

Hello. Anyone who has joined the meeting,
we are going to start at noon,
but we just wanted to open things up now,
so just bear with us,
and we'll get started in a few minutes.

Again, for anybody who's joined,
we'll be starting at noon.

We're just waiting for everybody to connect.

Thank you for joining us.

Thank you to everyone who's been joining us.

We'll be starting in a couple of minutes.

Just waiting for the whole crew to join in today.

I think we'll go ahead and get started.

Let's move to the next slide, if we would.

Good afternoon.

As we just switched to noon here on the East Coast,
good morning, and to those
in the Western reaches of the United States.

But I want to thank you first and
foremost for joining us today.

I think we can all acknowledge that this is
a very strange period in
our world and it certainly
is not immune to court reporting,
and that's really the purpose of our call
today is to talk about
the impact of COVID-19 on the market

and it's both short-term and long-term effects that it might have.

My name's Jim Cudahy, and I am Executive Director of the Speech-to-Text Institute.

I previously served in that role for the National Court Reporters Association.

As you can see the photo on this slide, you'll notice I look a bit different now, if you can see me sporting a coronavirus beard.

I can't remember the last time I wore a button-down shirt, let alone a tie.

So this is dressed up for me these days, as I'm sure it is for lots of you.

Very quickly on Speech-to-Text Institute and then we'll jump in to talk to the panelists,

STTI is a non-profit organization that formed last year and

our purpose is to lead the industry by delivering information, research, and otherwise working collaboratively to set standards for the evolving court reporting or speech-to-text industry.

Today's panel discussion will, again, look at the impact of COVID-19 on your industry and the legal community at large,

both on a short-term and a long-term basis.

It's one example of how STTI intends to serve this industry that is going through profound change.

Before we start, I'd like to just say, I hope everyone is safe and in good spirits.

Those are two things that we can't take for granted these days.

I also want to thank Verbit, who is sponsoring our webinar today and hosting it.

Everyone, for what it's worth, will remain on mute.

You can submit questions, as hopefully you can see, and we've reserved time at the end of the call or the conversation for our panel to answer the questions you might have.

I thank those that have already submitted questions part of the RSVP process.

But right now, what I'd like to do is to move to the next item, jump right into our discussion.

Give me one word to describe your current mental state with regards to your business, and why that word?

I'm going to begin with Billy DiMonte.

Hey, Jim. Thanks for having me today.

Good to be with everybody.

This is an exciting time for us.

So the one word that comes to mind for us is opportunity.

At Planet Depos, we really got

advance notice about the whole COVID crisis because of

our practice in Asia and we

started seeing the effects over

in our offices overseas way before it got stateside.

So we pivoted quite quickly to

remote depositions and getting our court reporters and

our clients up to speed with training and technology

changes that they may need to do

to update their setup over a month ago.

So for us, it's an opportunity, and we want to

be an integral part of the new normal for law firms.

So that's how we're doing it.

Great. Steve, your word and why.

I also thank you, Jim,

and thank you Verbit for hosting

this and for everybody attending.

I think my word would be fluid.

The long-term trends that we saw in

this industry have been clear

for some time, years, decades even.

I think we fully anticipated

a chaotic period right now as

technological and demographic drove

changes in the court reporting industry.

So there was nothing unexpected there.

But I think the pandemic has thrown in variables

that were very hard to

predict and are difficult

now because we still don't know a lot.

Without knowing what these variables actually are

and how they'll play out,

it's a little hard to get a picture of things,

three months out, six months out,

three years out, and I think our position right now is,

our thinking is fluid on it.

What we believe today changes

tomorrow because of these variables.

Great.

Tony, one word.

Perfect. Jim, thank you very

much for hosting and thank you

to Billy and Steve for

participating in this with us here at Verbit.

One word, Jim, and that came to

mind as soon as I saw the slide, resilient.

Resilient as we relate to our business here at Verbit.

We are very agile and adaptive.

We literally went overnight remote in

24 hours globally with

no hiccup to the business or our customers.

But also the resiliency I'm

seeing in talking to my customers.

It's become very personal,

and most importantly,

we are very concerned about each other.

So I'd say resiliency is

the biggest word I would associate with it.

Great. Speaking of resilience,

if you move to the next slide,

I think we have a demonstration of that.

I'm going to go and ask each of

the speakers to introduce themselves.

So first, we'll go to Billy and

ask Billy to introduce yourself.

Thanks. Yeah. Billy DiMonte,

I am the Co-Founder and Managing Partner at Planet Depos.

We have been in business for just about 11 years now,

but I've been in the court reporting space

for almost 30 years.

So my mother was a stenographer and

started her business in the basement of our home.

So my brothers and I, who are my partners,

worked in that business from a very young age,

and we have offices in every major city across the US,

and we have a robust Asia and European practice as well,

and just excited to be with everyone here

today and during this exciting time

and changing time in our industry.

Tony Sirna, tell us about yourself.

Thank you.

I'm a Senior Customer Success Manager here at Verbit,
and I'm responsible for our reporting and legal clients.

I manage that part of the business.

In addition to that, I have
about 15 years working technology,
particularly with legal tech,
and working with law firms in the New York City area,
for example, in the Am Law top 50.

