

Mar/Apr 2020

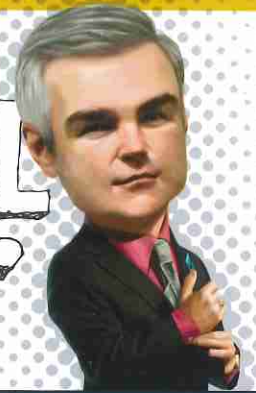
MARC WHITEHEAD & ASSOCIATES
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A NATIONAL DISABILITY CLAIMS LAW FIRM

Vol. 6

Issue: 02

THE NEWSLETTER
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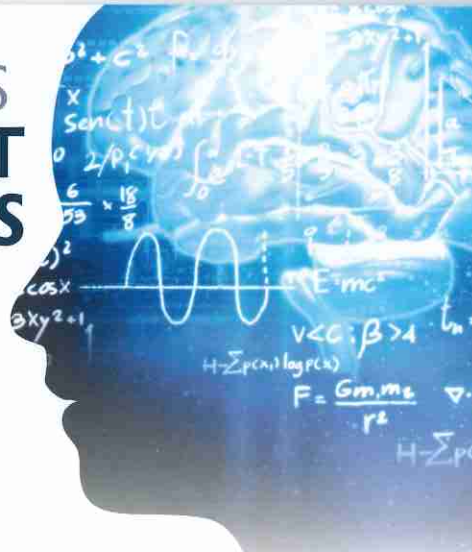
Although tightening up processes and procedures has long been a recurring theme over here in the Barrister, with these changing times and remote work environments it is more important now than ever to ensure these are in place and functioning as intended so your practice will keep running. We hope you pick out a nugget or two (or ten) of wisdom to implement right away in your remote environment.

And remember... we are still here, working hard, able to successfully win your client's disability claim and pay you a handsome referral fee. Email me at marc@marcwhitehead.com with questions. ☺

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YOUR JOB REQUIRES MORE THAN JUST CREATIVE GENIUS



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IMPROVE THE QUALITY OF ROUTINE WORK

A few Barristers ago, I introduced the concept of "Lean" and how you can apply it to your day to day work. If you don't remember what "Lean" is, here is the Cliff's Notes version:

The core idea of Lean is to maximize customer value while minimizing waste.

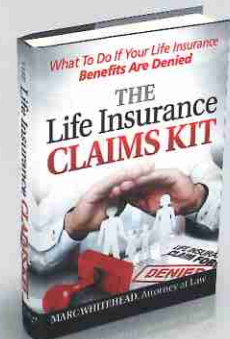
Simply, Lean means creating more value for customers with fewer resources.

In essence, you should focus your time and effort on those tasks that create value for your clients. A task is only considered to be value-adding if it meets the following criteria:

- Client must be willing to pay for the activity

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FEATURE BOOK



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- Activity must transform your service in some way
- It must be done correctly the first time.

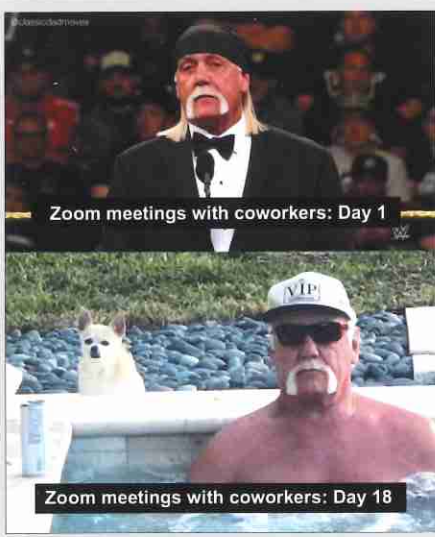
Any task that doesn't fit this mold can be classified as non-value added work and waste. Non-value added work may not move the needle forward but is essential to performing value added work. These types of tasks can (and should be) typically automated or delegated.

Then there is waste. Which is just that...

Remember that now? Okay great. Moving right along.

