

LAWYER ALERT

Stopping Medical Injustice

THE KEY TO SUCCESS...IN ANYTHING

At a mastermind in Arizona, it quickly becomes apparent that I am in the wrong room. The room is full of 25 business owners from across the world who are experts in running world-class businesses and internet marketing. I keep quiet, in the hopes that others won't discover that I don't belong.

At the end of the 3-day mastermind, a business owner asks a question of the executive team at Infusionsoft (now known as "Keap") about the single most important thing that a business owner should do. The executive team members begin laughing, almost uncontrollably, and finally the Chief Operating Officer explains why.

The secret to enduring success is quarterly strategic planning. Those who commit to quarterly strategic planning will inevitably succeed, and those who do not, will almost always fail.

The Transformative POWER of Kaizen

The importance of strategic planning is undeniable for successful law firm owners. But what do you do when you meet with your executive team to plan for the future of your law firm? Therein lies the power of Kaizen.

"Small actions are the heart of kaizen. By taking small steps so tiny that they seem trivial or even laughable, you'll sail through calmly past obstacles that have defeated you before."

Robert D. Maurer, Ph.D., *The Spirit of Kaizen*

Kaizen (Kai=change, Zen=good) is a Japanese term that captures the concept of continuously making many small improvements. Kaizen is the belief that small changes over time can create huge life changes.

Kaizen for the IMPROVEMENT of Your Law Firm

When you meet with your team, ask them, "What is the one small thing you can do today to [you fill in the blank]?" Brainstorm and collaborate on solutions with your team.

#1: Client Experience: What is the one thing that you can improve in your client experience?

#2: Caring Work Environment: What is the one thing you can do to show your team members that you care about them?

#3: Cost Cutting: What is the one way you can save your law firm \$1 today?

#4: Case Management: What's one small way that you can improve your case management?

Write a top 10, and then whittle down the list to the top 3 steps you can make to improve your law firm. Now, you know where to focus.

Kaizen for an Incredible Client EXPERIENCE

What are the small steps that you can take to improve your client experience?

- Call your clients with an update at least once every three weeks.
- Provide a Client Welcome Package that explains the processes of the lawsuit.

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- Grant access to a patient portal that automatically updates your clients about the status of their lawsuit.

Kaizen for a CARING Work Environment

What can you do to show your team that you care about them

- Visit personally with team members during the day.
- Have lunch with a team member once a week.
- Send a personal, handwritten note with a compliment for a team member.
- Compliment a team member on the creation of a new firm policy.
- Share on social media the exceptional work of a team member.

- Implement work plans into your case management software.
- Hire a virtual assistant to format discovery responses and demands.
- Serve objection letters within 30 days of your receipt of the defendants' discovery demands.
- Serve a complete set of medical records and release authorizations for medical and employment records as soon as you receive the defendants' answers.

At the end of a lawsuit, list 3 things that went well and 3 things that need to be improved. Share the Case Audit and get the feedback from your team.

Kaizen for Strategic LIFE PLANNING

Often, high level law firm owners have thriving law firms, but lose focus on their personal lives, e.g., marriage, fitness, health, relationships with their kids, etc. If your law firm thrives, but your personal life is a mess, are you where you want to be in your life?

"Success is the sum of small efforts repeated day in and day out."

Robert Collier

This is where Kaizen comes in. Take small daily activities to improve your relationships with your spouse and kids, lose weight and achieve your personal goals.

Kaizen can CHANGE YOUR LIFE

What is the one small thing I can do today to [area of your life that you want to improve]? This might encompass your career, relationships, health & fitness, spiritual or fun.

"If you could write the script of your life, what would it look like?"

Michael Smith, Point Northeast

Start brainstorming. Of the activities that you can identify, what would make the biggest difference in your personal life?

- Marriage:** Compliment your spouse every day.
- Health/Fitness:** Jog at least 1 mile every day.
- Faith/Spirituality:** Spend five minutes alone in



prayer and silent contemplation.

- Relationships:** Call your son every day to check in and say "hi".
- Gratitude:** Document one thing that you're grateful for, every day, in a Gratitude Journal.
- Learning:** Learn a new word or phrase every day in a foreign language.

Now, document your progress in a journal (print or electronic) and periodically share your progress with trusted friends. Over time, you will be amazed by your progress. It may seem easy to others, but the results occur as the result of your commitment to doing small activities every day (Kaizen).

Kaizen for WEIGHT LOSS

Want to lose weight? What is the one small step you can take to lose weight? Kaizen should be easy.

Eat Salad with Meals: Eat salad with lunch and dinner. Salad fills your stomach and as a result, you won't go back for more than one serving of the entrée.

Journal Food Consumption: Journal everything you eat and drink.



Kaizen for COST CUTTING for Your Law Firm

What can you do to cut costs for your law firm?

- Serve voluminous discovery responses upon defense counsel on a flash drive (rather than printing them).
- Photocopy documents on both sides of paper.
- Have written budgets for the fees of expert witnesses.
- Review item-by-item the monthly expenses and ruthlessly cut expenses that are unnecessary.

Kaizen for CASE MANAGEMENT

Go through every little thing that you and your team can do to improve case management.

Pause before Every Bite: Put down your fork/spoon between each bite. The slower you eat, the more you will enjoy the meal.

Leave Food on your Plate: Leave at least some food on the plate after every meal.

Control your Environment: At restaurants, ask the server not to bring bread, chips, beans and rice (keep the temptations out of sight).

Take the Stairs: Always take the stairs (instead of the elevator).

