

The Thursday Section

THURSDAY, JUNE 19, 1980

The graduate's grey,
but not at all blue

A law degree
at age 53

By ARNOLD BRUNER

It's over, almost.

I've just graduated from the University of Toronto law school, the most demanding in Canada, they tell me.

It only took three brain-slogging years to receive my bachelor of laws degree. Now I merely have to work as an articling student with a law firm for a year then spend an added six months passing the bar admission course.

Then I'll be a lawyer.

I will also be 55.

It's not that I'm an extra-slow starter — just a late one: I started law school when I was 50.

Most of my fellow students were the age of my children. I wrote the Law School Admission Test at the same time as my son, David. I'm older than my most mature professors and all the lawyers I will be running chores for during the next year.

I became a law student when I perceived most middle-class

wage earners my age as puffing marathoners, looking back with some satisfaction at the mileage covered, but also looking ahead — with mixed emotions — toward the finish line.

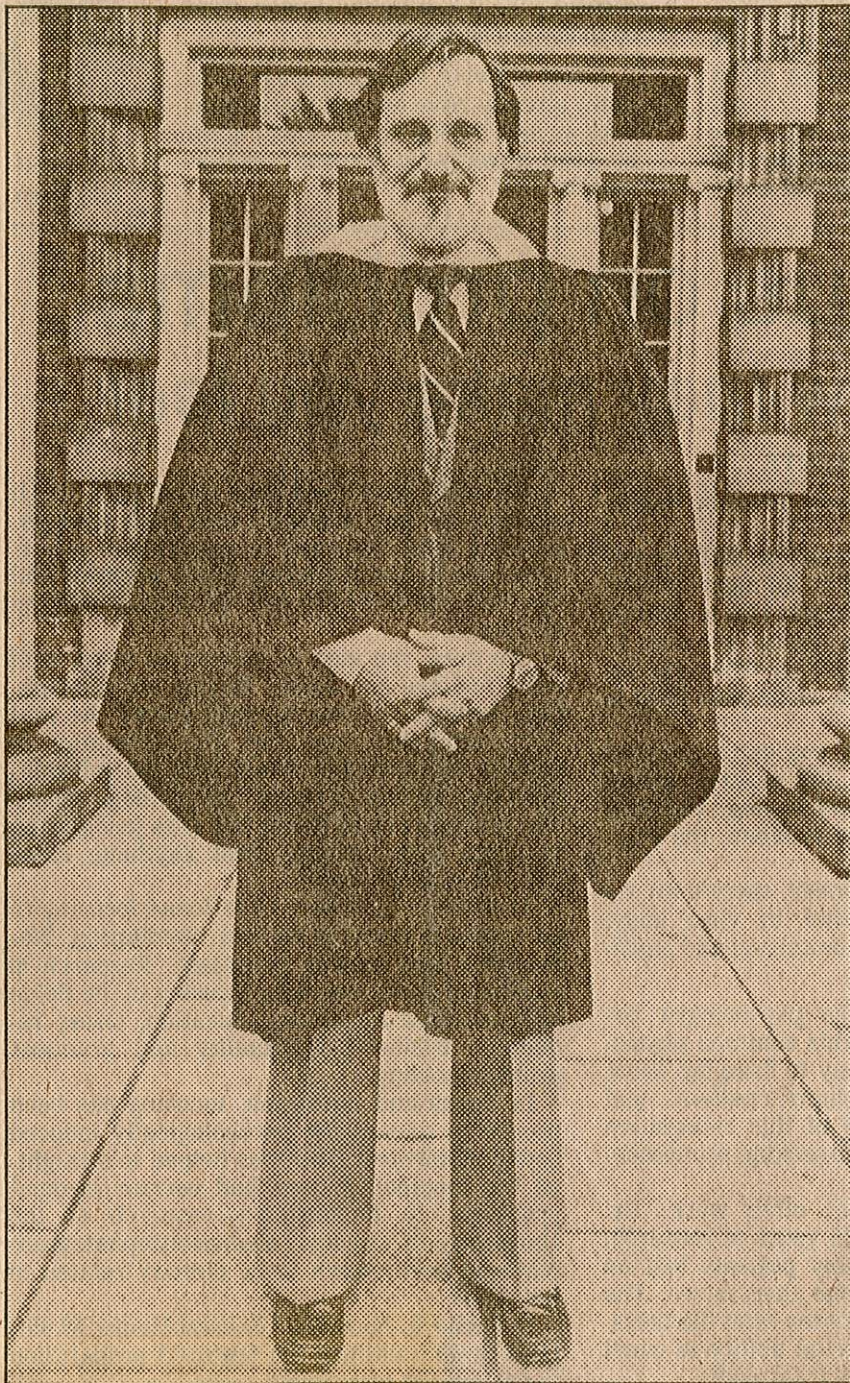
Unlike those contemporaries, the destination I'm eyeing, after more than 35 years as a journalist, is not retirement on a pension. It's the point where I get a licence to practice law — and that is a beginning, fresh, exciting, worthy and most likely rewarding.