Rather than just focusing the principles of Lean to prioritize your work, I'm here to tell you that you should elevate your game and use Lean to take it to the next level.

In this article I am revisiting the basic "Lean" principles that can be used in your law firm as laid out in "A Factory of One" by Daniel Markovitz. This time we will focus on using Lean to blend your transactional work with the creativity required to infuse your work with value.



EXCESSIVE CHOICES EQUAL PARALYSIS.

Lawyers are knowledge workers. As a knowledge worker, you have a nearly infinite amount of work-and an infinite amount of flexibility in what you can work on it

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at any given moment. Just look at the COVID-19 crisis. Our work is highly adaptable to working from home all day every day while in quarantine *(it may be inconvenient... but given the right tools there's no difference between performing your work sitting in your office or sitting in your underwear at home. Or sitting in your underwear at your office).*

This has a significant downside: decision-making paralysis. Which way do I go? That paralysis impedes flow and wastes significant time. By planning and deciding which activities are value-adding, putting them on a calendar and sticking to the plan, you can mitigate this paralysis and limit both the time and effort it takes to get your work done.

THE GREATEST LEAN TOOL TO ELIMINATE PARALYSIS: THE CHECKLIST

Transactional tasks can be done easily and help eliminate decision paralysis. Checklists are perfect example of this concept. Checklists:

- Ensure individual steps in a complicated process are both remembered and completed.
- Explicitly state the minimum, expected steps in a complex process.
- Help with memory recall, especially with matters which seem small but require fine attention to detail.
- Help people avoid blind spots in complex environments.
- Reduce ambiguity and uncertainty, allowing faster action with less deliberation.

Checklists improve flow in one other significant way: they dampen the tendency to multitask in favor of serial tasking. Checklists can also be used as if/then flowcharts that can help eliminate decision paralysis for both you and your staff.



Checklists don't remove the need for creative work, as there will always be unpredictable problems. Work is really threefold: making the product, making the product better, and teaching everyone how to make the product better. *(Ok, lawyers are a service provider, but you get the point)* Transforming creative work into transactional works moves the flow of work and enables you to create more value for clients.

VISUAL MANAGEMENT AS A LEAN TOOL

Visual management is an important component of Lean thinking and is designed to:

- Provide instruction
- Convey information
- Give immediate feedback
- Expose abnormalities in a process or work area quickly
- Demonstrate progress toward a goal.

In other words, visual management makes readily apparent that which is normally invisible or assumed.

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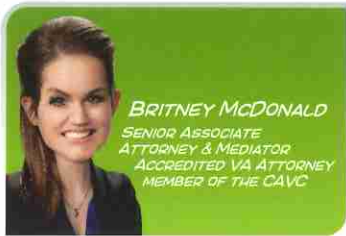
"No man goes before his time — unless the boss leaves early."

- Groucho Marx

Useful Ideas on How to Survive this Crazy Pandemic with Kiddos



COVID-19 sooner than later), the City of Houston has spent a great deal of time creating activities to help teach, distract, and help your kids have fun, even if you don't live close!



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

Houston springtime, that hot second before it burns to walk outside into a Houston summer. This is typically the time of year when people take advantage of the newly longer days to attack the clutter and whatever else has taken up residence in your home and workspace. Recently, due to the corona virus pandemic, we have all had a lot of extra time on our hands to focus on our lives and practices FROM HOME, which means all of our problems start to stare us in the face.

Family is suddenly and apologetically thrust into our work lives.

Despite the changes that we have all endured, you can still cultivate your practice. Regardless of where you do it, keeping your designated space geared toward fostering plenty of "deep focus" time is even more important. This is particularly important, now that we are surrounded by family members who constantly need us, clients who are experiencing continual crises, and a workload that, for many of us, just doesn't stop because we are stuck inside our homes.