Last but not least, Steve Townsend.

Again, Steve Townsend, I'm CEO of TheRecordXchange.

TheRecordXchange offers web-based
transcript management solutions,
specifically for courts and agencies.

We also perform
overflow transcription services for our clients.

I've been in the industry since the late 1980s,
specifically on the digital recording side,
and mostly in the courts,
very little on the deposition side.

Between the mid 1990s until 2008,

I was CEO of FTR,
which is a digital recording
provider to the court systems,
and given me the opportunity to see a lot
of transition in this industry

over the last two or three decades.

Great. Next slide, please.

I found this meme yesterday; it seemed appropriate.

Talking about, "Day 1 of the quarantine:

I'm going to take this as an

opportunity to improve my health.

Day 2 of the quarantine: Due to personal reasons,

I am eating a lasagna in my shower."

So I think that's apropos of

the resilience that Tony was talking about.

If we can switch to the next slide.

I'd like to start with the positive

because there's certainly enough negativity out there.

But Steve, can you tell me what might have pleasantly

surprised you within your business

as you've dealt with our current reality.

I think I've been pleasantly surprised by the attitude of

our contract workers across

the country and with

the court systems that we deal with on

a regular basis to manage

through this crisis in a sane manner.

Not always in doing the best things they

could for themselves and for their clients,

but I think overall,

everybody we're dealing with

is approaching this logically.

They are trying to get the answers right.

On a personal basis,

I see people in the industry isolating properly,

taking care of themselves,

focused on their families, things like that.

So I think there are

some positives that come out of this,

and I've been pleased that, at least so far,

we haven't seen the people in our industry

behaving and going off in erratic directions.

So that's been good.

Tony, same question, what's pleasantly surprised you

from the market realities dealing with clients?

Great question. Sense of mission,

and that's what I'm hearing from

customers and others I know in the industry,

and also within our own business here at Verbit.

There's a sense of mission to

thrive and make it through this,

and there's also a commitment to continue

delivering as much of their services as they can.

I think that just reflects

the general overall spirit we're all facing,

but it's been very impressive

and very heartwarming at

times talking to clients to see how they're adapting,

but their real sense of mission and thriving.

Great. If we can move to the next slide,
and we'll begin with Billy this time.

Do you yet have a sense for how clients are
reacting to the concept of remote proceedings?

Sure. I think it's
a two-part answer.

Initially, and by initially,
I mean the first month that
really COVID was having its effects in the US,
I think the reaction and the expectations were
slow from our friends at law firms and our clients there.

I think the general consensus
was this might not last long,
we can wait it out,
and pausing depositions, and arbitrations,
and hearings, and just
rescheduling them for about a month out.

I think that slowly,
once reality set in and COVID became a pandemic,
and it obviously got worse,
and states started to shut down and enforce restriction,
we started seeing our clients adapt and
pivot very quickly after that first month and
really get on board
to embracing technology for remote depositions
because I really think, and I'm
a firm believer in this phrase,

that justice delayed is justice denied,
and I think our clients,
the law firms, all believe that as well.

There's just no way that we can stop the legal process.

So after that month,
they were ready to rock and
have really embraced the concept of remote proceedings.

Steve, what's been your experience,
the reaction of your clients to the idea of remote?

Again, I think it's important to make
a distinction. When I talk about it,
I'm primarily talking about the courts
versus Billy talking more about the freelance market.

I would agree with his statement
that there has been a transition or
a change over the first month.

I think there was a sense early on,
as Billy says, that we can wait this out.

So everything was just being pushed,
and then there came a time
where court administrators, judges became urgent.

There were and continue to be
certain types of matters that simply cannot be delayed.

We have constitutional issues on criminal defendants.

We have safety issues related
to restraining orders and
domestic issues and things like that.

So the courts simply had to continue responding to those.

We did, and especially in less busy parts of the country,

we still see courts that are operating in the courthouse.

They're bringing people into

the courthouse and things are going on.

I don't want to say as

normal because there are restrictions,

but probably far more

willing to bring people into the courthouse

than they should be, in my opinion.

Those tend to be people who

are resisting remote appearances.

Those people that have adopted remote appearances,

I think there's been an initial excitement about

this new possibility that's only been available to them

for the last 15 years and they're just discovering it.

But we're also starting to see court administrators,

especially the experienced court administrators,

starting to get their head around

the long-term challenges

associated with remote appearances.

Rules that are going to have to be changed to allow

for these to happen on an ongoing basis,

some of the technological challenges,

some of the policy challenges, and things like that.

So it's maturing, but it's not a straight line.

It's very up and down as to how

that adoption is happening right now in the courts.

Thanks. If you can move to the next slide.

We did a survey in

our most recent newsletter and we asked

people to respond to

the question about what do they think would be

the most profound or lasting impact on

the court reporting industry from COVID-19.

You'll see half of the people, and this is

not a scientific survey by any stretch,

but nonetheless, half of

the respondents suggested that

more law firms and courts will

demand remote proceedings after COVID-19 impact abates.

We had about 17 percent said

technology used to capture

the record will become less relevant,

about 16 percent who said

the legal backlog puts

industry in long-term catch-up mode,

catch-up, not ketchup,

but importantly, 17 percent

said no one yet knows what will

be the most significant effect.

