This is an intensive course in taking dictation and transcribing materials related to the legal profession with a high degree of speed and accuracy. The course includes spelling, pronouncing, and defining the most-used legal terms, and a discussion of the ethics of the legal secretary and procedures unique to an attorney's office. Included are the performance objectives, course content, suggested learning activities and procedures, resource materials for students and teachers, and an appendix of suggested test items. (Author/BP)
LEGAL DICTATION AND TRANSCRIPTION

Business Education--7707.42 (New: 7753.42)
LEGAL DICTATION AND TRANSCRIPTION

7707.42 (New: 7753.42)

Business Education

Written by Judy Dominick
And Approved by the Business Education Steering Committee
For Quinmester Courses

for the

DIVISION OF INSTRUCTION
Dade County Public Schools
Miami, FL 33132
1973
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Miami, Florida 33132

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I. COURSE TITLE--LEGAL DICTATION AND TRANSCRIPTION

II. COURSE NUMBER--7707.4' (New: 7753.42)

III. COURSE DESCRIPTION

A. Synopsis
Intensive practice in taking dictation and transcribing materials related to the legal profession with a high degree of speed and accuracy. The course includes spelling, pronouncing, and defining the most-used legal terms, and a discussion of the ethics of the legal secretary and procedures unique to an attorney's office.

B. Textbook
One or more of the state adopted textbooks and/or one or more of the department's choosing.

C. Occupational Relationships
Legal stenographers
Legal secretaries
Law clerk

IV. COURSE ENROLLMENT GUIDELINES

A. Prior Experiences Needed
The student should have attained the objectives of Advanced Dictation and Transcription prior to enrollment in this course.

B. Related learning
A legal secretary needs more skills than are developed in Legal Dictation and Transcription. Other quinmester courses that are recommended include:
- The Law and the Establishment 7715.01 (New: 7602.01)
- The "Ins and Outs" of Everyday Contracts 7715.11 (New: 7602.11)
- Legal Responsibility 7715.22 (New: 7602.22)
- The Office in Action 7716.11 (New: 7644.11)
- Legal Typewriting 7705.35 (New: 7766.35)

C. Pretest
This test should be used to determine whether the student has attained the objectives of this course and/or the objectives of the preceding course. It should also help the teacher determine individual placement within the class.

V. COURSE OF STUDY PERFORMANCE OBJECTIVES

Upon successful completion of this course, students will be able to--

1. take dictation on new legal material at a minimum rate of 90 wpm for 5 minutes and transcribe their notes on the typewriter with 95 percent accuracy;
V. COURSE OF STUDY PERFORMANCE OBJECTIVES, Continued

2. take dictation on practiced legal material at a minimum rate of 100 wam for 5 minutes and transcribe their notes on the typewriter with 95 percent accuracy;

3. write a definition for each of 25 given legal terms using the dictionary and appropriate reference materials;

4. take office-style legal dictation and transcribe their notes on the typewriter with 95 percent accuracy;

5. produce mailable letters using correct spelling, punctuation, grammar, capitalization, sentence structure, letter placement, and paragraphing;

6. spell, pronounce, and define the most commonly used legal terms with 90 percent accuracy;

7. write from dictation and transcribe at least 50 commonly used legal terms with 90 percent accuracy;

8. prepare at least three legal forms from dictated information with 100 percent accuracy;

9. list and briefly explain at least 8 secretarial procedures that are unique to an attorney's office; and

10. demonstrate personal qualities, traits, and attitudes of a legal secretary through good habits and self-evaluations.

