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

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Issue: 04

THE NEWSLETTER
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GREETINGS from Houston, Texas!

Not even a hurricane could stop the talented professionals at Marc Whitehead & Associates from cobbling together yet another quality newsletter and sharing our marketing and management expertise with the rest of the country. In this issue, we will touch on working smarter not harder, continuing your education for pennies, tips on a mom's work/life balance and much more. If you know anyone who would enjoy this newsletter, please email me their contact information to marc@marcwhitehead.com and I will be happy to add them to the list.

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The TWELVE WEEK Year

Get More
Done in 12
Weeks Than
Others Do in
12 Months

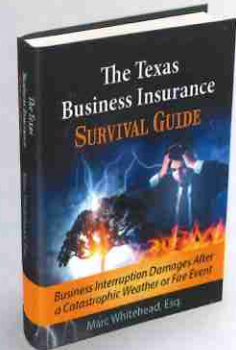
For many law firms, December is the best month of the year to close cases and push towards annual targets. It's actually quite common for the fourth quarter to make up 30 to 40% of annual revenue. Having a goal and immediate deadline gets people focused and working hard.

With that in mind, the question is: why save that kind of effort for just once a year? Instead of working towards twelve-month goals which can seem a long way away at the beginning of each year, you should instead set 12 week goals and have your people pursue those with the same kind of concentrated effort they put into the year-end push. "Periodization" is the concept of changing your timeframe so you make sure every week counts. Throw-out the annual plan and break each year into four 12 week periods.

This methodology is discussed at length in the book I just finished, titled "The 12 Week Year" by Brian P. Moran and Michael Lennington.

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FEATURE BOOK



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

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This book allows one to improve clarity and focus, so that they and their team can achieve their most important goals in a shorter time span.

If you move to use periodization, why not also set an audacious goal at the same time? What would happen if you boosted your productivity so much, you achieved in a 12 week period the same results you previously generated over entire year!? That kind of productivity boost would be a genuine game changer for most people.

Is it feasible? Well, if you're honest you will probably admit you're not always in high productivity mode all the time at the moment. Can you honestly forecast the results if you were to gear up to being highly productive every week?

The 12 Week Year's concept is to organize yourself so you perform at your best all the time by consistently acting on the things which will most directly shape and dictate your results.

THE PERIODIZATION CONCEPT

It's time to **discard annualized thinking** and start working like every month, every week and every day counts. According to the book, periodization is to break the year into four distinct 12-week cycles and to focus on achieving exceptional results within each individual period in its own right.

Forget about one year being 12 months--you define it as 12 weeks.

The 10 principles which make periodization work as a productivity booster are:

1 MAKE EVERY WEEK COUNT

Discard annual thinking and instead focus on getting the most achieved in the next 12 weeks, you'll be working with more purpose and passion than you otherwise would. **There's nothing like a deadline** to get you motivated so move that deadline closer and get to work.

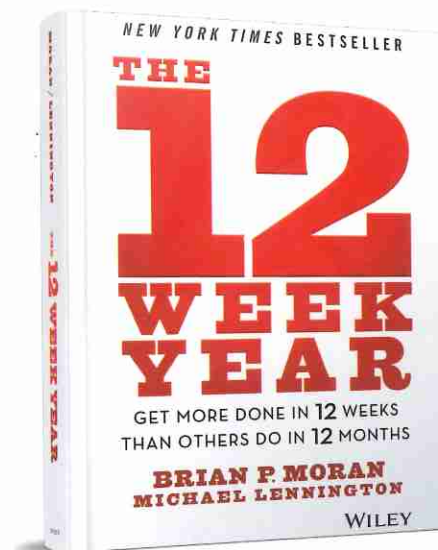
2 CONNECT EMOTIONALLY

Have a **compelling vision** to which you relate and connect with at an emotional level. If you have a vision of the future which is bigger than your present reality, then you can get to work making the changes which will be required to bring it to reality.

3 DEVELOP YOUR PLAN

To achieve your 12 week goals, to need to work a written plan for **three reasons**:

1. A written plan **reduces mistakes**.
2. A good plan committed to paper will **save time**.
3. A well-thought-out plan **provides focus**.



