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The Spirit In The Law Podcast: Testing the Democratization and Audience Behavior of New Media Broadcasting

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THE *SPIRIT IN THE LAW* PODCAST: TESTING THE DEMOCRATIZATION
AND AUDIENCE BEHAVIOR OF NEW MEDIA BROADCASTING

by

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GRADUATE COMMITTEE APPROVAL

of a project submitted by

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This project has been read by each member of the following graduate committee and by majority vote has been found to be satisfactory.

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        As chair of the candidate's graduate committee, I have read the project of Scott L. Lunt in its final form and have found that (1) its format, citations and bibliographical style are consistent and acceptable and fulfill university and department style requirements; (2) its illustrative materials including figures, tables, and charts are in place; and (3) the final manuscript is satisfactory to the graduate committee and is ready for submission to the university library.

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ABSTRACT

THE *SPIRIT IN THE LAW* PODCAST: TESTING THE DEMOCRATIZATION
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This project summary presents the details of a podcast project conducted from April to December of 2006. The project consisted of the creation of a new Internet-based audio interview show entitled *Spirit In The Law*. The interviews were delivered to listeners who requested the shows via the Internet, and were available to a targeted audience of law students in the United States and abroad. The show featured interviews with 20 notable attorneys and professionals who answered questions regarding spiritual values in their professional practice. The project was informed by two theoretical frameworks: New Media theory and Situational Theory of Publics. The results, when applying both theoretical frameworks, were mixed. While podcasting did demonstrate universality, it was hindered by the complexity of traditional radio production roles. Similarly, it was useful to use the Situational Theory of Publics to help to conceptualize audiences in groups, but the goals of moving the groups into activity were not completely achieved. The main objective for the project was to understand more about the opportunities and obstacles of the new communication technology of podcasting.

ACKNOWLEDGMENTS

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CHAPTER ONE: INTRODUCTION

Introduction

Podcasting is a new and exciting method for delivering audio files via the Internet. This new technology ostensibly opens doors for would-be broadcasters, allowing them to have a shot at delivering their own independent show for consumption either to a mass, or to a narrow audience. Podcasting is essentially a citizenry-based communication method, similar to community radio and blogging, evolving from a grassroots desire for community members to share their experiences with other members of their (virtual or geographical) community.

For this project, Scott Lunt, the author, created a new podcast with the cooperation of Robin Lunt (the author's wife) and Todd Leishman, two law students of the J. Reuben Clark Law School of Brigham Young University (BYU Law School). The podcast, *Spirit In The Law*, discussed spiritual matters with legal professionals around the United States, in Hungary, and in Germany. The interview series was conducted from April, 2006 to December, 2006. In sum, the series consisted of 20 released interviews (of 23 recorded), almost 300 minutes of published interviews. The creation and release of each interview required the work of a three-person staff as well as the donated time and expertise of each interviewee.

Statement of the Problem

Emerging podcasting technology has created a buzz. This new wave of technology, built on the concepts of community radio and blogging, has promised to further spread information and connect communities in a manner distinct from its predecessors in small broadcasting. Yet, due to its recent entry into the broadcasting world, podcasting had not been extensively field tested to see if it could live up to such hearty promises. Further, podcasting seemed readymade

for law students and lawyers who are overloaded with reading (making blogs less attractive) and

have busy schedules that might preclude tuning into a scheduled broadcast (such as those pro-

vided by community radio).

Law students find themselves in a world of intense academic learning, pressured by com-

petition, the Socratic method, and a career service track that feeds the top students into the larg-

est law firms in the country. Often law students lose sight of the passions that brought them to

law school in the first place. The subject matter of this podcast intended to add a spark of spirit

and passion into the life of a library-bound law student. By interviewing practicing attorneys

from across the spectrum of the legal profession, from non-profit human rights advocates to cor-

porate international lawyers, the show focused on what makes the law come alive to these attor-

neys, why they get up every morning to do what they do, and how their spiritual and religious

beliefs inform their legal practice. The podcast revealed some of the law's less traditional paths

and discussed how successful attorneys have created unique and fulfilling careers blending spirit

into the law.