That leads us into the next question.

If you can move to the next slide.

I'm going to ask the panelists to pull out

their crystal ball and think about what you can see as the most significant or lasting impact that COVID-19 and the adaptations that have been made will have on the industry.

I'm going to go back to you, Steve, since you just worked [inaudible 00:21:12] , we can ask you to go first.

First of all, I'm in the 17 percent group.

I think it's too early to tell because I believe that the longer this goes on, my perception of how the industry will change will begin to change.

It's also heavily related to the changes we're going to see across societies across the globe as well.

I think that this COVID-19 crisis, right now, if for some reason was fairly well resolved within the next 60 or 90 days,

I'm not a believer in that, but if that happened, then I think the impact will actually be much smaller than we might anticipate.

I do believe that it's been an opportunity for certain technologies to leap forward and I don't think that that ground will be lost.

I'm not seeing real evidence of a "backlog" happening.

It feels like everything is on a pause.

If everything's on a pause,
then when we start up
there certainly will be spots of it,
bankruptcy's going to surge, things like that.

But having said that,
if this crisis continues for a long time,
if we're looking at not having a vaccine until
mid 2021 and we're dealing with
this to the end of 2021 or into 2022,
then I think that's very hard to predict.

I think that we are looking at,
again, technology changes having an impact on this,
rule changes and law changes having an impact.

But I think then we're starting to understand
the psychological impact on
this on a generation of people.

Then we have to deal with questions in
my specific case about things like how long
is it really going to be before
a court is willing to bring in
120 people for jury selection
and put them into a jury box?

I don't know the answer to that yet.

There's good discussion going on around that.

So my crystal ball

basically is, if we clear this up quickly,
which I don't think we will,

it will probably have minimal impact other than some technologies leaping forward.

If it drags on,

we need to have this conversation again in

November, and I think it'll

be a very different conversation.

Tony, what's your crystal ball telling you?

Lasting impact on the industry.

Lasting impact is, in conversations with clients,

there's two schools of thought of it.

One is what I call "We're going to

go back to normal conversation."

Attorneys will continue to want to do

depositions as they've done, courts will open up.

There's another school of thought that I'm hearing from

customers which is "It's a new normal."

I think I'm more in line

with what I'm hearing to the new normal.

I just want to reflect with

two questions that actually

a customer brought up with me.

Even if courts open, and they're

going to have to open in a very cautious way.

There were procedures being put out now by

the US Court administrative Office

on how they're going to do that.

What happens if a deponent or witness is not willing to

go back in a room

regardless of their state or court opening?

What about an at-risk population that's

suddenly larger than it's been before?

How do we handle them?

So I think looking at that at a bigger societal level,

there's going to be lasting change,

there's going to be more adoption of technology.

But to what Steve was saying,

whether that's six months or 12 months,

I think it's early yet.

But I think inevitably, as more of

the industry is exposed to

the technology and changes in procedures,

we're going to head somewhere back to

a new normal than going back to what we've done before.

Okay. Billy, same question.

Crystal ball, lasting impact on the industry.

So I like the crystal ball question thought.

I'm willing to put my stuff out there a bit.

I think COVID, that is, is

going to have profound changes on our industry.

First and foremost, any court reporting firm

or service provider that has not adopted,

or implemented new technology,

or being able to support it,

I think they're going to get left behind.

I think that that lost market share
is gone for them forever
because I think location is going to be
a secondary condition when
our clients are scheduling depositions.
Similar to firms that carry lots of debt.
There was a lot of free money out there
pre-COVID and a lot of firms took on substantial debt.
I think those firms are
suffering now and are going continue
to suffer through this COVID pandemic.
Then third, I think
these law firms are adopting this technology.
So I think we're going to see
more and more firms requesting it,
some of them even requiring it.
Tony raised an excellent point that you can have
all the states you want open up and ease restrictions.
But if I have a witness who says,
"I'm not going around other people
to take my deposition,"
or if I have a stenographer that says,
"I don't feel safe being around other people,"
I'm not going to put him or her into harm's way.
I have to protect our employees,
I have to protect our independent contractors,
and so those firms that haven't

adopted the technology are going to get left behind.

I think as a result of that will be
further consolidation in the court
reporting provider space because of it.

Interesting.

Next slide, and Billy,
you're going to be on the hot seat again.

What variety of legal proceedings,
length, type of litigation,
type of client, whatever else,
are best or worst suited to being conducted remotely?

So every single one of them.

We have done all of them,
and whether it's a mediation,
deposition, hearing, a trial,
or anything in between,
we have done each of them remotely,
and they're all well-suited to be done conducted remotely.

I think the key is is that having
buy-in from the attorneys or from your clients.

So it's incumbent upon us to
educate them about the technology, give them demos,
make sure that they know what our security protocols are,
and how they're in place,
and how our stenographers are keeping their data secured.

That is going to be the key to making
these proceedings accepted and part of the new normal.

So number 1 is the attorney buy-in.

I think that's coming because I

can just tell you over the last four weeks,

we'd given at Planet Depos over

200 webinars to attorneys and their support staff.

So over 2,000-3,000 people

have already seen remote capabilities.

