

May/June 2019

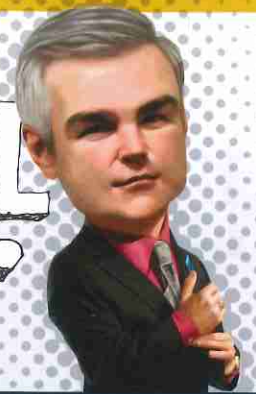
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ATTORNEYS AT LAW, LLP
A NATIONAL DISABILITY CLAIMS LAW FIRM

Vol. 5

Issue: 03

THE NEWSLETTER
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Cheers to Health and Happiness!

Hopefully reading the Barrister brings you lots of happiness at the beginning of this summer season.

You know what brings me lots of happiness? Referrals. Long-term disability referrals, to be exact. I love them so much, I even pay referral fees in appropriate cases. Most LTD cases are governed by federal ERISA law, and I have successfully taken cases in all 50 states (and Puerto Rico!). To learn more about referring our firm cases, please visit DisabilityDenials.com/referring-attorney or email me at marc@marcwhitehead.com ☺



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Growth IQ: The 10 Paths to Growing Your Law Firm



What is the one thing that will help drive growth? There are too many law firms seeking the one right move – which rarely exists – in order to grow. The reality is, when it comes to growth, the one thing is that it's never just one thing!

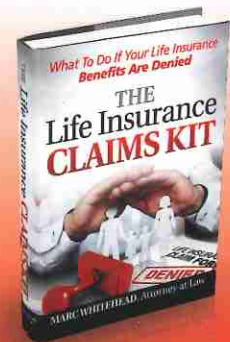
Why? Why do law firms look for the one right move? Maybe it's because they do what seems doable: find one problem area to fix or launch one big initiative to boost their intake numbers, or even repeat a growth strategy that worked in the past. Unfortunately, law firms rely on strategies that worked for them in the past but may have now outlived their purpose.

Tiffani Bova, author of **Growth IQ**, states, "often there is a misalignment

between perception and reality, keeping a business-as-usual mindset can quickly prove fatal. 87 percent of all companies go through a growth stall at some point, ... and here's the stunner: most owners said that internal, not external obstacles, keep their companies from growing profitably."

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FEATURE BOOK



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

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It isn't just about what growth strategies law firms choose but rather the context in which a strategy is deployed and the combination and sequence of initiatives. That's Growth IQ. Bova argues that growth is far less complicated than most people make it out to be. She states that most growth efforts can be categorized into one of ten growth paths.

WHAT ARE THE 10 PATHS TO ENLIGHTENMENT, E.G., GROWTH?

1 Client Experience: Inspire additional purchases and advocacy. Hiring legal services (at least, in the trial lawyer world) hopefully isn't a recurrent need for clients, so focus on making them the biggest, loudest advocates of (and thus, referral network for) your firm.

2 Client Base Penetration: Sell more existing legal services to existing clients. In our world, most of our long-term disability clients are also in need of our services to handle their Social Security claim.

3 Market Acceleration: Expand into new markets with existing services. Identify what factors are preventing you from expanding into new markets (i.e. new cities or states) and figure out a way to overcome.

4 Practice Expansion: Sell new services to existing markets. Long ago, the Veterans Administration lifted their restrictions on attorney compensation for disability claims. It behooved me to act quickly to add Veterans Disability to my law practice, as it was complementary to my other law practices already in place.

5 Client and Product Diversification: Sell new services to new clients. Did you recently welcome a new attorney into your firm with experience in a different law practice and their own book of business? Capitalize on it!

6 Optimize Sales (i.e. client intake and signup):

Streamline intake efforts to increase productivity. Marketing automation technology and CRMs are a big kick in the gut in initial expense, but very worth it in the long-run once your intake and onboarding systems are a well-oiled machine.

