Speech Tools for Lawyers in 2011

By Jim Calloway, Director, OBA Management Assistance Program

In the 1986 movie "Star Trek IV: The Voyage Home," the Star Trek crew goes back in time to 20th Century Earth to rescue some whales. In one funny and memorable scene, Scotty has to interact with a 20th century computer. He walks up to the computer and says, "Computer." When he gets no response from that, he looks to a technician who points out the mouse to him. He then picks up the mouse, holds it in front of his mouth and says, "Computer."

Today's speech recognition tools are quite useful and work quite well, certainly far better than Scotty dictating into a mouse. The purpose of this article is cover briefly the state of the art of speech recognition tools, including some that may be unfamiliar to many readers. If a reader has not used some of these tools, particularly the smart phone apps and services, you may find some great time-savers here.

Personally I have to confess that I have been inconsistent using speech recognition software for writing these columns in the bar journal and CLE papers. Best results are achieved when I can dictate for five or 10 minutes at a time without having to pause. But I felt that it was obligatory to create this article with a speech recognition package. The majority of this article was dictated using Dragon NaturallySpeaking and my Samson Go Mic.

The above sentence demonstrates the weakness of speech recognition software even in today's impressive versions. While the first sentence of this paragraph (and most of the article) was transcribed flawlessly, the last sentence of the above paragraph came through as:

"The majority of this article was picked hated using Dragon NaturallySpeaking and my Sam's son go Mike."

Frankly I think that is extremely good. "Sam's son go" is probably a more likely conclusion from my spoken words than the specialized product name. And, well over 90 percent of the time DNS will recognize the word "dictated" correctly, so I was probably sloppy in my pronunciation. For the new year, I do resolve to use these tools more.

There used to be other options (and technically still are), but Dragon NaturallySpeaking for the PC and Dragon Dictate for the Mac are essentially the only game in town for lawyers and other professionals who want produce documents on the computer in their offices. (Although I am told that Windows Speech Recognition in Windows 7 is pretty good.) My current version of the software is Dragon NaturallySpeaking Legal edition version 10.10. I generally advise lawyers to purchase Premium (formerly known as Preferred) rather than Legal or Professional, at least until they are sure that they will use it. I strongly suggest avoiding the purchase of the Home Edition. The savings of approximately $100 are not worth having a significantly inferior product. One benefit to the Legal and Professional editions that many will appreciate is being able to imbed the speech file in the document so a third party can proof your work.

Dragon NaturallySpeaking version 11 was released in July 2010.

To me, speech recognition works great for those times I

can dictate without interruption. When I am researching as I write; starting and stopping frequently, it is more effective even for a slow typist to use the keyboard.

Documents prepared with speech recognition tools are more challenging to proof as well. Speech recognition tools insert actual words, correctly spelled, every time. So it is easy to "miss" an incorrect word during proofreading when it a very similar word. Even though we lawyers strive for perfection, this is not nearly so big a risk in most types of legal work. A judge will probably recognize the word you meant in a brief, for example, and memos to the file are generally safe. But a single wrong word in a contract or document on a real estate transaction could be more significant.

Don't get the wrong idea. Dragon NaturallySpeaking is very good. It was very good when my colleague Lara Calloway of the Alabama State Bar and I demonstrated it at ABA TECHSHOW 2007 for a program called "Talking to Yourself: Your Voice as Your Assistant." Our materials for that presentation were later published on the ABA webzine *Law Practice Today* and include several tips which are still valid today. The paper can be found online at www.tinyurl.com/4bwofpp.

Some other voice tools are interesting as well. One of the best uses for speech on the smart phone is the ability to quickly dictate memos while at the courthouse or leaving the courthouse or to make notes on assignments and send them to your office staff. While this can be done by dictating to a voice file and attaching

the voice file to an e-mail you send to your coworkers, the new tools that let you dictate and have a text file as a result are quite amazing.

