

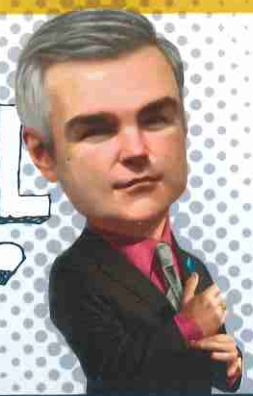
October 2015

MARC WHITEHEAD & ASSOCIATES
ATTORNEYS AT LAW - LLP
A NATIONAL DISABILITY CLAIMS LAW FIRM

Vol. 1

Issue: 01

THE NEWSLETTER YOU'VE BEEN WAITING FOR... Successful Barrister



"MARKETING, MANAGEMENT & LIFE SKILLS THAT PROBABLY WON'T GET YOU DISBARRED"

Sale Price: \$199.99



Welcome to the first addition of the Successful Barrister, a light hearted newsletter for lawyers seeking to improve their practices and their lives. Each month (*assuming I have the time and money*) we will explore topics regarding the marketing and management of a small law firm. Sprinkled in will be general items regarding how to live a better life.

Most of this will be from my personal perspective, but I invite contributions from others as well (*that means YOU!*) For the past ten years, I have made a concerted

effort to learn how to run a law practice (*for the first 12 years I was just chasing my tail*). I now want to share some of the things I have learned and at the same time gently remind you to send me referrals. If you know anyone you think would benefit from this newsletter, please email me their contact information at marc@marcwhitehead.com and I will be glad to add them to my mailing list. Enjoy!

MARC WHITEHEAD

How I Made Money On the Web



In 1999 I got my first website. It was not much to speak of and it really didn't do anything for me. I was too deep into the yellow pages to pay much attention and I just let it sit there for years. In 2002 I ran for Harris County Attorney as a Democrat and actually thought I was going to win. (Really, a Democrat winning in Texas, how stupid). Because I was so sure I was going to win and have to close my practice, I cancelled all my yellow page contracts both with the big book and all the suburban books.

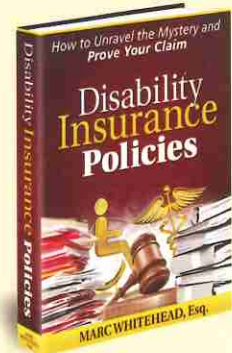
It turns out; extracting myself from constant cycle of revolving yellow page contracts was the best thing that came out of that debacle (I did get 46% of the vote, not too shabby for a Dem). But now that I...

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FEATURE BOOK



Call Us For a Free Copy of
Marc's Latest Book!

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How Good is Your First Impression?

As attorneys, we often concentrate on the clients in front of our noses, their appeal deadlines, drafting lawsuits, impending court dates, etc. What most don't realize is that although our marketing strategies and our attorney reputation may draw the potential client in, it's our intake staff that not only creates the first impression of our firm but, more often than not, is the reason the potential client signs the contract!



Over the past several months we have been working closely with Chris Mullins whose INTAKE™ Academy has molded our intake team into intake superheroes. The INTAKE™ Academy has assisted us in better identifying business concerns regarding lead generation, aided our staff in understanding what kind of problems arise during intake and how to professionally handle those issues, and more importantly, the academy has helped our firm and our intake team better understand what makes the legal selling environment unique. The implementation of this intake system and the ongoing support of the INTAKE™ Academy has allowed our firm to create better lead conversions and client retention. Our end goal is to keep the lead generation cycle of endless marketing at a low murmur and to have our "clients for life" deafen the environment with their endless referrals and praise.

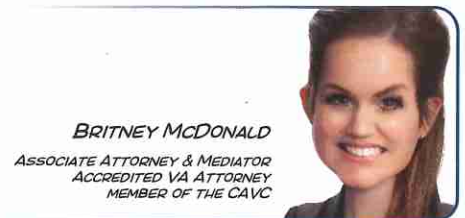
As we have all experienced and been highly frustrated

by, potential clients can come up with any number of reasons as to why they don't want to sign a contract. Some have negative feelings towards attorneys in general, some are fishing additional law firms and don't want to make a choice yet and many have price concerns. Our intake team has come up against this wall of apathy and resistance time and time again and now has the tools to connect with these dispirited potential clients, calming fears and anxieties and helping differentiate our firm from all the others with a high level of compassion and integrity. When the potential client signs our contract and is passed from the intake team to their case manager, the same level of connectivity, knowledge and care is reinforced with the client throughout their case. By continuing the message of empathy and commitment, even up through to the relationship these clients have with their attorneys, we establish our "client for life".

