

December 2021

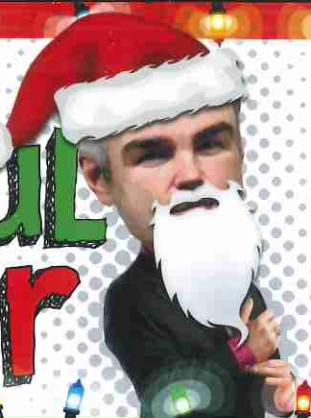
MARC WHITEHEAD & ASSOCIATES
ATTORNEYS AT LAW, LLP
A NATIONAL DISABILITY CLAIMS LAW FIRM

Vol. 7

Issue: 05

THE NEWSLETTER
YOU'VE BEEN WAITING FOR...

Successful Barrister



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

And here is our usual holiday price just for you!



Price: \$199.99

Merry Christmas!

I'm not sure how, but I landed on the nice list this year. And as such, I really only want one thing for Christmas (and forevermore moving forward): referrals. Long-Term Disability claims, Life Insurance claims, and we now do Long Term Care Insurance claims. LTD and Life insurance claims we can accept from anywhere in the country (even in Puerto Rico). LTC claims, for now, are limited to Texas.

And my gift back to you is that you can expect to receive a 25% referral fee on successfully won claims.

Email me at marc@marcwhitehead.com and let's discuss. Ho ho ho! ©

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Business Made Simple: a Gift that Keeps on Giving



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

Christmas is here and with that comes gift-giving season.

Because I am feeling especially jolly this year, I gave the best gift I know how to give to each of my associate attorneys: a copy of *Business Made Simple: 60 Days to Master Leadership, Sales, Marketing,*

Execution Management, Personal Productivity and More

by Donald Miller.

Miller presents the idea that in order to get ahead in business, you have to show you're adding value to your organization and you can do that by mastering 10 competencies.

Let's discuss.

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Marc's Referral Wish List

1. Long Term Disability Claims
2. Life Insurance Claims
3. Long Term Care Insurance Claims

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KNOW HOW A BUSINESS REALLY WORKS

The key idea here is understanding activity to output ratios and the need for positive cash flow. One has to build a solid foundation in each aspect of business in order to produce the value requisite for achieving lasting success.

This includes establishing routines to get feedback and becoming skilled in de-escalation. One needs to consistently make good decisions, take the right actions every day and have a growth mindset.

BE A CLEAR AND COMPELLING LEADER

You cannot expect to achieve your goals if everyone working under you:

1. Are not aware of your goals
2. Don't understand your expectations because they are not clearly and regularly communicated

As much as you would like to think they can, people can't read your mind and leaving actions open to interpretation is a recipe for disaster. Being a clear and compelling leader consists of:

- Creating a mission statement in which you believe
- Specifying the characteristics you desire in your employees
- Define three critical daily actions (*starting to see a pattern here in communication?*)
- Craft an engaging story

BE PERSONALLY PRODUCTIVE

Monkey see, monkey do. Be the example you want everyone to follow. Put in the work in an efficient manner to drive the firm in the direction you want it to go.

My marketing director goes into more detail in her article this issue called the Gift of Time. I suggest you take a peek to see how her principles of time blocking, power hours and good habits will apply here.

BUILD GREAT MARKETING CAMPAIGNS

You went to law school to learn the law. They probably did not teach you in law school how to run or market a business.



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Might I suggest here engaging with people who are skilled, intelligent marketers who are adept at taking your goals and vision to create a roadmap to success.

If you're just starting out, mom and pop advertising agencies, a trusted marketing consultant or a newly graduated marketing coordinator would be a good starting point. As your firm grows in caseload and cash flow, you might want to consider upgrading your marketing investment in either more sophisticated agencies or a more experienced in-house person.

Donald Miller

Author of the #1 Wall Street Journal bestseller *Building a StoryBrand*

Business Made Simple.

60 Days to Master Leadership, Sales, Marketing, Execution, Management, Personal Productivity and More

BE A GREAT COMMUNICATOR

To be a great communicator, answer the five questions in everyone's mind:

1. What's the problem?
2. What is your solution?
3. What will life look like?
4. What do I need to do?
5. What should I remember?

KNOW HOW TO SELL

It's not about you, it's about them. The client is always the hero of your story.

Effectively selling means telling a clear and compelling story so your client easily understands exactly how you are going to give them the tools needed to win their case.

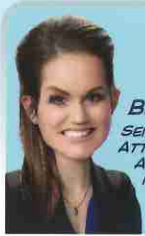
Donald Miller also wrote a book called *Building a Storybrand* that goes into this principle in massive detail. I highly recommend you read it.

