

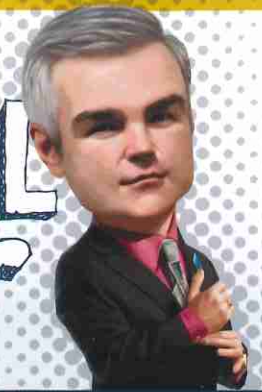
Fall 2022

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

Vol. 8

Issue: 03

# THE NEWSLETTER YOU'VE BEEN WAITING FOR... Successful Barrister



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

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## IMAGINE HOW INCREDIBLE OUR WORLD WOULD BE IF SUPERHEROES LIKE BATMAN OR SUPERMAN ACTUALLY EXISTED?

The traits which define superheroes and make them so endearing to us (such as extraordinary ability, moral conviction, courage and a mission to serve) are critical in our practice of law and is what enables us to do great things for our clients. This issue of the **Successful Barrister** seeks to show you how leverage superheroism in your law practice.

### HOW CAN YOU BE MY SUPERHERO?

Send me your long-term disability referrals (and Camp Lejeune claims)! to [marc@marcwhitehead.com](mailto:marc@marcwhitehead.com). Referral fees are paid in appropriate cases. ☺



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## WRITING THE GREATEST STORY OF ALL TIME

### YOU ARE NOT A SUPERHERO.

There's a swift kick to your ego. Many of us are board-certified, graduated with highest honors and have won our clients millions of dollars. But all of this still doesn't make you or me a superhero. Rather, your client is the hero. You are simply the guide who enables your client to earn their big win at the end of the movie.

This is the premise set forth by author Donald Miller in the book **Building a Story Brand**. Miller argues to grow your law firm, you need to simplify and structure your message into seven soundbites you can in turn tell with your eyes closed.

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## NEWS FLASH

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Tell your client's story and then position yourself smack in the middle of it, within this framework:

1. Introduce your client as the main character, or the hero, of your message. Again, you are not the hero (*WOMP WOMP*).
2. Your client has a problem, or else they wouldn't be on your website.

This is the part in the story where you need to do some deep soul-searching, or rather put yourself in your client's shoes and soul search on their behalf. This is the meat of the story. At face value, our client's problem is they are disabled and, as a result of their disability, can no longer work. Sad, yes, but it's not really their problem.

Their problem is due to a villain. In our story, the villain is primarily government bureaucracy or an insurance company. Entities like the Social Security Administration or companies like Unum or Cigna promised they would pay money in the event a claimant becomes disabled and can no longer work. These entities have broken their promise and have not paid benefits. In fact, they usually go so far as to write things in a letter to the claimant such as "you're not disabled under our definition." This in turn causes claimants to feel ripped off, frustrated and in despair. They often feel powerless and don't know where to turn or how they



can begin to objectively present their often subjectively poor health conditions.

A good villain is a root cause rather than an emotion. High taxes? Great villain. Frustration? Not so much.

The villain also needs to be singular. If you have more than one villain, you need to prioritize and consider using the second or third villain in a specific campaign.

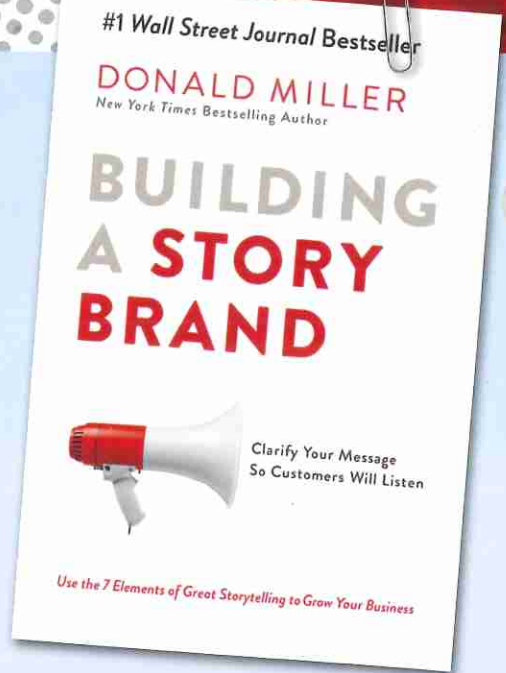
3. Here's where the client gets their glimmer of hope. They meet a guide! That's YOU! Luke Skywalker has Yoda. The Karate Kid doesn't win without Mr. Miyagi. You get the picture.