VI. COURSE CONTENT

A. Equipment and Supplies

1. Basic needs
   a. Typing desk for each student
   b. Typewriters
   c. Chair suitable for typing posture
   d. Bond paper, steno pads
   e. Legal forms and legal backing sheets
   f. Carbon paper and index cards
   g. Correction tape, correction fluid, pencil and ink eraser
   h. Stopwatch
   i. Interval timer (with bell)
   j. Pens
   k. Union skin or second sheet paper
   l. English dictionaries or word books, standard law dictionaries
   m. Audiotraining tapes
   n. Tape recorder
   o. Letterheads
   p. Envelopes--2 or more sizes

2. Supplementary needs
   a. Reference handbooks for legal secretaries
   b. Pens for acetates
VI. COURSE CONTENT, Continued

c. Overhead projector and screen
d. Dictation records for extra practice
e. Transparencies and filmstrips
f. Notebook in which notes and legal form samples are kept
g. Professional business magazines
h. Legal procedures pamphlets
i. Local legal newspaper
j. Video playback units and monitors on tables (or monitors with remote centers)
k. Filmstrip projector
l. Record player
m. Opaque projector

B. Typing and Transcription Fundamental Skills (brief review)

1. Typing on legal cap
   a. Setting margins
   b. Numbering pages
   c. Typing the caption box
d. Preparing signature lines
e. Drawing the /Z/ ruling
f. Typing the endorsement
g. Filling in blanks on legal forms
   (1) Use of the ratchet release
   (2) Use of the variable line-spacer
h. Typing straight legal copy
i. Handling the backing sheet
j. Underscoriing
k. Indenting for paragraphs

2. Transcription (brief review)
   a. Continuation sheets
   b. Postscripts and notations
c. Interoffice memoranda
d. Enclosures
e. Letter placement by judgment
f. Transcription of dates, figures (including sums of money, addresses)
g. Multiple carbon copies
h. Word substitution
i. Grammar review
j. Proofreading activities
k. Underscore
l. Erasures
m. Proper handling of stenographer's supplies
n. Proper arrangement of work area

C. Shorthand Fundamental Skills

1. Writing and transcribing
2. Building sustained writing and transcription power
3. Increasing reading rates
VI. COURSE CONTENT, Continued

D. Speed Building
   1. Sources of legal dictation
      a. Teacher
      b. Tapes
      c. Guest dictators
      d. Other
   2. Materials for dictation
      a. Practiced
      b. New
         (1) Printed
         (2) Extemporaneous

E. Legal Vocabulary Development
   1. List of legal terms
   2. Reference books
      a. Unabridged dictionaries
      b. Standard law dictionary
   3. Legal terminology activities
      a. Spelling matches
      b. Question-answer exchanges
      c. Error detection drills
      d. Terminology use drills
      e. Pronunciation activities

F. Preparation of Legal Instruments and Documents
   1. Basic information about legal instruments with samples
   2. Specific instruments
      a. Wills
      b. Affidavits
      c. Powers of attorney

G. Courts and Litigation
   1. Courts and their functions
   2. Basic information about litigation papers
   3. Specific court papers and their preparation
      a. Summons and complaint
      b. The answer
      c. Notice of appearance
      d. Stipulations
      e. Demurrers
      f. Demand for bill of particulars, interrogatories
      g. Motion to make pleading more definite
      h. Notices
      i. Motion and notice of motion
      j. Affidavit for use in court
      k. Findings of fact and conclusions of law
      l. Instruments to the jury
      m. Judgments and decrees
   4. How to keep a progress record of court matters
   5. Appealing a case
      a. Records
      b. Briefs
      c. Citations
VI. COURSE CONTENT, Continued

H. Assisting in Specialized Practice (brief coverage)
   1. Corporation organization
   2. Duties of a corporate secretary
   3. Real estate practice
      a. Deeds
      b. Mortgages
      c. Leases
      d. Contracts
   4. Foreclosure actions
   5. Probate and estate administration
   6. Handling commercial collections

I. Personal Traits and Ethics
   1. Loyalty
   2. Honesty
   3. Courtesy
   4. Co-operation
   5. Punctuality
   6. Concentration
   7. Neatness
   8. Initiative
   9. Responsibility
   10. Privileged information

VII. SUGGESTED PROCEDURES, STRATEGIES, AND LEARNING ACTIVITIES

A. Course Strategy and Method
   There is no established "best" method or procedure of teaching legal dictation and transcription. The method to be used will depend on such things as the objectives of the course, the number of students to be taught, the content of the subject matter, availability of resources, etc. The methods that seem best suited for this course are practice dictation and transcription, audio-visual presentations, lecture-discussion techniques, explanations and demonstrations, objective and subjective testing, vocabulary testing, dictation-transcription testing, guest speakers, legal workshops, trips to the courthouse, law library, and law offices.