I can tell you the response from most of them has been,

"Why didn't I do this sooner?

Why was I traveling from Boston to

San Francisco for a one day deposition?

That doesn't make any sense.

The amount of expense to my clients,

and my lost time to go do that, it's not working.

Now, I can do it right through Zoom, or through WebEx,

or through any of these platforms,

and it's a piece of cake and

I'm home in time for dinner."

So I just think the buy-in from the client is key.

Steve, same question, best or worst

suited to remote from your perspective?

So I think up to a point,

I would agree with Billy that virtually

all of them can be adapted to remote.

There are certainly differences between

relatively simple matters with

a few participants versus

proceedings with a judge

that have multiple participants.

Criminal arraignments, where they're going through multiple cases at one time.

There's logistical differences between purely oral arguments or discussions versus handling exhibits within the court environment.

All of those can be resolved, they're simply procedural, and there are technical solutions available to it.

The one, again, that we are talking about now, and we're not seeing a good answer to, are jury trials.

Jury trials present really challenging questions to be done remotely.

Again, not so much technically, it's something that can be done technically, and I think there's a really good argument that some of this

should be done remotely, or via video and via recording, but we are confronted with the constitutional question of people having to write to a jury by their peers.

I think you probably will see the virtual elimination of civil jury trials during this age.

It's just going to be very difficult to do, and I don't think any of the participants are going to be willing to delay long

enough to figure out how to do it.

But on criminal matters,

where jury trials are

a constitutional right that you have,

I'm not sure where that's going,

and the way it currently is structured,

I'm not seeing good remote recording solutions.

I think we're all feeling

what sequestration would feel

like if you were on a jury right now.

Yeah.

If we can move to the next slide.

What you'll see here is just the states

that have made some type of accommodation,

at least that I was able to get my hands on by yesterday,

and I thank Lexitas for making that resource available.

But these are the states that have made some level of

accommodation to enable remote proceedings.

So that leads into my next question,

you can go to the next slide,

which is, on a scale of 1-10,

and being shocked, how

surprised are you of

states' willingness to change their notary laws

and otherwise accommodate remote proceedings?

What other changes and accommodations do

you think are necessary?

We're going to start with you, Steve.

I don't think any of that has surprised me.

Again, I think that when I said

that people are responding rationally,

that includes judges and Supreme

Courts who are passing these rules.

Everybody quickly realized the urgency of the matter.

When you talk about things like notary laws,

and there are a number of

other laws that would fall into this category,

I think people understood that some of

these needed to be addressed anyway,

and they were just ignored

because there was no urgency to it.

So now, what we've got are a lot of

emergency rulings or waivers of

rules or laws that we see across the country.

I'm not surprised at all that they did that.

Some of those will roll back as we come out of this,

but I think we're also looking at

a number of them becoming permanent changes,

and I think that's probably a good thing.

Billy, [inaudible 00:32:59] .

So on a scale of 1-10,

I give it a one, being that I wasn't surprised at all.

It was very evident to me that the rules needed to

be relaxed and change

for legal proceedings to move forward.

Again, having any sort of limitations on administering the oath, for example, is a delay in the legal process.

So again, I don't think our clients want that for their clients, and they need it to be changed.

It's unfortunate that it took a pandemic for states to realize that their notary laws were outdated.

But no, I wasn't surprised at all because they were archaic.

Yeah.

All right. Next slide, please.

Now, we're going to get to workforce, but how are your people adjusting to the reality?

What's proving to be most difficult for reporters and others to navigate with remote proceedings?

Tony, this time, we'll start with you.

Okay. Well, from purpose perspective, which obviously, we were very adapted to go to remote.

From what I'm hearing from our customers, we've had some customers that were more prepared to go to remote, others that had to act quickly, but most of them are operating remote, and they're coping well.

Billy, thinking about your people,
your reporters, how are they reacting?

They have been great.

I have to say that the stenographers have
really stood up and tackled this head on.

They adjusted immediately and early with us,
and we required it.

So once we got wind in

Asia with our practice that

this was affecting our business,

we brought it stateside immediately.

We got all of

our court reporters on trainings, on webinars,

updating their security equipment,

getting new pieces of software or

hardware for them, educating our clients.

So from our team,

I've been super impressed,

not only from our court reporters,

but also the PD staffs,

we are all working remotely,

and it's just been

such a great group effort

to really make it happen for our clients.

All right. If we can move to the next slide, please.

This, I think, is the cartoon that just gets

to the point that Billy made earlier.

It says, "My God,
those meetings really could have been done by e-mail."
If you can move to the next slide.
It's possible that some attorneys
and judges will more regularly ask,
and we've talked about this a little bit,
but let's get into it more, ask,
"Why can't we do this remotely?"
How can the industry prepare for this?
We're going to go to Steve on this one to start.
So again, I think it is
important to make the distinction between
the court market and the freelance market here.
I would also agree that the courts generally have done
a great job of stepping
up and doing what needs to be done.
But I think we need to acknowledge
that all of us are in this,
I don't want to call it a honeymoon period,
but this period where everybody
understands why we have to do this right now.
So people are tolerant of things
not necessarily going as
smoothly as they should sometimes
because they know this has to be done.
That will last for a certain amount of time,
but certainly, as we come out of this crisis,

if we want or we expect attorneys and judges to believe that this is a viable method for them to conduct their business going forward, then during this time, we better figure out how to get it right.