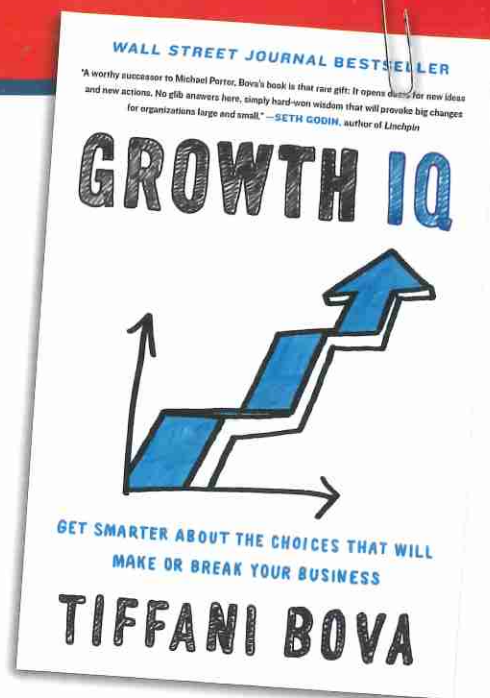
7 Churn (Minimize Defection): Retain more clients. Even if there are no updates to give on their case, make sure you are checking in on your clients even with that small tidbit of information. Radio silence between stages of their case is dangerous ground.

8 Partnerships: Leverage third-party alliances, channels, and ecosystems. I am leveraging my relationship with all of you to receive referrals. Don't forget that I like LTD cases, and that referral fees are paid in appropriate cases.

9 Co-opetition: Cooperate with market or industry competitor. We have a relationship with competitors in both our home market of Houston, Texas and competitors in other states. We use co-counsel relationships, local counsel agreements and straight referral agreements when appropriate.

10 Unconventional Strategies: Disrupt current thinking. Get creative here.

Bova argues, it isn't enough to have the right new growth strategy. Companies must fully understand what the current market context is prior to making any moves. Otherwise, even the right decision, or the right growth path can backfire – putting you in the wrong place at the wrong time. Choosing the right growth path should always start with understanding the circumstances or events that form the environment within which your company competes. You have to understand the threat or opportunity the context brings, along with the



combination and sequence necessary to support the chosen growth paths.

Context includes current social and economic conditions, the existing product portfolio, the competitive landscape, and corporate culture. Combination is the act of selecting key actions that can positively impact outcomes, when done together, and sequence is the act of establishing a priority, order, and timing to these actions.

Creating a multiplier effect is far more powerful than just focusing on one or two efforts in isolation.

A key thing to remember is that your conditions are not the same as your rival. Don't try to copy what you think your competitors are doing. Imitation is not the path to success, especially in an overcrowded marketplace. Don't get distracted by what landed you in the current situation. Keep your mind – and your options – open.

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"Money won't buy happiness, but it will pay the salaries of a large research staff to study the problem"

– Bill Vaughan

PILMMA's Big Ideas for 2019

By Tiana Hinnant Hardison, Esq.

Note from Marc: Britney had a baby and is presumably off somewhere taking care of that baby. I give you Tianna Hinnant Hardison, Esq. in her absence!

PILMMA 2019 SUPER SUMMIT

This year's PILMMA Summit is actually the BIGGEST Super Summit PILMMA has EVER hosted...



PILMMA (*Personal Injury Lawyer's Marketing and Management Association*) is celebrating its 10th Anniversary this year, with **"Big Ideas in the Big Easy,"** PILMMA's **2019 Super Summit**, being held June 25-28, 2019 at the Ritz Carleton, in New Orleans. This year's Super Summit is 3 and ½ days full of presentations and super panels from 26 Heavy-Hitter Lawyers and Industry Leaders (*including our own Marc Whitehead!!*) sharing Secrets, Strategies, and Big Ideas that they have used to build successful law firms. It's a crash course in the latest in legal Marketing and Management strategies, from Critical Digital marketing, Referral based Strategies, Dominating the Hispanic Market, Maximizing Intakes, Managing, Scaling and Accelerating Law Firm Growth, Harnessing SEO, Systematizing Your Firm, Innovative Case Management Strategies,

Diversifying Your Practice, Creating your Winning Marketing Plan, and more.

This year's PILMMA Summit is actually the BIGGEST Super Summit PILMMA has EVER hosted, including an ENTIRE Day devoted to MASS TORTS, with super lawyers who have grown successful mass torts practices sharing the latest in how to start a Mass Torts practice on even a shoe-string budget, as well as giving you the latest *"What's Hot and What's Not"* in the current world of mass torts!

