

Michael Cowen:

This is Michael Cowen and welcome to Trial Lawyer Nation.

Audio:

You are the leader in the courtroom and you want the jury to be looking to you for the answers.

Audio:

When you figure out your theory, never deviate.

Audio:

You want the facts to be consistent, complete, and credible.

Audio:

The defense has no problem running out the clock. Delay is the friend of the defense.

Audio:

It's tough to grow a firm by trying to hold on and micromanage.

Audio:

You've got to front-load a simple structure for jurors to be able to hold onto.

Audio:

What types of creative things can we do as lawyers even though we don't have a trial setting?

Audio:

Whatever you've got to do to make it real, you've got to do to make it real, but the person who needs convincing is you.

Speaker 2:

Welcome to the award-winning podcast, Trial Lawyer Nation. Your source to win bigger verdicts, get more cases and manage your law firm. And now here's your host, noteworthy author, sought-after speaker and renowned trial lawyer, Michael Cowen.

Michael Cowen:

Welcome to today's Trial Lawyer Nation. Today we have a lawyer from Houston, Texas, Anthony Vessel. Anthony's with Marc Whitehead & Associates, where he's a partner and he's going to talk to us a lot about how to manage a law firm because they have a heck of an operation going on over there. Anthony, how are you doing today?

Anthony Vessel:

Hey. Doing good, Michael. How are you?

Michael Cowen:

I'm doing great. Before I dive in and start talking about your story, I just want to say thank you to our sponsor, LawPods. LawPods is the company that produces our podcasts, that make it super easy. All you and I have to do is talk. They did all the setup before and then they will do all the editing and production afterwards and even put out our little clips and graphics that we're going to put on social media to get people to listen to this. So if you're thinking about doing a podcast, I highly recommend LawPods. Let's go talk a little bit about you. So can you introduce yourself to us?

Anthony Vessel:

Yeah. I'm Anthony Vessel. I'm a partner at Marc Whitehead & Associates, as you mentioned, Michael. I'm also a mediator, but I run our social security disability section of our firm. I've been with Marc and this law firm for about 12 years now, and this is what we do, we do disability law, we help social security disability claimants get their benefits, we help veterans get their disability benefits and workers get their disability insurance through those carriers.

Michael Cowen:

That's an important area at all, but that's got to be a challenging business to run because even more so than PI, I mean, you're going to have long waits to get paid, and then frankly, your fee for case is not... You don't have your million dollar fees like you get PI.

Anthony Vessel:

Yeah, and you hit the nail on the head, Michael. It's a high volume firm. We're very dependent on good team members and that's honestly what I thought I could help bring to your listeners in this podcast today is the management side of law firms, because I'm sure you've had tremendous trial lawyers, I've heard them on your podcast, that can tell you how to win a trial and all the great things they do, but my partner Marc often says, "You can be a great lawyer, but to run a law office takes a different type of skill set," and a lot of great lawyers aren't necessarily great business people or law office managers, and so that's where I think I can help out.

Michael Cowen:

That's absolutely true. I've had years where we've had lots of successes, brought in lots of money, but somehow there's none left for me at the end of the year. That's not any fun. I've been working real hard on being a better owner and manager since then. I used to think there was a conflict between being a good lawyer and a good manager, and now I've learned over the years that if you have a firm that's run well, then you're not always having to panic and deal with crises, and you can actually have the time to be a good lawyer.

Anthony Vessel:

Yeah, absolutely agree with that. There's a lot of those cliches, like work smarter, not harder, and things like that that apply, but it's really using your resources, really investing in your team. Some of what I say today's maybe going to sound corny or sound like kumbaya around the fire kind of stuff, but it really works. There's statistical backing on a lot of the stuff I'm going to pull from today and tell you all about it. So excited to talk about that.

Michael Cowen:

And I love y'all's operation. Actually, Marc's been on the podcast before. He's someone I respect a lot and I'm really looking forward to hearing from you and what you've learned about running that firm. So I

want to talk, just to put things in perspective, a little bit about the firm so we know what kind of law you do. But how big are you? How many cases are y'all handling?

Anthony Vessel:

For my department, I have just shy of 2000. I have the biggest department in terms of cases. However you decide to count them, we have between six and eight lawyers at our firm and then our total staffing is around 60, 65, again, depending on how you want to count them with part-time folks, stuff like that.

Michael Cowen:

2000 cases the whole firm or just your part?

Anthony Vessel:

That's just my department. I believe probably total closer to 3000, 3500 give or take. There's some qualifiers there, so I'm taking a hack at it.

Michael Cowen:

How do you run that many cases? And I know you have to because can't just say, "We're just going to do really big cases," and have a small caseload per lawyer. You'd go broke in social security if you want to have 20 or 30 cases per lawyer. So how do you give clients quality representation when you have that many cases?

Anthony Vessel:

Really good intake staff and one thing that we're talking about, our firm likes to call folks, team members. So I will slip and say staff here and there, but we want everyone to feel like a part of the team. They are part of the team. So we're really trying to get in the habit of saying that. Creating a really good team, especially at intake. Really, really strict intake standards, trainings and retrainings. Making sure everyone's on the same page of this is a good case, this is the type of case we can win, this is the type of case we can really help out with and we're enthusiastic to help out with, and avoiding the stuff that's not really in our wheelhouse that we don't think we can help out with. Avoiding those 80-20 clients. I'm sure you know what I'm talking about, those guys that are... Yeah.

Michael Cowen:

People that take up a disproportionate amount of your time and energy and give you very little in return?

Anthony Vessel:

That's right.

Michael Cowen:

Yeah, we all end up with some no matter how hard we try. I want to take a step back then, and you said that one of the key success has been working on intake to figure out that you're only taking the kind of cases where you want that you can do some good on. How did you all figure out what does that case look like?