B. Dictation
   Students should be exposed to several methods of dictation styles including the stair-step, spurt, one-minute progressive plan for five minutes of dictation, 3 x 5 plan, reverse plan, inverted pyramid, retention exercises, office-style, and sustained dictation. Explanation of these methods can be found in Advanced Dictation and Transcription.

   Dictation should be given on a regular basis so students will maintain the skills previously acquired.
VII. SUGGESTED PROCEDURES, STRATEGIES, AND LEARNING ACTIVITIES, Continued

C. Business Letters

Business letters dealing with legal matters should be dictated to and transcribed by students on a regular basis to reinforce knowledge of letter styles, special notations, and letter placement. Frequent transcription will also improve production rates. These letters should be transcribed by students in mailable form. The ZIP abbreviations and codes for envelopes should also be reviewed by the students.

D. Legal Forms

Printed forms should be provided for students. Information to be included on the forms should be dictated by the teacher and transcribed correctly on the forms. Students should be able to type the information accurately, using the correct format which pertains to the particular legal form being used. Review of legal typing should be provided so students can reinforce proper techniques before typing actual forms. Once the techniques are reinforced, increased production rates should be emphasized. Students can make a bulletin board display showing the various legal forms. They also can maintain a notebook in which notes and legal forms are kept.

E. Legal Vocabulary

Students should be given drills to develop broad legal vocabularies. Lists of legal terms can be given for practice in using unabridged dictionaries and standard law dictionaries for improving legal vocabularies. Several game-type techniques can be used to encourage students to become familiar with legal terminology. Students can participate in spelling matches, question-answer exchanges, and group completion of new vocabulary lists. Group competition in detecting errors in spelling word lists, competitive activity among students to discover the greatest number of misused law terms in a paragraph, and competition in writing paragraphs to determine who can use the most law terms with correct meanings are activities to stimulate class interest and participation.

Each student should compile a personal dictionary of law terms, definitions, and shorthand outlines.

F. English Mechanics Drills

English grammar and usage drills, punctuation and capitalization drills, and word division drills should be given periodically. Special drills include those in proofreading, vocabulary, similar-word, spelling, and context drills.

G. Employment Preparation

Local attorneys or legal secretaries can be invited (1) to interview members of the class; (2) to discuss unique procedures in a legal office; (3) to tell of training requirements of legal secretaries; and (4) to discuss employment opportunities and pay scales.
VII. SUGGESTED PROCEDURES, STRATEGIES, AND LEARNING ACTIVITIES, Continued

H. Personal Development
Films could be shown and material dictated on desirable personal traits necessary for success in becoming a legal secretary. Emphasis should be placed on the importance of respecting the confidential nature of their work.

VIII. EVALUATIVE INSTRUMENTS

A. Tests
Suggested items for tests may be found in the sample evaluative instruments in the Appendix. The pretest and posttest should include all of the following types of test items. The interim tests may be limited to one or more of the types depending upon the purpose for testing the students.

<table>
<thead>
<tr>
<th>TYPE</th>
<th>PURPOSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fundamental Skills Test</td>
<td>To determine if students have developed the basic skills necessary for success in legal dictation and transcription.</td>
</tr>
<tr>
<td>Speed Tests with Legal Dictation</td>
<td>To determine if students are able to take legal dictation at suggested speeds and transcribe their notes with 95 percent accuracy.</td>
</tr>
<tr>
<td>Office Style Dictation Test</td>
<td>To determine if students are able to take office style legal dictation and transcribe their notes on the typewriter with 95 percent accuracy.</td>
</tr>
<tr>
<td>Legal Vocabulary Tests</td>
<td>To determine if students can write common legal terms from dictation and transcribe their notes with 90 percent accuracy. The students will be expected to define the terms transcribed.</td>
</tr>
<tr>
<td>Mailable Letter Tests</td>
<td>To determine if students can transcribe their dictated notes in mailable form within a given amount of time.</td>
</tr>
<tr>
<td>Forms Test</td>
<td>To determine if the students can type legal forms from dictated information in correct style with no errors.</td>
</tr>
<tr>
<td>Student and Teacher Transcription Error Analysis Sheet</td>
<td>May be used by the teacher and student to determine strengths and weaknesses in transcription habits.</td>
</tr>
</tbody>
</table>
VIII. EVALUATIVE INSTRUMENTS, Continued