How KAIZEN Works

On January 18, 2021, I began documenting my food consumption and exercise. This only takes a couple of minutes a day. As a result, I became more conscious about my choices about the food that I ate. I became aware that everything that I eat makes a difference, especially the little snacks.

This resulted in about ½ pound of weight loss a week and the progress was slow. But over a period of 3-6 months, I began seeing progress and it didn't stop. My body weight dropped from 193.6 to 168.2 lbs. I lost more than 25 pounds through a simple, but every deliberate, activity of documenting my food consumption.

This is the power of Kaizen (and an absolutely wonderful program, MyBodyTutor—highly recommended!). And there's no reason you can't do the same.

You Will be Shocked at the POWER of Kaizen

Success does not happen overnight. You will build a law firm with one small improvement every day. You won't see the results at first, but over time, you'll build something special.

“The Kaizen philosophy assumes that our way of life—be it our working life, our social life, or our home life—deserves to be constantly improved.”

Masaaki Imai

All Kaizen asks is that you take small steps toward the improvement of your law firm. What area of your law firm needs improvement? As legendary football coach, Vince Lombardi, once said, “Inches make a champion.”

The Secret to a Referral-Based Law Firm

For more than 15 years, I had a lawyer/friend who consistently referred new clients. For one reason or another, the leads never panned out.

Whenever my lawyer/friend referred a new client, he was apologetic with words to the effect of, “I'm so sorry for wasting your time with some of these leads.” My response was always the same, “No apology necessary. I am grateful for the opportunity to serve your clients...even if this never leads to a case that we accept.” And I meant it, because with every referral, your referral partner is honoring you.

A referral sends a message from your referral partner: there is no one better to help their client than you. But the message is even better: your referral partner trusts you and knows you will do what's right for their client. This is something every lawyer should take seriously.

Why You Should Always take the Long View

The long view is the mindset that your law firm will live forever. Everything you do today will have consequences in the future. Every update to a referral partner is a seed that you are planting that will nurture the relationship and will likely pay dividends in the future. But even if you don't earn a penny from your referral partner, they are paying the highest compliment with their referrals.

In a referral-based law firm, the highest and best use of your time is updating your referral partners about the status of a referred case. Why? Because with every update, you are nurturing and cultivating the referral relationship. You are sending a message: the referrals are important to you and you've spent considerable time evaluating the potential case. And with every update to a referral partner, you are virtually guaranteeing future referrals.

How the Long View Can Pay Off

Over the last 2 years, things started to change with cases referred by my lawyer/friend. 5 referrals from my lawyer/friend were accepted for litigation and over the last 2 years, 3 of those cases resulted in legal fees to our firm exceeding \$700k. This would not have happened if we had not taken the long view.

On March 16, 2022, our law firm received a referral from a new referral partner (a referral partner is a lawyer who refers a client to our law firm) that resulted in our firm's 500th referral partner. We previously set a goal of having 500 referral partners on October 17, 2013 (we had 124 referral partners at that time), and on March 16th, we achieved our mission. And now, we are refocusing our mission to 1,000 referral partners by October 17, 2024.

Why do we share this? When you take the long view, things might not work out for years, but with time and a healthy dose of patience, there's a good chance you will be rewarded.

This is why you should always take the long view.



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(right) Taking a bite out of the Big Apple with Seth Price, Esq. at the Mastermind Experience in NYC.

REFLECTIONS ON A BRUTAL DAY

On April 12th, I took a defense verdict in a case that I've worked on for 9 years. It was brutal.

After the verdict, our client, Charlie, expressed gratitude for our work. There was nothing but love.

That moment with Charlie was a reminder why I do this. Doing trial work is not about the glory of the courtroom or \$. It's about the gratitude and love expressed by a client, sometimes after a devastating loss. That's why I get up in the morning.

April 12th was a reminder of why I do this. And I can't think of anything I'd rather do.

The Secrets of a Streaker

The secret to success in any activity lies in consistency. Specifically, the consistency of doing small activities on a daily basis. Progress will be slow at first, but over time, you will see results that would not have believed possible.

Where do you begin? Pick an activity that can make a powerful change in your professional or personal life. Make the activity as "laughably simple" as possible; so easy that you'd be crazy not to do it. Then, document your streak every day and join a community of streakers. With time, you will be amazed by the changes in your life.

The Power of Streaking

Here's a sample of my streaks:

Weight Loss Streak

Activity: Document food consumption and exercise every day.

Why: Take control of my health and fitness.

Results: Day #454. Body weight decreased from 193.6 to 168.2 lbs.

German Streak

Activity: Learn at least 1 new word or phrase in German every day.

Why: To become proficient/relearn German.

Results: Day #323 (more proficient in German)

Google Review Streak

Activity: Request at least 1 Google review for law firm every day.

Practice Limited to the Representation of Seriously or Catastrophically Injured Persons



Why: Stand out among law firms on the 3-pack, Google Local.

Results: Day #368. Our firm's Google reviews increased from 302 to 541.

Jogging Streak

Activity: Jog for at least 1 mile every day.

Why: To feel healthy and physically fit.

Results: Day #371. Total distance jogged: 983.33 miles

Print Newsletter ("Lawyer Alert")

Activity: Mail a print newsletter once a month.

Why: Stay top of mind with referral partners and grow law firm.

Results: Year 11. The # of our firm's referral partners increased from 124 to 500.

Credit to Jeff and Jami Downs, authors of the book, "Streaking", for exposing me to the power of streaking.

If you'd like to streak with us, you are welcome to join our private Facebook group for streakers, "Streakers". Send an email to jfisherlawyer@gmail.com, and we will add you to our private Facebook group.

