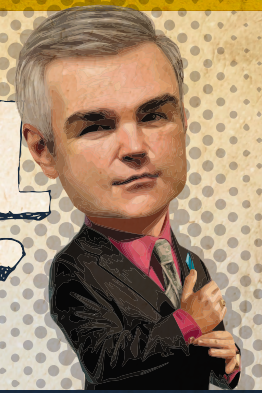


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OUR FIRST THROWBACK EDITION:

Because, unlike a fine wine, my words of wisdom were spot on the first time.

In an industry where everyone is vying for new clients, essentially yelling "Me, Me, Me" to every viewer of their Google Ad, their mailed newsletters (Exhibit A), their Facebook Posts, etc. how can you make yourself stand out from the rest?



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

Continue reading to find out what past advice Marc had to offer and what still rings true today. 😊



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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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NEWS FLASH!

Want to be the Britney Spears to my Justin Timberlake?

Send me your long-term disability referrals!

marc@marcwhitehead.com



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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.

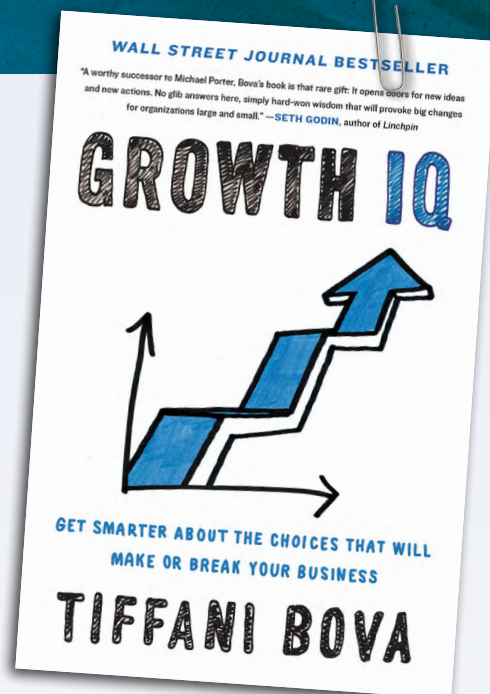
8 Partnerships: Leverage third-party alliances, channels, and ecosystems. I am leveraging my relationship with all of you to receive referrals. Don't forget that I like LTD cases, and that referral fees are paid in appropriate cases.

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.

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

"It's not who you are that holds you back, it's who you think you're not."

– Hanoch McCarty

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.** 😊



WORD of MOUTH M a r k e t i n g

When reviewing your lead acquisition expenditure, it's no secret that referrals are always going to be the most cost-efficient tactic – they are absolutely free!

Thus, it is crazy to think that we spend so much time and energy analyzing our most expensive advertising methods and don't give referrals a second thought, aside from a thank you card or small gift to those who are kind enough to refer us the business.

There is an actual strategy and methodical steps you can take to increase your referrals, as laid out in a book I recently read by Andy Sernovitz called Word of Mouth Marketing. In a nutshell, Word of Mouth marketing is all about creating happy customers and making them your best advertisers.

Your current and past client base are real people. Why would those real people want to talk about you and your firm? In our world, this could and should be a slam dunk, as we are solving life-changing legal problems each and every day.

For word of mouth marketing to be successful, a solid foundation needs to be laid of having satisfied clients. After all, satisfied clients are the most powerful marketing asset you have

(aside from a stellar web site, see page for more information) and you and your firm should be doing everything possible to create a positive experience for your clients.

Yes – you and your firm. Every single member of your team needs to be 100% onboard with delivering excellent client service. To ensure this, I recommend writing a client service manual that:

- Clearly defines the standards for client service, such as how soon will your team return phone calls and messages.
- Addresses how your team will respond to irate or dissatisfied clients.
- Identifies a client service liaison whose job is to ensure the firm is providing stellar customer service.
- Identifies who needs to be involved in all client service decisions.
- Define the documentation protocols for each client.

4 Rules for Word of Mouth Marketing

Providing excellent client service then makes the 4 rules for word of mouth marketing easy to carry out:

1 Be interesting and worth talking about

What success stories does your firm have? What innovative approaches have you or your attorneys taken recently to win a seemingly unwinnable case? Create an editorial calendar to plan out what you want to talk about, how you're going to talk about it, and to whom your content is directed.

