

December 2015

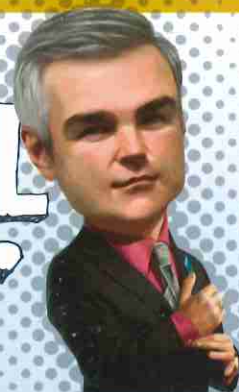
MARC WHITEHEAD & ASSOCIATES
ATTORNEYS AT LAW, LLP
A NATIONAL DISABILITY CLAIMS LAW FIRM

Vol. 1

Issue: 02

THE NEWSLETTER
YOU'VE BEEN WAITING FOR...

\$uccessful Barrister



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

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Welcome TO THE SECOND ADDITION OF THE \$UCCESSFUL BARRISTER,

a light hearted newsletter for lawyers seeking to improve their practices and their lives. Over the past month, quite a number of people have told me that they really enjoyed the first issue. Others weren't that into it but to each his own, eh? In this issue, I share some ideas that I use quite often which may help you stay calm and confident in yourself and in your practice (while still making money and staying sane!). As always, 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!

Seven Habits of Highly Successful Lawyers

Twelve years ago I read "Seven Habits of Highly Effective People" by Stephen Covey. I was so impressed that I attended one of his courses and then summarized the book. To this day, I keep that summary on my clipboard and review it weekly. Here is a quick summary of how I think Stephen Covey's "Seven Habits" can apply to lawyers.

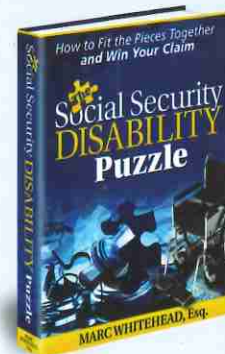


Habit 1- Be Proactive

The primary determining factor of our personal effectiveness is understanding that we are in control of our own decisions. With this power comes the responsibility of the consequences of the choices we make. Don't wait for life to happen to you, make your own luck. Make a point to look for opportunities everywhere. As the saying goes, "you do not have to be great to get started but you do have to get started to be great."

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FEATURE BOOK



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

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Sharpening Your Saw: Essential Life and Work Habit

Life, by its very nature, is random, chaotic, and variable. Though we can't control what life will bring us, we can take control of certain aspects of our everyday activities so that we are actually using our experiences to our own benefit. Stephen R. Covey speaks of this idea in his book, *7 Habits of Highly Successful People* and refers to this notion as "Sharpening Your Saw". He mentions the importance of balance among the four main dimensions of our lives; physical, spiritual, mental, and social/emotional. Each dimension has its own important role in our lives. We must nurture and balance each one evenly to produce optimal productivity and output. Whether it pertains to people, departments, or organizations, he says, achieving balance among these four areas is crucial to long-term and sustained success.

So how do we achieve this balance and what does the process look like? *Sharpening your saw* is an ongoing and constant process of self-improvement. Just like anything worth doing, it takes time and must be reinforced every day. Mr. Covey says one of the most important things is to be proactive with regards to balancing the four dimensions, to actually make directed and specific plans and to insert them into our daily lives. Quite simply stated, "Sharpening your saw is anything that will help you renew your energy and keep you balanced." Imbalances can cause unhealthy attitudes and a lack of motivation. Having the proper balance, on the other hand, can give you a unique view of each new day, where you are rejuvenated to continue your path to personal growth and change.

With regards to our personal lives, balance can be achieved through different and varying daily activities. Mr. Covey suggests activities like reading for pleasure, making art, meditating, or handwriting letters to friends or family, among other things. His suggestions are designed to

"I always wanted to be somebody, but now I realize I should have been more specific."

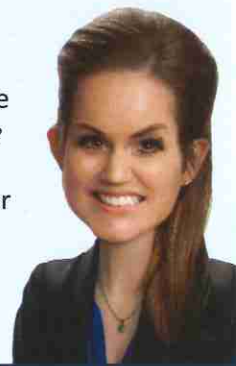
Lily Tomlin

pinpoint areas of development that can get overlooked in the hustle and bustle and constant reliance on technology that incessantly bombards us. If we can participate in activities that allow us to refresh and renew ourselves, we can then achieve to our fullest potential.

