

February 2017

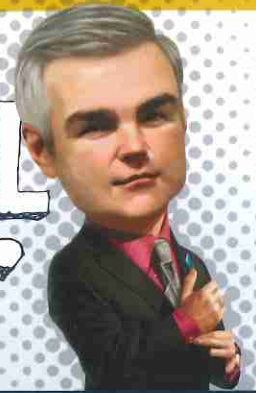
MARC WHITEHEAD & ASSOCIATES  
ATTORNEYS AT LAW, LLP  
A NATIONAL DISABILITY CLAIMS LAW FIRM

Vol. 3

Issue: 01

THE NEWSLETTER  
YOU'VE BEEN WAITING FOR...

# \$uccessful Barrister



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## WELCOME to the FIRST issue of the 2017 \$uccessful Barrister!

This monthly newsletter is crammed with advice and guidance for lawyers seeking to improve their practices and their lives while making piles of money and still staying healthy. In this issue, I share some ideas on how to focus on better relationships with clients and colleagues, how to keep your stress under control and give you some tips on how to be the best lawyer out there. If you know anyone you think would enjoy this newsletter, please email me their contact information at [marc@marcwhitehead.com](mailto:marc@marcwhitehead.com) and I will be happy to add them to my mailing list. *Wishing you successful 2017!*

## Better Business Development *Get Off Your Butt and Do Something Different!*



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BOARD CERTIFIED - PERSONAL INJURY TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
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NATIONAL BOARD OF SOCIAL SECURITY DISABILITY ADVOCACY

I recently read an article by Jay Harrington that got me thinking. Running a law firm is no easy task and though being the leader is pretty killer, it's no picnic. We fill our time with hundreds of tasks, meetings, and management of our staff, not to mention the actual law components. The frustration of tackling everything can sometimes spill over into our marketing development and business relationship

when in reality, we need these to be fresh and inspiring. Jay has some great tips on how to keep your legal marketing and business relationships engaging and stress free.

### 1. BE IN THE MOMENT

We are all guilty of checking our phones during a business lunch or putting off an article we need to write.

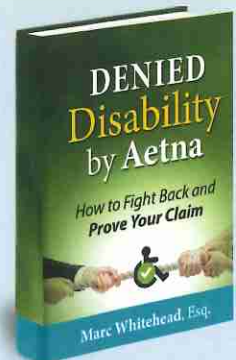
CONTINUES ON PAGE 2



### INSIDE THIS ISSUE

- *Better Business Development* ..... pg. 1
- *The Peaceful Lawyer* ..... pg. 3
- *7 Secrets of World's Best Attorneys*..... pg. 4
- *20 Legal Marketing Maxims* ..... pg. 5
- *Lawyers Need A Laugh!* ..... pg. 8

### FEATURE BOOK



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

PAGE 1 OF 8



Jay suggests focusing on one thing at a time when it comes to your marketing activities. Be more in control and purposeful. Don't try and tackle 80 things at one time. Focus on one at a time and make each one spectacular. If you are at a lunch meeting, be present, don't just sit there thinking about what you need to do that afternoon. In other words, be present.

**Jay's Action Step:** "Clear your plate for one month. Commit to only doing one thing at a time. Really focus on it. This is a good approach for life in general so at the very least you can apply it to your marketing activities."

## 2. KEEP IT SIMPLE

Being leaders, we tend to overcomplicate things since we have so much going on all at once. We may use over complication legal language when speaking to our clients to try and win their confidence when in reality it might just make them feel insecure and unintelligent. We overuse our email instead of just picking up the phone to call someone. Each time we receive a gift or a thank you note for a referral sent or a job well done, we beam, but do we do this same thing for others? Try and take it down to the basic levels when talking to your staff and your clients. Simple is often better.

**Jay's Action Step:** "Write 10 handwritten thank you notes to clients and colleagues this month. Maybe nothing will happen as a result, but then again, maybe something great will! One thing is certain, you will make someone's mail opening more enjoyable and make yourself more memorable. "

## 3. BE YOURSELF

You can watch legal shows or read novels where the main character is a polished, attractive, and more often than not, aggressive in order to be considered successful. But we all know isn't always the case, though many consider me attractive and successful, just saying (just kidding). But now think about all of your colleagues, would you cast them all in a glossy TV legal drama? No, you wouldn't because successful lawyers come in all shapes and sizes and what makes them successful is their authenticity and commitment. So stop worrying about how you compare to other successful attorneys and be genuine in your relationships with your clients. Honesty and legitimate focus on your clients will always be rewarded.