The podcast targeted two groups: the BYU Law School, that had approximately 450 law

students during the period of this project, and The J. Reuben Clark Law Society (JRCLS), an or-

ganization of legal professionals separate from the BYU Law School, whose spiritual and relig-

ious values inform their professional work. The JRCLS has 46 national chapters varying in size

ranging from single digits to more than 100 members per chapter. It also has 15 international

chapters and 38 student chapters also varying in size (J. Reuben Clark Law Society, 2007).

This target audience of spiritually minded law students and lawyers provided an opportu-

nity to test new podcasting technology and its ability to bring like minded people together de-

spite geographical distance. The podcast provided a method where attorneys and law students in California or Arizona, for example, could learn about the inspired work of attorneys in Washington D.C., or in Europe.

Purpose

This project set out to field test podcasting by creating a podcast using limited man-hours and a small budget. The intent was to test podcasting's democratization potential while also observing how audiences engaged with a podcast. This project presented the opportunity to test the potential of podcasting, while providing spiritual and educational content to a targeted group of people. With the intention of better understanding how new media works, this project put podcasting in a real world setting to see if it would hold up to its reputation as a method of broadcasting that practically anyone could do.

The project took on two research questions. One from the point of view of the producer, and one from the point of view of the audience. First, the project asked if an unskilled or minimally-trained person (producer) could create and maintain a podcast, testing whether or not podcasting could live up to its reputation as an easily produced media product without the constraints and high costs of traditional audio production. Simultaneously, the project looked at podcasting from the point of view of the audience. The project utilized a communication theory, the situational theory of publics, which is traditionally applied to marketing campaigns. The project asked if this theory could also be a useful tool for understanding the activity of podcasting audiences.

Justification and Value

This project specifically focused on the study of podcasting; the spiritual content of the interview show simply provided content that seemed to fit the needs and interests of a targeted audience. Law students and lawyers who self identified with the BYU Law School or the JRCLS were ideally suited for a podcast. By virtue of their involvement with either organization they had a unique interest in the spiritual content provided. The majority of law students are required to purchase laptop computers and have internet access at school, eliminating the potential technological barriers to receiving the podcasts. The format of a podcast, unlike blogs or community radio, can fit easily into a busy attorney or law student's commute or exercise time. Additionally, since a podcast by nature can be recorded in one location and easily consumed in another location, the technology promised a unique opportunity for students and attorneys to listen to the thoughts of faithful professionals who may be in a distant location.

This audience provided the perfect opportunity to create interesting content that would allow the author to understand more about the application of podcasting, the latest trend in democratized broadcast environment that includes desktop publishing, blogging, and other similar techniques for personal information broadcasting. Clearly, these technologies have struck a chord with the Internet population, and it is important to understand more about the reasons that individuals are putting together their own podcasts, as well as the reasons that many thousands of people are "tuning in" to these new programs.

This project analyzes the real-world podcasting experience through new media and audience theories. Distinct from a thesis that would identify specific changes within the audience be-

havior, this project set out to use these theoretical frameworks in order to better understand a real world application.

Podcasting in Context

<u>Small Broadcasters</u>

Community radio–a well established form of broadcasting popular in developing countries–now has two new electronic cousins: blogging and podcasting. Both of these new forms of communication are Internet-based, meaning that their messages can currently only be sent and retrieved through computers with Internet connections.

While blogging and podcasting are technically quite different than community radio, all three come from the same endogenous tradition of messages prepared and delivered by community members to other (virtual or geographical) community members. For each of these three delivery methods, the messages are often prepared by only a few or one individual. But, the broadcasts can potentially be read or heard by thousands, perhaps millions. However, audience sizes are usually quite small compared to traditional broadcasters, and targeted to specific groups of people associated in a community. These three forms of message delivery–community radio, blogging, and podcasting–form a unique group referred to here as "small broadcasting." Small broadcasters are those groups or individuals who create messages via community radio stations, blogs, and podcasts. These new forms of communication–hybrids between mass communication and citizen-based communication–offer a unique method of combining large-scale information distribution with small production efforts and costs, as well as community participation.