Remember, your firm is only as good as its first impression. If you have an overwhelmed and indifferent intake staff, what message are you conveying

to your potential client? These potential clients more than likely have a list of at least five other attorneys that they will contact after you. There are over 1.2 million law firms in the United States and over 43,000 new attorneys graduate each year. How can you possibly beat those odds? By training your intake staff to connect in a meaningful way with each and every caller, you will guarantee that the caller will not contact any firm after they hang up the phone. Don't neglect your intake staff or their training; they are the first contact a potential client has and no amount of marketing wins back a caller who has a terrible intake experience.

If you want to find out how to boost your intake system, visit Chris Mullin's website, www.intakeacademy.com, you won't be disappointed.



BRITNEY McDONALD

ASSOCIATE ATTORNEY & MEDIATOR
ACCREDITED VA ATTORNEY
MEMBER OF THE CAVC

The best advice I ever got was from a Mark Powers lecture.

"The Quality of your life is directly related to the quality of the people you let in your front door."

After I heard this, I went to my office and fired my worst employee and my two worst clients. It felt really good!

...was out of the yellow pages, which had been my main advertising source, how was I going to find new clients? I decided that this new "inter-web-thingy" would be my ticket to success.

However over the next seven years I bounced around from Findlaw to Page One to Directory One to God knows what looking for a decent return on my investment and effort. Nothing seemed to work. Then finally, via my friends at Atticus, I met a gentleman named Henry Harlow. Henry is an independent consultant, like a project manager so to speak. Henry had nothing to sell but his time and expertise. He didn't sell websites or any wiz bang service. He just came up with a plan and found the best and most reasonably priced people to execute the various pieces of the plan.

The plan was to start a new "marketing" website as opposed to the boring "brochure" style website that had been failing in the past. A "brochure" website just provides information whereas a "marketing" website spurs people into action, i.e. to call and hire you for their case. The key to a marketing website is not to say how great you are, rather it's to identify with the

"The road to success is always under construction."

Lily Tomlin

client and their problems and to offer information and solutions. Solutions designed to get them to call you!

My new website, www.DisabilityDenials.com, launched in late 2010. It focuses on my three ebooks that track my three practice areas, long term disability insurance, social security disability and veterans disability. To date, this website and the internet marketing efforts associated with it have generated over \$5 million in fees. BAM!

How did we do it? The short answer is as follows:

1. Hire a company to do "keyword" research to find out what our prospective clients were actually searching for.
2. Develop a site plan around that keyword research.
3. Hire a web master to "build" the site in the most Google friendly way possible.

4. Hire a writer that could use that research and plan to write the site in "Google" friendly language.
5. Set up an onsite blog and hire a writer to constantly update the blog.
6. Hire firms to constantly work on and improve our SEO efforts.
7. Hire a virtual marketing assistant to handle all social media that is linked to our site.
8. Set up a video studio in office to create video content for the site.
9. Hire a competent firm to handle our pay per click (PPC) advertising.
10. Constantly work on improving the site by keeping up with the latest developments.

The great thing about it is that I only deal with one person, Henry! Call or email me if you want me to hook you up. Cheers!



MARC WHITEHEAD

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Understanding and Managing Your Boss

If you have a boss, then learning how to manage your relationship with your boss is critical to the quality of your work life and your chance for advancement. If you are the boss then I suggest you give a copy of this article to your employees because how they respond to you can make all the difference in your practice's success.

There is an amazing company called **The Great Courses** which sells various audio lecture series from college professors along with written summaries. Most lectures are about 30 minutes long, just the length of my daily commute. Its great life-long learning and the best part is there is no test. I call it "Going back to college

in my car." One lecture that really stuck with me was from a course titled "*Critical Business Skills for Success.*" The following is a summary of a lecture from Professor Clinton O. Longenecker, Ph.D. entitled "*Understanding Power Relationships.*" The entire 60 lecture series can be purchased and downloaded to your smart phone at www.TheGreatCourses.com.

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Becoming Great

During his presentation at the 2015 PILMMA Super Summit, Ken LaVan forced the audience to ask probing questions about their day to day and long term operational goals; his topic was "Become Great." This was effective for me personally, as often in the practice of law we can lose the forest in the trees. Some of the questions we should ask ourselves are: "What are your goals?"; "do you have a road map?"; "how are you going to get there?"; and "what do you need to focus on?"