### Jay's Action Step:

"Stop trying to please everyone. Focus on being yourself in all situations. If someone doesn't like you as a result, then that's their loss. As Paul Newman once said, 'If you don't have enemies, you don't have character.'"

## 4. GROW AND GIVE

Do you ever stop and think about your approach to your legal career? More than just thinking, "I want to make partner someday and be financially well off"? A lot of attorneys don't give real thought to the short, mid-way, and long term goals of their legal career. We see the end goal and ignore the daily inspirations that keep us going. Just running for the finish line is a long and arduous race and let's be honest, just showing up each day and going through the motions until you get there sounds awful. You need to really think about what motivates you as a lawyer and what your passions are. Then think about how you can use these to improve your daily routine and the routine of those around you. Always hunger for improvement and then share that with everyone around you. Grow and Give; makes sense now, right?

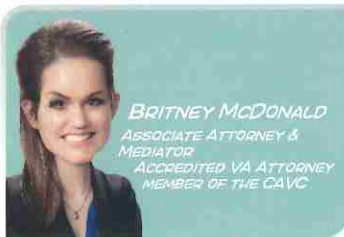
**Jay's Action Step:** "Try and learn something new every week- a productivity hack, a software shortcut, a best practice, a new technique- and share your new found knowledge with co-workers and clients. By improving yourself, then helping others better themselves, you'll find that you'll getting much more in return."

CONTINUES ON PAGE 6





# The PEACEFUL LAWYER



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

***“The Peaceful Lawyer,” that sounds like an oxymoron, right?***

I feel pretty confident in saying that a very special few of us tackling this

profession have attained a work-life balance and go to sleep every night without that nagging feeling that you forgot something or need to do more. There are always clients to please, co-workers to juggle, cases to review, projects to prepare, and often most daunting of all, your own personal quandaries—and these are only from work!

Statistically, there are many disturbing trends developing within the legal profession. Even as far back as students—generally, of those entering law school, only about 9% report depression, while 27% report depression after the first semester; 34% report depression after two semesters and 40% report struggling with depression after 3 years of practice. That is nearly half of all lawyers who struggle with psychological dysfunction! To describe even more sobering realities, only half of lawyers are satisfied or very satisfied with their work. We typically resolve that our greatest struggle as attorneys is lack of a work-life balance. We strive for perfection and at that end; it often costs us our personal lives. In a lifestyle focused on the pursuit of perfection with the false belief that working hard and long hours makes you a better person, dissatisfaction often follows. Lawyers are understood to be the most frequently depressed occupational group at 3.6 times more likely

to suffer from depression than other occupations. What happened to Dentists? Unfortunately, unlike in episodes of Seinfeld, lawyers are the ones at risk—fifth in incidence of suicide by occupation. We generally have three choices when it comes to this realization: you can deny it, you can medicate, or you can do something different.

If you deny it, maybe you’re fortunate and truly do not struggle with depression. Otherwise, it’s likely you just can’t face the reality that the legal profession is adversely impacting your mental health.

If you chose to medicate the issue, kudos to you for recognizing that you have a problem; however, medicating depression can take many different forms and ultimately harm the goal of healing. Some people will actually seek help from a licensed professional and take prescription drugs as a fix. Some people will choose to self-medicate by turning to alcohol or drugs—even performance drugs like Adderall. A great many others; however, will self-medicate by throwing themselves into their work and staying busy so that they do not find the time to actually reflect on their unhappiness. Filling our days with appointments, calls, briefing, research, networking—whatever your poison, lawyers seem to love to medicate—even though this only masks the underlying issues.

After the aforementioned, the seemingly obvious best option in dealing with depression is to do something different. Make like Queen Elsa and “Let it go”—let go of your misguided beliefs that you have to be everywhere, know everything, and stretch yourself as far as possible to succeed as a lawyer. Focus instead on adding value with your ideas and solutions, not just your precision. The Nischwitz group insightfully suggests relinquishing the idea of holding onto work and embracing the magic of delegation and trust. Let go of the need to do everything by yourself and accept the practice of collaboration. Most of all, find ways to release your stress.