BE HIGHLY SKILLED AT NEGOTIATION

We are all attorneys here. This should be a slam dunk. *Moving along...*

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Happiest Time of Our Year



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

If you had to name the happiest day of your past year, what do think that day would be? What if you

had to guess what is consistently the happiest day of each year? Surprisingly, someone already has tried to answer that question for you! According to Matt Killingsworth of *The New York Times*, when he collected data from over 20,000 people who report how happy they are at randomly selected moments during their day(s), *"We are actually happier than usual on the holidays."* In fact, he found that Christmas is the happiest day of all, followed not too far behind by Thanksgiving, New Year's Eve, and even Christmas Eve, itself.

It is not surprising, when you really think about it, that Christmas and the holidays would rank high on most people's lists. This is even considering that for many people, the holidays are still particularly depressing and suicide rates climb among certain groups. Matt argues this is because despite these problems, we are happier when we are around family and friends more than usual and generally less focused on work.



Work breeds stress, good or bad, but Christmas parties engender camaraderie and light-hearted tomfoolery. It's hard to be stressed about life in an ugly Christmas sweater, I guess, or at least that's what people tell me. Or in Matt's words, *"Spending time with family and friends turns out to be a robustly positive predictor of our happiness!"*

We are entering into a season where our usual obligations transform into cheerful gatherings. Our judges seem to be more amenable to extending that deadline until after December 31st. Our bosses and colleagues communicate about not just metrics and regulations, but also over cheerful conversations about how the kids are doing and what your Christmas décor looks like this season. You know you need to share how many blow-up Santas fit into your front yard and claim your position in the *"Real Tree vs. Fake Tree"* debate.

While the holidays certainly cause undue stress to most people at various times (*think Christmas shopping in a mall filled with anti-maskers and anti-vaxxers*), as a whole, we are sharing the season with the world, and even those to who do not celebrate Christmas specifically see an uptick in their cheer-o-meters come the holiday season. It's a mood pervading even our bleaker days with the memories of holiday traditions and time spent having our family and friends light up as they give and receive thoughtful acts of service and tangible gifts.

Cheerfully take this time to refresh your mind, your body and your soul if you'll give it the chance. Reinvigorate your creativity and motivation for the start of a new year. Put those lights and holiday décor up already. Heck, don't balk at your neighbors who threw theirs up the day after Halloween, or *gasp* the week before! See those friends you haven't seen since July or October and make them some hearty soup. Despite what stress you will experience inevitably this season, drink in the cheer and let that joy permeate your well-being.

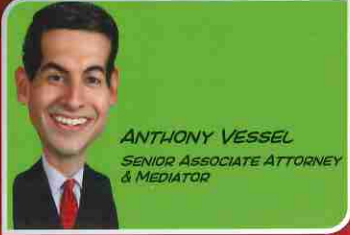
Happy Holidays, friends! ☺



"Aren't we forgetting the true meaning of Christmas? You know, the birth of Santa"

- Bart Simpson


GIFT TIPS FOR LAWYERS TO BUY THEIR STAFF



ANTHONY VESSEL
SENIOR ASSOCIATE ATTORNEY
& MEDIATOR

I don't know about your firm, but our staff is what keeps my head on straight and pointed in the right direction. Every year I try to show them some love with a nice holiday gift. A little can go a long way. It can be hard to think up the perfect gift for people individually, especially en masse, but here are some ideas to show your appreciation and spread holiday cheer!

1. BOOZE!



Booze is the perfect gift for people in the legal industry. Heck, I'm probably a big reason these people drink! So a few weeks before Santa rides his sleigh to the ole liquor emporium, I casually ask my staff their preferred spirit/beer/wine/mead. Some years I just buy a couple of boxes of wine from my family's region of the boot and pass them out to everyone. Got a teetotaling staffer or someone on the wagon? Easy audible and get them a very nice snack basket or sweets. The holidays are the time to eat, drink and be merry after all!


2. SOMETHING PERSONAL(IZED)

Every office has the crazy cat lady or weird plant guy (me). Show them you pay attention to their interests by getting them their 15th cat sweater or their 9th plant for their windowsill. For your sane and normal (read: boring) co-workers, something easy like monogrammed throw blankets or a personalized name plate can be a nice touch that at least shows your staff you know their names.

3. BATH BASKETS

One year I got my team luxury shave kits/beard kits for the men and a spa basket for the women. There are plenty of great gender-neutral bath options as well. No matter who you are, everyone has to clean up once in a while!