Anthony Vessel:

A lot of it is education and we really invest a lot in going to conferences. I go to an OSCAR conference, which is a national conference for social security representatives, and so you sit through some of those CLEs and you start to learn what are the percentage of cases that are winning and just your knowledge of the law leads you that way. You look back at the cases that you win and you're like, "Oh, yeah. I keep winning these over 50." There are these certain set of rules, and I don't want to go down rabbit trail, but called the grid rules, and basically if you're over 50, you have a favorable treatment by social security and especially over 50 with a more physical nature to your work if you're doing, air quotes, blue collar work. It's easier to prove that that person can't go back and do that job when they have a bad back or a bad shoulder or something like that, rather than trying to prove someone who can't do a desk job, that's a little bit harder to prove.

Michael Cowen:

And I guess that would be so important given that you're not going to be able to make that much per case, so you would take a bunch of bad cases that could really kill your average fee per case.

Anthony Vessel:

It's about your time and effort that you're plugging into your cases. You want to put all your time and effort into cases that you know can win and cases you know can help folks out on, because we're a good law firm, we do good work, but we do have a finite amount of resources and manpower and time and money, and so we want to help as many people as we can, so therefore we have to select those cases we know that we can help out on, we know we can win.

Michael Cowen:

And I have referred disability cases to your firm before, just full disclosure. But just so I can know what to send over, I mean, so you like blue collar jobs, physical jobs over 50. Any other characteristics that make a better claim?

Anthony Vessel:

Absolutely and greatly appreciate it, Michael. Thank you. And those are good cases for social security for a long-term disability insurance cases, that would be more towards, again, air quotes, but white collar jobs, your folks who are more professionals, they generally have better policies and they generally have better access to medical treatment in most regards. That's the body of evidence that we're pulling from. Almost 95% of your evidence is your medical treatment. So unfortunately it's a broken cycle in our country, and I'll avoid going down that rabbit trail as well, but your access to medical care really is a big factor on your ability to obtain your disability benefits, either social security or disability insurance.

Anthony Vessel:

We also represent veterans and most veterans who qualify would have access to TRICARE, have access to the VA medical treatment. So it's not as big of a factor for our vets because they generally can get access to medical care through the VA. But yeah, veterans. And Marc often does this presentation, and we all have actually, called Mike the Mechanic where we have what's called a triple threat client where it's someone who has access to all three, a veteran who has access to social security disability benefits and also access to disability insurance benefits through their work or through private access.

Michael Cowen:

And then you can make all three claims?

Anthony Vessel:

That's right. It's three different cases with the same client.

Michael Cowen:

That's great. Especially like I said, when you're dealing with a limited... What's the max fee in social security disability?

Anthony Vessel:

They just raised it. Congress was very generous and it's 7,200, and I say that sarcastically because it was set at 6,000 about 12 years ago, so they raised it \$100 per year and social security representatives have been a little salty about it, but we are happy for the increase and it does go towards the clients getting better representation. A lot of folks have had to shut down shop because the margins are so thin. But yeah, it's 7,200 now.

Michael Cowen:

Intake's really important for all of us because even on the bigger cases, you can spend a lot of time and money on a case that turns out not to be so good, but I imagine that even once you get the case in, you need to be pretty efficient. How do you make sure when you're handling that many cases that you're doing the things that need to be done, you're giving good customer service and most importantly, meeting all the deadlines?

Anthony Vessel:

It's a few fold there. That's a loaded question, and one aspect of it is how you organize your team. So we've reorganized my team a few times, but how it's set up now, I've got them set up into pods. So we have intake does your sign-up, they send you all the paperwork, give you the welcome packet, all that good stuff. Then it gets passed over to what I call Pod One on my team. Pod One, they do the initial application and then if that gets denied, a reconsideration and a request for reconsideration, and those are folks that are highly organized, that are great people, great on the phone, great with clients and folks that have a high attention to detail.

Anthony Vessel:

And then this is assuming a denial all the way because that's the five-step sequential process, and then it's also five steps in the social security process, oddly enough, but after that reconsideration denial, then you go to an ALJ hearing, administrative law judge hearing, and that's whenever an attorney accompanies the claimant and argues the case before an administrative law judge, and at that point it goes to Pod Two. Pod Two, they're my more analytical people. They help us dig through the file, find key pieces of evidence, follow up with the clients, make sure that we've requested all their medical evidence and set up all the prep calls, all that good stuff with the attorney and the client, all the I's dotted, T's crossed so you look really good going to those hearings.

Michael Cowen:

What kind of systems do you use to make sure all those things happen?

Anthony Vessel:

Our case management system is Litify, so that does a really good job of setting tasks. Litify has been good for such a high volume practice like ours. It's funny, Michael, I was listening to your episode with Marc a few weeks ago, just you and I were talking about doing this episode and he was talking about how it's great for a high volume practice, perhaps maybe not ideal for someone with a smaller volume practice, but we've had pretty good results with it, we like it and it's really customizable and you're able to tailor it to your needs. And with it being cloud-based, everyone's got work from home type options at their firm these days, and so that makes it easier too, where you don't have to have it loaded up on your laptop or anything like that, you can access it through the web.

Michael Cowen:

I guess besides the computer system, any systems in place where someone's double-checking to make sure that other people are actually doing the steps?

Anthony Vessel:

That's the second part. So it's training and retraining, it's clear policies and procedures and it's a culture, really. That's something that's really changed the game for our firm. When I started here about 12 years ago, we didn't have a clear culture, we didn't have a great system in place for onboarding employees and getting them trained up and that kind of thing, and then we started to work on that. We started to do a lot more. We call it now Attorney Book Club, where quarterly all the attorneys at the firm are assigned a book. We have to read it and we have to give a presentation to the other attorneys at the firm, and so a lot of that goes to the culture we want to create within our firm. It's also right people, right seats. That's pulled from Traction, Gino Wickman's book, Traction. He says, "Right people, right seats." You might've hired a dynamite person, a really good candidate, and then you find that person's just not ideal in the spot that you put them in.