At the same time that the Mass Torts program is going on,

PILMMA has brought in Gloria Allred to open up PILMMA's First ever Empowering Women to be Law Firm Entrepreneurs program; It features a host of successful women lawyers and is designed to educate and motivate women to create law firms that reflect their values and give them the freedom and flexibility to practice law on their own terms.

If you are new to the world of Legal Marketing, or if you want to brush up on the basics, the RIGHT WAY, this year's PILMMA Super Summit also includes a first day session which includes The Basics of Online Marketing, Intakes and Creating Ads and Copy that Converts Prospects to Clients!

SO, if you are ready to learn the very latest in Law Firm Marketing and Management and do it in the heart of the New Orleans French Quarter, PILMMA's 2019 Super Summit is the place to be this month! Just go to www.pilmmasummit.com for more info and to register for this exciting event.

"Happiness is having a large, loving, caring, close-knit family in another city."

– George Burns

INTERNET DOMINATION BOOT CAMP 2019: GOLDEN NUGGET, LAS VEGAS SEPT 12-13

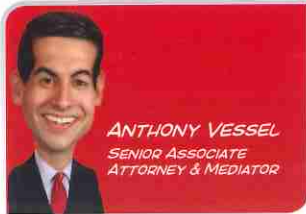
If you are already booked for June, then you can start planning now to attend PILMMA's big FALL event: the 2019 Internet Domination Bootcamp at the Golden Nugget in Las Vegas, September 12-13, 2019.

This event draws attendees from across the country to hear the very latest in Internet Marketing from Industry Experts, with topics like Winning the Social Media Race, Tracking Your Online Marketing, Leveraging Analytics to Maximize ROI, Web leads technology, Effective Facebook Marketing, OTT Advertising, Chat Bots, Grabbing Yelp Reviews, Ranking in the Google-3pack and lots more. For more info and to reserve your Seat for this upcoming Vegas event, just go to www.lawyerinternetdominationbootcamp.com. ☺

PILMMA

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Funniest 5 fictional attorneys



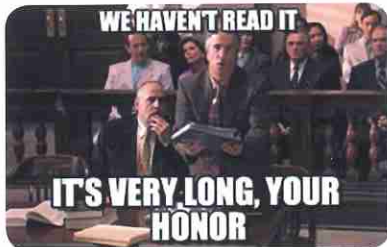
ANTHONY VESSEL
SENIOR ASSOCIATE
ATTORNEY & MEDIATOR

There are great fictional attorneys that every attorney admires, and even aspires to be in their career. (Think: Atticus Finch, Jack McCoy, Perry Mason, heck even Elle Woods) Well, this list is anything but that. These are my top 5 funniest

lawyers due to their outlandish behavior, crazy antics, or just downright ineptitude.

Barry Zuckerkorn

As the retained attorney for the Bluth's in "Arrested Development," Barry is a major cause of the family's legal, business, and financial woes. He is as incompetent as he is hysterical.



GREAT QUOTE:

"Sorry, sorry, sorry I'm so late. I had another hearing. Here's the good news: I think I'm going to get off, huh? I have a good lawyer."

Vincent Gambini

Vincent Gambini is the rough around the edges, inexperienced, big city attorney sent down to the rural South by his family to save his cousin, who was wrongfully accused in a capital murder case. I think most lawyers love this movie because we have all had a fish out of water moment in our career, we just hope to handle with a little more... polish, and maybe a bowl of grits.



GREAT QUOTE:

*"Uh, everything that guy just said is bullsh*t. Thank you."*

Saul Goodman

The tacky American themed office in a crappy strip center, the shady clients, even the fake name... Saul is the pinnacle sleazy lawyer.

Saul is a sharp-witted fixer, co-conspirator, and criminal of the



worst kind, and his viewers loved him for it in "Breaking Bad" and "Better Call Saul."

GREAT QUOTE:

(to his clients) "Christ, you two. All I can say is if I ever get anal polyps, I know what to name them"

Fletcher Reede

What happens when a smooth but sleazy lawyer loses his ability to lie? Watch "Liar Liar" and you'll find out. Fletcher has a good heart at his core, but his methods often undermine his intentions until his son wishes that he can't lie.



GREAT QUOTE:

Fletcher: Your honor, I object!

Judge: Why?