4. COFFEE



Coffee related gifts are a good go-to. Most offices have pretty uninspiring coffee in the breakroom, but you can be the boss that changes that for your team! Personalized mugs, travel mugs, temperature regulating mugs... I'm starting to sound like Bubba and his beloved shrimp, but you get the picture. Coffee and coffee accessories are always a big hit. Now I sound like Hank Hill... dammit Bobby!

5. GIFT CARDS

Not the most personal, but among the most versatile and easy to find. Maybe you don't know what your staff wants and maybe you don't care. We're Americans, just throw some money at people and buy their happiness.

Alright folks, well those are my top 5, or easiest 5 options for you. I hope everyone has a safe and merry holiday season. Please feel free to send me any gifts you'd like to test out giving at 403 Heights Blvd Houston, TX 77007.

Happy Holidays! ☺

"I once bought my kids a set of batteries for Christmas with a note saying 'toys not included'"

— Bernard Manning

HOW to SURVIVE a BREAKUP



MADISON
DONALDSON
ASSOCIATE ATTORNEY

A few months ago, one of my paralegals left me for another man. I was devastated, distraught, distressed and then drunk. I'm [mostly] kidding!

While we were very sad to see her go, she was pursuing an amazing opportunity so we were also excited for her. However, she left a huge hole in my heart... and on my team. Here's how we prepped for her departure and how I've been managing to survive thus far.

1. Take major inventory of the employee's tasks. Attorneys probably think they know what their paralegals do each day but trust me, their task list is the Titanic my friend. Before the employee leaves, have them write down *everything* they are responsible for because someone is going to have to pick up the slack.

2. Do a complete data-dump of their knowledge. I used to call my paralegal my "Brain" because she managed to keep all the minutiae of each and every case in her big ole brain. That meant she knew which of our hundreds of clients liked to receive texts vs. emails or phone calls, which clients preferred to have their husbands on the phone when we spoke with them (and which ones did NOT), which co-counsel you needed to hound for updates and which ones you should just call their assistants instead. My former paralegal put all her client-specific knowledge into our case management software and created a co-counsel "Bible" with her tips and tricks on how to communicate with each attorney.

3. Debrief on the status of each case or groups of cases. We had a series of meetings leading up to her last day where we had in-depth

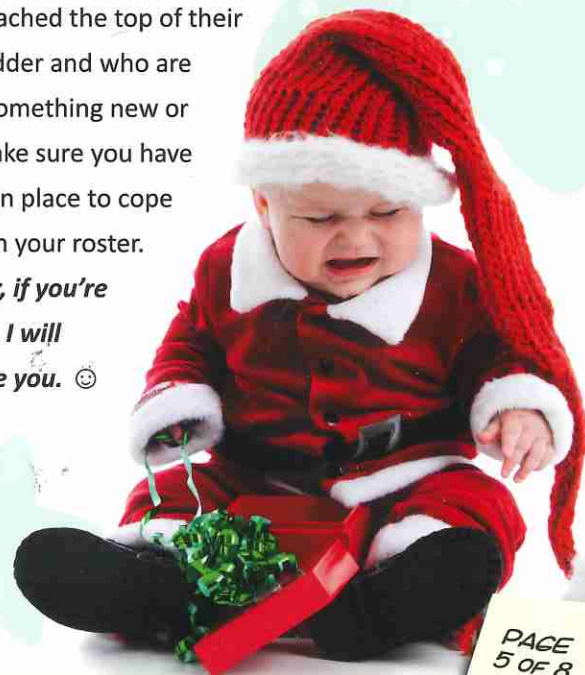
discussions about where each group of cases was in the litigation process and what the next steps were. By the time I was left on my own, I at least knew what needed to be accomplished next in each set of cases and by when it needed to be done.

4. Finally, HOLD AN EXIT INTERVIEW.

Have a neutral third-party conduct the interview so the employee can dish on you if necessary. We had our COO conduct the interview so the paralegal felt she had enough space from the team to speak about her true feelings. Speaking of space, Diana actually took the employee off our campus to a local coffee shop to encourage the feeling of openness by creating physical distance from the office and other employees. Employees leaving on good terms and with exciting new plans can be an invaluable source of feedback.

Marc likes to say there are essentially two types of people who work in law firms, lawyers and everyone else. This dynamic means there's always going to be turnover with staff who have reached the top of their particular ladder and who are looking for something new or different. Make sure you have a good plan in place to cope with a hole in your roster.