To develop your 12 week plan:

- **Identify 3-5 goals** that are achievable and promote your long-term goals.
- For each goal, identify tactics that are **specific, actionable and include a due date** and assign someone to be responsible for that tactic.

4 EXECUTE ONE WEEK AT A TIME

Once your 12 week plan, with its tactical subparts, has been reduced to writing, take consistent weekly action to make it happen. **Block uninterrupted**

time each week on your calendar to execute your weekly tasks that fulfill your 12 week plan.

5 MEASUREMENT DRIVES RESULTS

Scorekeeping is at the heart of competition. In other words, scorekeeping lets us know if what we have been doing is effective. Too often, law firms fail to keep score. If you really want to boost your firm's performance levels, develop a weekly scorecard where you track how you are doing on the critical activities of your business and of your 12 week plan. Make sure you are brutally honest with yourself. A good scorecard will shine the light on where your execution is failing and where your true strengths lie.

6 BE PURPOSEFUL

The key to packing one year's worth of achievements into a 12 week year is to **be intentional** about how you use your time. Block out regular time on your calendar each week to which you can exclusively dedicate to your strategically important tasks.

7 OWN YOUR RESULTS

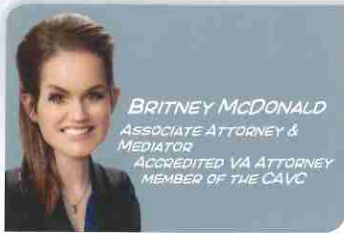
Accountability is not consequences; it is ownership. The only person who can hold you accountable for anything is you! And to be successful, you must develop the mental honesty and courage to own your thinking, actions and results.

8 MAKE GREAT COMMITMENTS

To become and stay a high performer, you have to **get better at keeping your promises**—irrespective of whether those promises are made to yourself or others. The key to becoming productive is to be fully committed:

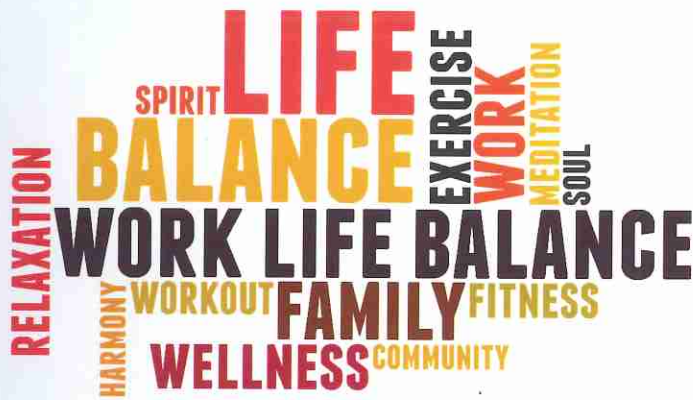
- Have a clear and personally **compelling reason** why you want to produce results.
- **Understand the core actions** which will generate the results you want and take them.

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A Non-Experts Advice on **Work-Life Balance** as a New Mother.

"I don't claim to be an expert on how to transition from the blissful and exhausting stay-cation of which we refer to as maternity leave, but I have had plenty of advice on how to make that typically painful transition less so."



As I am currently enduring this conversion, and as that conversion is consuming my life in every way, I thought it appropriate to share some of the honest and occasionally comical advice I have been receiving over this year as I prepared to deliver my first child and soon leave her in the capable hands of her new best friend, the nanny.