Fletcher: Because it's devastating to my case!

Judge: Overruled.

Fletcher: Good call!

Jack Kelly

"Uncle Jack" has his work cut out for him with the gang from "It's Always Sunny in Philadelphia," but he is perhaps the most incompetent lawyer, fictional or not, to have ever existed. I mean the guy knows nothing about bird law! Bonus: he duct tapes massive plastic hands on top of his hands because he is afraid of people seeing his small biological hands.



GREAT QUOTE:

"As the great Johnny Cochran once said, 'if the glove doesn't fit, give up.'"

RUNNER UP: Jackie Chiles

Probably one of the most competent lawyers on this list, Jackie Chiles is much more schlimazel than schlemiel. Fast talking and sharp, most of Jackie's woes come from eccentric clients who either don't listen to his advice, or don't let him do his job.



GREAT QUOTE:

"Did I tell you to put the balm on? Who told you to put the balm on?!?! " 😊



PICK 3:

How to Have it All in Law and in Life



My official title is Director of Marketing, Intake and Client Service. Technically, a fourth descriptor could be thrown in there, Technology, because I handle anything tech related in our building.

At home I'm a mom, a wife, employed full-time and an MBA student.

I get asked regularly how I handle it all, and honestly I just plain don't. If I really excel in one area of my life, work or personal, that means I am failing miserably in another area. The feelings of stress and anxiety got to be extreme (*and I am naturally a level-headed, calm and logical person*) until I read **Pick Three** by Randi Zuckerberg. Then all feelings of guilt and anxiety melted away.

The basic premise is that you can't be all things, all the time. Choose three areas of focus each day and give it your all, and not feel regret and guilt over the things you didn't do. The next day is a new day, with a new Pick 3. Zuckerberg's five areas of focus are Friends, Family, Work, Sleep and Fitness. While I think these picks work well for one's overall life, I adapt her principles to apply solely to work- which in my case would be lead generation, lead conversion, intake personnel, technology projects and Marc initiatives.

How Does This Work?

Today I am going to pick lead generation, intake personnel and Marc initiatives. Writing this article and curating the May/June issue of the Barrister is lead generation (*send us your disability referrals, people!*), while I also tackled some pressing HR issues

surrounding my team and I also did some research around projects Marc want to explore. Tomorrow I will likely pick lead generation, lead conversion and technology projects. There is plenty I could be doing on the various technology projects I am juggling, but today I am giving myself permission to hit the snooze button on those because I am going to tackle it with full force tomorrow.

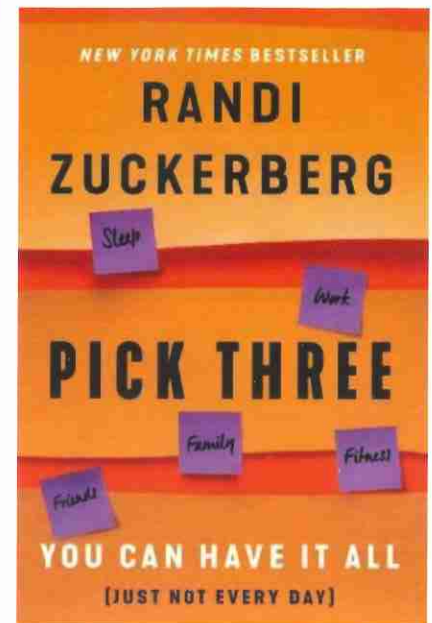
But What If I Pick the Same Thing Every Day?

Zuckerberg also addresses the idea of being "lopsided" toward any one area of your life, and that is okay. I generally am lopsided toward lead generation and lead conversion and pick those every day for weeks and months, because that's what funds our payroll and keeps the lights on at the firm. Sometimes my team may feel ignored because of my lopsidedness toward lead generation and lead conversion. I have to tell myself to pick intake personnel at least twice a week so I can maintain those relationships and let them know their needs and wants are valued.

When we onboarded Litify, our CRM software, I was seriously lopsided toward "technology projects" every day for months. Then one day I woke up and everything Litify-related was just... in place. Not quite finished, but in a good rhythm and working well. I then took my focus away from technology projects and turned it towards things that were in dire need of my attention.