And Heather, if you're reading this, I will never forgive you. ☺



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The Gift of Time



NATALIE
HIGHTOWER
MARKETING & INTAKE
DIRECTOR

In an era where concepts like “me time”, self-care and “treat yourself” are a thing, let me take this opportunity to swizzle the concept into something that works in business.

Gift yourself the gift of time.

It truly is a gift, and when allocated well you will get things done, make more money and be overall happier and less stressed (*especially when it helps you reach your goals*). Let’s explore.

TIME BLOCKING

Things won’t get done unless you actually make time for them. A good practice is time blocking – planning your week and blocking off chunks of time to get things done (*like I should have done to get this Christmas Barrister out the door before Christmas*).

Don’t block more than 90 minutes at a time, and schedule those minutes to a well-defined, singular activity. Blocking an entire afternoon with a broad agenda of “*Prepare for Hearing*” isn’t going to do you many favors and allows way too much opportunity for distractors to creep in and steal your time.

Good practice is to intensely concentrate on your defined task at hand for 90 minutes, and then allow yourself 15 minutes to completely disengage – go on a walk, go get more coffee, watch a cat video on YouTube. You will have a much higher rate of success in actually accomplishing what you set out to do.

Lastly, clearly communicating the importance of your time blocks to all involved will be critical in completing the tasks in your time block. Set your phone to do not disturb and close your door. Clearly tell your assistant and team members not to disrupt you in that time unless it is a true emergency (*and define examples of a true emergency*).

TIME OFF

As discussed in earlier issues of the Barrister, time off is such a gift many workaholics don’t seem to give ourselves. This includes things like:

- Taking an actual, proper lunch break every day
- Going on vacation and completely disengaging from the office

- Not working at 10pm after the kids go to bed
- Not being attached to your emails

There’s likely a scenario in your mind justifying any of the points listed above. I recognize in our industry sometimes you have to burn the midnight oil to meet critical deadlines. Just make a conscious effort for these scenarios to be the exception rather than the norm. As the Successful Barrister himself likes to say, “*Make your business work for you, don’t work for your business*” (*or something along those lines*).

PROCRASTINATION IS THE THIEF OF JOY

Procrastination is why I am sitting here on December 10, fast and furiously writing this article, so this esteemed publication has a fighting chance to make it to your mailboxes before Christmas. *It probably won’t. But I am on the nice list this year and here’s to thinking Christmas miracles do come true.*

And sure as hell, that procrastination is currently stealing my joy.

Being honest with yourself and allocating the appropriate amount of time is one of the best gifts you can give yourself. This ensures:

- A better work product
- Less stress
- Time to pivot should life throw obstacles your way
- A quite satisfying sense of accomplishment
- A met deadline

While what I really want for Christmas is a rapid wine bottle cooler that is on backorder until the first week of January, the gift of time is something that gives all year round and will make this season of life much happier, healthier and productive. *Cheers to getting stuff done.* ☺

Business Made Simple: a Gift that Keeps on Giving

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BE A GOOD PEOPLE MANAGER

According to Miller, "Management is about helping other people win so the overall team can win. Managers who are not liked are managers who do not have a clear definition of what it means to win or don't have a clear idea of the wins each individual team member can experience personally while they are helping the overall team win."

This all ties in with the overall current theme of clearly communicating goals, expectations and providing the tools necessary to win.

And last but not least...

KNOW HOW TO GET THINGS DONE

We can talk all day long (and probably do), strategize, pay for the best marketing consultants and create the best game plan possible. All of it is for naught if you don't actually do it.

Merry Christmas, Happy New Year, and I look forward to bringing you more lessons that probably won't get you disbarred in 2022. ☺



OH QUARENTREE...
OH QUARENTREE...



*"There are three stages of man:
he believes in Santa Claus;
he does not believe in Santa Claus;
he is Santa Claus."*

– Bob Phillips



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Lawyers Need a Laugh

NEED SOME CHRISTMAS PARTY, SMALL TALK CONVERSATION STARTERS?

Here are lots of points that are sure to be a hit with you and yours this holiday season.

- 1** Jingle Bells was the first song played in space
- 2** If you gave all the gifts listed in "The Twelve Days of Christmas", it would equal 364 presents
- 3** Americans expect to spend around \$800 on Christmas presents... but actually spend like \$1500 (according to a study by Deloitte)
- 4** The Statue of Liberty is the largest Christmas gift ever given
- 5** A record number of babies are conceived around Christmas... making September the most popular birth month of the year
- 6** Home Alone is the highest grossing Christmas movie of all time... and wouldn't be possible today with technology, airport security, etc.



DISABILITY & INSURANCE DENIALS



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