Community Radio

Community radio, the oldest of the small broadcasting methods, is a well used method for communication, especially in developing countries (Graham-Yooll, 2004; Parthasarathy, 2005). Community radio stations have exploded in number recently, and there has been an upsurge in talk-based programming (discussion shows, call-in shows, etc.) among radio stations (Panos, 2003, p. 57). Community radio messages are often produced by a small number of people and commonly focus on issues in a given community (Traditionally, a "community" is defined geographically. However, it may also be defined by theme or another non-geographical commonality as will be described below.). While community radio gives community members a chance to participate in the creation of messages, there are limitations, such as a small transmission radius, a high cost of transmitters, and limited air time.

Blogging

Blogging, similar to community radio, has clearly contributed to more global conversation. Bloggers use a web site for publishing personal text-based messages periodically, somewhat similar to a daily journal available to the public (Wikipedia, 2007a). Blogging has evolved into a formidable form of community journalism where virtual communities of bloggers and blog readers share information in a horizontal, grassroots fashion, mostly absent of large media agencies. Like community radio, blogging is conducted mostly by individuals or small groups of a given community. Although blogging is a text-based form of broadcasting, it has clear implications to radio, primarily through podcasting, the popular audio-based byproduct of blogging.

<u>Podcasting</u>

The emerging technology of podcasting could have substantial effects on the international community. Podcasting is a technique of delivering audio files via a computer and an Internet connection to an audience of subscribers (Crofts, Killey, Fox, Retsema, & Williams, 2005; Carter & Lunt, 2006).[1] In effect, a podcast is a community radio program that is produced for delivery and consumption through the Internet. However, unlike traditional, linear, radio broadcasts, podcasting requires an active audience since the audience must request an episode via a web site or using podcasting software. This "pull" technology has implications for audience behavior.

The podcasting craze emerged in the fall of 2004 when software developer Dave Winer adopted a widely used blogging technique for blogging syndication, the RSS file, to be used with attachments (Wikipedia, 2007b). Winer then teamed up with long-time blogger and former MTV star Adam Curry to first carry audio through the blogging technique. Podcasting was born. In June of 2005, Apple included a podcast subscription technology in version 4.9 of its popular iTunes music player and podcasting hit the mainstream (Apple, 2005).

The main change that podcasting delivers to the public is that technology and reduced costs encourage broadcasting democratization. Audio content can be produced easily, at a low cost without the need for publishers, and delivered quickly to a small or large audience. In contrast to blogging which requires a person to be at their computer to receive the message, and to read the material, podcasts share audio with an individual in a manner that can be received over the computer or downloaded to an MP3 player and taken in the car for a commute or to the gym to exercise. In contrast to community radio, podcasts fit into the audience's schedule on demand.

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[1] While podcasting is normally used for the distribution of audio files, as in a radio program, it can also be used to distribute video files.

Rather than needing to tune in at a particular time to listen, the audience can retrieve and listen to the material at their convenience. For these reasons: portability, on demand availability, and audio rather than text, podcasting promises to fit into the niches of a busy lifestyle in a way that blogs and community radio cannot.

Paper Overview

The remainder of this paper will use the following outline: In Chapter Two, the paper reviews new media and audience communication theory, especially the situational theory of publics, and provides a theoretical background through which to better understand the *Spirit in the Law* podcast. Chapter Three describes the methodology of the the project, including details about production logistics, hardware, software, and distribution methods. Chapter Four explores the project through the lens of new media theory, specifically exploring the producer's role in new media and how traditional media principles apply. This chapter also applies the situational theory of publics' framework to understand the degree to which the targeted audience participated in the podcast. Chapter Five synthesizes the lessons from this project and suggests future research possibilities. The Appendix provides technical details for reference, such as project costs, traffic statistics, software, and hardware usage.

CHAPTER TWO: LITERATURE REVIEW

Overview

This literature review aims to identify two areas of communication theory that can help in describing podcasting. First, the podcast project is analyzed under new media theory. This theory defines new media, identifies how new media increases independent producers' power, and intends to democratize audio production. This paper especially questions whether podcasting truly democratizes new media, or if it is still out of the average person's reach.