*“You can’t wait for inspiration.  
You have to go after it  
with a club.”*

– Jack London

Take a few moments for self-discovery from time to time to reevaluate your desires. What do you value most right now? If some of those things are in the personal sphere, are you carving out enough time in your days to fulfill them?

CONTINUES ON PAGE 6

PAGE  
3 OF 8



# 7 Secrets of World's Best Attorney's



In a recent presentation, Frankie Fihn shared his "7 Secrets of World's Best Attorneys." This is an intriguing look into what traits and shifts to make if you want to be at the top of your practice area!



1. First on the list is to Operate With Total Integrity. Abraham Lincoln once said, "I am not bound to win, but I am bound to be true. I am not bound to succeed, but I am bound to live up to what light I have." Wise words by one of history's most ethical barristers and one of America's most prominent figures. Running your practice with integrity will pay dividends. You want to establish yourself amongst your client base, coworkers, and fellow attorneys as a bastion of integrity. As these same groups of people are looking to refer their friends or family members, they will not be sending them to the sleazy guy from law school who eeks out wins here and there using shady practices. They will turn to the consummate professional who puts duty over self-gain.
2. Second, you must position yourself for premium clients. One effective way of doing this is marketing yourself as a specialist in your area. General practice firms can find success. However, when marketing, you must be memorable. When you specialize in an area, your referral sources often remember you as a specialist and won't refer their loved ones anywhere else. This gives you a way to stand out in people's memory, and thus, stand out at the time your friend's friend needs a "specialist."
3. Third, create your unique YOU-niversal Message. Most attorneys know, or find out quickly, that to turn a profit in this gig, you not only have to give your client's an exceptional product, but you must also have a consistent stream of clients give that exceptional product. It is up to you and only you to bring these clients in. Once again, the call to action is to make yourself unique and standout amongst the rest. Mundane marketing isn't worth the paper it's printed on. However, things like free literature on your area of law, free information by way of articles

and videos, and using social media effectively are all ways to stay ahead of the marketing curve.

4. Fourth, establish reliable referral systems. Referrals are an attorney's best friend. They can seem to be happenstance or luck, but there are many ways to keep them coming. Be sure to make luncheons, CLE's, conferences, and other local bar events with your colleagues. Invest time and money into your relationships, and they will pay dividends for you. Also, when you receive a referral from a friend or colleague, let them know you appreciate it. Thank you letters, holiday gifts, even a phone call can keep you fresh in the minds of your referral sources.
5. Fifth, cultivate reliable management systems. You may be thinking, "wow, all this marketing and message-creating takes a lot of time! How in the heck am I supposed to do all of this advertising, attend all of these events, and still have time to practice?" That's where your management systems come into play. Create reliable management systems so that you have the time to break away when needed, and be the rainmaker for your firm.
6. Sixth, regulate your speed of decisions. This area is a big fat fine line. Making big decisions at a knee-jerk pace can lead to disastrous results that you may have to live with for a long time.

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

*- Will Rogers*

# TWENTY LEGAL MARKETING MAXIMS

## or How I Learned to Love the Clients



I am just as guilty as anyone of us for flipping through a legal magazine or scrolling through a marketing site to pick up any new jazzy ways of bringing in clients or getting our law firm out

there and thinking, "can't someone just give me the magic formula!?" Well, funny enough, Bob Denney, a principal of Bob Denney Associates Inc, has come up with something close! Well, ok, maybe it isn't the marketing scroll of destiny, but it is a great focusing tool on how to step back and really see your strategic marketing plans, and let's be honest, that is actually better than a flash in the pan magic spell. Sometimes we get so caught up in the fine details that we forget to look at the big picture.

### So without further ado, I give you Bob Denney's **20 Legal Maxims:**

1. Be the best lawyer you can be
2. Be afraid. Fear of failure guarantees success.
3. Don't Sell. Educate. No one wants to be sold legal services. Ask clients and prospects what their problems are, listen to the response and then educate them on how you can help.
4. Focus. Specialize. You can't be all things to all people.
5. Have a marketing plan and follow it. Hell is paved with good intentions- and marketing plans that were never implemented.
6. Market like you were a sole practitioner. If you don't, you may become one- and then you'll have to.
7. Everyone in the firm can be a marketer, from the managing partner all the way down to the messenger.
8. Current clients are your best sales agents.
9. With all due respect to social media, relationships and word of mouth are still the best forms of marketing and business development.
10. Your friends may not become clients, but your clients may become friends.
11. Your next client may be across the table.
12. To get and keep your client's business, know his or her business.
13. Treat every client as if he or she were your only client.
14. The three keys to a delighted client: Listen and communicate, listen and communicate, listen and communicate.
15. Under-promise. Over-deliver.
16. Don't be afraid to say "yes" but have the courage to say "no". To a client, the magic words are, "Yes, if..." and "No, but..."