This is the part in the story where you can whip out the brag book.

- I am double board certified in Personal Injury and Social Security Disability.
- I've won my clients millions in benefits over the last 30 years.
- My online reviews are numerous and give our potential clients confidence to sign on the dotted line.
- I am a subject matter expert in disability law, having spoken extensively on the topic and wrote many books on each of our law practices.

How are you uniquely qualified to be a guide and what proof can you give?

4. You have the roadmap, or plan, to help your client succeed. Potential clients will call and have a conversation with an intake specialist to develop direction on how your firm might win their claim. Once the PC becomes a client, their case manager or paralegal will collaborate with the client to



work up the claim, resulting in a favorable decision. This is also the part where you lay out what the client can expect. No upfront fees, a 30 day out if they are not satisfied, the promise you will handle all communication with the sleazebag insurance companies on their behalf. Let them know what they can expect from their guide.

5. The message must call them to action. People will default to doing nothing and will not take action until they are challenged. Give them the number to call. Use strong call-to-actions on your website (*Submit is not acceptable on your website form*).

Many people are not ready to commit to you on the first date. Give them tools to gain their trust, such as e-books, videos testimonials or case studies demonstrating your legal prowess.

6. Here is the penultimate episode in the story. Give them a preview of what happens when they succeed.

# THE GOOD GUYS



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

**Consumer marketing is a phenomenal thing. It tells the narrative that you**

**and your needs matter. It positions large corporations to have the answer to your problems, whether by a product or a service.**

Insurance conglomerates promote reassurance to families who are looking for peace of mind that when things fall apart, they have someone or something in place to put them back together again. *"The Heart of What We Do; Like a Good Neighbor; Nationwide is on your side; Helping You Get the Protection You Need"* ... you should recognize these phrases from you and your client's insurance carriers. There's a heaping load of promises, many that will go forever unfulfilled. Either you never find yourself in a situation where you are filing a claim on you or your client's coverage, or *(more likely for this crew)* you fight to the death over policy interpretation and payment. As you well know, *"lawyer"* is not just a job but a higher calling.

We fight constantly for value in every case, gaining leverage with every influential fact, discovery, and witness under this legal precedent that controls our lives. While we spend our vocations fighting for the interpretation of these laws to pose favor for our clients, we all know that without the *villainous* defendants, we would not get to be, or help our clients become, the hero in these narratives. There's a reason that the *"mythic structure,"* the *"hero's journey"* is so often repeated in stories throughout history. Without these character archetypes existing in our everyday lives, heroes wouldn't exist as we know them today.

And what a way to be a hero, fighting for the disenfranchised and disparaged as the bulk of your life's work. I read at some point in my law school years how defining lawyers as heroes is a historical part of our profession, defining us in

***"Make crime pay.  
Become a lawyer"***

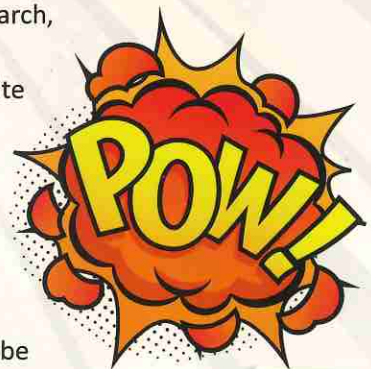
***– Will Rogers***

many ways as we give back to society. I hope that if you were to gather up some of the most influential and heroic individuals in your lives, some of them would be lawyers. Texas Legal Legends within the State Bar of Texas and its Litigation Section is one such project aimed at collecting and memorializing those legends, those who have taken on challenges that are much bigger than themselves, as goes with any hero's narrative. There are many states who have organizations achieving similar objectives. Take some free time and soak up the inspiration these lawyers bring— *"lives well lived, and careers well executed."*



One of the most rewarding mantras to live by as a Plaintiff's attorney is that *"you are the good guy."* No need to constantly reclassify yourself as someone who is doing the right thing because you are doing so by nature of practicing in this profession. You are a hero because you have dedicated your life's work to fighting for the underdog, the oppressed. You are a hero because you get up every day despite all of the complications in your own life and you take on the problems of other people, whether they be more or less fortunate than yourself.