We were asked to define greatness to ourselves. Some examples include: superior client relations, being the best in our industry, achieving a favorable work/life balance and, of course, **wealth**. One pondering point I found particularly helpful was "do your goals evolve?" Often goals are seen as static, but they can be ever-evolving and dynamic. Another helpful exercise to assess your goals is to look at your business plan and life plan, then reevaluate them on a regular basis. Set benchmarks or time periods and reassess your goals accordingly. In assessing ourselves, we should look for our strengths and weaknesses, then question if the strengths match our role in our firm or legal community.

To prepare yourself for greatness, you need to consider not only your strengths and weaknesses, but also what do you enjoy doing? What do you not enjoy doing? What is your purpose? What is your mission? and What is your brand promise? After this assessment, you need to determine what you need to do to be great. You should find your passion, and then find a niche. To execute achieving your goals, pick your top 3 goals, set a 3 week deadline, and focus on executing one at a time. The key points to take away are: understanding your strengths, becoming great at your niche, and getting yourself into the execution mindset.



ANTHONY VESSEL
ASSOCIATE ATTORNEY & MEDIATOR

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How Much is Your Bad Hiring Choice Actually Costing You?

For years we went about hiring new employees, whether they be intake staff, paralegals or attorneys, the old fashioned way; by placing an ad, choosing the top 10 best resumes, and then interviewing everyone until we "felt" we had the best fit. This is definitely a gamble and though we have been lucky with hires, we have been burned more times than I would care to mention. Then last year we were introduced to Jay Henderson, the founder of Real Talent Hiring, and his new system of testing and hiring that included the impeccable *Hiring MRI*[™]. We tried his system out on our next hire and were extremely pleased with the results and have used this system for every hire since!

The system starts with changing the way you look at a hire. Most firms delegate the hiring process to the manager or management team or even recruiters and only have the boss step in during the final interview to weigh in their own opinion. This is a major mistake and we are just as guilty as the next firm.

By using this disengaged way of hiring a new employee, you make what Jay calls the 7 biggest hiring mistakes:

1. Hiring too quickly
2. Hiring on a gut feeling
3. Hiring a candidate based on a recommendation

"Your "Stop Doing" list should be longer than your "To Do" list."

Heard from Tim Mckey during his Efficient and Effective seminar

4. Making a hiring decision based simply on a decent referral from a previous employer
5. Hiring a candidate because they "aced" the interview
6. The candidate tested well
7. The candidate had an impressive resume

Who among us hasn't made those mistakes? Sometimes we feel that we are losing money by not having warm body at a desk to get the work done. But by making a quick decision like that you actually create more expense than you thought possible. Hiring the wrong candidate can cost you upwards of **\$190,000!** From recruiting costs, training costs, the salary of the hire, what their bad performance costs you, the time wasted by management trying to fix the problem of the bad hire and inevitably, what Jay calls the "pollution of your (office) culture", that quick fix just drained your time and money.

With Jay's system, we were able to stop making those 7 mistakes by using 4 key steps for our next hire. First, we identify exactly WHO we are looking for. Not just a person the fill the gap, but the RIGHT person to make our team all the stronger and who will perform at the high level we require. Second, once we have found the person we think may be who we are looking for, we conduct powerful interviews which include all of our attorneys and managerial staff. Third, once we have the candidates down to two choices we test, test, test. Fourth, with each test result we are then able to identify the hiring risk of each candidate.

The testing involves many in house tests but the biggest weapon in our arsenal is Jay's *Hiring MRI™* test. The *Hiring MRI™* is a performance measurement system which looks at HOW people THINK using a series of online modules that cannot be manipulated or fooled. There are no actual questions and the items are totally random objective exercises that reveal exactly how the candidate thinks and make decisions. Through the *Hiring MRI™*, we get to see who they really are, what their strengths and development areas consist of, their attitude, how they solve problems, their motivations and even what their current stresses are. A huge plus is that we can actually see the best way to manage this candidate as well. I cannot begin to stress what an amazing insight this testing has given us when it comes to our candidates. We have often been surprised when we see the test results of an ideal candidate that would have ended up being a terrible fit.

We have completely changed our hiring game over the last 2 years and we have Jay's system to thank. When we have a *Hiring MRI™* test administered, Jay is there via email and phone to review the results with us and give us his honest opinion of each candidate. With his guidance we have hired two excellent employees in the past 6 months that have excelled in their position and have elevated their teams' efforts far beyond our expectations. If you want to increase your hiring potential tenfold, you need to change the way you look at your hiring process, your selection qualifications and the way you test your candidates. Take the guess work out of hiring; it does you no good in the end!