Keep up your routine. If you start to fall into that slump where you get up later, don't set daily goals for yourself, and neglect personal maintenance, your work and health will suffer and it will become ever-increasingly difficult to pull yourself out of that phase. Make time to do the things you would be doing if you were at the office. Wake up, clean up, plan

your day, prioritize your goals. Write down the 3 most important things you need to accomplish for the day. Have a place that you can retreat to, make the most of those hours where you don't have calls scheduled or kids running around. Put your phone away, get off social media. Use that time to get lost in your work. Remember though, this is balance you are striving for. In these uncertain times, it does you no good to completely abandon your family and your precious time with them. **It is, however, a well-recognized struggle to juggle kids and a law practice.**



As it has become with the quarantine, many people are suddenly without educational resources for their children, sitters to watch their young ones, and feeling as if there is no way to be both that stay at home parent AND keep up your work flow. You will have to find ways to balance working from home and the work that's that comes from being at home. There are number of resources online where you can find activities around the home to keep your kids busy while you focus on work. Since summer is rapidly approaching and it will soon be too hot outside to do much more than swim (assuming we can eradicate

- ① **The Houston Zoo** is livestreaming your favorite animals for your kids to enjoy.
- ① **The Houston Astros** have some fun free activities for kids to work on, including a word search and a maze.
- ① **The Houston Texans** devoted a page on their website called Huddle at Home to activities for kids, including Texans story time, math drills, and more! Parents can print or download an entire activity book for children.
- ① **The Houston Museum District** is sharing experiments, activities and inside looks at their exhibits through its daily virtual learning broadcast schedule.
- ① **Cosmic Kids Yoga** is an interactive tool used all over the world to help kids relax, learn, and use their minds; available online at <https://www.youtube.com/user/CosmicKidsYoga>.

There are so many resources online that our country has made available to us and our families to survive this alone time, Good Luck to all of you hard working attorneys out there. In this strange time, just remember, this too shall pass. We have all weathered worse storms in our lives. Hopefully this will soon be a fond and distant memory as this new decade pushes us forward each and every day.

And if you haven't already, after you finish your work for the time, sit down with a glass of wine, and turn on Tiger King on Netflix (include your kids at your own discretion). That'll distract you enough from the crazy that is our world right now. ☺



HOW TO REORGANIZE AND DECLUTTER YOUR OFFICE

A few weeks ago, I was on the phone with my mentor and decided I need to better organize myself, align my chakras, and center my chi. I made it my mission over the next few weeks to transform my zoo into a respectable, organized, professional office. Despite all odds, I succeeded! Given that this is a spring-cleaning edition of our beloved lawyer's only rag, I decided to share some of the steps I took to transform my workspace from cringe-worthy to binge-worthy... you know, binging on long hours of endless work. Hurray. Anyway, let's dive in!



CLEAR YOUR DESK, INSIDE AND OUT

Marc Whitehead, of Marc Whitehead & Associates, once said: ***"your desk is your workspace, not storage. You should keep it clear of anything you are not currently working on."*** This is obviously a very *"partner"* thing to say, but it bears some truth and is at the very least aspirational of us lowly associates that are *"currently working"* on about 50 things at a time.

My first objective was to audit my drawers... ahem, desk drawers. I found of my 5 drawers, I was utilizing maybe one effectively. I completely emptied them one by one and divided the contents by necessary or not necessary piles. I then decided the purpose of each drawer. I gave myself one personal drawer (*snacks, spare gym clothes, toiletries, etc.*) Instead of having office supplies strewn across 3 different drawers, I consolidated to one and put the extra stuff back in the supply room. I kept moving through every bit of storage that way until I finished my whole office.

On my desktop, I got rid of the organizers and trays. I moved the contents to the hanging file storage that

I created space for in my desk drawers. Now I have room for my Office Space movie memorabilia and silly toys a la Michael Scott.

CONVERT PAPER TO DIGITAL

Do any of you actually go back through your drawers packed with paper and wonder *"what the hell is this and when am I ever going to look at this again?!"* Well, I sure did. As I'm sorting through piles of dusty paper, I'm murmuring to myself *"Oh great Anthony, I'm so glad you saved this meeting agenda from 2016... so clutch."* Go through your piles of paper and decide what is potentially valuable. Same goes for business cards. You know what to do with the *"not"* pile, but how about the valuable stuff? Take some time to scan all this junk then recycle the paper. Our office has converted to a digital library format on our shared drive, and it's so easy. Everyone can have access to your materials, and they are saved forever.