As an attorney, especially a female attorney, you are expected to devote all of your time and energy into your practice of law in order to prove that you belong and are serious about your career. That means for me the highest degree of organization applied to every aspect of my life, work and personal, to ensure that I am able to accomplish it all with my best efforts. Long hours, middle of the night reviews, being accessible by email, texts, and phone calls wherever I am, whenever it may be—these things are acceptable to pretty much all attorneys and even expected of them by clients and their peers. When you have an infant in your care, some of these things clash with your new role, while others I have found can be easy to work with and around your new schedule. The main advice I have to pass on and share with our readers is the following:

- Share the load
- Some things have to give
- Don't change too much at once
- Ask for updates

The best piece of advice I have been given, actually by

an opposing counsel, has been to take advantage of the amazing firm that I belong to, in that I need to let go of some control and "share the load" with my peers. Instead of trying to answer every phone call, be available for every hearing, and write every brief, try to delegate some of each of these commitments to other attorneys or paralegals. So far, this one has been deeply helpful for my situation as my coworkers are some of the brightest and most dedicated to our firm making it very easy to entrust some of my responsibility with them. Similarly, as with my personal life, I have been able to lean heavily on my husband. I used to be the main person who prepared dinner, cleaned, and cared for our dogs and house because I not only enjoyed doing these things, but because I was the self-proclaimed superstar of a wife who did them the best. I needed help when I became exhausted and pregnant and need even more help now that we have another person in our house demanding the majority of our time and attention. While my husband is also very busy (another lawyer and general counsel), sharing the load of responsibilities has kept us each from being just "too overwhelmed", and has created enough time for each of us to spend time with our daughter to bond.

Likewise, other mothers have told me that I cant do it all but, "While something is going to have to give, try to give up a little in each place instead of a lot in one important place." The idea here is that I cannot be fully a "mom" and fully an "attorney" anymore; I am both of these things at the same time and both take up a great deal of commitment. I have dedicated my time to each of these areas and therefore, as there is only so much time, I wont be able to be around every hour for my daughter or work with as much responsibility and time as I had before she was born. But, if I do it right, I can make the most of my time in each area and thrive simultaneously.



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Tony's Top Trial Lawyer Flicks

more menacing and vengeful country cousin of Travis Bickle. A must watch for thriller fans and lawyers alike.

4) LIAR LIAR- "Stop breaking the law a\$\$hole!!!" This movie was hilarious to me before I even considered being an attorney, and is now even more so given its relevance. A likable anti-hero, Fletcher Reed is an inconsiderate workaholic that puts career advancement over his crumbling family life. Every ambitious attorney can empathize with his work/life balance struggles. We can also commiserate with our obligation to zealously represent an occasional undeserving client. Overriding those deeper tones, this movie is hilarious, heartwarming, and totally Jim Carrey.

5) A FEW GOOD MEN- One of the true great classics I HAVE seen. I like this one for many reasons; one of the biggest that stuck out to me is that there is a lot of run time spent showing what lawyers actually do.. sit around reading, writing, and planning a case strategy. The classic exchange between Jack Nicolson and Tom Cruise will remain a top film moment for all eternity. If you "want the truth!" this is one of the greatest (lawyer) films of all time.

HONORABLE MENTIONS:

1) TO KILL A MOCKINGBIRD- this is a great classic and I know it's on the top of everyone's list, I didn't feel it needed another advocate for its known greatness.

2) LINCOLN LAWYER- This one is after the Matthew McConaughey renaissance when he decided to stop acting to win teen choice awards, and stepped up to the plate. Great movie, very entertaining.

3) ERIN BROKOVICH- this one would be my favorite paralegal movie. I love that it centers on legal staff being the backbone of law practice, and shows what a small town plaintiff's firm really looks like. Plus, it's a real life "David and Goliath" story that exemplifies the importance of trial lawyers.

SO BAD IT SHOULD BE DISBARRED:

1) LAW ABIDING CITIZEN-- It was horribly inaccurate and unbelievable. I remember sitting in the theatre wanting to throw popcorn at the screen after Jamie Foxx's big "gotcha" strut following his 5 minute initial integration of Butler's highly conditioned and qualified "confessions." I remember thinking "no prosecutor in the country would have missed that bad." Then he gets schooled by Butler and it's on... by on I mean, on the path to roll downhill from there with more inaccuracies and terrible plot holes. **I object.** 😊



ANTHONY VESSEL
ASSOCIATE ATTORNEY
& MEDIATOR

In this installment of the Successful Barrister, I wanted to put on my film critic hat, and discuss my favorite "lawyer flicks." **DISCLAIMER:** I'm not the biggest lawyer movie buff; I prefer movies that get my head

out of work, not further into it. I've missed many of the "must see" classics (see most John Grisham works and a lot of the older classics) Nevertheless, I'm writing about the best ones that I've actually come across.