Anthony Vessel:

I had a person on my team who was hired for our VA department and she wasn't quite doing great there. She was kind of struggling from what I understood, but then we offered her a move over to my team and she's knocking it out of the park, doing a really great job, I hardly hear a complaint from clients from her, and I hear nothing but good things. Her tasks... Litify gives you access to different folks' task lists, so I can go through and check on my team, see how they're doing, task completion, timeliness, how long is their task list, it's a running total. She's killing it. Doing a great job. Right people, right seats.

Michael Cowen:

Well, I want to step back then to let's go back 12 years when you're out of law school. If your law school is like mine, you don't get taught much about how to run a law firm while you're in law school. And you said that you didn't have a consistent culture, you didn't have necessarily great training. What were the results of that? What were the problems you were seeing?

Anthony Vessel:

It's a great question, Michael, because there's this evolution when you're trying to develop this culture. In a lot of these books, they echo one another or the Venn diagram, they share about 60%. Maybe they're just a little bit different hanging off the side there, but a lot of them force you to be introspective. And so 12 years ago I was like, "Man, I hired this lady, and man, she just wasn't good," or, "Man, I hired this lady and this guy, he couldn't get it done." And you've got to turn inward and say, "I'm the one training everyone. I'm the one who's hiring everyone. What's the common denominator? Yours truly, it's

me. It's us." And so you've got to turn inward, and Marc gave me the dubious nickname Tony the Hatchet Man, which was because I had to fire so many people. I had so many people leave and I hated that. I thought it was... It's not fun. That was the worst day of my career was the first time I had to fire someone.

Anthony Vessel:

So we said, "What do we have to do to change this stuff?" And part of what we're looking at were the culture of finding... One thing we were doing wrong was we tried to find people that had a certain skillset, that did things exactly as we would want them to do or have the training or work history that we were looking for, but we're in, as you probably know, a very niche area of the law, and there just isn't a lot of the specific work background for what we do that's not out there in the hiring pool. So what we really changed was we need to find someone that fits our team and fits our culture, and so one of the key things that we are looking for now is empathy. We look for people with strong senses of empathy because we are dealing with very marginalized folks, we're dealing with people who are down and out, going through it, maybe mentally having issues due to their disability or due to the medications they're on, their financial stress, etc., the list goes on, access to healthcare.

Anthony Vessel:

We have to find people that can deal with that and people that not only can deal with it, want to deal with that. So that's one of our big areas of questioning when we're interviewing folks is do they have a deep sense of empathy? And that goes back to creating the culture that you want. We want to be around empathetic people. I don't want to be around people that make fun of my clients. That irritates me. That's just not good for the culture. But my team's right out there and I hear them on the phone all the time and they're patient, they're empathetic people, and that's one of the core values. And that's also part of what we do in our team meet. We have monthly all-staff meetings where we repeat our core values every single time because we want everyone to know how very important they are. If you'd like me to tell you them-

Michael Cowen:

Yeah, I was going to ask you. I've got a couple questions there. So first of all, just because it's right there and I also start every meeting with our purpose and our core values and our strategy for success. So what are your core values there at Marc Whitehead & Associates?

Anthony Vessel:

Yeah, absolutely. Integrity, accountability, compassion, communication, teamwork, customer service, health and happiness in the workplace.

Michael Cowen:

And how did you come up with your core values?

Anthony Vessel:

Marc and the other attorneys sat around in a meeting and thought about what was really important, and we had a list of... A really long list and chiseled them down into the unique, I believe, they're eight.

Michael Cowen:

Any book or consultant or anything you use on the core values exercise?

Anthony Vessel:

There are a lot of books. There's Patrick Lencioni's Five Dysfunctions of a Team.

Michael Cowen:

But Patrick only lets you have three core values if you read all his books. That's why I was asking. But Traction lets you have more.

Anthony Vessel:

That's right. That's right. And Traction's a good one.

Michael Cowen:

I'm going to go talk a little bit about each of those books in a little more detail to catch up the listener, but I was just wondering whether you'd read a bunch of stuff and you just came up with the exercise or you're following the script or the step-by-step process from one particular book.

Anthony Vessel:

And I don't mean to give you a contrived answer, but it's really what's important to you. These guys, they're brilliant business book writers of course, but it all boils down to you at the end of the day. I mean, if Mr. Lencioni says I can only have three. Well, I'm running my own law firm, I'm going to have eight at my law firm because they're all eight very important to us.

Michael Cowen:

I will say for me, different books have been an evolutionary process. If I hadn't read E-Myth Revisited by Michael Gerber, I would've never thought to have written step-by-step procedures on how to do things. If I hadn't read the Four Disciplines of Execution, I would've never learned how to get someone to do what is in my systems that were written down. If I hadn't read the Lencioni books, I wouldn't have known the importance of developing a team based on shared values and on vulnerability-based trust where we all can speak to each other clearly and have robust debate without it being an attack on each other. If I hadn't read Traction by Gino Wickman, I wouldn't have realized there's another level my business used to get to and that I can't get there alone, I need what's called an integrator. I need someone else that's good at running the business so I can be the visionary and come up with the ideas. But you kind of have to get to it at the right time in your career, if that makes any sense, and kind of build.

Anthony Vessel:

You hit the nail on the head there, Michael, because you have to be open, and again, I'm going to say some kumbaya stuff today I'm sure, but you have to have an open heart and an open mind to really absorb some of these key principles. I remember when we first started doing our Attorney Book Club, as we call it, I was like, "Oh, great, Marc. Yeah, because I've just got this abundance of time to go home and read yet another book. I don't have all these cases to take care of and all these other personal things." So our first few books I pouted and had my arms crossed, but you don't grow that way. One of my favorite books that we read this year was actually my colleague, Selena Valdez, recommended was Leaders Eat Last. Have you read that one, Michael?