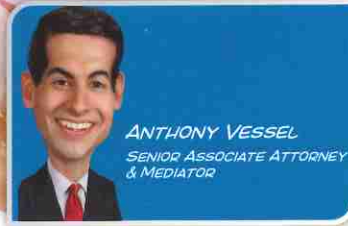
As with any good hero arch, there's a hubris or a weakness, our kryptonite *(we can be SUPER-heroes too!)* that we face along our journey. Possibly yours is more classically defined as arrogance or too much pride. Maybe your weakness is not enough coffee.



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# AN ATTORNEYS' SUPERPOWER: THE LASER SPEECH



ANTHONY VESSEL  
SENIOR ASSOCIATE ATTORNEY  
& MEDIATOR

Despite all the corny attorney jokes and sleazy lawyers on TV, our profession is one of honor and service to others. Being an attorney gives us the unique opportunity to help people in an impactful way. One of the professors at my law school orientation said that

*"doctors dedicate themselves to saving peoples' lives, and just after them, lawyers dedicate themselves to saving peoples' livelihoods."* We know this about ourselves, but how do we help our potential clients learn that we are the superhero to save their day? **One way is an effective laser speech!**

## HERE IS A THE FRAMEWORK FOR AN EFFECTIVE LASER SPEECH:

- Convey what you do and how you stand out professionally, in a quick, clear, digestible message.
- Identify why you're unique or "super" in what you do.
- Should be well-mastered, but also relaxed and conversational.

## EXCERPT FROM A CONVERSATION WITH A POTENTIAL CLIENT:



"You're an attorney?"



"Yes sir, I'm a disability attorney."



"Oh so like worker's comp?"



"Well, close, but that's not what I do. I help disabled workers and veterans secure their VA, Social Security and disability insurance benefits from the government and insurance companies. We are able to practice nationally and disability is all we focus on."



"That's so great that your firm helps people!"



"Yeah, that's why I love what we do. Our firm battle cry is "we are the good guys!" And I firmly believe it. I love helping disabled people across the country; I've done it for over 11 years, and my firm has been helping disabled Americans for close to 30 years."



"You do sound like the good guys! I'll send anyone I know to you!"

*"If there were no bad people there would be no good lawyers"*

– Charles Dickens

Now that you have read an example of a laser speech worthy of a superhero, it's time to put it to the test. Try it out with friends and family to hone your new super power. Go out there and let the world know you're a superhero! 😊



# Organizing Personality Tests to Discover Your Superpower



"I just don't know what makes me so unique," I told my business coach years ago. And if I didn't know what differentiated me from the rest of the market, I surely wasn't going to

convince a potential employer. *So we set on a path to discover my superpower.*



## Discovering Your Superpower

The internet contains no shortage of personality tests that claim to tell you all you need to know about yourself. Some are better than others... and free.

👉 **16 personalities.com** is a free version of the Myers-Briggs. After a series of questions, the test will help you identify which of the 16 personalities you are.

👉 **Strengths Finder 2.0** is an inexpensive, easy read from Gallup. The test identifies your top five Signature Themes of 34 possibilities.

👉 **Enneagrams** were popular a few years ago. After a quick Google search, there are quite a few more free tests offered even now.

👉 The **DISC** test is a behavioral test measuring on four dimensions: Dominance, Influence, Steadiness, and Compliance. The firm utilizes the TTI version during our hiring process, and it remains a significant part of our Firm Culture.