Secondly, in order to better understand podcasting's community building power and its effect on a targeted audience, this literature review considers the situational theory of publics. This project questioned whether the podcast itself, promoted through simple email messaging, would move a targeted audience of law students and young attorneys from latent to aware to active. Rather than accompanying the podcast with a communications campaign to move the audience along this progression, the podcast uses the situational theory of publics to examine how the audience would respond to the podcast and to what degree the audience would engage and participate in the podcast.

New Media Theory

Characteristics of New Media

In 1997 Roger Fidler identified a trend that can certainly apply to the fast-moving changes seen recently in the communications field:

During periods of great change, such as we are now experiencing, everything around us may appear to be in a state of chaos and, to a large extent, it is. Chaos is

an essential component of change.... Out of chaos comes the new ideas that trans-

form and vitalize systems. (Fidler, 1997, p. 27)

To be sure, the communications field has experienced several shifts recently: television is shifting to a digital signal (Labaton, 2005); blogging has surprised the publishing world; convergence has changed newsrooms; technology has changed living rooms . New media has literally changed the way people live. But is this trend unique or are these merely changes that have been happening for centuries? What makes "new media" so "new"?

One signpost of the new media world is the shift in power. Traditionally and historically, power has been wielded by a select few individual media companies or individuals. Mainly this is signaled by an introduction of more options for audiences to choose from, options that are more active in nature (such as satellite television and the Internet). Mass communication has become "less massive and less centralized" (McQuail, 2005, p. 39). Distance is less of a limiting factor (Cairncross, 1997), and audiences expect choice in a way that has become somewhat routine. In fact, as put by Herring (2004), computer mediated communication is "slouching towards the ordinary" (p, 26).

Several new media theorists help to put these changes in perspective. Fidler's (1997) concept of "mediamorphosis" described the adoption of new technologies as a complex process that involves several factors such as social and political pressures as well as technological change. Fidler (1997) also considered the inclusion of other forms of technology and how they affect the existing technologies. In short, the media converge, and, reacting to new media, "old" media morph (evolve) into new, sustainable forms.

Radio broadcasting technology provides an example of mediamorphosis. When radio was first diffused and adopted it existed as a unique form of message transmission, which was more like a public performance than a newspaper. With the advent of television, radio faced the possibility of extinction. However, rather than die out, radio found a new niche (portability) and was able to continue to provide value to a market of consumers, thereby preserving itself for the future. Many established forms of media have undergone similar transformations upon the introduction of newer communication technologies that compete with the established forms for an audience's attention. The mediamorphosis process states that "established forms of media must change in response to the emergence of a new medium" or perish (Fidler 1997, p. 23). Media systems, Fidler (1997) suggests, are currently converging, and are also coevolving and coexisting.

Saffo (1992) identified a tendency he called "technomyopia", which is a phenomenon in which the world first overstates the value of a certain communication technology. Then, when expectations are not met, the same technology is underestimated. "First we over-shoot and then we under-shoot" (Saffo, 1992, p. 18). When considering new innovations such as blogging or podcasting, the concept of technomyopia can be used to check for "over-shooting" or "under-shooting." Fidler (1997), adding to Saffo's thoughts, noted that "once consumers perceive a new technology to be useful and affordable, widespread adoption can take place rather quickly" (Fidler 1997, p. 10). The concept of quick and sudden adoption is consistent with Gladwell's (2000) notion of a "tipping point"–that point at which an innovation suddenly moves into mass appeal.

Winston (1997) has been considering yet other forces that are at work during the diffusion of a product or idea. He argues that social factors can either push innovations into markets or keep them from the market. Winston (1995) identified elements he calls supervening social necessities and argues that certain social necessities actually act as intervening forces between society and technology (Winston 1995, p. 68). Winston (1995) pointed out the following:

(1) Social, political and economic forces play powerful roles in the development of new technology.

(2) Inventions and innovations are not widely adopted on the merits of a technology alone.

