



Court Reporting in the Digital Age

Key insights from digital-focused industry experts



Introduction

What does the rapid adoption of technology in legal over the last 18 months mean for the future of court reporting? What will be the impact of many legal professionals, including judges, stenographers, commissioners and magistrates, retiring earlier than expected?

Verbit gathered court reporting and legal industry experts live to share their predictions for the future of court reporting now that many professionals are returning to in-person meetings, events and proceedings. The overwhelming consensus is that the tech know-how that professionals learned to adopt - many begrudgingly - will not go to waste. Technology will continue to cause shifts in the legal world and offer exciting opportunities to professionals willing to incorporate innovations into their workflows for much greater efficiencies. [Watch on-demand](#)



Featured Contributors



Louanne Rawls
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Digital Court Reporting 101



Jim Cudahy
Executive Director,
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Noa Hen
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Steve Townsend
CEO, TheRecordXChange



Legislation, Rules and the Rise of Virtual Legal Proceedings

Jim Cudahy, Executive Director of the [Speech to Text Institute](#), and **Steve Townsend**, CEO of [TheRecordXchange](#), have strong views on the evolving world of court reporting and remote legal proceedings.

As more states accommodate virtual proceedings, some through temporary rules that support the use of remote processes, they said professionals are more accustomed to handling legal business remotely. Virtual depositions and other remote proceedings will continue even once states lift all safety restrictions.

Speeding Up Disruption

Townsend pointed out that technological disruption is not new to the legal field, but the adoption of innovative tools reached an unprecedented speed. He stated that we haven't yet grasped the full extent of the pandemic's effect on the profession. Townsend indicated that it "may be a few years before we really get our head around how big of an influence this has been on [the] adoption of technologies."

Still, digital technology has been influencing court reporting and the legal world for decades. The growth of digital court reporting is specifically a response to the well-documented shortage of stenographers rather than to the worldwide lockdowns. According to Townsend, "COVID has simply accelerated the adoption of technology," not created it.

Remote Depositions' Surprising Effectiveness & Benefits

According to Cudahy, the legal industry's ability to adapt during COVID came as a surprise for many. When considering depositions, Cudahy explained skeptics believed law firms would not want to forgo in-person depositions because they rely on the



The industry is witnessing earlier than anticipated retirements. Retirements might include judges, commissioners and magistrates - not just court reporters.



Steve Townsend
CEO, TheRecordXchange

“intimidation factor” that comes from being in the room with a witness. It turned out that remote depositions worked better than anticipated. While in-person proceedings will return, about 50% or more depositions will remain virtual because of the convenience and cost-savings this format offers.

Early Retirements Are Fueling the Need for Innovative Solutions

Following months of lockdowns and remote work, Townsend explained, “not everybody’s all that thrilled to be coming back into the courtroom... taking a shower in the morning and making that commute.”

These retirements are exacerbating the court reporter shortage and leading to a higher demand for services as the legal system attempts to tackle its backlog of postponed jury trials and other processes that the pandemic delayed.

The court system’s need to play catchup is creating an all-hands-on-deck situation. While in-person processes are resuming, there is a continued need to hold remote proceedings to save time and resources. Courts and lawyers will be turning to any options available as they try to complete long-delayed cases.

Townsend also pointed out that some stenographers and court reporters want to continue to work remotely and have issued employers an ultimatum of “if you don’t keep me remote, I’ll retire.” Given the shortage in the field, this too could influence the continuation of remote proceedings.

Lawyers Are Concerned with Results, Not Methods

Lawyers, judges, clerks and anyone else frequently involved in legal processes is accustomed to having a court reporter in the room preserving the record. These



professionals tend to give little thought to the tools that the court reporter is using to complete their job. When the processes moved to virtual settings, the equipment the court reporters used became even less noticeable for lawyers and others, or as Cudahy says, “out of sight is out of mind when things are done remote.” For the most part, no one is concerned with whether a court reporter is using digital technology or a stenography machine.