B. Grading
There is no "one" method of grading that is best; however, there should be consistency in grading throughout the course.

The work produced in the legal area is either mailable or not mailable. Production work should be evaluated on the basis of its relationship to the standards included in the objectives.

IX. RESOURCES FOR STUDENTS

A. Books


B. Supplementary Books


IX. RESOURCES FOR STUDENTS, Continued


C. Workbooks:


D. Magazines and/or Periodicals:

*Miami Review and Daily Record*. A daily legal newspaper.
IX. RESOURCES FOR STUDENTS, Continued


E. Audio-Visual Aids

1. Records:


   Dictation Record Set. 40-120 wpm. Skokie: Stenographic Machines, Inc.


2. Tapes:

   Western Tape and Stenographic Division of Stenographic Machines, Inc. have new matter dictation and transcription tapes on legal material. Classroom teachers should prepare others to assist individual students.

3. Transparencies:


4. Filmstrips:


X. RESOURCES FOR TEACHERS

A. Books (In addition to those listed in Advanced Dictation and Transcription)


B. Handbooks

X. RESOURCES FOR TEACHERS, Continued


C. Magazines and/or Periodicals


SUGGESTED TEST ITEMS

A. Speed Test

**Dictation**

Two 5-minute speed tests will be dictated at either 120 wpm and 100 wpm or 110 wpm and 90 wpm. Each 5-minute test consists of new legal material. When the dictation is over, choose one of the takes and transcribe it on the typewriter. You will be allowed 5 minutes to look over your notes before you begin transcribing. To make the best use of this time, insert the correct punctuation and use the dictionary or word book for spelling.

**Transcription**

Set your margins for a 70-space line; use double spacing and five-space indentation. You will be allowed 30 minutes to transcribe the 5-minute take. Be sure to proofread carefully before turning in your paper. When time is called, ALL shorthand notes must be stapled to the back of the transcript and turned in to the teacher.

B. Legal Word Definitions

In the space provided, write the following terms in shorthand and then give a brief definition of the term.

<table>
<thead>
<tr>
<th>TERMS</th>
<th>SHORTHAND OUTLINE</th>
<th>DEFINITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. accruals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. delinquent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. duress</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. merger</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. obscene</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. pleadings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. process</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. quash</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. res</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. sans</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

C. Mailable Letter Tests

Seven letters will be dictated at varying speeds. All letters contain 100 words in the body of the letter. Inside addresses will be given prior to timed dictation. You are to take all seven letters. After
SUGGESTED TEST ITEMS, Continued

completion of the dictation, you will be allowed 5 minutes to look over your shorthand notes before transcription begins. To make the best use of this time, insert punctuation and check the dictionary or word book for spelling. You will be given 30 minutes to transcribe as many letters as you can on letterhead paper. All letters will be typed in modified block style with no paragraph indentations. Use mixed punctuation. Be sure to proofread each letter carefully before removing it from the typewriter. When time is called, all your shorthand notes are to be stapled to the back of your transcribed letters and turned in to the teacher.