Michael Cowen:

Not yet. Tell me about that one.

Anthony Vessel:

Simon Sinek, I hope I'm pronouncing his name correctly.

Michael Cowen:

Yes, you are. I know, my chief galvanizing officer is really into Simon Sinek.

Anthony Vessel:

That book, not only was it a good personal professional development book, very interesting anecdotes to support the principles. Have you ever read the... And I'm going to go back to it I promise, but the key negotiator's book, *Never Split the Difference*?

Michael Cowen:

It was given to me two weeks ago. I have it at home, I'm going to fly to Paris in two days and I'm going to read it on the trip. I did hear one of the people that works for that company that publishes the book was a keynote lecturer at an event I was in, and so I've heard a lot about the concepts in there.

Anthony Vessel:

Yeah, and like I mentioned, I'm a mediator. I do a lot of mediations as an advocate for my clients. So this negotiation book was very interesting to me, but one of the reasons I really enjoyed this book was because the author, and I'm on his name, but he would give a very compelling, very interesting, real life story and then tie it into the theme of that chapter, tie it into the lesson of that chapter. Simon does the same thing in *Leaders Eat Last*. It starts off, the very first chapter is a death-defying... Well, I'm not sure which war actually, but a pilot mission where he's got a Top Gun kind of percentage chance... I forget that most recent Top Gun movie, but just keeps doing these sweeping raids and his chance of being shot down is exponential, he is just really going all out for his team, but he's the leader. And that was kind of the takeaway from that chapter is you do what you have to do because you're the leader and you inspire your team by doing that.

Anthony Vessel:

And that one chapter is just one of many that are very fascinating stories and anecdotes that support the lesson, but another one from that book was a guy walking into a factory where everything's backwards in terms of employee culture and workplace satisfaction. You have to punch out to go use the bathroom, all these archaic kind of old-school stuff, and he comes in and tells the story of a guy walking in and be like, "Nope, scrap that. Nope, you can eat lunch as long as you need to. You don't always punch out to go make a phone call, if you have a sick kid, you have to punch out to go call, all that stuff." Comes in, makes the place a more palatable place to work, and he's a statistician, and all the production rates just shot up, all the employee satisfaction, employee retention, everything through the roof. And I've worked...

Anthony Vessel:

And I feel like I've gotten way far away from your question, Michael. So I grew up in Beaumont, Texas. I'm the first lawyer in my family. I'm the first male in my family to ever go to college. As you can imagine, I've worked every single job you can imagine. I've worked as a butcher's assistant, I've worked in a

motorcycle warehouse, I've worked retail, delivery, all sorts of stuff before I went to college and law school, and I've thought about these different jobs and different bosses more importantly than I've had over the years, and I'd invite the listeners right now, just pause for a moment and think of your favorite boss. Just think of your favorite or best boss of your opinion. Think of them and then now name three qualities that you think make them the best boss that you've ever had. And now let's flip that exercise on its head. Think of the worst boss that you've ever had. Just take a few moments. Think of the worst boss that you've ever had. Now, same thing, three qualities. What made them the worst boss?

Anthony Vessel:

And so when you're trying to become a good leader, it's kind of supported by this book, it's that. It's really trying to be a person that inspires others, that someone that's easy to work with and work for, and as the title of the book, *Leaders Eat Last*, you don't ask anybody to do something that you feel you're above where you wouldn't find it appropriate for you to do yourself.

Anthony Vessel:

Now, obviously roles and what part you play in the firm, that's going to differ, but the whole premise behind that book is that the culture is driven by the leader. If you're asking everyone to show up, be prepared, know what they're doing that day, and then you show up with your pants down, how are you inspiring your employees? Your actions always speak louder than words. And so they're looking at you. They're always looking at you. So you have to show up prepared and you have to lead folks by example. And a lot of that going back to culture and core values, you have to embody those core values. If I'm not showing accountability or if I'm not showing compassion, how can I ask my team to do that? They're not going to do it unless they're just incredibly driven.

Michael Cowen:

So you say culture, what do you mean by culture?

Anthony Vessel:

We all spend, especially as lawyers, we spend more time at work than we do at home or with our friends or in our favorite hobbies for the most part, and so culture to me is creating the type of place that you want to be in and also creating a place that is inclusive of others and that rewards good behavior, rewards those types of people that can best help you further your mission. And so for me, culture is building those values, building that environment that, like I said, supports a good workplace, that supports a positive, healthy place to be.

Michael Cowen:

How would you describe the culture at your firm?

Anthony Vessel:

I would describe the culture at our firm as always seeking improvement. I don't know the exact title of the book, but the concept is Kaizen. So it's a Japanese business philosophy from what I understand. I haven't read a lot about it, but what I do understand is that it's constant incremental improvement yields great results. So if you can improve 1% each year, 3% each year, that's better than just a windfall of 50% and then you backslide 25% next year or something like that. It's constantly seeking improvement. And Diana, our integrator, there's that old book, *Who Moved My Cheese?* She said just, "Here, you're going

to expect to constantly have your cheese moved. You need to get comfortable with being uncomfortable because we're always going to be changing things up. We're always going to be seeking improvement."

Anthony Vessel:

But there's that side of our culture, but the other side of our culture is we like people to be comfortable here. We don't have a super strict dress code. We're not super strict on if everyone needs to be here bright-eyed and bushy tailed at 8:00 in the morning. For my team personally, if you're caught up on your tasks, if your clients are happy, if you're not getting negative comments from clients and that sort of thing, if you're helping support the attorneys do the best they can at court and that sort of thing, then I don't really care much about when you get at or when you leave or what clothes you're wearing. Of course, if we have a client coming in, we want you to look good, but if you don't have any meetings set that day and you want to come in jeans and a sweatshirt or something, I got bigger fish to fry. I'm not going to come get on your case about that.