Plus, after relying more on technology in recent months, the legal community is now comfortable with the use of such tools in their roles, as well as those of the professionals preserving the record.

Emergency Laws Fueling Permanent Change

Many states entered rules that allowed for remote swearing-in and remote notaries. Townsend indicated that while those rules were often temporary accommodations, some states are now turning them into permanent policies. Simply put - allowing for virtual processes improves productivity.

STTI’s Role in an Evolving Legal World

It’s not uncommon for there to be industry resistance to new technologies. STTI is working to promote high-quality court reporting standards across all forms of recording the spoken word.

STTI is educating the public and members of the profession about the innovations available to court reporters, providing resources to those wishing to integrate digital technology. Experts in the industry understand that the only way to meet the growing demand for court reporting services is to include professionals who complete their job using transcription tools. STTI’s stance is to welcome any method which offers high-quality transcription.

“Virtual oath-taking and notarization will help the legal community address the backlog of cases and create ample opportunities for digital court reporters.”

Steve Townsend
CEO, TheRecordXchange



Strategy & Research on Court Reporting Agencies

It's all talk without the research to back, so Verbit commissioned a study with PwC's Strategy& to identify the issues currently impacting court reporting agencies (CRAs). The study involved 59 in-depth interviews with smaller CRAs, six with members of Verbit's team and five with industry experts. Noa Hen, Associate, Strategy&, shared major findings from the survey live.

Digital Adoption is Low, But Growing

The research shows an industry that is in flux and undergoing massive changes.

70-80%

of small CRAs
**rely entirely on
stenographer**

10-20%

of small CRAs are
hybrid agencies

50%+

Hybrid agencies
are often
"predominantly
stenography-based
and use digital for
overflow"

8-12%

of businesses fully
**adopted digital
methods** & tend to
be new, innovative
players

Some States are More Open to Digital

Digital adoption is not uniform throughout the 50 states. Hen explained that the survey focused on five states, Florida, New York, Massachusetts, Texas and California, to review these key markets as a case study. Florida is the most digital-friendly among



the included states, with 30-50% of its small CRAs adopting digital tools. California is on the other end of the spectrum, with an exceptionally low rate of less than 1% of agencies using digital reporting tools.

While New York fell in the middle, Hen stated that it “has a very large or strong trend of digital adoption in recent years and months.” The current New York rate of 10-20% of agencies adopting digital or hybrid will likely change significantly over the short term.



Adapt to Compete & Survive

Large CRAs are now buying smaller firms leading to market consolidation. Smaller CRAs will increasingly face competition from larger national CRAs as the number of small agencies shrinks. Large firms can charge low prices, operate nationally and allocate resources to customer management and success, meaning that small CRAs will need to think creatively about how to contend with regional and national firms.

Competition from large CRAs is one of the main pain points that small CRAs identify. The two other main obstacles cited include:

- 1) The shortage of stenographers
- 2) Lack of other quality transcribers who can replace retiring stenographers



Virtual Depositions Changed Court Reporting

CRA operations slowed because of the lockdowns. CRAs rely heavily on depositions, more than 90% of which were taking place virtually because of the pandemic. While some proceedings will return to in-person formats, many will remain remote.

Technology-resistant lawyers have now adopted new tools and are learning to rely on them. The fears many in the industry once had are now obsolete. . Many jurisdictions also legalized remote notarization and oath-taking, paving the way for more virtual processes.

With many CRAs and businesses investing in remote infrastructure, the shift to virtual legal proceedings will be an ongoing and permanent industry change. Hen indicated that adopting technology is one of the best ways for small CRAs to lower their costs, scale, improve their turnaround times, fill vacancies and compete with larger companies.

Hen also stated that while depositions successfully shifted to a virtual setting, other court processes stalled. Courts are facing backlogs and Hen predicts that CRAs will struggle to meet the “demand for all the transcripts that this is going to lead to.”