Letter 1 90 wam
Letter 2 100 wam
Letter 3 110 wam
Letter 4 120 wam
Letter 5 110 wam
Letter 6 100 wam
Letter 7 90 wam

Sample grading scale:

5 mailable  A  Mailable means that the letter could be signed by the employer without having to be returned to the secretary for any corrections.
4 mailable  B
3 mailable  C
2 mailable  D
1 mailable  F

D. Vocabulary Test

1. Circle the letters which should be capitalized in the following terms.

a. the estate of claire r. chapman
b. harry jones, a minor
c. a petition in bankruptcy
d. mr. stacy milton and wife
e. the court calendar clerk

2. One of the following legal terms may be misspelled. If misspelled, write the correct spelling of the word in the space provided. If the three terms are spelled correctly, place a check mark in the space provided.

a. plaintiff  interogatories  extension
b. counsel  sufficient  underwriters

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SUGGESTED TEST ITEMS, Continued

d. venture

e. inclusion

calender
requisite
settlement
defendants

3. Choose and underline the correct word:

a. Our (advice, advise) is to agree to the terms for the settlement.

b. (Precede, Proceed) with the defense.

c. He will (advice, advise) you to co-operate in a just and reasonable settlement.

d. You may apply for the legal secretarial opening with our (Personal, Personnel) Director.

e. You expressed a willingness to (except, accept) a dismissal in this action.

E. Forms Test

Transcribe a dictated Last Will and Testament. Double space this document, using legal size paper supplied by the teacher. Indent the paragraphs 10 spaces. The words "Last Will and Testament" are centered on line 15. Type an original and one carbon copy. Use April 20 for the date and spell out this year. Triple space before and after the signature line.

G. Student and Teacher Transcription Error Analysis Sheet
(see the form on the next page)
# Transcription Error Analysis Sheet

Name: ____________________  Class: ____________________  Period: __________

<table>
<thead>
<tr>
<th>DATE</th>
<th>WW</th>
<th>OM</th>
<th>SP</th>
<th>ENG</th>
<th>CAP</th>
<th>PUNCT</th>
<th>ST</th>
<th>TYP</th>
<th>TOTAL ERRORS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

- **WW** - wrong word
- **OM** - omitted word(s)
- **SP** - spelling
- **ENG** - English error (an for a)
- **CAP**
- **PUNCT**
- **ST** - structure
- **TYP** - typographical error

TOTAL ERRORS: ____________________
SUGGESTED TEST ITEMS, Continued

A. Speed Test (Key provided by the teacher)

B. Legal Word Definitions

<table>
<thead>
<tr>
<th>TERMS</th>
<th>SHORTHAND OUTLINE</th>
<th>DEFINITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. accruals</td>
<td>7</td>
<td>to accumulate</td>
</tr>
<tr>
<td>2. delinquent</td>
<td>7</td>
<td>in a state of failing to do what is required by law</td>
</tr>
<tr>
<td>3. duress</td>
<td>7</td>
<td>constraint; compulsion</td>
</tr>
<tr>
<td>4. merger</td>
<td>7</td>
<td>an absorption of one estate or interest in another or of a minor in a greater offense</td>
</tr>
<tr>
<td>5. obscene</td>
<td>7</td>
<td>offensive; violating some ideal principle</td>
</tr>
<tr>
<td>6. pleadings</td>
<td>7</td>
<td>the formal assertions setting forth the claims and defenses of the parties to a lawsuit</td>
</tr>
<tr>
<td>7. process</td>
<td>7</td>
<td>a series of actions, motions, or occurrences</td>
</tr>
<tr>
<td>8. quash</td>
<td>7</td>
<td>to overthrow; annul; make void</td>
</tr>
<tr>
<td>9. res</td>
<td>7</td>
<td>the thing; the matter of the suit</td>
</tr>
<tr>
<td>10. sans</td>
<td>7</td>
<td>without</td>
</tr>
</tbody>
</table>

C. Mailable Letter Test (Key provided by teacher)

D. Vocabulary Test

1. a. the estate of Claire R. Chapman
   b. Harry Jones, a minor
   c. a Petition in Bankruptcy
   d. Mr. Stacy Milton and wife
   e. the Court Calendar Clerk

2. a. Interrogatories
   b. underwriters
SUGGESTED TEST ITEMS, Continued

  c. fictitious
d. calendar
e. inclusion

3. a. advice
   b. proceed
c. advise
d. Personnel
e. accept

E. Forms Test (Key provided by the teacher)