Speaker 2:

Each year, the law firm of Cowen Rodriguez Peacock pays millions of dollars in co-counsel fees to attorneys nationwide on trucking and commercial vehicle cases. If you have an injury case involving death or catastrophic injuries and would like to partner with our firm, please contact us by calling 210-941-1301 to discuss the case in detail and see where we can add value in a partnership. And now back to the show.

Michael Cowen:

So Anthony, you talked a lot about firm culture and what kind of culture you've built. Did that just happen naturally or what have you done to build the team culture you want?

Anthony Vessel:

Yeah, so we try to be very intentional about, number one, making our workplace the type of place that people want to be. That helps us attract the people that we find bring us success. So there are little things that we do, but I think that they carry value. We have our all-staff meeting where that's monthly. We give everyone the updates for the month, we give everyone the information they need, but we also do things to build the team up. We have the new member greetings. Anyone that we've hired in the last month, we have them introduce themselves or we introduce them as managers. We do a birthday shout out or we follow up with cupcakes afterwards.

Anthony Vessel:

We have work anniversary shout-outs. That's always really fun where someone who's been there a year to date, their manager, managing attorney, will say about 30 seconds, a minute of nice things about them and how they add to the team. We do incentives for positive reviews. If we have team members that get personally mentioned in a positive internet review from a client, we read that in the meeting and also we give them a gift card for going and getting that review. We also do for our health and happiness core value, we do a stipend for gym memberships. We want people to feel healthy and have access to a healthy lifestyle.

Anthony Vessel:

I'd say another thing that we do is more granularly on my team, I do a huddle meeting every Monday and Wednesday, and so I give my team access to me at least four out of the five days of a week. There's

the open door policy. Everyone thinks to be a good manager you have to have an open door policy, but that flies in the face of time blocking, which is really important in our firm. If you let people come in and interrupt you all the time, they shall, and then you won't have any time to focus on the big things you've got to get accomplished as a lawyer or as anybody as any professional.

Anthony Vessel:

Mondays and Wednesdays, 30 minutes after our firm opens, we have a standing huddle. I aim for it to be between 10 and 20 minutes, 15's ideal, and in that everyone goes over their task numbers, what their challenges are for the week that they foresee, their attendance for the week so everyone knows like, "Oh, if I need to meet with Miguel, Miguel's going to be out on Wednesday, or I need to meet with them earlier," things like that. And then if anyone has a specific problem that doesn't apply to the whole group, then I'll hang back with them and we'll go over it together, or someone else on the team that's experienced that issue before will hang back with them, so we don't have this big group chat in the meeting. We can stay focused and move through all the stuff we've got to hit while not interrupting others.

Anthony Vessel:

And then I found that it's fun, we add jokes everyone. We always invite for anyone to tell a joke, but Marc got me this corny dad joke book, and so like to end the meeting with the joke. It's Monday. Nobody wants to be there. It's cold outside. We had to go through an hour's worth of Houston traffic just to kind of jump off on a lighter note. And then I have a team member who does affirmations. He's got a little card deck of daily affirmations, and so he'll read that. But it kind of breaks up the robotic nature that work meetings can have.

Anthony Vessel:

And we also do team lunches monthly where I take my team to lunch, and the rule is no work talk. It's just to get to know each other. I make it a goal. I know that all the attorneys make it a goal to eat lunch or have a coffee in the break room with everybody at least a few times a month. I try to do once a week, calendar doesn't always allow for that, but we do our best. And then you were mentioning, Michael, four disciplines of execution. WIGs, wildly important goals. So clearly publish scoreboards and clearly publish wildly important goals. So one or two of those per quarter per pod. And I failed to mention earlier my medical records team. They're the backbone of our team. But in our pods, I've got Pod One, Pod Two and medical records. But yeah, so everyone's got their own goals that help contribute to the team and then your expectations and policies have to be clearly published.

Anthony Vessel:

And oh, I was talking about open door policy. My answer to that are these huddles, but then also on Tuesdays, I've got an hour of office hours, so door's open. That's usually when I eat my lunch. If you've got an issue, come on in. You don't even have to knock or anything, just come in. If you want to talk about the Astros, obviously I'm always thrilled to talk about the Astros or whatever you want to talk about. We can talk about work or not, but it's open door policy. And so I've had people come in and talk about personal problems, I've had people talk about their marriages or kids or whatever.

Anthony Vessel:

And we also have a blow off the steam events where go have a happy hour, go bowling, go to Putt-Putt or Topgolf or whatever. It's just these little things that you would think are just insignificant or a money

waster, but whenever we're trying to compete with big law downtown and we can't pay what they pay for a paralegal salary, but what we can do is make you feel meaning, help you know that you're fighting for the good guys, you're really trying to help disabled people who need it most, and we try to create a really fun, really inviting culture so people want to be here.

Michael Cowen:

You said that, and I agree with you, trying to hire people for the skills, even if someone knows how to do the job, they know how to do it at another firm, not your way and not necessarily your culture. And you said that empathy is something you're really looking for. How did you figure out what are you looking for in an employee?

Anthony Vessel:

That's a great question. There's soft skills and harder skills and having people come in that are really a blank slate and that can learn quickly, people that seem interested in what we do, and we've had a lot of our team members that have come in and had the greatest success are people that either have suffered an illness or suffered a disability or have had a family member who suffered an illness or a disability. And in fact, one of our newest hires on my team, she came from the med center. She worked, I believe, at Methodist or one of the hospitals, the med center, but one of the big ones as a cancer liaison. Who has a greater skill set of empathy than someone who works with cancer survivors and cancer fighters? And she's been dynamite. She's come on and just done a great job. And if people can take on work stress, who better than someone like that? And so that core set of skills, and I would imagine those probably soft skills, but gives you a really good palette to work with.