EMAIL AND COMPUTER DESKTOP

Perhaps the most daunting task to undertake was organizing my electronic workspace. Over the ~8 years I've been in practice, I've become someone I vowed never to be... I'm the 47 random desktop icons guy. GASP! I can't believe I said that publicly. If you suffer from this affliction like I once did, create folders and get the clutter off the damn desktop!

"There's no secret about success. Did you ever know a successful man who didn't tell you about it?"

- Kin Hubbard

Email: my most anxiety inducing change, as it IS my life as a lawyer. My best tip is to utilize your rules (*if you use Outlook or something similar.*) Make rules for like things to be sent to common folders. Simple concept, but this can be a big undertaking and an even bigger adjustment. Some of my folders include: Courts, Lawyers, Interoffice emails, Organizations, and Listservers. This has truly been life changing.

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LET IT GO!

Only because I've been quarantined with two little girls and Frozen has been playing on repeat in my house, I'm just going to go ahead and use the cliché phrase: *Let it go, let it goooooo.*

Prioritize Your Projects and Let Go of Those Not Prioritized

At the beginning of each quarter, Marc and I meet to discuss our priorities and projects we want to accomplish. All other projects and ideas I have swimming in my head need to be consciously filed away so I can focus all my time and energy on making the projects we've deemed a priority a reality.

Only when we've decided it is the time and place to put a project on the priority list will it then receive 100% of my time, attention and energy rather than a lackluster thought every few months when I have time.

Use Your Village

For some reason, delegation is such a hard thing for me to do. I'll often think *"it's faster/easier if I just do it"* or *"I don't have the time to teach someone or write down the process to do this task."* Then, some days I look up and I've spent 3-4 hours working on things that any of the people I listed above could have done. Clearly, this is not a good use of my time or Marc's money.

Would you pay someone \$50 an hour to scrub a mailing list? No?

Well that is essentially how you should view each task and the pay scale associated with the worker performing that task. Attorneys, directors of marketing, directors of operations, etc. should not be spending an inordinate amount of time performing tasks that can be accomplished by a paralegal, legal assistant or receptionist *(unless you have a ridiculously overtitled employee... just do the math and you'll know if reallocation of workload is in order).*

Learning to let go allows you to do what you do best and produce quality work. What more could you ask for in life? ☺



NATALIE HIGHTOWER
MARKETING & INTAKE DIRECTOR

I am a control freak.

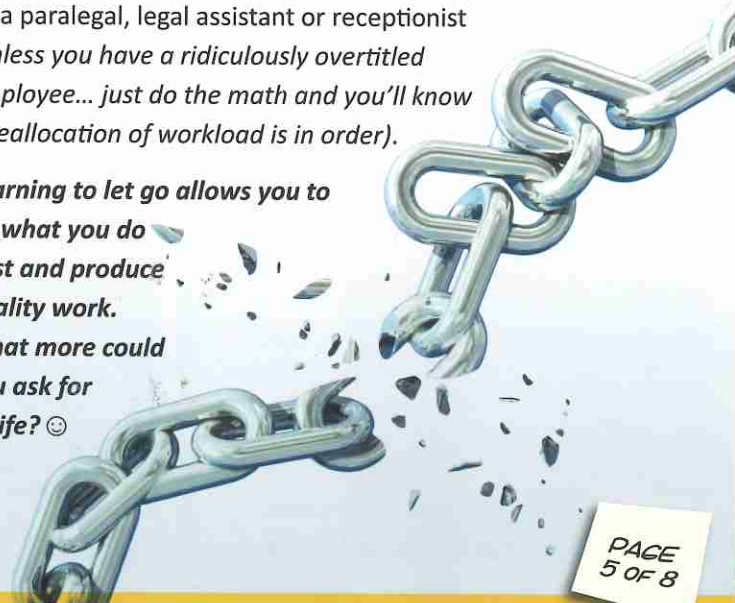
Yep, I said it. And I'm sure most of you attorneys are as well. Since I know many of you on this list are members of Atticus who

fangirl over DISC testing and profiling, I'm sure you will not be surprised to learn that I'm a high D naturally and that trait gets even stronger at work. An embarrassing side effect of this is the control freakism.