THEY ARE AS FOLLOWS

1) MY COUSIN VINNY- This film is funny, charming, and relatable to a point, especially if you've ever been a fish out of water in an unfamiliar jurisdiction. Marissa Tomei actually won an Oscar for her role as Joe Pesci's fiancé/star witness. "what is a.. Grit?"; "you got mud in yer tires."; "YUTES/YOOOUU-THS"; and "..are you on drugs?" are just some of the great quotes from this movie. Most underrated scene: a very late Joe Pesci hustles into the courtroom in a roarin' 20's elevator operator uniform because he ruined his only suit in a Murphy's Law kind of morning. We've all been there, right?

2) A TIME TO KILL- This was a grand slam blockbuster with a truly all-star cast (Jackson, Bullock, Spacey, McConaughey, Judd, Platt, and no less than two Sutherlands!) It has a beyond compelling storyline, and receives my award for best quote, delivered by Samuel L. Jackson. When Spacey pressed Jackson on the stand (if he felt the Klansman that raped and murdered his daughter deserved to die) he responded: "Yes they deserved to die! And I hope they burn in hell!!!"

3) CAPE FEAR- This film makes my list as a creepy chilling thriller that is every lawyer's worst nightmare: having his/her family deliberately stalked and harassed by a deranged former client that was not exactly appreciative of his/her legal services. This film has a lot of early plot and character development, but as Scorsese often does in his films, it has an intestine-twisting second act when reality and "normalcy" spirals out of control. DeNiro plays a

Marketing University 101



**NATALIE
HIGHTOWER**
MARKETING & INTAKE
DIRECTOR

All you people reading my article right now have juris doctorate degrees, and I only have a bachelor of science. But I know quite a bit about some things you probably don't.

Marketing is an interesting field in that you don't have to have continuing education credits, courses, or certifications to continue to be a marketer. I could get an MBA but once I have that degree, there is nothing forcing me to keep learning and keep honing my craft.

I started working here after spending 10 years in advertising agencies and media sales. Being away from the agency world makes it kind of tough to keep up with the latest trends and best practices in marketing.

So, in September Marc sent me to the Inbound 2017 conference in Boston, and it

was money well spent. I came back refreshed, energized, and excited to apply the new tips and tricks I learned at the conference.

I wanted to share with the class a few different tools, certifications and educational opportunities available, typically for little to no investment, for anyone to enhance their marketing knowledge.

GOOGLE ANALYTICS AND GOOGLE ADWORDS CERTIFICATIONS

I currently hold a Google Analytics certification and have it in my plans to work on my Adwords. Even if you're not in your firm's GA account every day or every month, Google has online tutorials you can take to prepare for the exam and teach you great tips and tricks to gain more valuable insights out of your analytics traffic. If you use third party vendors to handle your website and marketing, it's also good to have this information to be able to spot check their work and verify their recommendations are sound.

You have to pass two of the certification exams offered

by Google in order to become Adwords certified, and your choices are AdWords Fundamentals, Search Advertising, Display Advertising, Mobile Advertising, Video Advertising and Shopping Advertising. (I recommend Search, Mobile, Video or Fundamentals).

Be warned that when you start the exam, you have to answer the first question before it shows you the next question and so on – no skipping around and going back to those you don't know.

Cost: Free

FACEBOOK BLUEPRINT CERTIFICATION

I am actively working on this certification. Anything and everything you ever wanted to know about Facebook advertising is available in their eLearning platform in short, easy to digest videos. All the information will make way more sense if you actively manage your Facebook ads account, but it is all great info to know nonetheless. You can also sign up to receive their emails, which will tell you when they've unveiled a new feature (yay, A/B testing!) or highlight some tutorials to watch.