Taking this idea one step further and applying it to our careers, we can often get caught up in the mundane activities and lose our zeal for professional development. We need to keep ourselves professionally fresh so we ensure we are giving the best possible version of ourselves to our work. I believe this ideal can be achieved in the same manner as Mr. Covey suggests; we better ourselves personally, through directed and planned activities designed to break up the daily grind. This can be done through attending networking events, setting up professional small group lunch meetings, or attaining additional certifications in your field. Using the idea of *sharpening our saw*, we can find a healthy, individualized daily plan for advancing both personally and professionally, and to find success in the areas for which we strive.

If you are interested in a breakdown of the book *7 Habits of Highly Successful People* in full, be sure to read Marc's article or pick up a copy of Stephen Covey's book for yourself, you won't be disappointed.

BRITNEY McDONALD
ASSOCIATE ATTORNEY & MEDIATOR
ACCREDITED VA ATTORNEY
MEMBER OF THE CAVC



Marketing Tip of the Month

What is the Best Definition of Marketing?

- If the circus is coming to town and you paint a sign saying, "Circus is coming to the Fairgrounds on Sunday", that's **ADVERTISING**.
- If you put a sign on the back of an elephant and walk him through town, that's a **PROMOTION**.
- If the elephant convinces people in town to attend the circus, that's **SALES**.
- If the elephant walks through the mayor's flower bed, that's **PUBLICITY**.
- If you can get the mayor to laugh about it, that's **PUBLIC RELATIONS**.
- And if you planned the whole thing, that's **MARKETING!**

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Habit 2- Begin with the End in Mind

Whether you are thinking about a case, your career, or your personal life, visualize the end game. Leadership is determining what you want to accomplish. Management is determining the best way to accomplish what you want.

I suggest by starting with your three to five year plan. Don't be afraid to think big. Be specific and write it down. Then develop your one year plan with your three to five year plan in mind. Next, develop your 90 day plan with the intermediate goals of your one year plan in mind. Then set your weekly and daily plans accordingly, always writing it down and keeping the big picture in mind. My best tip is to have an accountability buddy that you share your shorter term plans with to keep you on track.

Habit 3- Put First Things First

Successful lawyers keep their focus. They get and stay organized. To put first things first, you need to define your most important functions. If you are the leader of your law firm or practice area, your most important functions are usually being the manager, the marketer and your client's chief legal strategist. Remember, these functions are the "highest and best use of your time." If possible, delegate everything else.

Habit 4- Think Win/Win

Successful lawyers have an abundance mindset. Allow yourself to believe there are enough resources and successes to share with others. This includes your clients, staff, vendors and even your opposition. When you think big picture, you by necessity are thinking long term. When someone loses, it could come back to bite you. Pick your battles carefully and help yourself by helping others.

Habit 5- Seek First to Understand... Then to Be Understood

When you are meeting with a client, staff or opposing counsel are you genuinely listening empathetically? Are you willing to be influenced by that other person or are you just waiting your turn to say what you want to say? Consider your audience and what they need from you.

Habit 6- Synergize

Successful lawyers learn how to utilize all resources available to them and make them work towards a successful result. They lean on others. Get a team and get it working for you. Figure out what you do well and find team members to help you with the rest. This could be your staff, vendors or outsourcing.

Habit 7- Sharpen the Saw

Abraham Lincoln once said "Give me six hours to chop down a tree and I will spend the first four sharpening the [saw]." To be a successful lawyer, you must first take care of yourself and your family. Your physical and emotional wellbeing are a must if you want to be focused, organized, and proactive in your law practice. Remember to schedule time for exercise in your calendar. Make sure to put your family first. See Britney McDonald's article, **Sharpening Your Saw**, for a more in-depth description of this habit.

Also, remember to continue to educate yourself and expand your horizons. I make a point to not only go to CLE's to keep my legal mind sharp, I also make a point to learn more about law firm management and marketing. Groups such as PILMMA, Great Legal Marketing, ATTICUS and The Rainmaker Institute have great programs to help you manage and market your practice.

In future issues, I will expand in more detail some on some of the key habits. Be well!



MARC WHITEHEAD
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NATIONAL BOARD OF SOCIAL SECURITY DISABILITY ADVOCACY

Perfecting Your Laser Speech: Zap the Competition!

Any marketing maven knows the term "laser speech" and knows how to use theirs well. However, for those of us still stuck on the learning curve, a "laser speech" is a tool used to efficiently and effectively present yourself, your firm, your practice area, and unique qualities about you that make you stand out from the rest. Your "Laser Speech" should be just as it sounds: focused, concentrated, and so fascinating that it would make your dog run in circles! I've also heard them called "elevator speeches," as it should be succinct enough to give in the time it takes to ride the elevator with a potential client or referral source.