Getting it right means bringing in a very professional approach to it, dealing with the technical issues, dealing with the logistical issues, dealing with the security issues.

There's just a whole range of things that are being, not overlooked right now, I don't mean to say that, but when there's a failure, it's being accepted. That's not going to happen.

So the one thing that we can do to prepare the industry going forward is to figure out how to do this right.

That's going to be slightly different in the different settings.

There will be specialists to do different types of remote hearings, I suspect.

But that's going to be the key.

I think there is a better chance that judges and attorneys come out of this feeling positive about the experience,

but there is a very real risk that they
come out of this feeling negative about it,
and simply want to go back to
in-person proceedings as much as possible.

So it's our responsibility making sure [inaudible 00:37:47].

Tony.

Steve? Oh, I'm sorry.

Jim, did you call me?

Yeah.

Okay. Thank you,.

Yeah. Tony, same question.

Great. Okay, thank you. I'm sorry,
there was a little break there in the audio.

I just wanted to point out a few examples of,
are they going to ask why we can't do this remotely?

I know for a fact they're already asking this,
perhaps it's not as broad as we would like,
particularly on the technology side.

How are they preparing for it?

At least they're starting to think about it
and test it for those who already don't use it.

However, I think if you just do a quick Google search,
you'll find numerous examples of how courts themselves,
and even some law firms, have moved forward remote.

I'm going to point out
three particular instances: Florida,
Eleventh Circuit Court,

Criminal [inaudible 00:38:37] Texas and California.

I'm sorry, Jim. I think the audio broken again.

Yeah, it's bleeping a little bit.

Okay. Just to conclude,

there are numerous examples up there of at least how the courts have been moving forward, and that continues to grow.

Okay. Billy, I know you had some pretty strong opinions on this, so I'll let you answer this one based on earlier.

Sure. Yeah. I think both Tony and Steve are spot on.

I'll start with Tony's point first.

They can and they already are acting to conduct remotely.

But I think Steve is right.

The caveat to that is that it needs to be done well.

So if they're going to take a chance and use our company to conduct a remote deposition, it better be done to the perfect way.

That means from the technology running smoothly to the stenographer knowing how to enter the room and take the deposition, to our technician on, to everyone being up to speed on security and making sure the documents and the exhibits are all handled in a secure fashion.

So I think if done well, they are going to be asking for it all the time.

Now, do I think that's going to be for 100 percent of the depositions?

No. Certainly not.

Some attorneys may never go back to in-person.

I think that will be the minority,

but I think a lot of people,

what we're going to see is more of a hybrid approach.

We're going to see that

remote depositions are not for every witness.

Maybe if you have an extremely important witness

that you want to be in-person with,

then certainly, remote not be an option.

But for a lot of the times, it will be.

So I think we'll see a hybrid approach from most.

So it's just going to become part of,

as we said numerous times today,

the new normal in the litigation process.

Great. Next slide, please.

What is something that clients or

firms are not thinking about,

reporting firms that is,

but needs their attention?

Let's go to Billy on this one first.

I think it all goes back to the acceptance of technology.

I think a lot of

reporting firms are not thinking about that.

Again, if you are not implementing

tech into your business full steam ahead,
you are going to be left behind.

That's just the fact.

You can look at every other industry
outside of court reporting,
whether it's Uber and the taxi cab drivers,
hotel chains and Airbnb.

Those that didn't
embrace technology and didn't embrace
it quickly and at
the beginning are going to be left behind.

So that's first and foremost.

I can't really stress that enough.

So the more you're focusing
on tech and what's out there and
making your firm tech-enabled
and eventually technology-based,
you're not going to have
a chance to compete in the coming years.

Steve, what do people need to be thinking about?

Once again, I think that everybody needs to
consider the possibilities of
how long this is going to last
because I think the decisions that reporting firms and
courts need to be thinking about will change over time.

If you're a reporting firm,
maybe that your urgent need right

now is simply surviving this.

Are you seeking the financial aid

that you need through PPP programs or whatever it is?

As you come out of that,

I think Billy is right,

you're going to have to take

a technological approach to this.

But I also believe

that people need to start considering the

procedural or just the human aspect

of what is happening here.

The transition to remote opens a lot of questions about

how behavior should be modified.

If people, including reporters, judges, attorneys,

approach this new world with technology,

assuming that they can behave exactly the way they

behaved when they were in

the courtroom or live in the deposition room,

you're going to see some spectacular faux pas.

People need to understand the ramifications of recording

and remote recording where you are not in the room

seeing what's happening with

that individual or two people.

So I think that one of the things both courts and

reporting firms need to think about

is how attorneys, judges,

all of these participants, witnesses,

we need to understand how the changes in their behavior are going to affect what we're doing, and how we might be able to influence or educate them in a positive way as to how they should change or what they should be thinking about when they're participating in one of these events, versus what this attorney may have been doing for the last 30 years, doing depositions in a deposition room. It's different.

I'm going to come to Billy just for a quick follow-up question that somebody submitted.