(3) There must always be an opportunity as well as a motivating social, political, or economic reason for a new technology to be developed. (Winston 1995; Fidler 1997, p. 19)

As an example, consider again the evolution of FM radio. In the United States in the 1950s and 1960s AM radio was dominating FM in audience size. However, due to their smaller operational costs, FM stations were more able to experiment with alternative formatting. As a result, they filled their stations with the less popular rock, jazz, and blues, targeting niche audiences (Fidler, 1997, p. 37). Today, podcasting, with its very low cost of delivery and the appeal of time-shifting content, offers the same liberating solution to a medium that seems to some analysts to be frozen in time. As Winston (1995, 1997) would suggest, however, there must be motivating forces aside from the appeal of the technology alone that help it to rise to popularity.

<u>A Shift for Producers</u>

Perhaps the most notable social aspect of the new media, especially blogging and pod-casting, is the shift away from large publishers. It is now possible for "everyday citizens" to broadcast messages to the public with only a computer and an Internet connection. There has been a "general loosening and more independence" (McQuail 2005, p. 139) for audiences as well as for authors. Authors can reach an audience of millions without spending piles of money on marketing or delivery costs (Pavlik & McIntosh, 2004). Blogging, for example, offers an "unprecedented opportunity for individual expression on a worldwide scale" (Blood, 2002, para. 26).

On the other hand, there are limitations. One early blogger identified that bloggers, in the early days, were also required to know programming languages. Blood (2002) remembered that the "promise of the Web was that everyone could publish, that a thousand voices could flourish, communicate, connect. The truth was that only those people who knew how to code a web page could make their voices heard" (para. 25). Compain (2002) pointed out that the Internet is

helping to level the terrain because it is a relatively low-cost conduit for all content providers. As the old adage goes, 'Freedom of the press is guaranteed only to those who own one.' Make no mistake: an activist with a dial-up Internet connection and 10 megabytes of Web server space cannot easily challenge Disney for audiences. But an individual or a small group can reach the whole world and, with a little work and less money, can actually find an audience. (para. 16)

<u>Podcasting and Democratization</u>

In his recent article published in the journal of Convergence, Richard Berry (2006) made a bold claim. He stated that podcasting

allows anyone with a PC to create a 'radio' programme and distribute it freely,

through the internet to the portable MP3 players of subscribers around the world.

Podcasting not only removes global barriers to reception but, at a stroke, removes

key factors impeding the growth of internet radio: its portability, its intimacy and

its accessibility. (p. 143)

Berry (2006) continued, stating that a "podcaster", the producer of a podcast, doesn't

need a studio, transmitter or license. This allows for an easy transition from simply listening, to

actually producing a show. There has been a common sounding cry from podcasting champions,

a claim that "anyone can do it!" Podcasters themselves have told stories of how podcasting fi-

nally gave everyday people a long-awaited and liberating voice, a method to broadcast their

thoughts to the public, as if getting the keys to their first car (Berry, 2006).

There is no doubt that podcasting offers a certain amount of liberation for would-be

broadcasters, particularly in the area of show format. Since the birth of podcasting, thousands of

podcasts have appeared on the scene with subject matter ranging from highly serious shows

about surviving cancer to regular trash such as a daily recording of a person having a bowel

movement (Daily Download, 2007). Thanks in part to a virtually absent regulatory body, "pod-

casting lets people do more or less whatever they want to," states the BBC's Jo Twist (2005).

"They can take the kinds of risks with show formats and ideas because podcasters only answer to

themselves. The podcaster is the editor and the media" (Twist, 2005, para. 8).

On the other hand, podcasting as a new media has created quite a stir in the popular me-

dia as well as with radio professionals, some seeing the new delivery method as a nice compli-

ment to their current methods. After all, radio worldwide is by no means on its deathbed. Castells

(2001) pointed out that radio is "becoming the most pervasive communication medium in the world" (p. 191) and podcasting can help with that since it offers the unique ability to be both global (through worldwide Internet delivery) and local (through "narrowcasting" to small audiences). The new technology gives us both "many-to-many" as well as "few-to-few" communications (Gillmor, 2004, p. 26). Podcasting combines the digital content delivery of the Internet, with the portability and time-shifting nature of MP3 players like the iPod (Berry, 2006).