Michael Cowen:

Do you do any kind of testing or assessments to look for these qualities?

Anthony Vessel:

Absolutely. I'm glad you asked, Michael. One of our biggest ones is called the DISC test, D-I-S-C. It's an acronym and it's the four values are represented by each of those letters, and it's somewhat similar to the Myers-Briggs, but it's very different in that it's not putting you in a box, it's not saying you're a this or a that, but you have a D, an I, an S and a C. D is a dominant personality, someone who is your stereotypical trial lawyer, "This is my way. I'm driving, get in the bus, let's go." Usually folks who like to take the reins and lead. Each value has pluses and of course minuses. So D's can be unyielding. They can be a little bit difficult to work with, they can be abrasive, they can be a little maniacal sometimes, if you want to say that, but they're also a great leader sometimes. They're also really good at getting the job done. They'll stop at nothing to accomplish the goal. So you need people like that on a team.

Anthony Vessel:

High I's, that's me. A high I is someone who-

Michael Cowen:

Stands for influential?

Anthony Vessel:

Influential, that's right.

Michael Cowen:

Sorry.

Anthony Vessel:

No, no. Absolutely, yeah. It's someone who likes working as a team. It's someone who likes working with people. If you chain me to a desk and have me write briefs all day, I might cry because I like to be around my team and work with others and talk and network and that kind of thing, but there's a big problem to that. If I'm talking and networking all the time, I'm not getting work done or I can distract others. I can go walk around the office and pull someone out of focus. So there's pluses and minuses to that. S is steady. So who can you count on? Who can come in and accomplish the goal every day in a rain, sleet, or snow? Who's going to be there? That's your high S people, and your high C, that's compliance. Those are your rule-followers. People that are very ordinal, follow procedures, stay on task, that sort of thing. Those people can be a little bit inflexible. That would be one of their negative qualities.

Anthony Vessel:

But it's funny because on this DISC test, I am about one rung from the top of maxing out the I category. My S is relatively high, the D category, I'm about in the middle, a little bit above middle, and then on the C I'm about two rungs from the lowest you can get on that. So don't tell me what to do. I don't want to follow a procedure, I just want to run free and do what I want to do and that sort of thing, and that gets me into trouble. It can be difficult to fight through that. But one of the other main takeaways from this test is that it's not that you're a low I you can't go out and network, it's saying it may take you more energy than someone who is a natural high I. In fact, there are people at our firm that are a lower I, people love them, they're great. They're great people. Just after a networking event, they're totally drained, whereas I'm like, "Okay, where next? What are we doing next?" Because it didn't take any energy for me.

Michael Cowen:

Do you only test new hires or did you test your existing employees?

Anthony Vessel:

Everyone got tested because this helps us learn who works best with each other on the team. It's not a pass or fail, it's not a good or a bad, it's just a, "Are you a rectangle, a square, triangle? What are you? And what comes most naturally to you more so than what are you?" It's what's easiest for you.

Michael Cowen:

I think it's really important to test your best people, one, because you get an idea of what kind of profiles you're looking for, but two, it gives you what tests are valid and what aren't. So there's one test I had someone here using in hiring, and I only wanted... Wonderlic has an intelligence part and I wanted the intelligence part, but then they also give you whether someone is a good personality fit and is going to have good motivation to do the job, and we had them test our best, most long-term employees, and they told us that these people would be horrible at the job. We decided that this test was not valid and the intelligence part was the rest was not valid for our firm and what we were looking for, and maybe they were looking at paralegals in general are attorney medical records people in general and not at what we were looking for.

Michael Cowen:

But if what it's telling you is totally different than what you're experiencing, then that it's not being interpreted in a way that's helpful to you, whereas other assessments, this really rings true. We have this commonalities in our best employees, so let's look for people that have similar results when we're hiring for that position.

Anthony Vessel:

Yeah, and we have another test that we do. I don't think we do it for every single employee or potential employee, but it's a test that is more of a pass or fail. It does tell you if someone's going through... Yeah, there's potential risks and then there's potential... I forget the positive qualities, but they're all rated by three. It's like a situational risk, a conditional risk or a high risk, or something like that. So this person will not show up to work, they just absolutely won't, or this person's having a difficulty at their personal life right now. Well, yeah, if they're looking for a job, perhaps they just got fired, that will show up on the test too. So that test I take with a grain of salt.

Michael Cowen:

Which one is that? Is that the Jay Henderson?

Anthony Vessel:

So I'm not naming... Okay. Yeah.

Michael Cowen:

I like Jay Henderson. I've used him before.

Anthony Vessel:

I like Jay as a person. I've spent a lot of time on the phone with Jay, I think he's a great guy. I will very respectfully say that we've had great results with his tests that are spot on, we've had some great hires that his tests said probably not or maybe not too. So I take it with a grain of salt and you look at them as a whole, but it certainly does add some color to what you're looking at and give you a little perspective. One more thing is one thing that Jay's test really does a good job of it is it gives you some great fodder for interview questions because it'll touch on these risks, so that's something you can hit on in your interview, and if there's a reasonable answer to why this thing popped up on the test, there you go, and if they can't answer, it gives you something to think about as well.

Michael Cowen:

I also think a good thing with the Jay Henderson test, if you're going to do DISC, if you're going to do, we do Kolbe and PRINT at our firm. It takes you a while to figure out what to do with it, whereas Jay can give you like, "This is why this is a risk for you, this is why this would be a good person for you." Yeah, it's a good way to get started in testing, I think.

Anthony Vessel:

Yeah, absolutely. No, it's an interesting test nonetheless.

Michael Cowen:

And if any of our listeners are interested, we'll put a link in the show notes. Jay, free shout out. But I just googled Jay Henderson assessment. I think it's like real talent hiring or something like that.