2 Make your clients happy

Cases aren't always going to go your way, as there are lots of twists and turns in the legal system. How you resolve those problems and how you communicate the solutions to your clients, is really going to be the differentiator in how your client feels about you following the conclusion of their case.

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3 Earn the trust and respect you want

You can't outspend a bad reputation. This must come from within, from the daily actions you and your employees take, and the interactions clients have with your firm.

4 Make it easy for people to talk about you

We live in a world where almost everything is easily shareable on the internet. If strategic thought is put into your content planning process, and your firm has done a great job of providing stellar client service, then it will be easy for that satisfied client to share your content, talk about how you improved their life, and send their friends and family your way.



Word of Mouth Marketing Tools

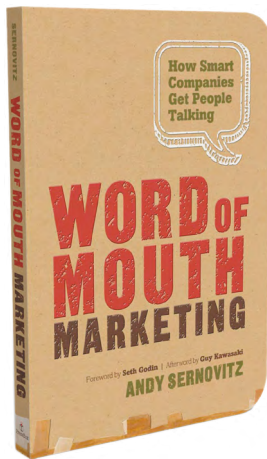
While word of mouth marketing is a very organic process, there are tools out there to help facilitate it.

If you don't ask, the answer is always no.

Ask for feedback and referrals!

A few ideas:

- Create a short message in your email signature line asking for referrals, or provide a link for reviews.
- Send handwritten thank you notes to clients who refer business.
- Utilize online reputation management software such as Birdeye to request, monitor and respond to online reviews.
- Put forms, comment forums, and share buttons on your blog posts and promote those posts on your social media.
- Create an email blast highlighting a case study or success story.
- Send a survey to all clients asking them what kinds of communication they want to hear from you.
- Create a Facebook audience list based off the emails of your current clients and create videos about the firm targeted specifically to this audience list.



Track It!

Figure out a benchmark number of your current percentage of leads that are referrals. This number will be used to gauge the level of success you have with a focused Word of Mouth marketing effort.

Keep a spreadsheet of all the referrals that come through the door, who sent them, if you accepted the case. You can take this a step further and look up the original lead source of the referrer, so you can see how much your expenditure grows from that specific lead.

Soon you should start to see patterns, or "frequent flyers", and thank them appropriately.

Measure the year over year growth every 90 days, and calculate the projected revenue off each new referred case. Once the revenue amount is quantified, you will be amazed at how much additional dollars you earn just from providing stellar client service, and asking for that business.

And Remember... Other Attorneys are Your Best Friends.

In general, the book *Word of Mouth Marketing* is geared towards business to consumer industries. In our world,

we can not only tap into our existing client base for referrals but to our fellow attorneys as well.

One could argue that attorneys are an even more valuable referral source than clients for your firm. They are receptive to education on your most ideal client, and can be spiffed to refer only the most valuable potentials to your firm.

A few ideas on how to do so:

- Create an amazing, award-winning publication (such as *The Successful Barrister*) that educates other attorneys on what it is you do and positions you as a thought-leader in your area of expertise.
- Create content that is written specifically for other attorneys that highlights the great work you do is for your clients. This creates trust in what you do, particularly with attorneys who aren't familiar with you on a personal level.
- Arnold Palmers and lunch. Or send your marketing director out to wine and dine. Face to face contact and food go a long way in creating fruitful relationships.
- Establish a referral fee or co-counsel agreement that makes sense and use it with partners that have the potential to send you the best cases.
- Chocolates and cookies are tasty ways of saying thank you for referring business your way, even if you ultimately don't accept the case.

As you spend time this December putting together your 2018 firm goals and marketing plans, keep in mind that cultivating referrals deserves just as much time, if not more, than your expensive advertising methods. Reach out to me if you'd like more ideas on how to do so. ☺

"Strategic planning is worthless- unless there is first a strategic vision."

– John Naisbitt

THE ADVANTAGES OF MARKETING TO ATTORNEYS

One of the key marketing strategies at Marc Whitehead & Associates, LLP is marketing to other attorneys. **Gee, why do you think you get this newsletter...**

The advantages of marketing to other attorneys are numerous, especially if you target those attorneys whose practice serves your target market but in a slightly different way.