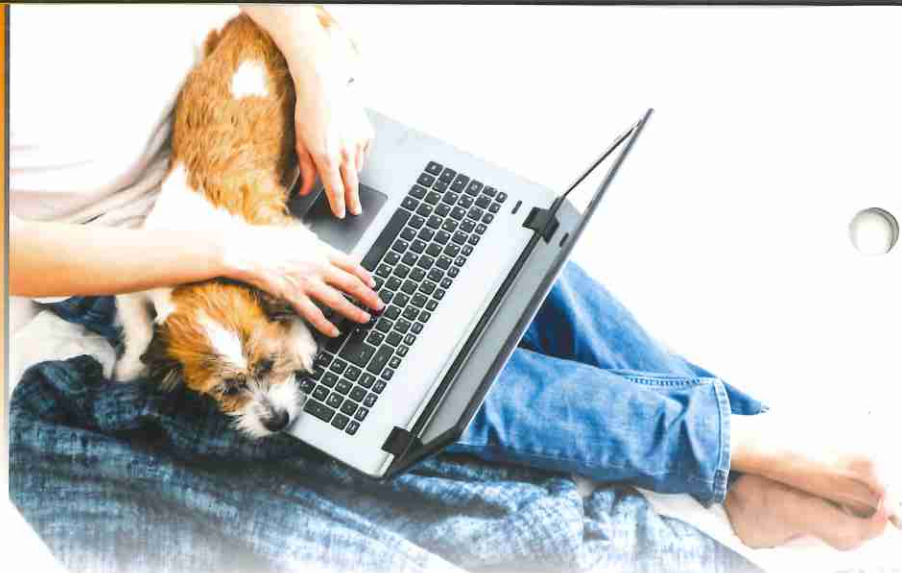
My control issues manifest in two specific areas: **projects and delegation**. They are loosely related, but are separate problems that can both be addressed by learning to let go.

PROJECTS: I dream up many different ideas and projects I want to explore and accomplish for the firm. I don't learn to prioritize and instead let it all pile up to where no singular project gets the proper time and attention it requires to get the job done. As a result, I have a handful of projects that have been on my radar for 2-3 years and cause stress and anxiety when I think about them. I need to learn to let go so I can revisit them when I'm ready to give it the time they deserve.

DELEGATION: There are many things in the firm only I know how to do, but not all of them are tasks which require the education and paygrade of a marketing director to accomplish. I have a wealth of resources at my disposal to delegate and get things done – a marketing coordinator, intake manager, receptionists, intake specialists, an intern, vendors and an internet full of people willing to do administrative tasks for a minimal hourly rate *(see sites like Fiverr.com)*.



ADJUSTING TO WFH



With the coronavirus floating around most of us have found ourselves planted squarely on our couch and trying to be productive from home. If you're like me and have two children running around the house demanding to be entertained and fed several times a day, this can be challenging. If your children happen to be humans and not dogs then this is probably even more difficult. In that spirit, here are a few idea to help with your adjustment that are definitely (*probably*) not just from a Google search.

1 Set up an actual workspace with a desk if possible. I know your couch is probably incredibly tempting because it's so comfortable but that's exactly the problem. Your brain enters a different mindset when you're on your couch in front of your tv and, believe me, this mindset is not conducive to productivity. By giving yourself a designated workspace, your brain knows when you're at your desk it's time to work.

2 Stick to your routine. It's very tempting to sleep in a bit now that you don't have a commute but resist the temptation. Waking up at the same time will give your body and brain plenty of time to wake up and get into work mode. Do the same with your family so they know when it's time for you to work and when it's ok to play.