But will there be some lost intimidation factor that some attorneys won't like by doing remote?

Yeah, it's a great question, and there definitely will be.

Although, the attorneys that I know have adopted and done a great job with bringing that factor right back into the virtual deposition room, as I call it.

I see some of these other questions coming up about coaching witnesses, so it dovetailed into my point.

They're having multiple cameras on the witness so they can see what's going on in the room, who's in the room, and they're

putting a lot of things on the record.

So Jim, if you were the witness for the day,
I was the noticing attorney, I would say to you,
"Jim, have you received any
text messages during the course
of this deposition?" Then you would answer.

"Jim, is there anything on the table in front
of you that are helping you
answer any of these questions?"

"Jim, is there anyone else in the room with you today?"

All these questions are now under
oath on the deposition record,
and so to your intimidation point,
it gets them on that footing that,
"Hey, I'm watching you."

It really puts them in a position of power,
which they like to be in when
they're the noticing attorney.

When they call the witness out and say,
"Hey, I'm going to put this on the record under oath,"
it helps with that intimidation factor quite a bit.

All right. Next slide, please.

So this is just an illustration from a Tipping Point,
the study that we did and
published in the fall about what's going to happen
to the number of stenographers over
the next eight years now.

But effectively, what's going to happen is the workforce, between now and 2028, is going to lose 10,000 or more stenographers.

This is happening in parallel to this crisis, of course.

You can go to the next slide,

it leads us into the next question that I'd like each of you to answer.

So do you expect the impact of COVID-19 to accelerate or otherwise have an impact on the integration of digital, voice, and ASR into the market?

I'll start with you, Tony, this time.

Thank you. Regarding acceleration, I think it's already accelerating it, and from a technology perspective, and we're a technology company, acceleration is key.

I was trying to refer to some previous examples in different states how the courts are adapting and what we're hearing from our clients and their customers.

So you're starting to see acceleration, you'll start seeing adoption, and I think you're going to definitely see an increase in the learning curve.

As for the technology, the integration is here today.

This is nothing new and it's getting even better.

Very simple, Zoom is a proven technology.

There's integrations with Zoom with other types of solutions out there.

ASR in the market,

why not use ASR with live?

It's already been done as an augmentation to it.

So the technology is there.

I think for the foreseeable future,

at least for 12-18 months,

as Billy said, we'll see

some type of hybrid remote model.

So the acceleration is there,

that's going to increase the learning curve,

that's going to increase the higher adoption.

I think you're going to have to have

many firms, agencies, courts,

and even everyday businesses are going to

have to start re-imagining what

their businesses look like in

this post pandemic world, the pre-virus world.

That could be 12-24 months off.

So I definitely see much more acceleration coming.

Billy, what's this going to do to the integration

and the impact that the shortage might have on us?

So the shortage of

stenographers is going to be there once

COVID is all done with, just

like it was here pre-COVID.

So that's not going anywhere for all the reasons we already know and we don't have to repeat them here today.

So that shortage is going to be there and it's going to be just as impactful as ever.

I think where COVID might help, at least for the short term in terms of this stenographic shortage, is the acceptance of remote deposition.

So where notary laws permit, we can have reporters from different states covering in other states.

So obviously, if we're out of stenographers in a certain state but we have some in a different state and it's a remote deposition, then we can cover it with a stenographer.

So I think in the short-term, that that helps alleviate some of the pressure that we've been facing.

But again, the overall long-term picture is just as your last slide showed.

Those numbers are going to continue to decrease at a rapid pace, and there's really no stopping it at this point.

Steve.

He's on mute.

The long-term trends are the long-term trends, and COVID might accelerate that

slightly by people being prompted to retire or something like that, but I don't think it's a relevant trend.

I think the more relevant part of this question has to do with the adoption of technology through the crisis.

I think that crises like these always provide an opportunity for technology to have accelerated adoption.

That is important.

Anytime we can digitally enable services, it tends to take fairly large steps forward, and this is an opportunity to do that.

There are some unique characteristics about this one that are interesting to look at right now.

Remote hearings tend to be far more conducive to ASR than open microphone recording.

So we actually end up with a result where you're getting much better ASR out of remote hearings than you would out of an open microphone recording in a deposition, and certainly, in a courtroom.

Once again, I would say, however, you have to let this play out.

There are some things we expect right now and there are going to be some surprises as this whole crisis unfolds.

I guess, if you're a Bob Dylan fan,

"Don't speak too soon,

the wheel's still in spin."

Let's have this conversation again in November

and see where this adoption

and where the players are on each of these points.

I almost want to end right there on the whole webinar

if we can finish up with Bob Dylan, but instead,

let's take some questions that have been submitted.

If we can move to the next slide,

and any of the panelists can see the questions.

So if there's any that you want to jump into, go ahead.

But I'll start and rather than

pick on you individually, whoever has answers,

let's try not to talk over each other,

but I'll ask the question and jump in if

you have an answer.

What procedures are you using

for video recording depositions?

Somebody else asked, I'll move them together,

do you see a world where video,

that capabilities of Zoom or

other platforms are going to negate

the need for a legal videographer?

Yeah, I can jump in on that one.

It's a great question.

It really is the client's preference.