Anthony Vessel:

That's it. I couldn't think of it, Michael, but that's it. And Jay's out of Florida. Great guy. Easy to work with.

Michael Cowen:

So I want to go and talk about you guys are constantly seeking to improve, you're constantly seeking to get better. You've got your book club. What else do you do to try to get better?

Anthony Vessel:

Yeah, so we do a lot of coaching. We do attorney-to-attorney coaching. We use a company called Atticus, and each attorney here has a coach that we do one-on-ones with. We also coach with Marc. Marc will do... In fact, I had my coaching lunch with Marc today before this episode because I know Marc's been a guest on your podcast and I wanted to get a sense for what he thought. He says hello.

Michael Cowen:

Yeah I love Marc. I was late today because I was doing a coaching lunch with one of my boys, one of my lawyers.

Anthony Vessel:

Is that Atticus coaching or with employees?

Michael Cowen:

No, it was just our own. We call them attorney development meetings, but it's similar.

Anthony Vessel:

Same thing. Yeah, like attorney coaching, something like that. But then also our key admins, we have a coaching group for them as well. A good quote from Leaders Eat Last was, "The more we give of ourselves to see others succeed, the greater our value to the group and the more respect they offer us," and that's kind of the essence of that book. You've got to give your time. You've got to invest your time to grow people into what you need and what will help the group, and so that's where we're coming from.

Anthony Vessel:

At our firm also, we're really big in some of our legal organizations at the city, state and national level, HTLA, TTLA, AAJ, American Association for Justice, and each one of our attorneys has gone through the TTLA lead group, and in fact, the applications open up in January, so look out for that on the TTLA website. But that's been a great thing because it teaches leadership, empathy, accountability and development. That's the acronym, and so it's a lot of that stuff, Michael, of coming into the new generation of people where we want to be welcoming and inclusive. We want to hire people that are different from us.

Anthony Vessel:

The practice of law, there are a lot of guys that look like us 50 years ago, 25 years ago, and things really have changed for the good. It's good to have so much diversity in the law now, in our industry and who we hire, and it just gives you such a diversity of perspective and it helps drive that empathy and it helps

make the workplace more inclusive and all that kind of stuff that I'm sure folks are thinking kumbaya, campfire stuff again. But reading these books, it works. This stuff really works. It's important and not only is it important, it's just the right thing to do. It's just good to have people that it doesn't matter what they look like or how they identify, it's, "Can you do the job and can you do it well?" That's all that should matter when you're hiring.

Anthony Vessel:

And so when people get past that and really see that there's so much talent out there, you're opening yourself up to such a great hiring pool of people. All this inclusive stuff, it's in Leaders Eat Last, it's in No Ego by Cy Wakeman. I mean, I'm looking at my microphone sitting on a stack of books, that's what I'm looking at right now, and it's in these books. It's statistically backed. It's right. It's just straight-up right.

Michael Cowen:

I actually bought a copy of No Ego recently for everybody on my leadership team.

Anthony Vessel:

Yeah, and so these book club meetings that we were talking about, it's reinforcing... I mean, that's what drives the culture. We keep adding to our culture. It's ever-growing, it's ever-evolving. It started off pretty rough back in the Tony the Hatchet Man days of where we couldn't make a good hire or we'd make a good hire and they'd run for the hills. That was over a decade ago, of course, I want everyone to know that that was a long time ago. Now we're very proud of the firm that we have and all the great things that I think that we're doing, both for our clients but also for our employees, and that's important because it's a cycle. And in fact, a book that we just read was the Flywheel or the Flywheel Effect, and it's a very short book, but it's great because you have to pick these things that feed each other and keep that... It's like the opposite of a vicious cycle. It's the things that drive it, and then as the wheel turns, it accelerates.

Michael Cowen:

Yeah, they talk about that in Good To Great.

Anthony Vessel:

Yeah, absolutely. Yeah.

Michael Cowen:

I spent two days doing a flywheel for my firm. It's so simple, but it took me two days to get it right.

Anthony Vessel:

That was our last assignment was read a 30-something page book and create a flywheel, and we have an attorney group chat and we were all pulling our hair out, "This is so hard," and, "We just have to think of five or six things and we can't. This is so difficult," but you want to do it right. You want to do a quality job.

Michael Cowen:

The good thing about once you get your... And a flywheel's like a set of things that if you do one, it leads to the next one happening, which it leads to constant improvement and constant growth. So it takes a lot

of work to figure out what those things are at your firm, what your plan is, but once you do it, then you can rate at a one to five where you are in each thing and you can really see where are the weak points in your firm, where do you need to focus resources. It's a really great exercise.

Anthony Vessel:

And you know another one, Michael, that since we're kind of talking about this area, but What Got You Here Won't Get You There. Have you read that one?

Michael Cowen:

I have it, although I took a picture of it at a Chris conference, and it's the reason I'm making some new hires actually and having to up the quality of people of helping me run the firm.

Anthony Vessel:

And when I had everybody do that exercise earlier of thinking what good qualities in your favorite manager, bad qualities of your least favorite manager, and in that book, you spend a lot of time... That one, one of the big themes is continuing to improve, and that's what kind of jogged my mind to go there, but it's also correcting bad habits. They list about 20 bad habits, and you've got to pick within the book, it's interactive, you've got to pick the bad habits that you embody and it challenges you to work on those bad habits. And one philosophy I really like to use is stoicism. I think I've got Ryan Holiday's stoicism books over there, and I found a lot of stoic built into this book inadvertently or intentionally, I'm not sure. But one of my favorite quotes is, "Man conquers the World by conquering himself." That's from Zeno of Citium. And you've got to work on yourself if you want to build the place you want to be in. There's a lot of good stuff there too.

Michael Cowen:

Top five books from the book club.