Cost: \$150

INBOUND CERTIFICATION

Hubspot is a leader in marketing education, and their Inbound methodology of marketing is followed by thousands of marketers and agencies nationwide. When I was agency side, we were all required to have this certification. Mine is still current, but I plan on renewing it every 18 months because I find it that valuable. Watch all the videos that cover a variety of topics from website optimization, landing page anatomy, email marketing best practices, and even Smarketing (gotta watch the videos to find out what that is!), then take the exam. Hubspot also offers an email marketing

and a content marketing certification, among others.

Cost: Free

CONFERENCES

Conferences are a great way to get out of the office and focus all your time and attention on learning new marketing practices.

You can ask the speakers (who are usually subject matter experts) questions before or after the session, network with other marketing professionals, and oftentimes can whip out your computer and apply something you just learned on the spot.

You also don't have to spend a ton to go to a large national conference like Inbound (though I am a quality over quantity kind of lady). There are always regional shows available year-round, though the smaller ones tend to focus on very specific facets of marketing.

A few recommended conferences:

- Lawyernomics
- PILMMA Super Summit
- Inbound
- Great Legal Marketing (GLM) Summit
- Legal Marketing Association (LMA) Annual Conference

Cost: \$500-\$2500, depending on size of conference, travel, etc.

There are many other services, tutorials and e-learning platforms to help further your marketing education. Feel free to email me at natalie@marcwhitehead.com if you would like additional recommendations.

Go pour yourself a fresh cup of coffee, do some clicking around the internet, and sit back and start learning. ☺

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SURVIVING AS A LAW CLERK



When you begin law school, one of the first things they tell you is to find a law clerk position ASAP.

It's never too early to start gaining experience, building your professional network, or padding your résumé with practical skills.

What they don't tell you is how to survive this new legal world you are about to get thrown into.

After clerking for a law firm, an appeals court judge, a legal aid clinic, and the Texas Attorney General's Office, I've picked up a few tips to share with the other newbies out there.

HERE ARE MY TOP 5:

1. INTRODUCE YOURSELF:

First thing out of the gate, take some time to make the rounds and give everyone your name and a firm handshake. Make sure they know you're their go-to if they need help with anything. And when I say everyone, I mean everyone, not just the lawyers. Pro-tip: the paralegals know everything and are often smarter than the attorneys; make them your new best friends.

2. TAKE A NOTEBOOK WITH YOU:

Attorneys will call you into their office to give you assignments and if you walk in unarmed, chances are you'll forget half of what they say. There is nothing less impressive than a clerk who can't even remember what you asked them to do. One time I overheard an attorney say to my fellow clerk: "Well obviously what

I'm saying doesn't matter, you don't even think it's important enough to write down." Needless to say, my notebook is never out of my sight.

3. YOUR NAME TAG GOES OVER YOUR LAPEL:

You want to be a lawyer? You must dress like one. Even if you never see the outside of your office, you need to look professional and polished at all times. This means clean hair, trimmed nails, dark suits, and sticking your nametag on TOP of your

"People often say that motivation doesn't last. Well, neither does bathing – that's why we recommend it daily."

– Zig Ziglar

lapel. This is the stuff they don't teach you in law school, but wear your name tag under your lapel one time and your boss will be making fun of you because half your name is hidden.

4. KEEP AN EXTRA BLAZER IN YOUR OFFICE:

Without fail the one day you decide to dress down, even a little, will be the day your boss bursts into your office and invites you to lunch. Keep an extra black blazer in your office and you'll be good to go. Also, if you're a sweaty monster like me, an extra stick of deodorant in your desk is never a bad idea either.

5. IT'S A SMALL, SMALL WORLD:

The legal world is much smaller than you would think. Someone is going to know someone who knows your boss. With that in mind, you should always present yourself in a professional manner. This is not just limited to professional events either; I'm talking brunch with friends, movies with your significant other, and football games with your dad. You never know who is going to be sitting two seats behind you, so don't act a fool.

BONUS ROUND

RAPID FIRE: If you leave for coffee, ask if anyone else wants something. If you ever find yourself idle, ask to shadow a partner. When

getting new assignments, ask for a definitive due date. Finally, if you ever make a mistake SPEAK UP. Trying to cover it up is the worst thing you could do. If you're lucky and seek help early, there might even be time to fix it.