For smart phone users, the Google Mobile App is an absolute "must have." It is available for most smart phones. You can see the types of phones supported and the slightly different set of features for each at www.google.com/mobile/google-mobile-app. Using the search app to locate websites and other information on the Internet is so easy and accurate on the iPhone that it is my first choice for search. A search tip is that one should use several words rather than just one so that the result is often the first return from your voice search. This app is free and is a must download.

Another "must have" app for iPhone users is the Dragon dictation voice recognition app that is powered by Dragon NaturallySpeaking. This is free and works on the iPhone, iPad or iPod Touch. This app is free at the moment and provides uncannily accurate speech recognition. I have not tried this for long text, but for dictating a quick e-mail or text to someone rather than typing it, it is an absolute jewel. After stopping the dictation, it takes a few seconds to convert it to text, then you see the text before you send it as a text message or e-mail. So you can determine if there are any glaring errors. Some lawyers currently use this application to dictate short e-mails to themselves or their assistants.

There's also a Dragon search application I have not tried since the Google mobile app works so well. Blackberry users may enjoy Dragon for

e-mail which is an e-mail dictation system powered by Dragon NaturallySpeaking. Rumor has it that Nuance, the parent company for Dragon dictation products, uses these free speech recognition tools as a laboratory to improve their primary commercial product. Whether that is true or not, I doubt that these tools will remain free forever.

While I haven't personally used a Droid phone, I understand that you can dictate text into any text box the phone displays. That sounds like a very important feature. See www.voicetext.blogspot.com.

Some of you may have used the service Jott, which has also been acquired by Nuance. I was one of the many who stopped using this service when it ceased being free; however, it is still a very powerful tool combining speech recognition with touch up by Jott staff for certain messages and availability of the original voice file in case the text is not recognizable."

The company's website, www.jott.com, explains, "With Jott Assistant and Jott for Salesforce, you just call a simple phone number, speak your notes, messages or updates and hang up. Jott Voicemail works the same way, but your friends, family and colleagues are the ones leaving the messages when they call your number. Then, Jott takes the spoken messages, turns them into text and sends them to the right destination via e-mail, text message or web update."

Everyone recognizes that speech recognition tools are not perfect even though they're much improved. Today at least, nothing beats a

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trained person transcribing your dictation. There are a number of services that provide a live, trained transcriptionist who will transform your speech into text. Obviously they will do a great job of formatting and deal better with homonyms than any present day computerized speech-to-text available.

VIRTUAL ASSISTANTS

If you mention the term virtual assistant to many lawyers, they instantly think of outsourcing their work to India. There are, however, actually quite a number of independent contractors who work for law firms and are based right here in the United States. A virtual assistant may perform any task from transforming your clients' completed questionnaire into the first draft of bankruptcy schedules to scheduling your appointments and arranging your calendar for you. One of the services provided by virtual assistants is transcription. Since speech files can be easily transferred over the Internet, it really doesn't matter if your virtual assistant is located in Maine or California, except for time zone differences.

An Oklahoma City lawyer who was disappointed when his best legal assistant moved hundreds of miles away decided to experiment with keeping her as his legal assistant on a contract basis. He reports to me that arrangement is working very well. Many lawyers may think that they cannot afford these services, but moderate use of them would certainly cost less than paying for a full-time employee. Even those law firms which have staff to handle these tasks should be aware of them in case an absence causes an immediate need.

In fact some solo and small firm lawyers are (and should be) building a practice where they "ramp up" their staff when needed by using virtual assistants, online transcription services and alliances with other law firms. Then when they are not so busy they do not make use of these services and pay no fees.

Two nationally based services that specialize in providing transcription by a trained person on a same-day turnaround basis are Mobile Assistant and SpeakWrite. Mobile Assistant first came to my attention for their flat-fee dictation service. However, company officials advise me that most every lawyer will exceed the amount allowed under the consumer flat-fee service. They offer both medical and legal plans.