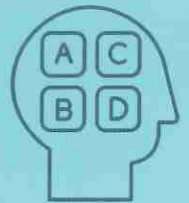
## Organizing the Results from Personality Tests

After taking all these tests (*and more*), my coach then had me create a matrix from each of the tests: test type across the columns and categories down the rows. I decided on the following categories for my matrix:

- 1 GENERALLY
- 2 PROFESSIONAL
- 3 PERSONAL
- 4 STRENGTHS
- 5 CHALLENGES

## Putting it All Together

After organizing all of my tests, I began to see common themes. I tracked common words or phrases in the same color across the columns. So "*analytical*," for example, was in red... and a repeating phrase in every single test.



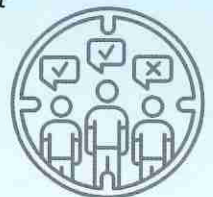
The exercise forced me to acknowledge some of my blind spots and address my weaknesses. It is too easy to say that one test is wrong or inaccurate if it says something I don't like. However, if several tests say it, then maybe I need to examine it more.

## My Superpower

In the end, I discovered that one of my superpowers is bringing clarity to CEO's and founder's plans and goals. Sixteen personalities describes it as "*creating order from chaos*." Long before I read *Traction* or *Fireproof*, I knew that my superpower is being an integrator.



I have a "*distinct way of thinking that cannot be taught*" (**Strengths Finder 2.0**). I am a helper (**Enneagram**) that finds great joy in taking care of others (**16 personalities**). I have a strong sense of family both at work and at home (**DISC**). All of this can lead to me forgetting to take care of myself and to burnout (**Enneagram**) because I'm too altruistic (**16 personalities**).



When I need to fill my cup or am burnt out or get lost as to why I do what I do, I still, years later, refer back to my matrix. For a highly logical individual (*another repeating theme*), the matrix centers me and reminds me of who I am.



*What is your superpower? Send me your matrix to [diana@marcwhitehead.com](mailto:diana@marcwhitehead.com), and I'll share mine!* 😊

# Becoming the TOP GUN



Name a real superhero in your life. I'm not talking about a character from the Marvel or DC Universe, I'm talking about

a someone who has saved your day or helped you find your superpower.

I discovered a whole new world of superheroes recently and a new appreciation for their superpowers.

Recently, Marc sent me to TACT. You see... in true Marc fashion, he enjoys making me squirm while pushing me out of my comfort zone. Don't tell him, but he's been right about every exercise in that there was something to learn from it. Well... when the email came out earlier this year about TACT and within minutes I had a message from him telling me to sign up. First, I didn't know he could respond to emails that quickly. Second, I knew this was his next challenge for me.

I was terrified. I heard stories from our other associates who had previously attended and I could feel my stomach start to turn at the thought of having a similar experience. I was so nervous that I asked Marc twice if I could pass on it and each time Marc gave me some side eye and a very distinct "no."

For those unfamiliar with TACT, it is a three-day program where you present

pieces of a case: opening, direct, cross, close, etc.

Your audience isn't just made up of your peers though,

your judges are some incredible trial attorneys. I would even describe some as legends.

Over the course of the three days, I crashed and burned during an opening, lost my train of thought on cross, and felt my palms sweat during rebuttal. At one point, I had Don Kidd, Jim Perdue, Hunter Craft, and Kellye Raymond in the same room critiquing my cross. By the end of day two, I was pretty sure Marc was going to banish me to the basement to write briefs until everyone forgot about my disastrous performance.

The value in the workshop came in the feedback and critiques I received from the judges. It was like receiving lessons from Superman, Wonder Woman, and the Hulk all in the same place. While the TACT faculty members don't wear capes and can't read minds, their superpowers come in the form of their trial skillsets. To have these legends provide a thorough critique of the very performance I was giving was priceless. It was better than any mock trial class or program I've done.

***Apparently, my performance wasn't as disastrous as I had thought because at the end of the workshop, I received the Top Gun award. Look for my new title coming in an email soon. 😊***



## WRITING THE GREATEST STORY OF ALL TIME

Continued from page 2

Our clients receive their money, closure and satisfaction. In many instances, we improve their quality of life. Most importantly, we made the villain keep their promise.