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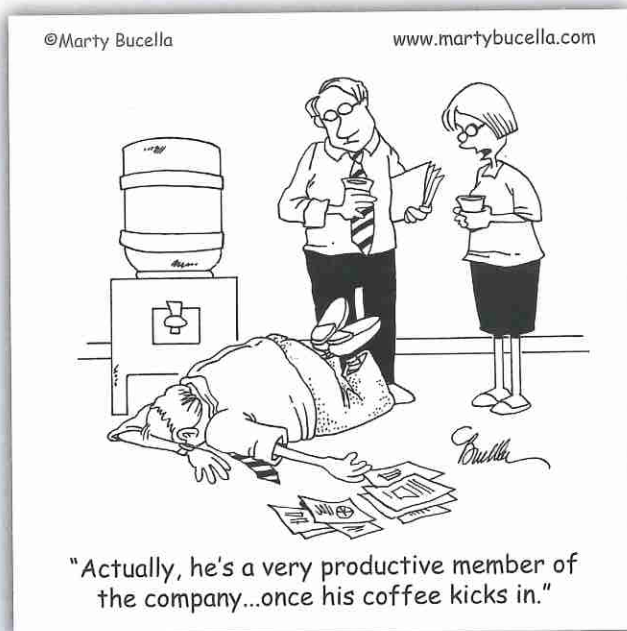
PAGE  
5 OF 8



We all get caught up in our own daily grind and sometimes we feel that it's too much to ask to break out of that mold. But really you have nothing to lose and everything to gain. Just give these a try and see if by next month, you aren't feeling more confident in yourself and your firm!

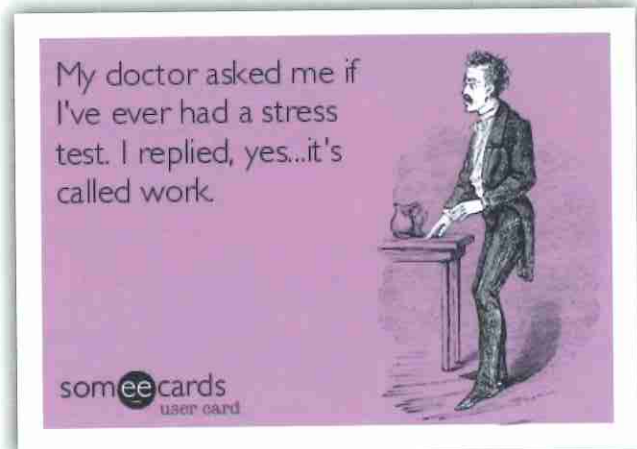
Jay is an attorney and co-founder of Harrington Communications. He leads the agency's Brand Strategy, Content Creation, and Client Service teams. He works with clients to develop memorable brands and compelling content, and ensures that clients receive impeccable service and demonstrable value.

Visit [hcommunications.biz](http://hcommunications.biz) to find out more. ☺



What is demanding most of your attention? Do you find yourself constantly stressed out? Do you struggle with trying to control everything around you?

Stress is about what you don't control, so naturally, those of us with control issues will find ourselves burdened with constant stress. In an attempt to relieve some of it, try to focus on the precious few things you actually can control.



There is a process to reducing your stress. Consider: is it important? Do you have direct control over it? Do you have an ability to influence it?

Try to be fully present in the day, in the moment you find yourself in. Focus on decisions and actions in front of you, not those just beyond your reach or events that won't occur for years. Consider what actions need to be implemented, and what decisions are you currently faced with. Those decisions you can control—take joy in the ability to do so.

When it comes to carving out separate time for your personal and familial enjoyment, understand that you'll never find time unless you make time! Schedule your time in advance; self-mandate that you will prioritize doing the things that you value even if that means you have to relinquish some of your other responsibilities, especially work-related ones. Work to create "healthy boundaries" to what you commit to within your week.