Mistakes are inevitable and pretty much expected when you are a clerk, but follow these tips and use some common sense and you'll already be ahead of the curve. Good Luck! ☺

- **Count the costs**—and be willing to make the sacrifices required.
- Follow through and **act on your commitments, not your feelings** of the moment.

“By working faithfully eight hours a day you may eventually get to be boss and work twelve hours a day.”
 – Robert Frost

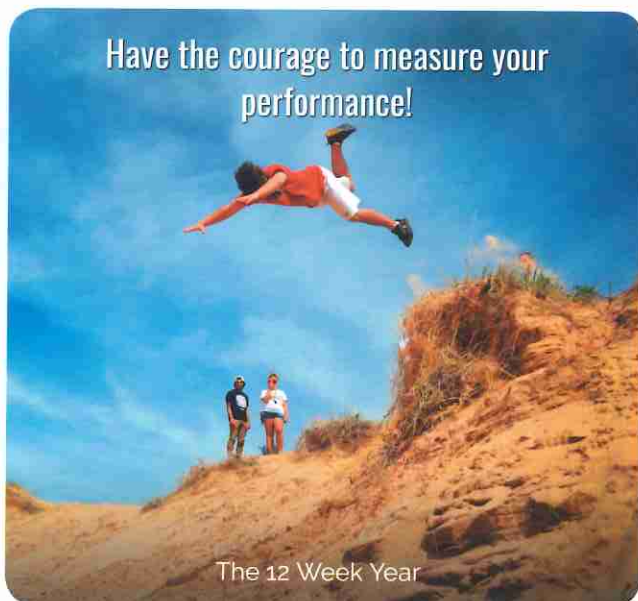
9 PERFORM IN THE MOMENT

You have to choose to do the things that will make you great. Athletes call this **getting into the zone** and it reflects the fact they are present in the moment, have put distractions aside and are focused on performing.

10 SEEK INTENTIONAL IMBALANCES

Each time you start a new 12 week year, choose a few key areas of your life or practice on which to focus and make significant improvement. The key to achieving leaps in productivity is to **be purposeful with where and when you spend your time, energy and effort.**

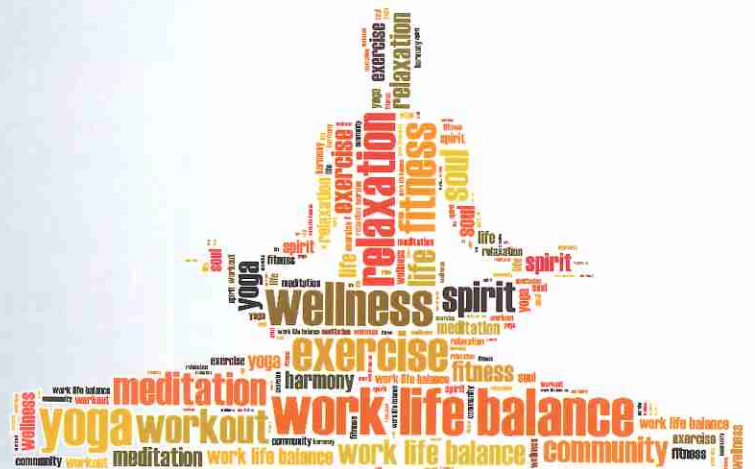
Since one year consists of 52 weeks, if you go on a 12 week cycle, you will have a 13th week every quarter. Use that week to plan ahead for the next 12 week cycle or to **just take a breather.** ☺



A Non-Experts Advice on **Work-Life Balance** as a New Mother

As for a more comical piece of advice I have been given, “Don’t combine returning to work with other big changes.” Here, a good friend decided to cut off her hair as she returned to work, as well as update her kitchen. The stress of these non-essential adjustments coinciding with the departure from her son drove her into an emotional wreck. It’s difficult enough to find your new rhythm as a working momma without the added stress of other big changes.

