By Paul J. Raine

Cruising the Internet with Skipper Ted Kurt

Although I have not received many technical questions yet via e-mail, I've had a few conversations recently about using scanners in a law office environment. This month's article about scanners and Optical Character Recognition is a reprint of an article that appeared last year in a Toledo Bar Association Newsletter. My thanks to the Toledo Bar Association and Skipper Ted Kurt for making my job easy this month!

Please send your questions to: mbj@mail.michbar.org

Last month we looked at voice recognition software as a means of inputting data into your computer. This month we'll look at another, very effective alternative to the old-fashioned keyboard: the scanner. I have found scanning technology to be a very effective tool for the law office for a number of reasons: It is relatively inexpensive, it produces good output, it is generally much faster than typing, and it is versatile.

Cost. You can purchase a good quality, color flatbed scanner for around $100. Most scanners come with OCR software, which is something you must install in order for the computer and the scanner to communicate. OCR, or Optical Character Recognition, is the software that recognizes an image on a printed page and translates it into a series of characters that we can use in our word processing applications; i.e., letters of the alphabet, number symbols, and punctuation marks used in the English language. The OCR software that comes with many scanners is OK but consider upgrading. I spent an additional $580 and purchased TextBridge Pro 11 OCR software. Price-wise, it is considered low-end; however, it delivers excellent output.

Output and Speed. To give you an idea of the output delivered by my home scanner, using TextBridge Pro 11 software, I scanned page 827 from West's Federal Reporter, Volume 223. The page is from an opinion issued by the U.S. District Court, Northern District of New York, in *Emens v Lehigh Valley R Co.* (The opinion, which was issued on January 25, 1915, is a favorite of mine. Jack Callahan loves to tell war stories about "the Emens case," as he was a clerk in the law firm that defended the railroad company.)

Although I scanned from a yellowed, very thin page (with text from the other side of the page showing through), the result was nearly perfect. As you read a paragraph from the scanned page, note that there are only two errors. The scanner read "res gestae" as "res gestx," and "but" as "btlt."

In the case at bar this exclamation of Mrs. Granger promoted the important act on the part of Mr. Granger of paying attention to whether or not the bell was being rung or the whistle sounded. The res gestx was not the mere collision of engine and automobile, btlt the causes of that collision operating at the time, and it included all that was said and done by the participants and onlookers which was relevant to the issues and spontaneous. Some of the acts and exclamations were relevant for one purpose and some for another; but as said in Chamberlayne: . . .

Generally, there is no need to scan opinions, since most are available online. I did, however, have occasion recently to scan a 40-page document (an operating agreement) that had been drafted many years ago. It appeared to have originally been prepared using a word processor, however no one in the firm could locate a copy of it on disk. We fired up the scanner; it took a secretary about twenty minutes to scan the document, plus an additional half hour to spell-check it and proofread the output. A lawyer then spent about 30 minutes proofreading it for legal content. We estimated that a secretary typing at about 90 words per minute would have spent over three hours re-typing it. The lawyer's review would have been about the same, whether reading scanned output or a secretary's typed product. (Although the lawyer could have saved a lot of time by using the text-to-voice application that was discussed last month. She could have copied and pasted the scanned output into the text-to-voice software, and played it back over the speakers as she read the original document.)

Versatility. With a scanner you can input materials other than text. For example, when preparing a motion for summary judgment recently, reference was made to "Exhibit A," an insurance policy declaration page. Instead of merely copying the declaration page, marking "Exhibit A" on the top, and remembering to attach it to the original plus four or five copies, I scanned it. I then inserted the scan file directly into the motion (after the last page), added the certification page, and saved the whole product as a regular Word file. Advantages: the entire motion, with integrated exhibit(s), is in one file that can be e-mailed to the carrier or retrieved later on. Disadvantages: Putting the image file in the text-based motion causes the file size to be slightly larger than usual, but with today's low-cost/high volume disk storage capacities, the advantages far outweigh the disadvantages.

Bottom line recommendation: Give scanning a try. The investment is low, and the rewards are great.

—Skipper Ted

Please e-mail any questions for consideration to mbj@mail.michbar.org. ♦

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