The Internet culture itself has claimed for years that Internet communication is (or at least should be) decentralized (Breslow, 1997; Lessig, 1999). Take, for instance, the popularity of blogging. Blogs are available to virtually every Internet user, mostly unregulated by government, and free of charge (in many cases) for both publisher and audience. Such is the case with the widely used Blogger service (Blogger, 2007). Media professionals quickly point out that "for the first time in history...anyone with a computer and Internet connection could own a press" (Gillmor, 2004, p. 24). From radio professionals like Adam Curry, to famous CEOs like Mark Cuban, or to average citizens, blogs and podcasts offer an opportunity for a publisher or producer (either a team or an individual) to easily share their thoughts with the world (Gillmor, 2004). This decentralization could be referred to as democratization. Blogging and podcasting, by concept, are all but identical–both using RSS technology to deliver each message, both using the backbone of the Internet for upload and delivery–except that a podcaster must also be able to compile an audio recording.[2]

In current communication literature, the assertion of the universality of podcasting has thus far been taken as an unchallenged fact. The assumption is that, like blogging, any unskilled

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[2] Currently the widely used Blogger blogging service does not natively support podcasts.

or minimally-trained person can produce a podcast. This has proved to be mostly true for the blogging world. So, with the promised simplicity of podcasting, it would follow that podcasting can also contribute to democratizing media through low production and delivery costs, making podcasting available to the "everyday person". This leads to the first question informing this project:

Question 1: Can an unskilled or minimally-trained person create and maintain a podcast?

Audience Theory

Dennis McQuail (2000) identified various approaches to audiences. At a basic level, audiences can be identified in four categories: by *place*, by *people*, by *medium*, and by *channel* or *content* (p. 360).

First, audiences as a group may revolve primarily around *place*, a geographic area. This audience shares at least one important characteristic, "that of shared space and membership of a residential community" (McQuail, 2000, p. 371). Examples of this type of audience could be listeners to a community radio station or attendees for a live sporting event or concert.

Second, the audience of *people* is defined not by its physical proximity, but by the interests, needs, or preferences of the audience members (McQuail, 2000, p. 373). Essentially, this audience is defined from a uses and gratifications perspective in that it gathers to a medium to satisfy a similar need. These audience members could be in a wide range of places, yet they are brought together (virtually) for common interests. Viewers of spaghetti westerns or television game shows would be an example of this audience–those who have a common interest in a type of message which can satisfy a certain need.

Third, an audience can be defined by a certain *medium*. This audience chooses a particular type of medium over another medium (McQuail, 2000, p. 374). In this category, viewers of television are separated from radio listeners, or moviegoers and so on. Since different media may cause different effects while carrying a similar message, it is important to include this group in the overall structure. Podcast listeners may be using podcasting to demonstrate a certain social status, just as moviegoers may be interested in studying the technical aspects of a film, or Internet pornography viewers may seek privacy.

Fourth, audiences can be defined by a specific *channel* or *content.* This is an audience that can be identified as attending to a specific message, such as a particular television show or radio program. This is the audience in its most concrete and traditional sense (McQuail, 2000, p. 375). This audience is much easier to count than other audiences, especially in the day of web site statistics and Nielson ratings systems. In this category, a particular message has a particular audience.

In most cases, audiences can coexist in more than one category. For example, consider the semi-annual broadcast of the LDS Church's General Conference. Audience members of this broadcast gather around the particular message (*channel/content*), not the medium or the geographical location, but they also follow that message due to a common interest (*people)*. Listeners to a community radio show about health may listen because they enjoy audio-based messages (*medium*), they are regular listeners of that specific show (*channel/content*), they are members of that geographic community (*place)*, and they seek health-based programming (*people)*.

McQuail (2000) pointed out that audiences are not simple creatures, instead they should be seen as complex and layered. Although these audience categories may be easy to describe, audiences themselves are much more elusive.