Finally, the last advice is to shamelessly ask for updates of your child. With your passing of the childcare reins to a daycare, family/friend, or nanny, easing the transition by staying involved and attached is said to do wonders for this emotional rollercoaster. Piece of mind knowing your little one is safe and happy at home allows you to stay focused and on top of your game at work.



As I am clearly not the veteran expert here, hopefully these little gems will keep me on the right track to dominating both of my worlds and help any of you other new mothers out there to ease this unquestionably difficult transition.

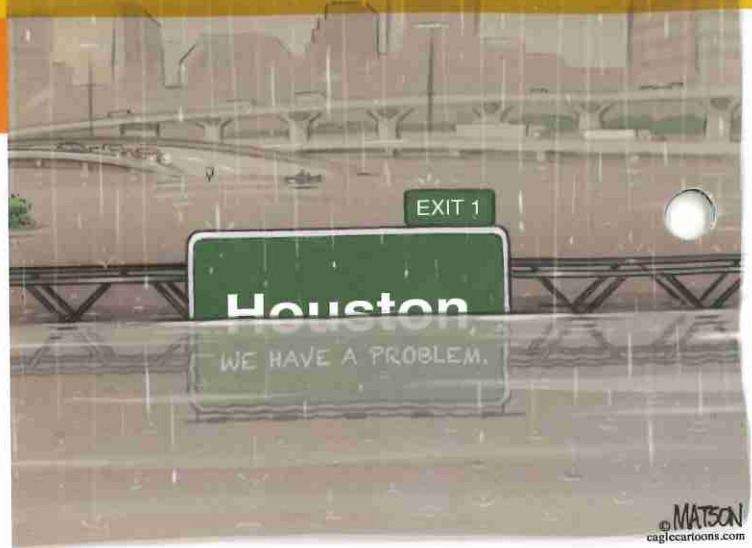
I will keep you updated, but in the meantime, excuse me while I groom my daughter to be a “Baby Lawyer.” ;) ☺

Lawyers Need a Laugh!

Our law firm wanted to celebrate surviving the 500 800 1,000 year flood, the best way we know how: knocking back a few. Here are the recipes for our favorite drinks post Hurricane Harvey.

"Alcohol may be man's worst enemy, but the bible says love your enemy."

— Frank Sinatra



HARVEY WALLBANGER

1 ¼ oz Vodka
3 oz Orange Juice
½ oz Galliano L'Autentico
Garnish: 1 Orange Slice
Glass: Tall

➤ Add the vodka and the orange juice to a tall glass filled with ice.

- Stir, and float the Galliano on top.
- Garnish with an orange slice.

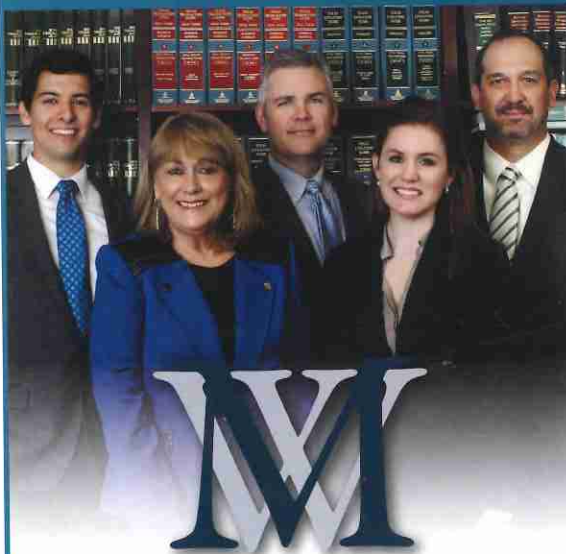


HURRICANE

2 oz White Rum
2 oz dark rum
1 oz lime juice
1 oz orange juice
2 oz passion fruit juice
½ oz simple syrup
½ oz grenadine
Garnish: 1 Orange Wheel and Cherry
Glass: Hurricane

- Add all the ingredients to a shaker and fill with ice.
- Shake, and strain into a large Hurricane glass filled with fresh ice.
- Garnish with an orange half-wheel and a cherry. 😊

DISABILITY & INSURANCE DENIALS



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