THE PRIMARY ADVANTAGE ARE AS FOLLOWS:

- You have credibility. You are one of them. You know the business and dare not try to sell them something.
- Loyalty. Once they trust you, you have to work hard to get rid of them.
- They are always looking to expand and upgrade their client base so they will appreciate a new possible referral relationship with you.
- There is more room for grace on client service issues. Why? -They already know that most of their clients are **crazy!**
- They have a network of referral sources that you can leverage.-CPAs: financial professionals, etc.
- They know other attorneys they can introduce to you, allowing you to quickly expand your referral portfolio.
- Their referrals to you will be presold, prequalified and have a solid level of credibility.
- The great ones will help you and watch your back. They will not throw you under the bus. The key, of course, is building a network of great ones.
- They may need your services in return.
- They're just as scared of you as you are of them... Because they don't like other attorneys, either! Make a friend of a colleague and you will have a referral source for life.

BIG INSIGHT: *For many of us, we have an undistinguished referral network of attorneys we send work to unconsciously. This is a major asset if we can groom them into attorneys who refer to us.*

On the flip side, attorneys can sometimes make excuses for avoiding marketing to other attorneys such as:

- They will know more than me
- They will think I'm a fraud
- They are too busy
- They don't have the time
- They will send me poor quality clients



- They will still migrate clients
- They will still migrate referral sources
- Think I won't know what to say
- They will not like me
- I will not like them

Like everything else management and marketing, every endeavor needs to be a process in place in order to optimize for success. Lucky for you, Atticus has one for you to implement in your firm today.

THE ATTICUS REFERRAL DEVELOPMENT PROCESS IS AS FOLLOWS:

- Accountability
- Who to talk to
- What to say
- How and when to say it
- Tracking

Because I am feeling extra jolly and generous, here are a few more nuggets of wisdom to aid in your attorney referral marketing efforts:

THE GOLDEN RULE PRINCIPAL

Helping others-you must look to refer, help, support, encourage others on your way to building your referral portfolio.

THE INVESTMENT PRINCIPLE

Rainmaking is an investment of time and money into simple actions that can be systematized into your calendar and life. Like all investments, you have to put something into it.

THREE KEY PRINCIPLES OF GREAT RAINMAKERS

- The exclusivity principle: the intention is to attract good referral sources and high-value clients on a predictable basis. Period.

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Also, learn to say no with grace and compassion. You cannot, should not, and will not work with everyone!

- ▶ The authenticity principle: all marketing actions must be consistent with your personality, beliefs and interest. You gotta be you.
- ▶ The commitment principle: no excuses, no victims. You are fully responsible for your success, or lack of it, as a marketer.

And if all this isn't enough to convince you to put attorney referral marketing at the top of your 2020 goals, here is a little more context to push you in the right direction.

- ▶ Value per case on a client referred from another attorney is higher
- ▶ Less acquisition costs over time
- ▶ Less sales involved because the PC is presold
- ▶ Makes you look good and feel good if you are known to others as the best
- ▶ The referral sources are like endless annuities for our practice
- ▶ Makes it difficult to unseat you as a dominant player

WHAT WOULD HAPPEN IF...?

- ▶ You built a network of 100 individuals that saw you as a trusted relationship-as the go-to person?
- ▶ They saw you as someone they could trust with their best clients, friends or colleagues?
- ▶ And, 20% sent you one case a quarter,

20x4 per year
equal 80 referrals

+

80% sent you one case per year
for an additional 80 referrals =

160 referrals per year!

What would that do to your bottom line? 😊



Who stole My clients?

It's the biggest unsolved crime of the century.

**Who stole my clients?
The competition?
Were they killed off by
an inside hit job?
Perhaps they left of their
own accord.**

I'm referring to the 1500+ leads that come in every month. Ideally, I would like to know what happened to every single one of them.

Let's investigate.

I know what happened to roughly half of them- we talked to them, unfortunately found out they didn't quite meet our criteria, and then referred them to another attorney or provided resources that may be of value to them in winning their disability claim.

I know what happened to another roughly 10-15% of them. We talked to them, found the claim to be something in our strike zone, signed them up and are now hard at work fighting the good fight against the disability insurance companies.

But... what about the rest? What happened to them? And what steps can we take to ensure future leads never go missing again? In general, my missing clients can be classified in one of two ways, each with its own strategy needed to mitigate the loss of a lead.

Killed Off By An Inside Hit Job

A lead comes in typically either by a live phone call or a web internet lead integrated into our CRM, after which a few things can play out. An intake specialist is either not available to take the live call and we take a message. The web lead comes in and we call back and leave a voicemail.