The first step is easy; simply introduce yourself and your firm: "Hi, I'm Anthony Vessel. I'm an attorney with Marc Whitehead and Associates"

Next, describe what you do for people: "We specialize in disability law, including Disability Insurance claims, both at the federal and state level, Social Security claims,..."

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For The Love of Google™

How to Create Loyalist Clients that Will Boost Your Google Ranking

In terms of growing a brand, Google has been an invaluable tool to increase focus and opportunity and their ranking system has been instrumental in reaching out to thousands of potential clients. But Google is not just a passive force that can be used in any way you wish. Picture Google more as the head master of the most prestigious school; they don't care who you are or how much money you have, you have to earn their trust in order to gain that coveted high ranking position.

During this past summer, PILMMA held their annual Super Summit focusing on how to best market your disability law firm. One of the speakers was "the testimonial guru", Simon Aronwitz. As a Marketing Director my focus is to continually assess how our firm can improve our presence in the market especially our online presence and Simon had a priceless piece of advice for earning Google's approval and gaining their trust. It's rather simple too; *let your current clients boost your ranking for you.*

By focusing your energy onto your current clients, and not just placing all your efforts into bringing in new cases, you create an incredibly positive experience for your clients. This experience will mold the average client into a loyalist for your firm; one who will WANT to shout out to the world how wonderful and successful you are. The more loyalists you help to generate, the more positive reviews you will receive thus gaining Google's approval and the ranking you want!

Here are some suggestions from Simon on how to create a loyalist client:

1. Let Your Law Firm Have a Soul

Sure. We are offering a service and we do the best we can to provide excellent legal services to our clients. But along the way, allow your staff and yourself some humanity. You don't have monotonous robots that shuffle clients from one stage to the next. You have hired caring and interesting individuals that should be allowed to show their compassion towards your clients. Think about it, who would YOU be more willing to review; a bland yet sufficient firm or one that took time to invest

in you and your individual needs?

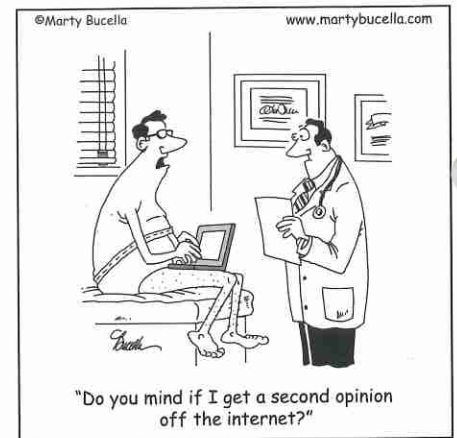
2. Treat Each Client as an Individual and Not Just a Case File

By creating a relationship with each client from the beginning, you are building a trust that will carry on throughout their case. Take the side of the client. A person who feels that they have someone on their side, especially when they are in a situation that required them to contact an attorney in the first place, will be much more willing to tell the world about you and your excellent service.

3. Create a Review Culture

This one held the biggest resonance for me. By creating a review culture in your office, from the intake team through the case managers and paralegals, all the way to the attorneys, you help establish a system where the client feels not just obligated but enthusiastic about writing you a glowing review. You start nurturing a client from the very first intake, where the intake staff incorporates "the power of a promise". When the intake process is complete, the team will ask the new client to *promise* to write a review when we successfully conclude their case. By asking the client to promise, you create more of a duty on their part to keep to that promise. Your case managers and paralegals can help to keep the promise of a positive and well-rounded review alive by periodically checking in with the client by asking, "How is that review coming along? Anything we can do to improve your experience?" Even the attorneys need to participate by asking the same question when you speak with your client. Always keep the review in the front of their minds. These regular check-ins will help you to quell any issues that might arise which would keep the client from wanting to keep to their promise.

Simon's presentation was an eye opener and we have started to implement this system of review culture into



"Even if you're on the right track, you'll get run over if you just sit there"

Will Rogers

our practice. Positive client reviews, that are powerful, thoughtful and insightful and not just fluff, are one of if not the best way to stay in good standing with Google and keep your ranking high. If you want to hear more about what Simon has to say, check out his website www.thetestimonialguru.com. He has a great free downloadable ebook as well. Peter Shankman has also

written a great book on the subject called, *"Zombie Loyalists; Using Great Service to Create Rabid Fans"*. You can pick up a copy at www.zombieloyalists.com.



