. Others were not so fortunate. Recently, one of my firm's lawyers died suddenly. He was far too young. Life continues to remind us—if we pay attention—that life is not guaranteed. It is important to appreciate what is truly important.

For those of us who enjoy practicing law, it is good to remind ourselves

why we do it. I appreciate the intellectual challenge of the legal and factual analysis that is required, the competition involved in litigation, and the need to keep developing skills to persuade judges and juries. Putting together the facts and law required to present a persuasive case or to advise a client as to a legal or factual analysis remains enjoyable. There is an opportunity to work with engineers, accountants, building contractors, and geologists, for example, which requires learning new skills. There is no choice but to learn what they do at elementary levels so technical matters can be presented to judges and juries in an understandable way. This is the type of thing that keeps practicing law interesting: learning new things, not only about the law, but other aspects of the world as well.

Figuring out an effective

approach to a legal issue remains fascinating. How can the facts be used to fit a legal theory, and how can a legal theory fit the facts? These are always significant challenges for lawyers.

This is not to say practicing law does not involve drudgery. There is much that we do that is not very exciting. Part of perspective is understanding whether the fascinating parts of the profession outweigh the less fun parts. Each person needs to find the answer to that question for her- or himself. Life is too short to spend most of your time doing things that are not enjoyable and fulfilling.

Facing death gives one perspective and focus on what is important in one's life. We are fortunate if one of those important things is what we do for a living. If work provides satisfaction, that is a blessing indeed. Forty-five years into my legal career, that is still my situation. I need to put maximum effort on family and friend relationships (I am 43 years into my marriage, another huge blessing) and taking care to allow time for non-work related experiences. There needs to be time for Dodgers games, to play softball and hockey, and for music, theater, and travel. However, the practice of law continues to provide both stimulation and a great deal of satisfaction in my life at this time. ■

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