Then... nothing. The lead mysteriously disappears into thin air. We become so inundated and laser focused on chasing the lowest hanging fruit and we don't make another attempt to contact that lead again. Worse, we might make a feeble attempt a week or two later and we ultimately never get in touch with that client. In other words, we killed them off ourselves before they even had a chance to become our client.

*"The way I see it,
if you want
the rainbow,
you got to put up
with the rain."*

– Dolly Parton

A COUPLE THINGS WE'VE DONE TO LOWER THE NUMBER OF LEADS IN THIS CATEGORY:

Drill and incentivize the intake team to grab live calls. Our phone system is set up to funnel as many first-time callers directly to the lines of our intake specialists as possible. The more live calls that can be answered and addressed on the spot, the less likelihood they go into our CRM and are never contacted again.

Life happens and I'm sure many of you are like us and use a third-party call center as a back-up. We've given the call center criteria so if a caller meets the guidelines, they are warm-transferred back to our firm to address that call before it gets filed away. *But ideally, calls should never get to the call center during standard business hours to begin with.*

We used to have intake specialists assign leads to themselves as they came in, and it was incumbent on that individual to manage and work all their leads from start to finish. Now all leads with whom we have not made contact are in one big pool for all our intake specialists to work, which has increased our overall contact rate by 15%.

Stolen By The Competition

A potential client calls. An intake specialist yanks the phone off the hook within half a ring (*win!*). Who is it on the other line?

A doctor. Who was referred to us by one of you, in the hopes of receiving a nice referral check from me.

It's the picture-perfect case, one our intake specialists know is high quality and high priority. Sometimes when the doctor starts asking questions and throwing up objections, they falter when answering all the questions.

Then after a few weeks, silence. No sign. Presumably the doctor was snatched away by the competition, which would either be another attorney or Doogie Howser, M.D. thinks he can do it on his own.

We don't always have the luxury of the client who got away telling us why they didn't sign with us, but it is important to make sure your intake team is well-trained and confident not only in handling any objections thrown their way, but when to throw out a lifeline to help close the deal.

HERE'S WHAT THAT LOOKS LIKE:

Create a comprehensive list of objections to a specific practice area, along with clear and succinct responses to overcome each objection. This is not a static list, you should always keep an ear out for new objections and update this sheet regularly and that your intake specialists use it.

Competitive intel is key. Sometimes competition will undercut on fees, but there are other adaptations you can make to maintain competitive advantage in the playing field. You might consider adding ancillary services or signing cases on the spot without supporting documentation you may have required in the past.

Lifeline. It should be you or another attorney in the firm. An attorney should always be available as a closer to help get the agreement signed and in the door.

Of course, none of this is worth anything unless you have a good software system in place to give you accurate reporting on the stats, numbers and individual intake specialist performance. My lead investigator, also known as my new intake manager Erika, provides me daily updates on the cold cases she is chasing and cracks the whip in intake to ensure our clients are not killed or missing.

Once you solve these two mysteries, your life will be a lot less stressful and much more profitable. Now go find those clients. 😊



Lawyers Need a Laugh

HOW MUCH RANDOM MARKETING KNOWLEDGE DO YOU HAVE?

Email marc@marcwhitehead.com with your answers. Correct answers will receive a surprise in their inbox!

1. What animal did the first photo on Instagram feature?

- a. Giraffe
- b. Dog
- c. Turtle
- d. Rabbit



3. In what year was facebook founded?

- a. 2004
- b. 2005
- c. 2006
- d. 2007



2. How many YouTube channels have more than 1 million subscribers?

- a. 3,500
- b. 5,700
- c. 8,000
- d. 10,6000



4. How many characters did Twitter allow when it started?

- a. 200
- b. 240
- c. 140
- d. 180



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Episodes 012 & 013

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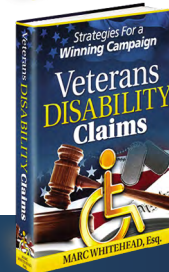
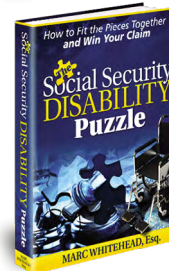
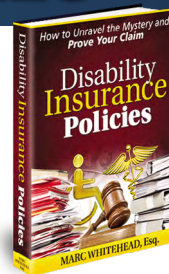
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