One of the more surprising features of my school days was that nearly every non-legal person I talked to older than 30 "always wanted to be a lawyer," or at least to "go back to school." What they said was stopping them, in order of precedence, was lack of an inexhaustible source of wealth, no time, concern over "what happens to my pension," and fear of failing.

Let them take heart. Ever since I began working at age 15, I have been utterly dependent on my next pay cheque. And the only way I could find the time to go to school was to quit working full time. Somehow we (my wife, Carole, is also a student) have paid the rent, supported our last live-in child (she has two and I have four by our first marriages) answered the occasional request for assistance from the other five and kept up a reasonably gracious living standard.

And I had as much fear of failing as anyone — considering that I was a high school dropout and

Puffing marathoners look ahead,
but with mixed emotions



—Globe and Mail, Steve Patriquen

Arnold Bruner wearing gown of Osgoode Hall law graduate.

was awarded a one-year Southam (journalism) Fellowship at the University of Toronto in 1964.

What got me out of the wishing pool and into the classroom stream was commitment. This may have a metaphysical ring to it — like a claim that faith conquers all — but it means only that once you have become committed to a goal the obstacles lose their insurmountability. They merely join the legion of problems to be solved along the way.

It is the quality of commitment one applies to a toboggan ride. Each preliminary step leads unfailingly to the crest of the hill and once launched, there are no stops short of the destination.

But, oh, those hairpin turns!

The first and most awesome problem we faced was the financial one. My employer, The Globe and Mail, guaranteed one day's work a week on the weekend and full-time employment the first summer. We reasoned that with a

regular student loan we could squeak by.

That was all that mattered. At no time did we allow ourselves to dwell on what the actual financial cost would be. Now that the first major hurdle is passed, now that the commitment is not in peril, we feel it is safe enough to dwell on it — safe enough to be staggered by the figures.

The estimated lost wages (not counting lost opportunities) for the three years past and the year-and-a-half to come at my modest journalists' salary plus freelance fees, and present and future debts, work out to \$100,000. Of that, less than \$20,000 would be debts.

At the same time, it has not been entirely a do-it-alone project. It has helped to be eligible for a two-bedroom apartment in high-rise, non-profit married-student housing. Although the rent is not cheap at \$300-plus a month and going up, it is reasonable enough, and includes the bonus of allowing us to live in the heart of town, a block from Bay and Bloor streets and a five-minute walk or two-minute bicycle ride to school.

In addition to my student loan, the law school and university have combined to help further with a small bursary or loan each year. (Ironically, the Ontario Ministry of Colleges and Universities ensures that this kind of aid stays small by chopping down its assistance by any amount over \$500.)

These aids are extremely important, but there is another type

kind you get at home.

It has been taken as a family joke that if Carole had been opposed to my grand plan, I would have run away to school. She suspects sometimes that I may not have been joking, but it was never necessary to put it to the test. From the day I discovered that the law schools of Ontario will admit mature students, my mate has backed the idea. Mature students are generally regarded

one-fifth normal (which worked out to two-fifths with summer employment) and Carole had to take a part-time job. And, although she suspects I may attract a clientele who will pay their fees in chickens and garden vegetables, she has spent many of my late study nights trying to sleep to the crack of a typewriter and bright lights because I carved a study area out of part of our bedroom.

Squeezed ourselves, belongings into a smaller apartment

as people older than 25 who have been out of school at least five years and who may lack the basic academic qualifications, but make up for it with life experience.