They provide a toll-free access number and a team of professional transcriptionists. It is really amazing how easily this service works. You are given a code number to verify your identity if you are dictating from a switchboard-based landline or another office. But generally speaking you just put the 800 number in your phone's contacts and register that number with the company. When you call in, it automatically recognizes you via caller ID and answers your call with "begin dictating please." You receive the results in a Word document the same day, often within a few hours, and the results are extraordinarily accurate based on my use of the service. To experience the service yourself you can go to the website and sign up for 20 free minutes of mobile dictation.

These types of services seem extraordinarily valuable to the litigator, who could dictate a memo to the client file after every hearing when the matters were still fresh in mind.

The fee for their standard legal transcription subscription for U.S. clients is $72.50 per month for up to 900 lines and 10 cents per line above 900 lines in a month. (A line is defined as 65 characters, spaces and hard returns included.) The transcriptions are automatically e-mailed to you or can be made available through a secure download. The company represents that they are "privacy friendly, confidential and completely secure." It should be noted that the company history is as a medical dictation transcription service.

The company offers a discount to OBA members of 25 percent off the monthly flat rate, which would mean $54.37 per month for up to 900 lines of dictation. There is no discount on the 10 cents per line above 900 lines fee. The discount coupon code is: OKBAR

SpeakWrite has been around for a long time. They were formally known as Cyber Secretaries and were not contacted during the preparation of this article. They can be located at www.speakwrite.com. They also offer a free trial and their stated rate for legal transcription is 1.5 cents per word. They also offer same-day turnaround.

A lawyer recently introduced me to Dictamus, www.jotomi.com/dictamus In fact, as I recall, losing Dictamus was about the only thing he regretted in his switch from iPhone to Droid. Dictamus gives your iPhone many capabilities of a traditional hand-held dictation. Here are the features, from the website:

- Rewind, overwrite, insert: edit your recordings at any point, unlike most other recorder apps

- Lightning-fast recording controls: no noticeable delay between button press and action

- Voice activation: skips dictation pauses (silence) automatically

- Intuitive, powerful, easy-to-use interface: streamlined for professional use

- More sharing options than any other recorder: send e-mails, direct download to your computer, upload to your iDisk (MobileMe), to WebDAV and FTP servers

- Automatic security: all Internet-enabled sharing options use SSL/TLS encryption automatically (if supported by the respective servers)

- No intermediate servers for e-mail: send e-mail directly from your iPhone, with your name and e-mail address as sender….

More than just a voice recorder: Dictamus transforms your iPhone, iPad or iPod Touch (second generation) into a dictation device that sets new standards. Dictamus offers a professional recording system with extremely fast reaction, simple navigation, overwriting and inserting of recordings at any point and voice activated recording. A comprehensive mobile workflow for recording, management and sharing of dictations completes the package.

Dictamus' user interface is designed for professional use, with a simple structure and reduced to the essentials. Dictations are saved in WAV format to ensure maximum compatibility to all kinds of transcription and player applications on major operating systems.

The free version lets you try everything out, but is limited to 30-second dictation sessions and five jobs open.

The full app at $9.99 is only limited by the memory on your iPhone.

THE SAMSON GO MIC

My current dictation microphone of choice is a handheld rather than a headset. The Samson Go Mic compact USB microphone is a plug 'n' play microphone that is cute, functional, of quality construction and cheap. I record my podcast with it as well. (My podcast partner, Sharon Nelson, would say I have those in the wrong order with cheap being the first criteria for me.) Read all about it here: www.samsontech.com, but buy it on Amazon.com where it is, okay, cheaper.

Headsets and I never got along that well, so I enjoy just picking up a microphone and holding it in front of my mouth while I dictate. There is one trick with this microphone, however. When you plug it in, it transfers the sound of the computer to a plug in the microphone. To hear your computer sounds, you have to plug a headset or earbud into the microphone. That would defeat one of my main purposes, so I suggest going into control panel and restoring sound to the computer speakers. Some may prefer a headset. If you want to use a headset, just don't forget to purchase a USB headset.

That is it for this month. Happy dictation!