Shifting from "the busy lawyer" to "the peaceful lawyer" will not happen overnight, it will take time to shift your perspectives and priorities. Don't hope for less frustration and stress. Create more calm, joy and control by shifting how you think and see things. Find that inner peace that even lawyers need to be better people, more effective and productive parents, parents, friends, and colleagues. ☺

*"A day without sunshine is like, you know, night."*

— Steve Martin

# 7 Secrets of World's Best Attorney's

FROM PAGE 4

Conversely, waiting too long to pull the trigger could mean a missed opportunity and a major dose of FOMO (or "fear of missing out.") Try to approach decisions with patience and focus, so you can allocate enough time to analyzing the situation, but also, so you may do so efficiently and not miss the opportunity at hand.

7. Invest in Mentoring. I may have saved the best for last. Finding a good mentor is key to success in any realm, especially the legal professional. Seek out and nurture relationships with lawyers senior to you that can give guidance and perspective. Treat them to lunch and swap war stories. Let them know about some of the decisions on your mind, and see if they offer an alternate approach. There are also mentoring groups or consultants for hire for a more specialized, comprehensive review of your practice.



All of these secrets contribute to making a good law practice great. Remember that your practice is living, breathing entity, it is far from static. No matter how satisfied you are at present, there is always more work to be done.

Keep these 7 secrets in mind and keep moving your firm forward! ☺

17. Be a problem solver, not a problem maker.
18. Give clients alternatives but don't stop there. Say, "It's your decision but this is what I think you should do and these are the reasons."
19. Know your competition. It's just as important as knowing your client.
20. **ASK FOR BUSINESS.**

It all seems pretty simple doesn't it? And yet I am willing to bet that you caught yourself not doing one or more of these simple things. Allow yourself a few minutes to sit back and really evaluate how you are marketing and why. Are you treating your clients with the respect each one of them deserves? Or are you just trying to increase the numbers? Are you utilizing the marketing potential of everyone in your office? Are you the attorney every client hopes exists- or are you the one that lawyer jokes are written for? Be honest with yourself and the answers may just surprise you. We all need a kick in the pants sometimes and there is always room to improve!

To read more of Bob Denney's work, visit [www.robertdenney.com](http://www.robertdenney.com) ☺





# Lawyers Need a Laugh

## Some new, some old, all interesting

Early aircraft throttles had a ball on the end of it, in order to go full throttle the pilot had to push the throttle all the way forward into the wall of the instrument panel. Hence **"balls to the wall"** for going very fast. And now you know the rest of the story.

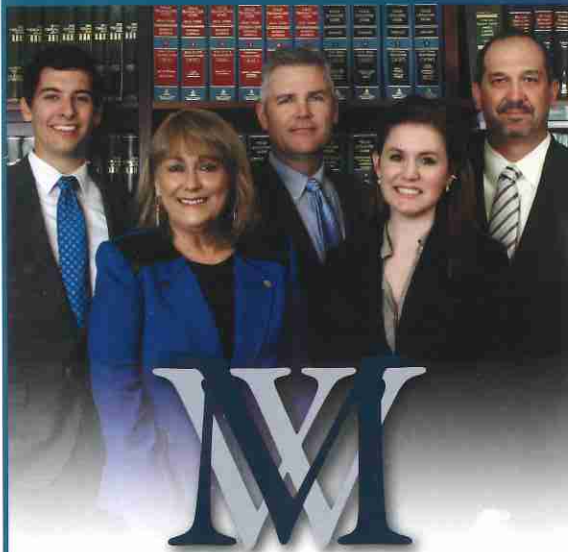
During WWII, U.S. Airplanes were armed with belts of ammo, which they would shoot during dogfights and on strafing runs. These belts were folded into the wing compartments that fed their machine guns. These belts measure 27 feet and contained hundreds of cartridges. Often times, the pilots would return from their missions having expended all of their bullets on various targets. They would say, **I gave them the whole nine yards**, meaning they used up all of their ammunition.

Did you know the saying "God willing and the creek don't rise" was in reference to the Creek Indians and not a body of water? It was written by Benjamin Hawkins in the late 18th century. He was a politician and Indian diplomat. **While in the south, Hawkins was requested by the President of the U.S. To return to Washington. In his response, he was said to write, "God willing and the Creek don't rise."**

Because he capitalized the word "Creek" he was referring to the Creek Indian tribe and not a body of water.



## DISABILITY & INSURANCE DENIALS



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