Our impressive results can be yours, too. If you would like to get a hold of Jay and find out more about Real Talent Hiring and his *Hiring MRI*, you can email him at Jay@RealTalentHiring.com or check out his website at www.realtalenthiring.com.



SARAH AKIN
MARKETING DIRECTOR

Double Your Revenue Seminar Review

Five years ago I attended a workshop entitled "Double Your Revenue" in Tampa, Florida. The workshop was put on by an attorney coaching group called *Atticus™* and moderated by one of their top coaches, Steve Riley. (www.atticusonline.com) *Atticus* has developed a number of workshops designed to help lawyers manage and grow their practices. I use the term workshop specifically because these are not boring sit in your chair all day lectures. *Atticus* workshops are interactive brainstorming sessions designed for you, the lawyer, to walk away with a written plan of action to improve your practice. At this workshop five years ago, I developed a ten point plan to double my firm's revenue. I stuck to the plan and successfully doubled the firm revenue in three years. Now five years later, *Atticus* brought the program to Austin this past August and I decided to try my luck again. Once again, Steve Riley was the moderator.

The main exercise is to perform a series of Brainstorming Sprints on eight different "lever points" within the practice. These are eight different areas within a typical law firm that *Atticus*...

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Understanding Your Boss

Professor Longenecker points out that a common workplace mistake is failing to effectively influence and manage your relationship with your boss. Research shows that people are generally quick to access working relationships with their co-workers and subordinates, but they often fail to see the value in assessing their working relationship with the boss.



Taking the time to understand what is working well and what needs work is an important first step toward better managing your boss. Here are some important questions to guide your assessment:

1. What does your boss do that helps your productivity?
2. What does your boss do that hurts your productivity?
3. What do you need from your boss that you are not getting?
4. What specific things are needed to improve the overall quality of your working relationship?

Answering these questions will give you a starting point for developing your improvement plan to better influence your boss. Next, work hard to get to know and understand your boss. The two of you are linked together—whether you like it or not; thus, it's important to pay attention to how he or she operates. Think about such questions as:

1. What motivates your boss?
2. What are your boss's likes and dislikes?
3. How emotionally intelligent is your boss?

Next, try to put yourself in your boss's shoes. Find out his or her performance goals and organizational expectations. When you know that your boss has overly aggressive goals to meet, an overwhelming workload, resource shortages, unrealistic timelines, or perhaps even his or her own boss, you can be more empathetic and offer the right kind of help.

Managing Your Boss

Once you better understand your boss, several practices can help improve the relationship. One such practice is to under-promise and over-deliver. Most bosses appreciate when their employees exceed expectations. When you deliver what your boss expects on an ongoing basis—or better yet, even more than your boss expects—you establish your credibility as someone your boss can depend on.

It is also important to learn how to communicate effectively with your boss. Most bosses have a preferred style of communication. Some do all the talking, others listen, and others prefer reading. Most bosses also have a preferred channel for communicating. The important point is that you understand how to proactively interact with your boss in a fashion that he or she prefers.

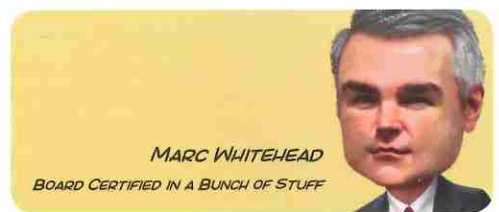
Take the initiative to make alignment sessions with your boss a regular occurrence, both to help you stay on track and to maintain your boss's coaching. Schedule short, 15-minute meetings with your boss once or twice a month to keep the channels of communication

open. Use the sessions to discuss your performance and what you are working on and to solicit your boss's input.

Never identify a problem or bring a complaint to your boss without having a potential solution in hand. Most of our bosses have a fair number of problems and issues on the plates on any given day, so don't be surprised if you get a less than warm reception when you go to your boss with yet another problem or difficulty. If there is an issue that you need to bring to your boss's attention, make sure that you properly frame it and get all the facts. Then, take the time to offer up your ideas or your potential solution to the difficulty.

Finally, it is important to always show respect for your boss. Don't engage in gossip or backbiting. Other people are watching and listening. When word of bad-mannered behavior gets back to the boss, it can spell career disaster for the backstabber. It's also causes other people to wonder what you might say about them when they are not around.