**How amazing is that???**

- 7.** Not to rain on your parade, but the last part of this framework is laying out what failure looks like. In our case, our clients won't receive the financial support they need to live a happy, stable life. They will continue to be victimized and won't receive the benefits they deserve. It is at this point, it should be clearly laid out to the client what the two different paths look like. Make it a no-brainer for them to choose.

You can tell when you've developed a good story brand if potential clients can look at your website or other marketing materials for five seconds and answer these three questions:

- What service do you offer?
- How will it make their lives better?
- What do they need to do to retain your service?

*"Heroes are made by the path they choose, not the power they are graced with"*

– Ironman

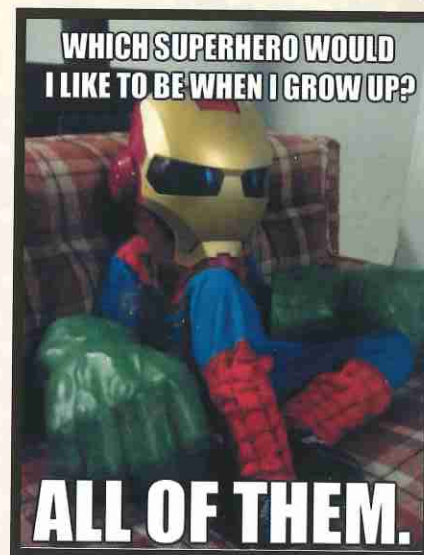
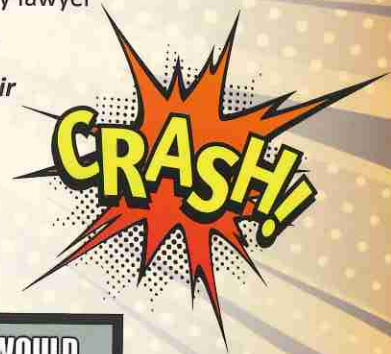
*Remember clients are not looking for heroes, they're looking for a guide. Let your client be the superhero of their own show and you do everything you can do to ensure their happy ending. ☺*

## THE GOOD GUYS

Continued from page 3

The fact is, we each have one and we must each battle it alongside the villains in our work. Don't let it dissuade you from the good work you are doing or put you off-course on your hero's journey, there is still much work to be done!

You are not an "ambulance chaser" or a "shark." You are more closely comparable to Robin Hood, but with a legitimate structure in dispersing the rich's riches. You are not defined by the worst of qualities assigned to our profession. You have a faithful purpose in your community that supersedes each and every lawyer joke's punchline. **Lift your brother or sister up in their fights, knowing that you are, undisputedly, The Good Guys. ☺**



# Lawyers Need a Laugh

**IF ME AND MY TEAM HAD ACTUAL SUPER POWERS, WHAT WOULD THEY BE?**

Match up the lawyer with their super power and email to [Marc@marcwhitehead.com](mailto:Marc@marcwhitehead.com) for a chance to win a \$100 Amazon gift card.



MARC



*I can eat just one potato chip*

ANTHONY



*Hype powers*

DIANA



*I don't drink coffee or energy drinks*

BRITNEY



*I make cookies disappear*

SELINA



*I'm still figuring it out*

## DISABILITY & INSURANCE DENIALS



**MARC WHITEHEAD & ASSOCIATES**  
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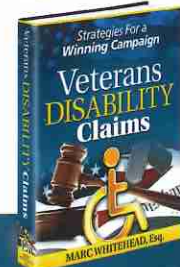
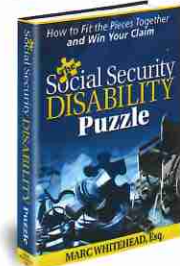
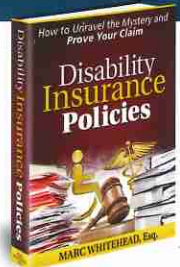
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