Anthony Vessel:

My favorite one to date, again, is Leaders Eat Last. Not only because of the content, but because of just how interesting the stories were and how illustrative they were. Five dysfunctions of a Team is great. Let's see. Four Disciplines of Execution. I'll be honest, I didn't enjoy reading that one, but it works. It wasn't a fun read, but man, it was effective.

Michael Cowen:

It's like an instruction manual.

Anthony Vessel:

Yeah, exactly. It's like reading an instruction manual, that's right. What Got You Here Won't Get You There is a great one, and fifth one, rounding it out, did I say Traction?

Michael Cowen:

Not yet.

Anthony Vessel:

I'll say Traction again. That one's more of an instruction manual, not very fun to read, but content is very good and obviously you see the value in it, so I'll end on that one.

Michael Cowen:

I've read Traction. Traction talks about how to get what they call the entrepreneurial operating system and basically how to get your firm to operate at a higher level, which to me is the next step in my journey, hopefully, which includes I've learned I can run a firm of about eight to 10 lawyers with the revenue of about this and about this many cases, and I seem to have hit my limit. So if I want to keep growing, if I want to be able to frankly spend more time being a lawyer and less time being a manager, I need to find somebody that has a skill set I don't, and have a dinner interview tonight. Hopefully I've found that person, but we'll find out on a future podcast episode whether she accepts the job and whether it worked out or not.

Anthony Vessel:

I wish you the best of luck. I hope you find a great one.

Michael Cowen:

Thank you. Just to close, I'm just intrigued with this book club. So you read, is it one book a quarter?

Anthony Vessel:

Yeah, so we typically read one book a quarter. Every attorney at the firm reads it, almost every attorney. So it's Marc does a presentation on it, and sometimes we're assigned different chapters or different concepts, different sections, however the book's divided, or if it's a book like Traction where it's applying a concept to a business, well, we treat our own separate department as a standalone business, and so we present as if... For me, like the social security disability section, I treat it as a standalone business and I present that way.

Michael Cowen:

And how often does a book club meet?

Anthony Vessel:

Quarterly. At the end of the quarter.

Michael Cowen:

So it's just once a quarter? So your people are on their own to have to finish it and think about it and do their assignment through the three months?

Anthony Vessel:

That's right.

Michael Cowen:

Okay. That works. Although I haven't even gotten all my lawyers read my book that I wrote yet.

Anthony Vessel:

And I want to add on that, Michael, because there's part of it too. Our processes, we'll read it separately, we'll get the assignment and then we put together a presentation, and then we'll go off-site. We'll go to a restaurant somewhere that can accommodate us with a screen or something. We'll hook up a laptop and we'll eat lunch and kind of socialize a bit, then do our presentations, and then we'll order drinks to have a happy hour and just openly talk about it afterwards for 30 minutes, and so it's a nice little buildup and then settle down and then everyone runs free.

Michael Cowen:

So Anthony, if anyone wants to get a hold of you, just either they want to get a mediation scheduled or they got a disability case that they want to refer over, what's the best way to find you or contact you?

Anthony Vessel:

Yeah, please send it directly to me. I'll include my email and contact and the information, but it's Anthony@Marcwhitehead.com. Please-

Michael Cowen:

Marc with a C?

Anthony Vessel:

Marc with a C, that's right. Anthony. My first name, A-N-T-H-O-N-Y, at symbol, Marc, M-A-R-C, whitehead.com and I also have a website, vesselmediation.com, but you can go ahead and email me directly in that. That's probably easier for right now.

Michael Cowen:

Those of us who are trying to run a law firm, it is so hard to find someone that's really been there to really coach us. Are you open to doing coaching?

Anthony Vessel:

Oh, absolutely. Yeah, I've been building that up. If you don't want to get an official coach, is there a lawyer out there that you look up to or someone you heard speak at a CLE? Reach out. I mean, I'm going to name-drop Jim Perdue. I went to a TILA event, the trial lawyer college, and he was a teacher there. I was going through a pretty rough time in my life and he pulled me aside and really reached out whenever I was going through a rough spot in my life and we still stay in contact today. He's mentored me and so now he's encouraged me to do the same for others, and so I encourage all of you. If there's someone you admire, reach out to them. We're all at a different stage in our life, but also do the same for someone else. If you see another brother or sister struggling, reach out and help them out because we got a short time on this earth, and we can all use helping hand.

Michael Cowen:

But as far as paid coaching, that's something you're getting into now too though?

Anthony Vessel:

I'm very open to that. I'd be happy to get that set up. Yeah, give me a call, shoot me an email. Very happy to help.

Michael Cowen:

Sounds great. Thank you for coming on today on Trial Lawyer Nation. Also ask everyone, mark your calendars. We have this year's Big Rig Boot Camp, the seminar do every year. It's already opened up at bigrigbootcap.com for registration. We're going to be doing it on Friday, July 12th here in San Antonio, Texas. We're going to put on a great program. I really encourage people to sign up. It's a very minimal cost and we try to put on a good show.

Anthony Vessel:

I'm excited.

Michael Cowen:

Thank you for joining us today on Trial Lawyer Nation. Look forward to talking to you again on our next episode.

Michael Cowen:

Thank you for joining us on Trial Lawyer Nation. I hope you enjoyed our show. If you'd like to receive updates, insider information, and more from Trial Lawyer Nation, sign up for our mailing list at triallawyernation.com. You could also visit our episodes page on the website for show notes and direct links to any resources in this or any past episode. To help more attorneys find our podcast, please like, share and subscribe to our podcast on any of our social media outlets. If you'd like access to exclusive plaintiff-lawyer-only content and live monthly discussions with me, send a request to join the Trial Lawyer Nation Insider Circle Facebook group. Thanks again for tuning in. I look forward to having you with us next time on Trial Lawyer Nation.

Speaker 2:

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