“Attorneys and clients, at the end of the day, they are more accepting of newer, different means” to maintain the record as compared to before the pandemic.



Noa Hen

Associate, Strategy& of PwC



Insider Insights from a Digital Court Reporter

Digital technology has “been able to fill a gap that the court reporting industry has needed for quite some time” because of the stenographer shortage, according to Louanne Rawls, a 15-year veteran in digital court reporting. She spoke live on her appreciation for AI-powered tools that support her work, stating that technology like Verbit’s is “an asset to digital court reporters, and it’s just amazing.”

Now, Rawls continues to practice as a digital court reporter while embracing her new role of teaching students who are looking to enter the profession.

Digital Court Reporter Training

Digital court reporters must complete training before they can start working in courtrooms and preserving deposition records. Rawls encourages digital court reporters to seek certification from the American Association of Electronic Reporters and Transcribers (AAERT). She explains that obtaining such a credential will provide “attorneys that you’re working with... assurance that you are trained properly and they will have a professional that will be working with them to provide that accurate transcript.”

Two additional benefits she noted include:

- 1.** The cost of becoming a digital court reporter is significantly lower than the price of stenography programs.
 - 2.** Stenography programs also require far more time to complete than digital court reporting programs.
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“Verbit has a big transcription team, and they produce accurate transcripts- that’s the goal.”



Louanne Rawls

CER, Author & Instructor, Digital Court Reporting 101

Rawls pointed out that “stenography schools have closed throughout the nation, leaving a deficit of court reporters compared to those that are retiring.” Even if students can find stenography programs, the investment of time and money is lower for digital court reporting training. And for these tech-friendly reporters, job prospects are promising.

High Demand for Digital Court Reporters

Rawls said she always intended to help her students find job placements after completing her course, but she never imagined that the demand would be so high. Agencies were approaching her rather than the other way around. Her newly minted class of digital court reporters found placements quickly, and Rawls is confident that her “students now have somewhere to go and work and enjoy the career.”

Rawls also pointed out that court reporting agencies need to scale their practices to meet the demand. Many agencies find that it helps to have a large team of transcriptionists. This strategy also offers quality work-product.

Developing a Thick Skin

Rawls has experienced some backlash for using innovative tools like Verbit’s to perform her job. Some controversy surrounded misinformation about what a digital court reporter can offer. She’s needed to defend herself against false accusations that she could not offer read-backs or playbacks, and therefore was supplying inferior services. Rawls explained that **her equipment and Verbit easily accommodate these features and she is fully prepared to accommodate any client request.**



Instead of focusing on negative feedback, Rawls said she has to “stay in my lane and do my job, which is [to] produce an accurate transcript.” She knows that judges and lawyers who work with her are pleased with her professionalism and have respect for the work she performs. She has always been able to **combat critics by offering quality services.**

Rawls said agencies “realize that they are going to have to turn to digital court reporting to fill the gap”.

“ Any agency that refuses to adapt is “really going to be hurting themselves in the long run, because if they’re not going to be covering those jobs, somebody else will.”



Accurate transcript



Quality services



Court Reporting in 2021 & Beyond

Verbit's Court Reporting Virtual Summit showcased how the industry needs more trained professionals who can offer high-quality transcription services both in-person and virtually.

While the world once wondered when life would go back to "normal," it has become increasingly evident that we will only go forward, not back to what was. The new skills professionals in the legal industry and other sectors gained will shape the future by offering alternative ways of conducting business and improving efficiency.

The backlog of cases in the court system is still generating an increased need for court reporters' services. This pressure will only help to pave the way for a legal community that embraces technological solutions. Court reporters who use innovative technology to perform their jobs will help remedy the personnel shortage. Verbit will continue to monitor developments and trends in the court reporting field and participate in efforts to drive the industry into the future.

For more information on Verbit's customized solution for legal transcription and court reporting needs, please [click here](#).