3 Speaking of entertainment, have some stuff lined up for your kids (*or boyfriends*) if they need entertainment. My children are partial to bully sticks, so I stocked up.

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This keeps my pups busy and content while leaving me free to work. **Bully sticks have not been tested on human children or significant others**

4 Finally, set a time for yourself to unplug. When you don't have a physical office to actually leave, it can be easy to just continue working without a natural stopping point. However, just because you're working from home doesn't mean you don't still need some down time. This is a great opportunity to make lemons out of lemonade and spend quality time with your family.

"If you think your boss is stupid, remember: you wouldn't have a job if he was any smarter."

- John Gotti

Person: what's it like to work from home with kids?

Me:



They're coming...

For example, this week Messi and I learned how to do a new trick and Rooney and I spent some quality time lovingly staring into each other's eyes. Don't miss these special moments by becoming a slave to your email. Unplug from the computer, grab an adult beverage, and turn on Tiger King. You'll thank me later.

Stay safe, spend some time with your family, and wash your damn hands.

Cheers, nerds. ☺

YOUR JOB REQUIRES MORE THAN JUST CREATIVE GENIUS

Continued from page 2

In a law firm setting, visual management tools are effective in reducing the information deficits in the workplace that lead people to address the same questions repeatedly, miss deadlines, and make all manner of mistakes.

However, by keeping everything in sight, it can all eventually become invisible. The key to effective visual controls is to create a system that makes your work (*your projects, your ongoing commitments, and your responsibilities*) easily visible so that you can, at a glance, know what's supposed to be done. You should be able to see your production targets and your actual production results. Wall calendars, time blocked calendars and Kanban boards or their digital equivalent are excellent examples of visual management.

LIVING IN YOUR CALENDAR, NOT YOUR INBOX!

The amount of work you have to do is infinite. The time you have to do this infinite amount of work is quite clearly finite. Given this reality, you have to treat your time like you treat your money: as a limited resource that must be budgeted. You must budget your time for your most important work.

You probably complained you're always being reactive rather than proactive. This is because you live in your inbox, by letting incoming messages drive your work. You basically give control of your daily activities to other people. Other people's issues, questions, and emergencies become paramount. This is dangerous. It's far better to live in your calendar and let your designated work drive your action. It starts by transferring the items in your to-do list onto your calendar. Block chunks of time on your calendar to perform these to-do's, always giving priority to the most important, value added tasks. The calendar is good for large chunks of work consuming an hour or more. Not so good at handling simple tasks of 10 minutes or less. An electronic task pad or electronic task management software (*such as Monday.com*) can hold all short tasks that would overwhelm any calendar.

REDUCING AMBIGUITY

Visual management systems reduce the ambiguity you face as a knowledge worker and allows you to use time (*the one truly non-replaceable resource*) as efficiently and wisely as possible. Many attorneys might think they don't have time to slow down and invest in checklists, task management, calendaring. I highly encourage you to do so, for time expended now on setting yourself up for success will pay dividends in the long run.

Given the uncertainties and changing work environment in today's current landscape, it is more important now than it ever was to ensure your value-added work is getting done. Utilizing these tools makes this a seamless, steady part of your operation rather than having to rely on your creative genius to get it done. 😊

HOW TO REORGANIZE AND DECLUTTER YOUR OFFICE

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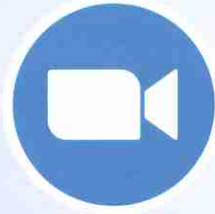
WHAT ELSE?