It was no small sacrifice for a woman in her mid-30s, recently married a second time, who had endured the uncertainties of living in a war zone with her new, correspondent husband, and was expecting a settled life of some comfort when we returned to civilized Toronto.

Instead, we squeezed ourselves and belongings into a smaller apartment, slashed our income to

We discovered early that for me, law school demanded about 80 to 90 hours of the six days a week I had for study — about 15 hours for lectures and seminars and the rest for reading and trying to fathom the legal way of thinking.

One of the other hairpin turns I had to negotiate was the LSAT — a must for every law school candidate. While most of my fellow students probably beat my score by a healthy margin, the study of law turns out to be a shock for everyone. Because of the fierce competition to get into law school, most of those who make it

have been accustomed to A grades. Their first tests produce a jolting number of Bs, Cs and even Ds.

However, the students at U of T quickly settle down to average high performance. Because they are mostly young, it is my theory that their minds are like uncluttered closets, easily able to accommodate new ideas, concepts and information.

However, the closet of my mature mind was an unruly mess. Not only did I have to pack the new stuff in, I had to make room for it by shoving aside, adjusting and throwing out much of what I had accumulated in half a century of stimulating and adventurous living.

I spent too much time relating theoretical arguments to the real world, seething over how some judges squandered my reading time by saying the same thing "in other words" three or four times, and mentally editing the deplorable construction of too many of our statutes.

federal Income Tax Act should either be awarded some grand prize for linguistic obscurity or banned for obscene violation of the language.)

However, among the positive joys of training for a new career was the discovery that my older brain, although well-used, was able to take in what amounted to an entirely new body of knowledge. At a time when most brains my age are considered "full" and are being used only to apply what they have accumulated until they are retired to thoughts of fishing and grandchildren, mine is about to be stimulated further by the stuff of adversarial combat in the interests of justice — and possible profit.

At the same time, I have lost the smug belief of the mature that in a tussle between experience and raw mental agility, the more cunning veteran will prevail. On my first research assignment, I thought my digging know-how gave me a big advantage over my fellow students. I graciously offered to share with them the perfect cases I had unearthed.

"Right," the first beneficiary of my largesse said, "I thought they were pretty good when I read them. But check these out — they're right on."

Despite the obvious difference in age, and the different focus of our strengths, the young men and women I learned with treated me as an equal and a friend. They laughed at my witty comments during lectures, counted me in as a pinball regular, and included me in the baseball team until I broke a blood vessel stealing second base.

Older brain able to take in entirely new body of knowledge

In first year, they elected me one of their representatives on faculty council. In second, they put me on the Student Law Society (student council), thereby earning me the right to have my name painted in gold on a wooden plaque on permanent display near the main entrance. In third year, I was co-chairman and co-host of the speakers committee. They accepted my contributions to the Newsletter, published my paper on the evolution of human rights legislation in the student law review, and asked me to contribute to the first yearbook.

The professors treated me as any other student, although my special background got me into trouble. Early in first year, I had written a piece in the paper about admissions policies. The day it appeared, I saw a young professor bearing down on me in the common room.

"You son-of-a-bitch," he shouted halfway across the crowded room. He said that I had misquoted him.

Being part of a youthful society, apart from being rejuvenating, seems to have closed whatever generation gap there may have been with my children. In particular, there is a community of interest with David, 25, who is studying law in England, and Lawrence, 23, who is completing post-graduate study in journalism at Carleton University.

The sense of accomplishment goes deeper than having earned my first academic degree. It also is wrapped in my having taken part in the student clinic program to deliver legal services to people who can't afford lawyers' fees. In a new legal-clinic venture, I was given the rare privilege of being allowed to take my male presence into Nellie's Hostel for women to conduct regular sessions.

Each year, one out of every six or seven faces in Ontario's law schools belongs to a mature student. At U of T, there are usually 25 to 30 in each class of about 160. The older faces are becoming as routine as legal precedents.

The only time age reared its head in my experience was when a partner in my articling firm, Robins and Partners, called up.

"You realize," he said, "that as a student you'll be doing all the chores usually done by younger people."

"Then," I replied, "I guess I'll have to do them better."

He liked the answer, and I suspect it helps that at 53 I still have a youthful-looking mop of dark brown hair. Since the last time I saw him, though, I have grown a beard.

It is very grey.