

# Court reporting technology update

BY KIM NEESON  
For Law Times

While the Ontario government is apparently embarking on yet another attempt to remove court reporters from the courtroom, claiming the move to digital reporting and typing pools is a "technological advancement," if truth be told, the government need only look to real-time (voice-to-text), shorthand reporters to truly see technology at its best.

Briefly, real-time court reporting is a process whereby a trained court reporter, using a steno machine, notebook computer, and real-time software, provides instant word-for-word, speech-to-text translation for display. When the software was initially developed, the only person who could benefit from the real-time display was the court reporter; there was no ability for others to view the text. But today, a whole host of options and uses are available.

Real time in the litigation setting — lawyers and judges may use their laptops, which are loaded with litigation support software such as Summation, to view the real-time feed directly from the reporter. Advantages of this include the ability to read the testimony as it is occurring; to mark and annotate text during the discovery or hearing or later; to perform word searches instantly; to print the transcript at day's end; and to be able to conduct a review of the day's testimony with colleagues and experts prior to the conclusion of an examination. For those who are uncomfortable with the presence of a computer in front of them during a hearing, a rough draft transcript can be produced at day's end with this technology.

Real time via the Internet — not only can counsel be connected to the court reporter's laptop, but experts or co-counsel can log into the hearing via the Internet and view the testimony as it's happening. Vendors such as LiveNote and Speche provide a secure site on the web where invitees may log into the streaming real-time text of the hearing. With instant messaging features, for example, co-counsel could send messages back and forth with comments, questions to ask, and the like.

Wireless technology — many real-time reporters are now using secure wireless real-time "send" and "receive" devices. You can be sitting 300 feet away from the court reporter and receive your real-time transcript text with no

wires to trip over. Multiple participants in the hearing can be connected to the wireless feed; as such, this technology in particular lends itself to large cases where counsel may be far away from the reporter and the witness and in difficult hearing range of the proceedings.

Sync'd videotaped proceedings with transcript — by using a real-time reporter and trained videographer, a videotape (CD-ROM or other formats), and transcript of the proceedings can be "sync'd" together, so that the spoken word and the written record appear

simultaneously on the screen for viewing.

File formats — real-time court reporting software is "end-user" friendly. File formats for litigation support

programs like Summation and LiveNote, as well as word processing formats, are easily producible by the court reporter. This feature is a real timesaver for law clerks in particular, who are often tasked with making a file "work" with the firm's litigation support software.

Hearing difficulties — real-time reporting can allow those with any kind of hearing loss to fully participate in the proceedings. My firm, Neeson and Associates, has provided this type of service to deaf and hard-of-hearing lawyers, and also to other participants in the justice system, including accused persons and witnesses.

Real-time reporting can also assist those for whom English is a second language or who may have certain learning disabilities, where not only hearing the spoken word but seeing it gives these people a better understanding of what is being said.

Real-time reporting technology is being applied to many other non-legal applications, such as captioning on television, captioning in live situations (to name but a few — conferences, business meetings, counselling sessions, weddings, graduations, educational classes) and web casting of meetings. High-quality production of voice-to-text transcription as performed by a highly trained, real-time court reporter has not been surpassed by any voice activation software to date.

The gold standard has been set by the technology and highly trained court reporter working hand-in-glove. H

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## Speaker's Corner