Pick Three was a quick read, but just made so much sense for organizing my otherwise chaotic and busy life. I encourage you to give it a read and give the Pick 3 system a try.

My picks for my overall life today were work, family and sleep, so I am off to take my daughter to gymnastics and to get to bed early tonight. 😊



EMPATHY FATIGUE

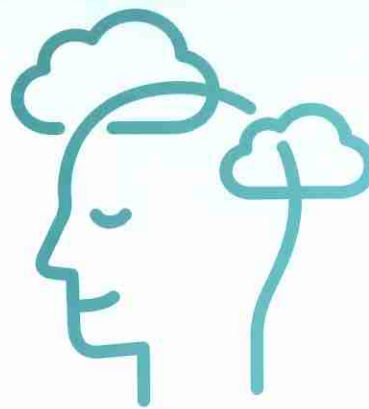
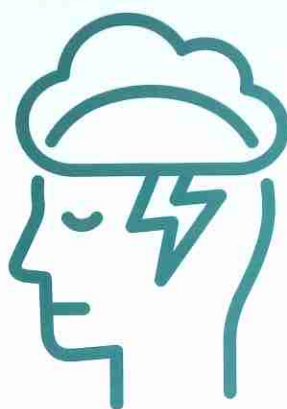


Discussing mental health can make people uncomfortable at times since it has been a taboo subject for

such a long time. However, as attorneys we are at a higher risk for mental health issues than many other professionals, and this risk will not begin to diminish without some awareness and proactivity on our part. So this week, we're going to discuss something I've been struggling with lately in hopes of educating and possibly supporting others.

I see a therapist about once a month. Sometimes I talk personal stuff, sometimes work. Last month, my therapist introduced me to the idea of empathy (or compassion) fatigue. Empathy fatigue is a state or feeling experienced by those who are helping other people through a difficult situation. Essentially, the helper takes on some of the distress being experienced by the person they are trying to help. Empathy fatigue is particularly popular among people who work in any type of service industry such as nurses, doctors, therapists, and lawyers.

The way empathy fatigue manifests for me is that I take my clients' pain home with me and allow it to disrupt my life. Our firm specializes in disability law, meaning most, if not all, of our clients are sick, injured, out of work, and suffering physically, mentally, and financially. When I have a hearing to attend or brief to write, I spend weeks with my client's file learning all about their impairments and the havoc these impairments have wreaked on their bodies and lives. I adopt

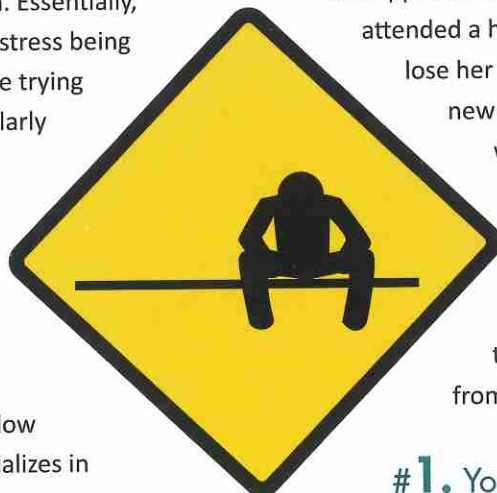


the negative feelings my clients experience, and ultimately these feelings morph into anxiety, grief, and, as was the case last month, feelings of guilt.

"Be careful about reading health books. You may die of a misprint."

– Mark Twain

Last month, as a result of a car accident, I ended up purchasing a new car. Friday night I was driving off the lot in my literal dream car. By Monday morning, all happiness and excitement had dissipated when I attended a hearing for a client who was about to lose her house. I felt undeserving of my pretty new car, and all happiness was replaced with feelings of guilt. I talked with my therapist about this and she told me I was suffering from empathy fatigue and put some things into perspective for me; these are the things I hope everyone to takes away from this article:



#1. You are not that powerful. You do not have the sole responsibility for this client's quality of life. Many things have transpired to get your client to this point, and it is not your job to rectify every single injustice in the world.