SARAH AKIN
MARKETING DIRECTOR

Haters Gonna Hate:

How to Handle a Negative Online Review

We find that one of the biggest reasons attorneys are hesitant to get involved with social media and online review sites is that they are afraid they will get a negative review. Let me share something with you: you will always have someone who is not happy with your services, but to avoid using a powerful platform altogether because you are fearful that someone will give you a negative review just doesn't make sense.

The question is NOT if you will get a negative review but WHEN you will -- which means you need to know how to effectively respond so a negative review doesn't have a negative effect on your reputation and your bottom line!

7 Effective Ways to Respond to a Negative Online Review

The way to successfully handle a negative review is first, to have as many positive reviews as possible. Think about it, the last time you went to order something on Amazon, did the product have both positive and negative reviews? Of course!

But you still purchased it right? Why? Because innately we all know that no matter what product or service is sold, there will always be someone who is not happy. So as long as we see more positive reviews than negative ones, we usually still invest in the product or service.

People are not looking for perfection from you; what matters is how you address problems by being transparent, genuinely concerned and responding positively. Here are seven effective ways to address a negative online review:

1. Contact the review site. If the review is flagrantly false, defamatory, or you can prove a disgruntled former employee or competitor submitted it, you can contact the review site and ask for its removal. Just be sure you can prove what you say.

THE RAINMAKER INSTITUTE

2. Address it quickly, professionally and positively.

Respond directly to the review on the site and let the reviewer know you are sorry they are not happy and will do everything in your power to make it right. Be positive in your response! Let them know that although you have worked with hundreds of clients who are happy with your services, to hear that there is even just one who is unhappy upsets and concerns you. Encourage them to contact you directly to try and resolve the issue. That shows other readers you are responsive and care about what people think.

3. Resolve the problem. If you can find an email address for the reviewer (or already know who they are), email them directly. If not, respond in the comment thread and ask them to send you their email address or phone number privately so you can personally address their issue. Then ask them what you can do to resolve the problem and work with them to find a solution. Even if the issue seems unreasonable to you, making them a satisfied client will pay off for you down the road, especially if they are willing to go back and either edit or update their review to reflect the positive outcome you gave them.

4. Request an updated review. Once the problem has been resolved to the reviewer's satisfaction, ask them if they would consider deleting their original post or updating it to reflect that the issue has been resolved. If they prefer not to, then provide a comment on the site that you were happy to resolve the problem to the reviewer's satisfaction. This will demonstrate to other readers that you have acted to address and resolve issues proactively.

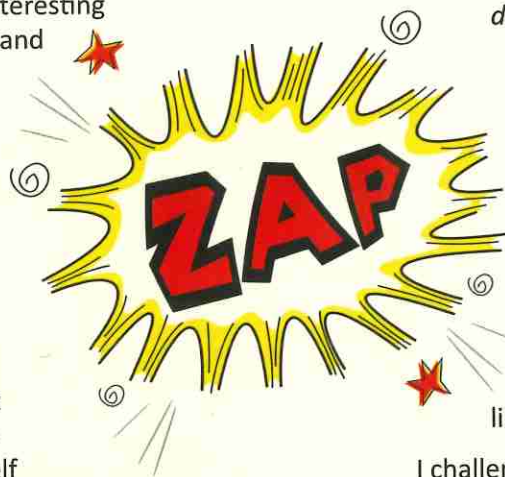
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...Veterans affairs claims, and Pharmaceutical litigation claims as well. We represent clients throughout Texas and the nation."

The last step is to end with an interesting fact that makes you unique or stand out. I add a clarifying statement that simply states what we do. "We help sick or injured people fight for the benefits they deserve. We're one of the only firms in Houston that specializes in only disability claims and that can handle all of your disability needs."

Another good idea to add pizzazz to your laser speech, is to come up with a unique title for yourself or lawyers at your firm. I recently read "**How Good Attorneys Become Great Rainmakers: A Breakthrough Referral Marketing Process,**" and found a great example. The author, Mark Powers, practices construction law, so he calls himself a "hardhat lawyer."



