

# MASSACHUSETTS Lawyers Weekly

## Speech-to-Text Institute forms board of directors to aid with transformational time for court reporting

By: Kris Olson September 17, 2020



The technology-induced upheaval of the court reporting industry was already well underway when the Wakefield-based Speech-to-Text Institute was established in the summer of 2019.

Then, the COVID-19 pandemic hit, bringing with it a new normal of remote court proceedings and depositions.

Once the health emergency abates, court reporting will not return to its pre-pandemic state, STTI Executive Director Jim Cudahy claims. He believes that even more strongly today than he did in April, when he authored a blog post on the subject.

"The more that parties begin to see the benefits of virtual legal proceedings — reduced travel costs, granting employees the lifestyle option of telecommuting — the more likely the legal community as a whole will be to bend its rigid processes and make way for technological efficiencies that largely had seemed out of reach in the past," he wrote.

If even 5 to 10 percent of the distanced depositions and court proceedings that have been occurring during the pandemic persist, that presents a significant opportunity for court reporters who have been able to adapt, Cudahy says.

For example, most court reporters are familiar with the experience of driving from, say, Worcester to Boston, only to find out that a deposition has been canceled. What previously might have been a wasted day becomes less of one if a court reporter working from home can shift gears and pick up whatever other work is available digitally, Cudahy says.

STTI was born of a perceived need to proceed thoughtfully into the future with a model "defined less and less by



the technology used to capture the record, but by the quality of the record itself and the practitioners who capture that record and convert it to text," according to its website.

While automated speech recognition and artificial intelligence will have an increasing role to play within the legal realm, most believe there remains a definite need for "human engagement," given the importance of precision and the stakes in litigation, Cudahy notes.

"The equivalent of the human ear and human brain does not exist out in the market," he says, adding that STTI is "fiercely pro-stenographer" but also realistic about the way the marketplace is evolving.

As Massachusetts and other states have already proven, digital recording and live stenography can "exist in harmony side by side," he says.

In addition to technology, the other main force creating a "metamorphosis" in the court reporting industry is a "shrinking population of stenographers," as retirees outnumber newly trained practitioners able to pass the speed-and-accuracy test to become certified.

Back when Cudahy was CEO of the National Court Reporters Association, it published what is known as the Ducker Report, which predicted a gap between the supply and demand of 5,500 by 2018. That gap has not only come to fruition but continues to grow as stenographers retire at a rate of about 1,000 per year, Cudahy says.

A number of factors have contributed to the shortage of stenographers, which is particularly pronounced in more populous areas of the country, according to Cudahy.



While the number of schools offering stenography training has declined from 200 to under 50 over the last 20 years, that may be more the result of waning interest in the field than a cause, Cudahy acknowledges.

But for whatever reason, stenographers have slowed the rate at which they are encouraging their children, nieces, nephews and friends to enter the field, he says.

If stenography is perceived as a field destined to go the way of the blacksmith, that is misguided, Cudahy argues.

"Stenographers will have jobs for as long as they want them, in the courtroom or in depositions, whether they are 25, 55 or 65 [years old]," he says.

Technology is now opening up new career opportunities with voice writing and digital reporting, meaning students can be increasingly assured their training will not be in vain.

In fact, one of STTI's goals is to work with schools to encourage them to join their counterparts already offering programs that expose students to digital reporting and voice writing along with traditional stenography.

To help it navigate the rapidly evolving environment, STTI recently created an 11-member board of directors with members that bring a variety of expertise in stenography, voice writing, digital reporting and videography to the table.

The president is Steve Townsend, president and CEO of The RecordXchange, an online platform that allows attorneys to schedule "recording agents" for depositions, and order certified transcripts of both depositions and court proceedings.

Cudahy stresses that STTI has a "big tent approach" and welcomes practitioners of all types, not just one technology or method.

What unifies its members, he says, is a commitment to "uncompromising quality" in the creation of the record of a deposition or court proceeding, even if some of the methods are not those to which attorneys — "creatures of habit" — have become accustomed, he says.

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