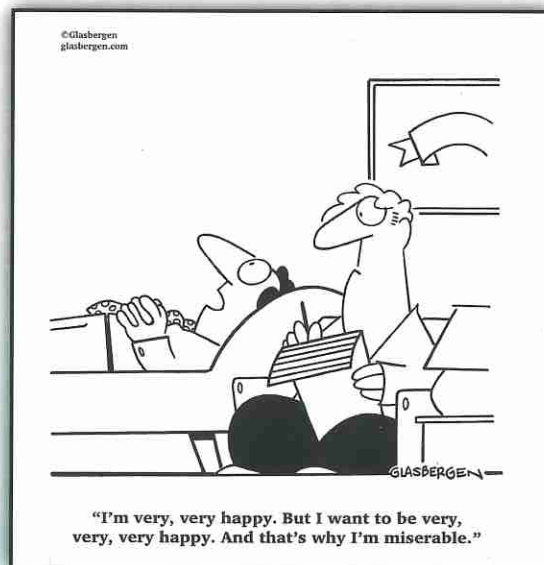
#2. You are no good to your clients if you burn out, which is exactly where empathy fatigue leads you.

#3. If you have put in the effort and tried your hardest, the rest is 100% out of your hands.

#4. Finally, you are deserving of happiness.



Empathy can be a useful tool in our line of work, especially for plaintiff's attorneys. However, when we allow it to control us and diminish our quality of life, it has outlived its usefulness. Allow your feelings to energize your work, but do not let it take a turn into negativity. If you are having any mental health issues, PLEASE find someone to talk to; word vomiting all over a neutral third party is unbelievably cathartic. **Let's reduce the burn-out rate among lawyers and help rid mental health of any remaining taboo.** 😊



SO HOW DO COMPANIES MEASURE GROWTH? ARE THERE SPECIFIC METRICS WE SHOULD BE LOOKING AT?

Company health – Look at your lead funnel. How many total leads are coming in. How many are you converting? How many are you able to have a conversation to determine quality of case? How many clients are you releasing? What is your win rate? **Measure the metrics** specific to the growth paths you have chosen to execute. Each path has its own metrics. Here's a quick rundown:

Client Experience: Number of client referrals

Client Base Penetration: What percentage of your clients have multiple claims with you? Is this percentage improving?

Market Acceleration: Where have you expanded your market?

Practice Expansion: How many new practices have you introduced?

Client and Product Diversification: How many new clients have you acquired within your new practice areas?

Optimize Sales: Has the sales cycle shortened? In what ways have you made hiring your firm easier on both the client and your staff tasked with acquiring new clients?

Churn (Minimize Defection): Has your number of released clients decreased?

Partnerships: How much revenue have I generated on attorney referrals?

Co-opetition: What incremental revenue have I achieved through new relationships I might not have otherwise earned?

Unconventional Strategies: This should be specific to the new strategies you employ.

Bora states, the best leaders know that growth needs to be countercyclical. That is, the best time to create the next big opportunity is when things are going well, not when you are struggling. So many firms fail because they worked on yesterday's context for tomorrow's business. Also: the most important resource you have when embarking on growth is preparing your people.

Share your Growth Plan, so they have the same vision as well. 😊

Lawyers Need a Laugh!

While we are on the topic of **health** and **happiness** in this issue of the *Successful Barrister*, we took a moment to reflect on what makes us happiest about working here.

Correctly match the person with what makes them happiest about working here and email to marc@marcwhitehead.com, and we will make you happy with a surprise in the mail! 😊



MARK



"Instead of spending my own money on retail therapy, I get to spend Marc's money and it has the same effect."

ANTHONY



"I'm most happy to work here because my happy clients bake me cookies"

NATALIE



"I'm happy to work at MWA because we recently started stocking the fridge with Topo Chico."

MADISON



"I'm happy because I consistently beat Marc and others in our office challenges and competitions"

DISABILITY & INSURANCE DENIALS



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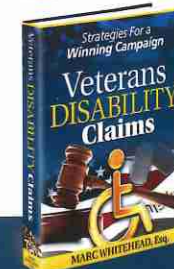
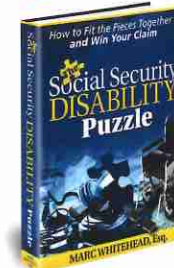
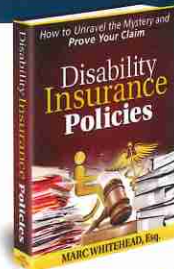
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