So yes, you are correct that some platforms like Zoom can record the virtual deposition proceeding, but a lot of our clients are still booking videographers. So again, the videographer will also be remote. No one's in-person now with everything going on. So the videographer can pin the witness and film the witness right with their HD camera right off of their laptop or computer screen at home. So we're seeing that with a lot of clients, and some of our clients are saying that the recording of the Zoom meeting or the Zoom virtual deposition room is sufficient. So it's really what the client's preference is. I think that going forward, we will see videography pick back up because, again, at the time of trial, having that crisp, clean video record with a synchronized transcript and timestamps is important. But again, I think it will be hybrid. I don't think it's going to be one size fits all. It'll be different for every client. Anyone else want to address that one? Earlier, we talked about, and Billy, you talked about specifically that if people were behind on tech, they might be behind the times and be in trouble.

So my question is, if people
wanted to leap forward on technology at this point,
where should they focus their attention?
Not just for Billy, whoever might want to answer that.

So where could people focus
their attention on technology
if they were already behind?

I'm trying to eat up not talking too much,
but I'll jump in again.

So I think from that perspective,
I think you have to jump all the way in the pool.

Whether that's talking to companies that
can secure your client's information,

I think security is the number one big thing.

From a tech perspective,

I think every law firm,

not only today, but in the future,

is going to be asking

what your security setup is

and how is their data protected.

That means from when the stenographers have it on

their computers to how that's transferred

to Planet Depos and to other agencies,

and then how it's transferred to the client.

If you don't have a security protocol in

place for managing your client's data,

you're dead in the water in the next few years.

So if I were to say
one thing from a technology standpoint, start there,
engage some company or hire a SISO or someone that can
help manage your security
and the data that you're maintaining for your clients.

Tony, maybe you could answer some of
the security protocols if you wouldn't mind.

I know that you have a background in this area.

So if firms are particularly concerned about security,
and what Billy just talked about,
is there anything that you could
recommend that they explore?

Okay. Thank you. I'm sorry.

There was a bit of an audio interruption,
so I missed some of that conversation on my side.

Yeah, security is primary,
particularly for instance, with some of
the recent articles that
were posted about the Zoom situation
that happened a few weeks ago.

So there are particular settings,
for example, on Zoom that you always want to have.
They have waiting rooms now when using passwords.
It's basic work like that.

Securing data is vitally important.

There's different protocols to use for that.

For instance, our data is on Amazon.

It's secured at a very high level of that.

But there's also basic things in remote deposition, such as not exposing exhibits that you may not present early.

How do you ensure that certain people don't see that?

So there are technologies available for that.

So there's broad-based options for that, and we can post further information on it as part of the response to this.

We'll put an e-book together for this as well.

Steve, it looks like you had something to say.

It's simply to add on to what

both Tony and Billy have said,

that to jump into technology,

that process really involves selecting the companies

you believe can support

you the way you need to be supported.

So if you're a reporting firm, select a technology.

If this is specifically for remote hearings,

you need to make a decision about Zoom, or WebEx,

or GoToMeeting, whichever technology,

and then dive deeply into that technology.

They're all different.

They all have advantages and disadvantages.

But this idea that I'm simply going to become

digitally fluent in remote depositions

doesn't quite work that way.

You actually do need to select some vendors and work with those vendors.

I think all of the vendors, Verbit is a good example, all of the vendors are happy to engage with you to help you through this process. It's not something you go through alone easily. So find the right people, find the right vendors, and work with them.

Okay. Explain how you're handling exhibits using Zoom or equivalent platforms. So exhibits are handled quite easily right through Zoom. It's definitely the best platform to do that and we do it in a few ways. You can do it through a simple screen share, just as Jim and Tony are doing today by sharing the presentation, if you're looking at the PowerPoint. So you can pull up exhibits that way, so that everyone attending the remote deposition can see them. We can also share them through the chat or through a share file, like a Dropbox, to get them the actual electronic form of it as well. So it's definitely the biggest question we get from our clients

is how we handle exhibits.

But once they see the demo,

it's so easy to use,

and I would posit that it's easier to pull

up exhibits in a remote deposition

setting than it is in person because you don't have

all those bankers boxes and

trying to flip through to find things,

worry about marking them in the deposition in-person room.

You can just find it right off of your PC,

pull it up just with a click of a button,

and you're looking at the exhibit.

Jim, I think this is a great example of,

if you think you're going to do it

the way you did before,

you're going to have problems.

But if you learn and understand

the process that's available to

you in the digital environment,

it actually can be a far more efficient process.

It does require some preparation.

It requires some understanding of how to

use the tools and some support,

but it can and is more efficient when done properly.

Okay.

Somebody asked, where does Federal and California stand

on the admissibility of

remote depositions and other proceedings?

So if anybody has any particular insight on that one.

I don't have the laws.

Obviously, every state is different.

Feel free to reach out to me in terms
of a state-by-state basis.

I just don't have all the states
memorized at this moment.

I know Lexipol has that document. It was in
a newsletter and I referenced earlier with the map,
even though the map was my own.

Steve, any insight on this one?

Not really. Once again,

I think any restrictions that were in place have,
at least on an emergency basis,
been maybe not removed completely,
but at least temporarily removed.

