

# The Federal Lawyer in Cyberia

MIKE TONSING

## Disability Law and Technology

In 1980–81, I was fortunate enough to be selected to serve as a Supreme Court Fellow at the U.S. Supreme Court in Washington, D.C. It was a year of tremendous growth and opportunity. (If the notion of serving as a Supreme Court Fellow strikes a responsive chord in you, you might want to visit [www.supremecourt.gov/fellows/fellowships.aspx](http://www.supremecourt.gov/fellows/fellowships.aspx).) As a Supreme Court Fellow, I had the opportunity to mingle with those who were contemporaneously serving as White House Follows. In a way, both programs have names that are a bit misleading. Most White House Follows did not serve at the White House. Most Supreme Court Fellows serve primarily at the Federal Judicial Center, the Administrative Office of the U.S.



Courts, or at the U.S. Sentencing Commission. Most White House Follows serve at Cabinet-level agencies. I do not mean to denigrate either program by making that observation. Those who serve almost invariably have extraordinary experiences and all Fellows spend valuable and memorable time at the Court or the White House. Many Fellows find their career paths altered and most find their lives changed forever. The fellowship year can be life changing, in part, because of the truly amazing people one comes into contact with as “fellow Fellows.”

One of the extraordinarily gifted individuals I met during my year in Washington was a White House Fellow who had been assigned to work for Hon. Patricia Roberts Harris, who was then the Secretary of Health, Education, and Welfare in the waning days of the Carter presidency. Harold Krents had graduated from Harvard College, cum laude, in 1967, and then from Harvard Law School in 1970. He later spent time at Oxford University in England and received a law degree from University College there. He subsequently passed the New York bar exam and went on to work for a Washington-based law firm involved in defending the rights of the disabled.

One could easily say that Krentz was disabled, provided they had never met him and knew nothing about him. Harold was 9 years old when doctors told him he that he soon would be totally blind. “I bawled my head off,” he recalled in a 1970 interview in *Life* magazine. “But I remember lying in bed that night and growing up. I knew I had to grow up or fold up—to be dependent or independent.” Indeed. Little Harold grew up.

I had the amazing experience of visiting him and his wife and children at their home in the District and

enjoying, in a magical evening with the other Supreme Court and White House Fellows, a viewing of a major motion picture based on a Broadway play that had premiered in 1968—“Butterflies Are Free”—a play that was inspired by his life experiences. (If you are old enough to remember it, you may also recall that Laugh-In TV comedian Goldie Hawn won great critical acclaim for her dramatic role as the girlfriend and wife of the blind protagonist in the screen adaptation of that play.)

In 1972, Krents’s autobiography, *To Race the Wind*, was published. It told the story of his understanding parents, their fostering of his fierce independence and highlighted the remarkable number of activities in which he was able to take part despite his blindness. That book was later made into a movie for television. Krents had been an ardent and effective supporter of the 1973 Rehabilitation Act passed by Congress, an act designed to protect the legal rights and employment of the handicapped, well before I came to know him in 1980.

When I met this remarkable guy, I could not help but imagine the incredible obstacles he had to overcome in order to succeed as a law student and to later prosper in his chosen profession as a lawyer. He told me that it was virtually impossible to find any textbooks that were produced in Braille. Consequently, his standard method of preparing for law school classes and examinations was to use volunteer readers who would provide him with audible renditions of case law from the assigned texts. America was deprived of this amazing man far too early. Harold Krentz died at the age of 42 in 1987, just 6 years after his White House Fellowship year ended.

I found myself thinking of Harold and his amazing odyssey when I began preparing for this month’s column, for I had decided that I would write on recent advances in speech recognition technology and how they could benefit disabled lawyers.

Today, any text that can be scanned can be converted into machine-readable words using off-the-shelf optical character recognition technology. Then, using programs like Dragon NaturallySpeaking, such text can be converted into audible speech. As many regular readers of this column know, I often use speech recognition technology to draft my columns. This month’s column is being drafted using Dragon NaturallySpeaking for Lawyers, Version 11.5.

I am sighted. I also have 2 arms and 10 fingers. However, I am a very slow typist. Dragon NaturallySpeaking has enabled me to produce these monthly

columns in less than half the time they used to take. I have been a speech recognition technology user, off and on, since the days of discrete speech and a product produced originally by IBM known as ViaVoice. Version 11.5 is a vast improvement over anything that I have used before. However, I am patiently awaiting the arrival of my copy of Dragon NaturallySpeaking for Lawyers, Version 12. I expect it to arrive before this column reaches you. I will be reviewing it in a coming issue.

I have been fairly well pleased with Version 11.5, but the product still could stand some improvement. For example, my copy seems to have a proclivity for causing crashes when I'm using Microsoft Word. I am told by Nuance representatives—Nuance being the company that produces Dragon products—that this issue will be resolved in Version 12. I hope so.

Meanwhile, as I began to prepare this column I became aware of an amazing company called KnowBrainer ([www.knowbrainer.com](http://www.knowbrainer.com)). KnowBrainer takes the Dragon family of voice recognition products and makes them significantly better. I recently purchased a microphone from KnowBrainer that has already noticeably improved my computer's ability to accurately "hear" what I'm saying. The specially commissioned microphone was designed and built by a team of engineers with the goal of enhancing speech recognition technology specifically in mind. KnowBrainer develops and sells hardware and software that has been tested for their compatibility with Dragon's products. KnowBrainer has as one of its main missions the support of the special needs of disabled people who find speech recognition technology to be a valuable tool but who are otherwise frustrated by its limitations. (For a very inspiring article on the use of speech recognition technology by a quadriplegic banker here in Northern California, visit [www.disaboom.com/computer-technology/dragon-naturally-speaking-software-helps-those-with-disabilities-save-time-typing](http://www.disaboom.com/computer-technology/dragon-naturally-speaking-software-helps-those-with-disabilities-save-time-typing).)

KnowBrainer provides special pricing for the disabled, and the company's proprietor, Lunis Orcutt,

told me in a recent phone conversation that his KnowBrainer software, specifically developed to enhance the capabilities of Dragon products, has been increasingly well received as the market for speech recognition technology has grown. According to a blurb on the home page of KnowBrainer's website, the company has a remarkable 18 years of experience in "providing exceptional service across multiple user markets (medical speech recognition, legal speech recognition, home speech recognition, and physically disabled speech recognition/PC automation), [as a] comprehensive speech recognition solution provider."

Orcutt has been in the forefront of the adaptation of speech recognition technology for the disabled for nearly as many years. I personally doubt that any lawyer who has an interest in adopting any Dragon software could resist the temptation to juice up their purchase with one or more KnowBrainer enhancements. (Note that the KnowBrainer website is a one-stop shopping location where busy lawyers can make their Dragon purchases and also buy appropriate, compatible enhancements that fit their needs and budget. If you are a lawyer with a disability, or you know someone who is, all more reason to visit the KnowBrainer website.)

Having already dialogued with Lunis Orcutt, I cannot wait to talk with him after I have installed Dragon's new Version 12. As a beta tester, he has already mastered it.

I wonder what heights Harold Krentz might have achieved had he had the opportunity to adopt voice recognition technology while in law school and while in practice. I suppose one could say that's a "no brainier." See you again next month in Cyberia. **TFL**

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