This sounded strange reading it at first, but several droning marketing books later, that descriptor still stuck out in my mind. At my firm, we introduce ourselves as "Disability attorneys" or "advocates for the disabled." My friend Imrana Manzanares, one of the best networkers I know, presents herself as a "nurse attorney." Imrana was a nurse before she became an attorney; now she litigates personal injury claims and medical malpractice cases. She uses her nursing background to be an expert at evaluating potential claims and reading medical records. Your descriptor should set you apart, but be simple and memorable like the examples above.

I challenge you now to think about what makes you unique and put it to work in your practice. Work on improving your laser speech so you can light up your next luncheon, conference, or happy hour!

ANTHONY VESSEL
ASSOCIATE ATTORNEY & MEDIATOR



The Strategic Pathway for Law Practice Development by Atticus

Last month I wrote about Atticus workshops that are designed to help lawyers manage and grow their practices. (Atticusonline.com) Atticus workshops are interactive brainstorming sessions designed for you, the lawyer, to walk away with a written plan of action to improve your practice.

In January I attended the National Trial Lawyers Summit in Florida and heard the founder of Atticus, Mark Powers take the audience through the Atticus "Strategic Pathway", a chart designed to show the possible stages of progression of a lawyer's practice.



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The first stage is entitled the Great Lawyer Stage. In the Great Lawyer Stage your strategies are to be a great lawyer, to be the "hero" of the story and therefore you can only make more money by working harder. You are basically in survival mode. The end result is often stagnant or falling income, endless days of high stress and lack of personal & professional boundaries. In short, your practice OWNS YOU! (*This was me for the first 12 years of my practice*).

The second stage is referred to as the Practice Growth Stage. In the Practice Growth Stage your strategies are now to have a solid team, work on the business, develop sustainable infrastructure, focus on marketing and revenue and be more selective in the clients you take and raise case values. You have more freedom but you are

still the “hero” of the story. In other words the practice is successful but CANNOT FUNCTION WITHOUT YOU!
(This where I am at now).

The third and final stage is referred to as the Market Leader Stage. In the Market Leader Stage your strategies are to get past the “heroic” style of leadership. You, the lawyer/owner, are no longer the “hero”, the firm can run without you, the firm is considered a market leader, you have built a legacy organization and you have the MONEY AND FREEDOM TO DO AS YOU PLEASE. This is done by marketing the firm and team (versus you) into “key profitability zones.”

This requires a management structure that promotes marketing and client service delivery innovations.
(This is where I want to be).

In November, I will begin the Atticus “Dominate Your Market” workshop. This program is one year long, with quarterly two day workshops, and monthly telephone conference calls. It should be intense. I will keep you updated as we go.



MARC WHITEHEAD
“PROUD TO REPRESENT THE MEN & WOMEN
WHO HAVE SERVED OUR COUNTRY”

“If you don’t know where you are going, any road will get you there”

Lewis Carroll

HATERS CONNA HATE - FROM PAGE 5

5. Set up a business page on multiple review sites.

There are over 100 different review sites. You should set up and maintain listings on all the major ones. Here are just a few: Google (very important), Avvo, LinkedIn, Facebook, Google+, YouTube, Merchant Circle, Yelp, Bing, City Search, Hotfrog, Superpages; Kudzu, Trip Advisor, Yellowbook, Dex Knows, Yellow Bot, Local, Best of the Web, Nolo, and Four Square.

6. Set alerts. You should set up business pages on all of these. Many of them allow you to set up an alert so the site will notify you whenever a new review is posted. Set an alert for the name of your firm and for each attorney on Google Alerts (<https://www.google.com/alerts>) as well.

7. Proactively encourage client feedback. Prevention is always cheaper than treatment! Be proactive in seeking out client feedback as you work the case, and conduct an “exit interview” following the conclusion of every clients’ legal matter to ensure they have been satisfied with your services. Giving your client a direct voice in expressing any dissatisfaction may prevent them from taking it out on you online.

The Power of the Positive Review

However you craft your approach to online reviews, you need to be aware that they are not going away. You cannot stick your head in the sand and “hope” that no one finds the negative reviews online. People want to share their experiences, and others looking for those same services want to know what experience others have had with a service provider.

If you are not harnessing the power of the online review, then you are missing a golden opportunity to increase your Internet-based leads. If you let the good work you have done for years speak for you, it will do more for you in bringing you prospects who will already have a propensity to buy from you.

