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Voice Productivity Comes of Age *By Steve Butterworth*

Smaller law firms have always had the administrative challenge of producing time-critical legal documentation and correspondence without the resources of larger corporate firms. It is testament to the ingenuity, talent, and hard work of small firm practitioners that more often than not they are able to compete against large players who, at the drop of a hat, can throw teams of secretaries or assistants at mountains of work. But the ante keeps getting upped. How exactly can you control overhead and costs while remaining productive in a commercial world that increasingly demands instant mobility and connectivity alongside high customer service levels?

Many lawyers have had to continuously change their working practices over the years to compete; in fact, many are now touch-typists who produce their own work. Others make better use of technology like voice recognition and, for a significantly growing contingent, digital dictation. While typing is an expensive option (given hourly attorney rates), and voice recognition continues to be a viable option only for those patient enough to persevere and master it, the use of digital dictation is dramatically easing the administrative burden. More specifically, legal digital dictation workflow systems are becoming much better, and therefore more popular.

For many, the move from tape-based dictation to purchasing a handful of standalone digital recorders (e.g., Olympus, Philips, Grundig, Sony, or Sanyo) provided a starting point. However, over the last few years, a growing number of law firms worldwide, upward of 500, have invested in professional digital dictation workflow software. These applications, specifically designed for law firms, have helped control costs, increase billable time, enable mobile working, and enhance productivity.

Although these systems do make use of standalone digital recorders, they do much

more. They no longer simply replace a tape device. Furthermore, in an increasingly competitive legal market, these law firms are now encouraging lawyers who can touch-type to use these digital dictation workflow technologies to complement their own document production.

In one scenario this year, Texas law firm McCathern Mooty LLP decreased its billing cycle by more than 10 days, significantly enhanced firmwide revenue on the basis of quicker turnaround of client billing summaries, and improved teamwork and staff mobility following the installation of new digital dictation software. Most important, McCathern Mooty LLP lawyers who did not previously use dictation and relied on typing themselves now dictate using digital dictation software, sending a greater volume of instructional dictation to support staff.

With tapes or standalone hardware only, lawyer mobility can severely limit the effective use of dictation. Described below are three common scenarios in working and dictating remotely:

- Lawyers or secretaries work from home and have to transmit tapes by courier or use voicemail systems not necessarily designed for accurate dictation;
- A lawyer is traveling to a meeting or commuting and either waits until returning to the office to pass the tape to a secretary or dictates to the secretary's voicemail, which the secretary often rerecords onto tape;
- A lawyer goes from office A to office B and has to wait until returning to office A to pass dictation tapes back to a secretary.

Although each of these scenarios can be plagued with service delays and security risks, such issues can often be resolved by legal digital dictation workflow systems, which utilize a combination of laptop, VPN/RAS, Citrix or Terminal Services, web, professional dictation devices, telephony, and PDAs (such as BlackBerry) to enable dictation to be sent back to office support staff immediately. These devices can also synchronize automatically with a lawyer's dictation inbox, eliminating the need to browse in order to move or save files. Saving even small amounts of time across the document creation process all adds up.

At first glance, it is hard to believe how dramatic an effect digital dictation can have on client satisfaction. But it is the cumulative administrative process improvements that can make a significant impact on client service. Secretaries make fewer mistakes because the sound quality is clearer, document turnaround times are significantly improved because of the instant and automated delivery method, and lawyers spend more time billing and on relationship management because their time spent creating documents is reduced.

Those using standalone digital dictation devices need not fear a lost investment because these devices also remain the tools of the trade for the workflow digital dictation systems. However, for many firms, concerns about the scalability, security, transparency, manageability, and flexibility of using the standalone devices in isolation are leading them to explore their options.

But how does a small firm determine if it needs a legal digital dictation workflow system? Below are some criteria to help you assess whether there is a need at your

law firm and some tips to help you select the right system:

Selection Criteria: “Do I Need This? If So, for How Many People?”

- Assess how many lawyers and secretaries currently use tape dictation machines. This is your starter number of users.
- Find out whether those lawyers who say they don’t dictate regularly leave voicemail messages for their secretary. Get ready to be surprised and add those to the total number of users above.
- Are any lawyers typing themselves? If so, multiply this number by the standard attorney hourly rate. This is how much your firm is potentially losing every hour by not bringing in a digital dictation workflow system. This will help you prove return on investment if you bring in a system (the system could pay for itself in a matter of days).
- Ask secretaries about the sound quality of their current tape machines and how often tapes break or are lost. If the feedback is more negative than positive, then you know digital dictation might have a considerable impact.
- Survey lawyers to find out whether they would like to have documents produced even when they are out of the office at meetings, driving to and from the office, or working at home. Add those who respond positively (who are not already included in the total) to the list of potential users.
- How do your attorneys track and document client billing? Ask them if it is a time consuming process. If it is a difficult or slow process currently you know digital dictation can help you confront this.
- Do your lawyers use BlackBerries or other PDAs, such as Treos? If so, then they have a ready-made tool to capitalize on digital dictation. This will increase the chance of the project being a success.
- Find out what happens when an assistant is out sick or on vacation. What happens to their work? Digital dictation provides an automatic and seamless way of getting their workload completed by others.

Selection Tips: “What Product Do I Choose?”

- Google “digital dictation.” The first page should give you a ready-made list of the leading vendors.
- Filter your list down to those systems that are aimed at law firms by looking at their websites. Trim it further by assessing only those who have U.S. law firms as clients and a support office in North America. A list of three possible vendors is a good starting point.
- Email each company and request information and client lists. Given we estimate 800 law firms worldwide have brought in digital dictation workflow technology, a small client list should be considered suspicious.
- Ascertain whether the systems all provide true Citrix/Terminal services support—a lot of them don’t, and Citrix is becoming increasingly popular in legal IT. You may need this now or in the future.
- Determine whether the systems provide true BlackBerry support—a lot of them don’t.
- Ask the vendor for a web demo or demo download—this way you can take a look without having to have commit time and resources to initial onsite visits.
- Ask for ball park prices and what flexibility there is on price. A vendor who really

wants your business will reassure you that they will try hard to meet your budget restrictions.

This improved understanding of the potential benefits that can be realized through better use of dictation as a working practice is helping those firms only now making the transition away from tapes to go straight for a dictation workflow management tool. For many, the question of whether to dictate or not to dictate has been answered, and voice productivity has come of age. If your firm does its research, determining the firm's overall need for digital dictation as well selecting the right technology solution will enable your small law firm to operate with increased efficiencies and successfully compete in a crowded legal marketplace.

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