So right now, to my knowledge,

I'm sure there are some states that
continue to have restrictions in place.

But to my knowledge, most of
the court systems around the country,
the Supreme Courts have
basically unrestricted the use of remote recordings,
at least during this time, including California.

All right. Let me just do
one more question from the audience and

then maybe if anybody has some parting words.

But if the flood gates were suddenly to open and

every client wants proceedings

tomorrow, how will you triage?

How will you handle that?

I'll start with you on that one, Steve.

I think as a company owner,

I'm sure Billy would say the same thing,

that's the kind of problem you'd love to have.

You don't sleep for days and you address

the supply problems that you have and get with it.

I would caution that, again,

if there is this rush that comes from

either a backlog that may or may not really be there,

because that backlog may, in fact,

just return to a normal flow or

because of a change in attitude regarding technology,

going through technology adoption

for several decades now,

rushes are not unexpected.

In other words, clients move as a herd, typically.

You work, and you work,

and you work, and then they move as a herd.

Zoom would be a great example of that right now,

where they fought for 10-12 years

to get where they got,

and then the COVID crisis

hits and overnight, they're a success,
and all of a sudden, potential
problems are exposed in their security designs,
and so on and so forth.

It is possible that there is
a herd movement coming out of COVID.

I'm not necessarily seeing that right now.

Again, let's have the conversation in November.

I think we've made progress.

I think that technology has leap-frogged certain steps in
the adoption life cycle because of COVID.

But we haven't gotten into
some mainstream market that's going to create
a flood that overwhelms anybody.

That's where I am right now.

Tony or Billy, the floodgates are open,
triaging, how would you handle the onslaught?

I'm going to take
a slightly different perspective than Steve.

I wouldn't say it's a flood.

But at some point, you're going to have
pent up demand that's going to have to come back,
and it's going to come back quickly.

We've seen that in directions.

The administrative at the [inaudible 01:04:22] courts has given
a recent memo to start
preparing for an upsurge in filings.

Now, that's filings, how many cases go through,
how many cases will just be
settled because they've been ongoing.

But I do hear more from customers that there's
going to be pent up demand at some point.

I think it's going to be the longer this is,
people are just going to say start moving forward.

So obviously,

from my perspective and from a business perspective,

the more you can re-imagine, be flexible

and adapt to technology quicker,

the better off you're going to be,

and that's just the general way

our economy is moving for the past 10-20 years.

Certainly, there will be caution

because of the necessities in the legal industry.

So utilization of ASR technologies,

looking at better ways to record

audios so you get that better output.

Testing Zoom on a few lower complex cases

will lead you to better handling

remote depositions forward.

Then fundamentally, again, I'm going

to get back to what I said earlier,

we have at least 14 months plus to

a vaccination and to certain regions of the state,

particularly on the New York Metro area,

which are ever going to get back

to some sense of normalcy.

Cases are just going to have to move forward.

So I think those that can adopt quicker and

are willing to re-imagine

their businesses are going to do better than others.

That's just coming from

a technology company perspective

because that's the world we compete in all day.

Yeah. I think I fall right in-between Tony and Steve,

and I know we're coming up on our time

here, so I'll be brief.

But I think that there certainly is a backlog.

I don't think the backlog will be

as big as everyone is expecting,

like there's going to be this huge flood.

But there certainly is a backlog.

I think we've seen, definitely,

upticks in mediations and

cases settling over the last months,

so that will calm some of

the floodgates from being too intense.

But again, I think technology has enabled

us to cover depositions anywhere.

So again, pertaining to specific notary laws,

we can have reporters in

different states covering proceedings.

So at my firm at Planet Depos,

we don't turn down work.

As Steve said, this is a good problem to have.

The job will get covered in one shape or fashion.

If I can make

one last comment specific to what Billy's saying.

I think that a number of

the rule and law changes that we're looking at right now,

like the notary laws,

will actually enable companies to

respond to more rapid growth much more easily.

Billy's ability to respond nationally

is enabled by some

of these pretty significant rule changes,

and I think that's important.

Great. Leave it on this slide for a sec.

I just will finish up by,

once again, thanking each of you for participating.

I hope the people who are listening either to this live

or later on the recorded version that we will distribute,

that you got value out of this.

We hope that this was a timely discussion on obviously

an issue that is front and center for everyone.

But if you have other ideas for content,

you see the e-mail address

on the screen, info@speechtotextinstitute.org,

love to hear from you, love to

get reaction to this webinar,
how we can make it better,
what we could be doing better.

Of course, as I said,
different types of content,
including if somebody has something
that they'd like to present,
this is a format we would like to
use more regularly to get
information out into the market.

So again, thank you to Verbit for hosting today.

I hope everybody stays safe.

If you move to the next slide,

I think it was already said, but

[inaudible 01:08:18] some context [inaudible 01:08:23].

The final words of optimism is that summer is coming,
at least in the Northern Hemisphere.

Thank you, again, to everyone.

With that, we can move to
the final slide and we will set you adrift for today,
and again, thank you, everybody for [inaudible 01:08:45] .

Thank you, Jim. Thank you, everybody.

Goodbye.

Thank you, everybody, on behalf of Verbit.

I assume it's just us now.