The Situational Theory of Publics

McQuail (2000) refered to the audience in very large, general terms, dividing audiences into relevant categories. Grunig (1983) proposed the situational theory of publics to describe the influences of communication upon behavior. This theory logically connects to McQuail's (2000) descriptions of general audience groups in that it seeks to find discrete conceptual definitions to describe abstract groups of people. Both McQuail (2000) and Grunig (1983) describe audiences that are utilizing the media for a specific purpose (consciously or sub-consciously) but certain audience groups differ from each other in specific ways. Grunig (1983), however, took his defi-nition further and incorporated forces acting within an individual (such as constraint recognition) that can be targeted with the intent of encouraging an individual to jump from one conceptual group to another. Grunig's (1983) theory can help to identify the group an individual belongs to *and* assist in understanding how to best influence that individual to make a positive change to-ward behavior.

Audience, Mass or Public

Before exploring the theory, it is important to clarify the terminology. The situational the-ory of publics identifies groups of people called "publics." Yet the term is commonly misused to identify general audience opinions, as in a "public opinion" poll–which measure mass opinion, not the existence of a public (Grunig & Hunt, 1984, p. 143). Also, publics are not exactly the same as audiences. Grunig and Hunt (1984) explain,

The mass is heterogeneous, a public is homogeneous. Individuals make up a mass

not because they have something in common, but because they are all tuned into

the same mass medium or just happen to live in the same city or country. Mem-

bers of a public, in contrast, have something in common–they are affected by the

same problem or issue. (p. 143)

In this definition, a mass and a public are not equal, a "public" being a subset of a mass.

A public can be defined as a group of people who are organized around a certain issue,

whereas a mass is simply a group of people gathered around a medium. Audiences are similar in

some ways to a mass, and in some ways to a public. The terms "publics" and "audiences" share a

common thread–that of a group of people gathered around a message for a purpose. But they also

have some differences–an audience may or may not be formed around a given issue.

Grunig and Hunt's (1984) definition of a public identified it as a "loosely structured sys-

tem whose members detect the same problem or issue, interact either face to face or through me-

diated channels, and behave as though they were one body" (p. 144).

This definition is useful, since it identifies the properties of a public that make it unique

from audiences and masses. By focusing on publics as defined above one better understands the

subtle aspects of the interaction of a message or medium with an individual or group. In so do-

ing, one can better understand and predict behavior.

Three Types of Publics

In order for a communication campaign to work most efficiently, Grunig and others have

suggested efforts be targeted to segments or sub-groups of the overall audience. These sub

groups can be termed publics. "There are several different kinds of publics. Those publics differ

primarily, in the extent to which they become active in doing something about the organizational consequences" (Grunig & Hunt, 1984, p. 145).

Grunig and Hunt (1984) identified three critical publics: *latent, aware*, and *active*.[3] "When the members of a group face a similar problem...but do not detect the problem, they would constitute a *latent* public. When the group recognizes the problem, it becomes an *aware* public. When the public organizes to discuss and do something about the problem it becomes an *active* public" (Grunig & Hunt, 1984, p. 145).

These categories of publics are important in communication campaigns as the messages intended for a certain public must match up with the level of the audience. The latent public may not have detected the problem while the aware public has detected but does not know what to do with their knowledge. The active public is engaged in behavior, doing something about the problem.

But Grunig (1983) also pointed out that attitudes are situational. People can have a positive attitude about one aspect of an organization and a negative attitude about something else. Very rarely will someone have one broad attitude toward a given entity on all issues. Similarly publics are situational. Each action or communication by an organization may bring about a public with different people in it. The publics are constantly changing. It is necessary to conduct regular analysis of publics and determine the best course of action.

Variables in the Theory

Grunig & Hunt (1984) developed a theory that explains "when and how communications aimed at people are most likely to be effective" (p.148). It is based upon the notion that publics

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[3] A less-relevant fourth group, identified as a "non-public", was disregarded for the purposes of this paper.

form around certain problems or issues and they differ in the awareness level and ability to do something about the problem. For help in exploring each public in detail and the characteristics under varying circumstances, Grunig outlined three key variables: *problem recognition, constraint recognition,* and i*nvolvement*.