In spite of all this advice, remember that, as a subordinate, there's only so much you can do to change your boss. If your boss puts you in a place where coming to work is more stressful and unproductive than it should be, then it might be time to consider leaving. But for most of us, taking proactive steps to help our bosses help is a good move.



"An idiot with a plan will beat a genius with no plan every time."

*Slight paraphrase of
T. Boone Pickens*

...has identified as the most likely places to find areas to improve revenue. They are as follows:

1. Your Average Fee-How can you increase your average fee per case. It sounds simple but sometimes you have to be creative. If you are an hourly biller, increase your rate, capture all your time and bill for your paralegal time. For a contingency fee lawyer such as myself, you can improve the quality of the cases you accept, the number you accept or increase your contingency fee percentages. Sometimes flat fees may make sense. I determined that I really needed to focus on higher quality cases.
2. Create an All-Star Team- If you rely on yourself for productivity and revenue, you will eventually cap out. There is only so much of YOU to go around. Leverage your talents with a superstar team. Just as important, get rid of the dead weight. Atticus has produced a book, *Hire Slow & Fire Fast* that is a great resource for hiring and managing a Superstar team.
3. Strategic Delegations-Again there is only so much of YOU to go around and eventually YOU will become a choke point in your organization's productivity. Delegating key functions and eliminating the choke points by strategic delegation will increase revenues. I determined that my problem is that I wanted to be in charge of all settlement discussions and mediations of the cases we have in litigation. I was choking the cash flow because I didn't have adequate time to do it all. Now I am delegating much of this to my Superstar associates.
4. Improve Non-Legal Skills-In my case, I figured I need to become a better mentor and coach to my team, improve my skills in accounting and financing the practice and become better at identify talent, both in my current employees and those I may consider hiring in the future.
5. Referral Marketing-You have heard it a thousand times, but you all know it's true; the best (and cheapest) clients come from referrals. So how do you get them? Not to be a shill for Atticus, but they do publish a book that I recommend, *How Good Attorneys become Great Rainmakers*. The book describes 5 habits and 21 Marketing Assets that make a great rainmaker. In my case, since I have a niche practice representing people on disability claims, my best referrals come from other lawyers. (Why else do you think you are getting this newsletter?)
6. Existing Clients- It is much easier to get an existing customer to buy your new widget than to find a new customer to buy it. Now we are lawyers and we don't sell widgets but the same principal applies. Identify what widgets (services) you are trying to sell and figure out how your existing client base can help. Can you sell them more widgets (repeat business)? Can you get them



to endorse the quality of your widget (Google Reviews)? Can you get them to tell their friends to buy your widgets (referrals)? Can you get them to tell you what they liked and disliked about your widgets so you can improve your widgets (client surveys)?

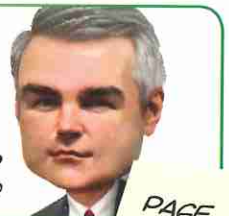
7. Technology-How can you use technology to improve profitability? The list is endless but I came up with the following: Improve our intake software so we can sign up a higher percentage of the leads that come our way, use webinars to market our services, use the internet to gather intelligence on our opponents and our competition, put large double monitors in front of all our staff to improve productivity and finally improve the remote access to our computers so I can work from my lake house. I think better there.
8. Use a knowledge product- In my mind the best way to market is to educate, hence this newsletter and my websites and books that you see promoted in it. If you use "knowledge products" to educate your customers and referral base, the floodgate of leads will open up. Other such knowledge products can be webinars, seminars, brochures or simply sharing your forms with someone.

The final exercise was to put it all together in an action plan called the Double Your Revenue Growth Map. This is the plan that you will follow to hopefully move you to the next level in your practice. It is in a matrix format of columns (10) and rows (7). The idea is to come up with the top ten projects that can lead to increased revenue (or cost savings).

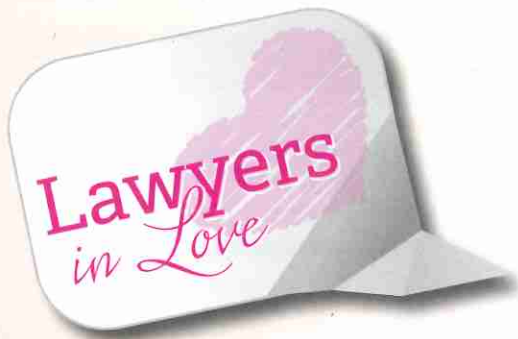
Each column of the matrix starts with a Project Name. If you don't name the project it will not get done. In the same column, in the next row list out the "Change or Improvements", next row the "Impact it Will Have", next row the "Revenue/Savings" in actual dollar terms, next row "What are Your Next Steps", next row "Who is Responsible" (hint, it should be someone other than you if possible) and the final row make a hard deadline or it won't get done.