Declutter the personal accoutrements of your office (*e.g. lanyard from some conference, 5th place golf tournament photo from 1998*); get helpful tools like trays, bins, and organizers if needed; use a desk calendar or white boards to track deadlines; and lastly, get help! Someone else can see clutter that you may not recognize. Lastly, this does not have to be a "make over" show 24-hour transformation. Start small, do one thing at a time, as you can. Like I said, I did this over a course of weeks. **Give it a try; I'm sure you'll love it, or your money back!** 😊



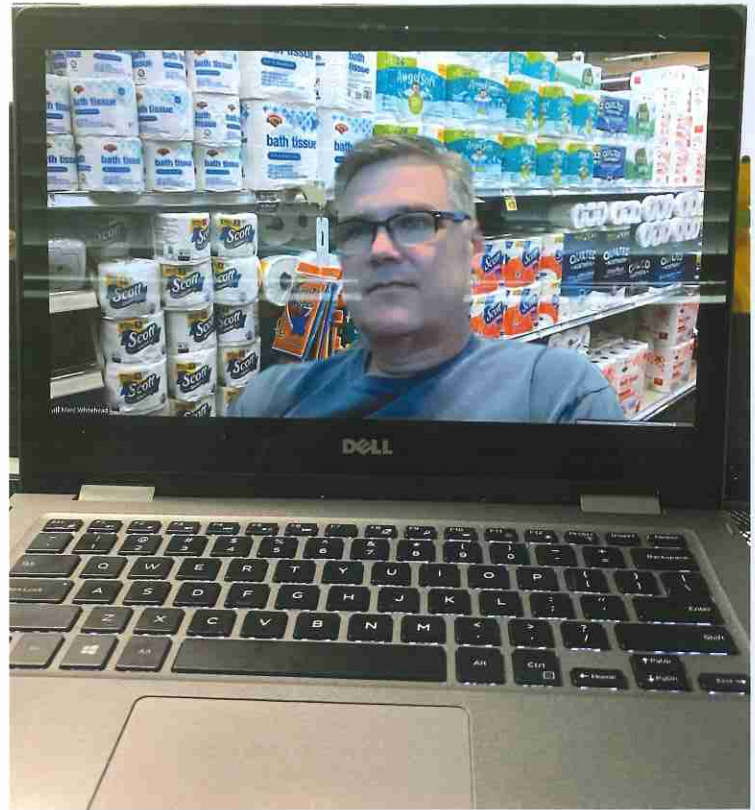
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Lawyers Need a Laugh



Probably the most interesting thing to come out of this pandemic crisis has been Marc's love for Zoom backgrounds. *That man loves a good Zoom background.*

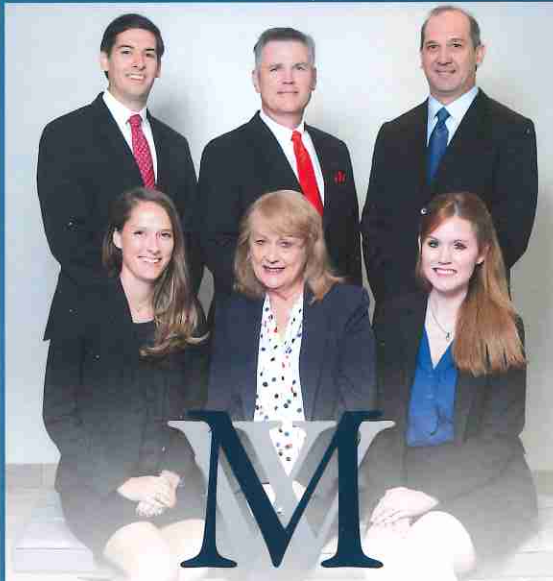
Email your funniest and best Zoom backgrounds to Marc@marcwhitehead.com



The **Best 3** as judged by Marc

will win a fun, essential, prize.

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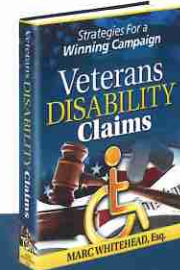
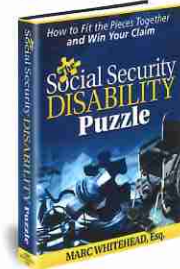
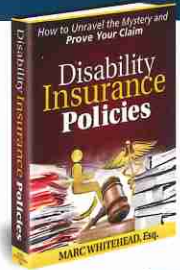
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