STEPHEN FAIRLEY
CEO, THE RAINMAKER INSTITUTE

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ABOUT THE AUTHOR

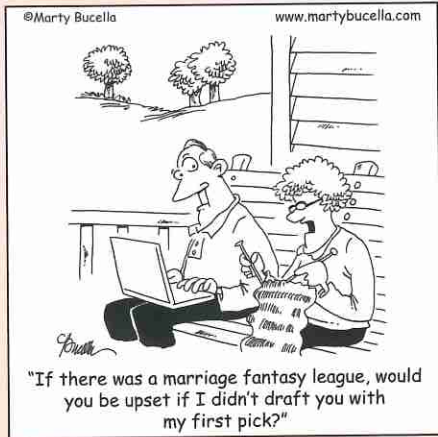
Stephen Fairley is the CEO of The Rainmaker Institute, the nation’s largest law firm marketing company specializing in lead conversion for small to medium size law firms. Over 15,000 attorneys have benefited from learning and implementing their proven marketing and lead conversion strategies.

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Lawyers in Love

Being Married for 18 years has taught me to always have great amounts of devotion, patience and understanding for my wife and for my marriage. But what actually gets me through the toughest days is humor. If you can't laugh at yourself and



your spouse (though maybe not to their face) then you'll never make it past the first 'accidental' dutch oven during the night, the first explosive baby diaper, or the romantic dinner you slaved over that may or may not have given your spouse food poisoning. Just remember, no one is perfect and the ability to laugh away an awkward situation is a pretty attractive trait.

Here are some of my favorite humorous quotes about marriage:

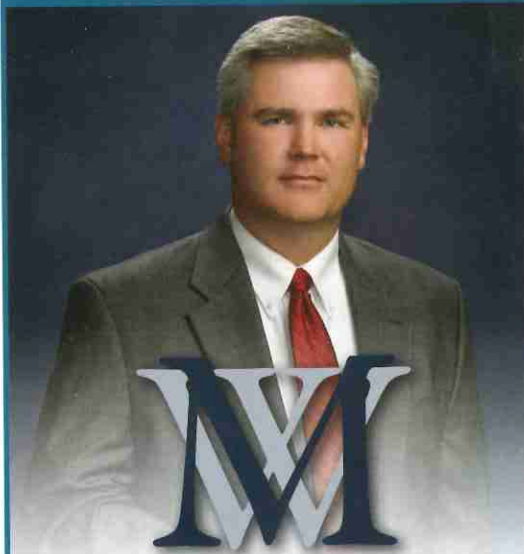
1. "I was married by a judge. I should have asked for a jury." — **Groucho Marx**
2. "Marriage is really tough because you have to deal with feelings and lawyers." — **Richard Pryor**
3. "Love is grand; divorce is a hundred grand." — **Unknown**
4. "Marriage is a wonderful institution, but who would want to live in an institution?" — **H. L. Mencken**
5. "Nothing defines humans better than their willingness to do irrational things in the pursuit of phenomenally unlikely payoffs. This is the principle behind lotteries, dating, and religion." — **Scott Adams**

6. "I've learned that you cannot make someone love you. All you can do is stalk them and hope they panic and give in." — **Unknown**
7. "Women marry men hoping they will change. Men marry women hoping they will not. So each is inevitably disappointed." — **Albert Einstein**
8. "I love being married. It's so great to find one special person who you want to annoy for the rest of your life." — **Rita Rudner**
9. "Love is a dirty trick played on us to achieve continuation of the species." — **W. Somerset Maugham**
10. "Love is the answer, but while you're waiting for the answer, sex raises some pretty interesting questions." — **Woody Allen**
11. "Behind every great man is a woman rolling her eyes." — **Jim Carrey**



MARC WHITEHEAD
HAS PERSONALLY CHANGED HUNDREDS OF GROSS DIAPERS FOR 4 DAUGHTERS, THAT'S LOVE!

DISABILITY & INSURANCE DENIALS



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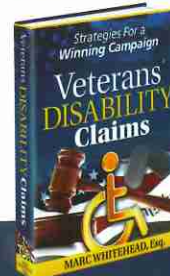
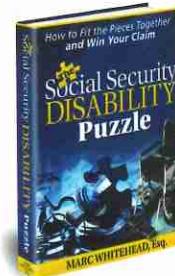
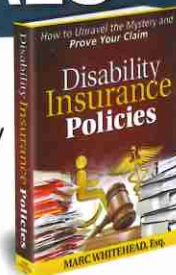
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