The next workshop is in Atlanta on September 24, 2015 at a cost of \$995 for the first member of the firm and \$795 for each additional member. It's well worth the cost and NO I don't get compensation from Atticus™ for plugging their seminars, though I think I really should.

www.atticusonline.com/register-double-your-revenue-workshop/



MARC WHITEHEAD
A TEXAS SUPER LAWYER, (REALLY?)



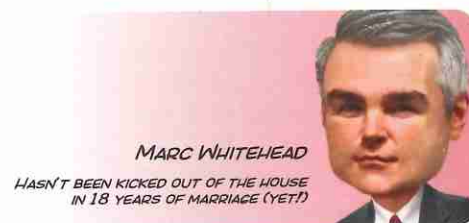
Take Your Spouse On a Date

We as lawyers often time neglect our relationship with our spouse or significant other. We have been brainwashed into thinking that it is honorable or a badge of courage that we work long hours and weekends and somehow our spouses should just accept it just like we do. WRONG! No one ever said on their death bed that they wished they had worked more. My advice is to plan dates with your spouse. One way that I have found to make that automatic is to buy season tickets to the theater. If you live in Houston as I do, you are privileged to live in the second largest downtown theater district in the country. Houston is home to Theater

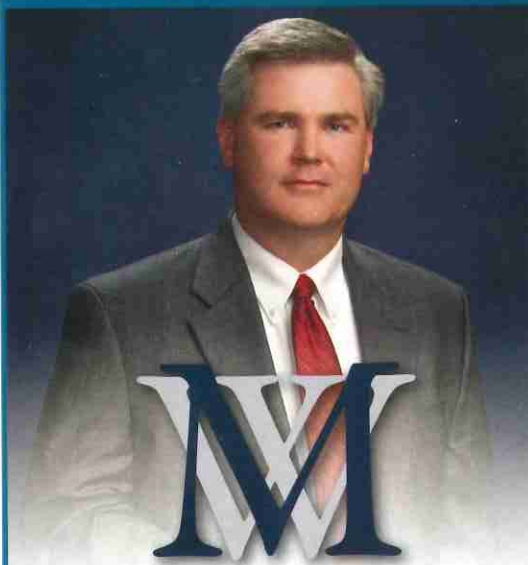
Under the Stars (TUTS), Broadway Across America (BAA) and the Alley Theater Company. The other reason I like live theater is that it has a special feel to it. You get to dress up, go out for a nice dinner and most importantly leave the kids at home.

The following are some upcoming plays that I am excited to see

1. Rent, September 18-19 at the Hobby Center, a TUTS production
2. Bonnie & Clyde October 1-11 at the Hobby Center, a TUTS production
3. One Man, Two Guvnors October 7-November 1, 2015 at the Alley Theater
4. Phantom of the Opera November 18-29 at Hobby Center, BAA
5. The Santaland Diaries December 6-31 at the Alley Theater
6. A Christmas Story December 8-20 at the Hobby Center, a TUTS production
7. Bullets Over Broadway December 27-January 2, 2016, BAA
8. All the Way, February 3-21, 2016 at the Alley Theater
9. Cabaret March 22-27, 2016 at Hobby Center, BAA
10. A Gentleman's Guide to Love and Murder May 4-15, 2016, at the Hobby Center
11. Wicked, July 6-August 14, 2016 at the Hobby Center, BAA



DISABILITY & INSURANCE DENIALS



MARC WHITEHEAD & ASSOCIATES
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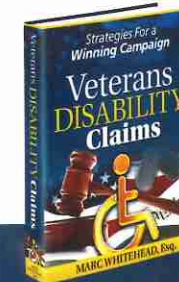
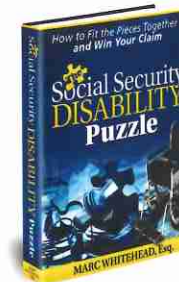
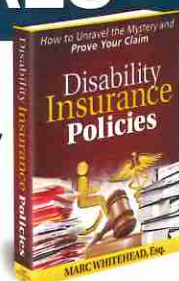
Veterans Disability Claims

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Marc Whitehead

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