Problem recognition is the prerequisite factor for constraint recognition and involvement. Cameron and Curtin (1992) defined Grunig and Hunt's (1984) concept of problem recognition as "the awareness that something needs to be done to improve a situation" (Cameron & Curtain, 1992, p.14).

Grunig and Hunt (1984) identified two main components to problem recognition: information seeking and information processing. Information seeking, which they also called "active communication behavior," is the act of looking for information. Information seekers actively seek out information then try to understand the information they find (Grunig & Hunt, 1984, p. 149).

Compared to the active nature of information seeking, information processing is passive. Individuals who are information processing don't actually look for information "but they will often process information that comes to them randomly–that is, without any effort on their part" (Grunig & Hunt, 1984, p. 149).

Comparing information seeking and information processing together, information seeking is a stronger predictor for a public to become an aware public. And, people who simply process information can be affected by a campaign, but information seekers are more likely to be effected by a given message. Grunig & Hunt (1984) stated that "publics whose members process

information often remain latent publics. Sometimes, they become aware publics, but seldom will they become active publics" (p. 151).

Constraint recognition is defined as "an awareness of factors that prevent an individual from addressing an issue" (Cameron & Curtin, 1992, p. 14). This variable is the most useful of Grunig's (1983) observations about publics since it happens at the crux where an aware public becomes an active public, where significant behavior change actually happens. Moving a public to the *active* stage will be the main focus of any successful communication campaign intended to change behavior. And, to move the public to the active stage, the campaign must address the perceived or real constraints between awareness and activity, with the main goal of helping the public recognize the constraint. "If people realize," Grunig and Hunt (1984) said, "that they have little choice of behavior in a situation, information that helps them *construct, define, select,* and *confirm* a behavior has little value to them" (Grunig & Hunt, 1984, pp. 151-152). Or, put another way, a perceived constraint will keep people from *seeking* information, thereby making it less likely that they will become active.

Anderson (1995), discussing the concept of constraint recognition with respect to a public health campaign, wrote that "people often convince themselves they lack the ability to alter harmful health practices, even though they know what to do" (p. 207). He identified a key difference between merely a knowledge of a problem (*problem recognition*) and the feeling that a change of behavior may not actually change the situation (*constraint recognition*). High constraint recognition keeps an individual further from behavior change, thus the objective for campaigns is to eliminate constraint recognition. Publics with low constraint recognition believe that they can influence a situation given the right information (Grunig & Ipes, 1983, p. 41).

Cameron and Curtain (1992) defined involvement as the "sense of connection an individual has with an issue" (p.14). Involvement can "distinguish whether the person's communication behavior will be active or passive" (Grunig & Hunt, 1984, p. 149). Obviously, individuals with a low level of involvement with a given issue will be less likely to seek information about that issue, and will also be less likely to be actively involved in the issue. Conversely, individuals who are highly involved, such as members of a community facing a public health crisis, will be more likely to seek out information and associate themselves with others in the community who are facing the same issue. Involvement leads to problem recognition, and it encourages individuals to seek out ways to eliminate constraints.

Subsequent research, particularly in campaigns of health-related behavioral changes have also revealed Bandura's (1977; 1982) concept of self-efficacy to be an additional key variable. Self-efficacy as described by Bandura (1977) can be defined as an individual's expectation of their ability to achieve a desired behavior. It is essentially the belief one can accomplish something in spite of stressful situations. Anderson (1995) noted that "few people will follow behavioral recommendations if constraint recognition is high, or self-efficacy is low, irrespective of other situational determinants" (p.208). Since self-efficacy can influence all of the other factors, involvement, constraint recognition, and problem recognition, it is important to include it in this theoretical description.

Summary

Now that the theoretical framework of audience categorization and variable identification has been described, a visual model is helpful to better understand the situational theory of publics as a whole.

Latent Public	Aware Public	Active Public

Problem Recognition - Low	**Problem Recognition - High**	**Problem Recognition - High**
Constraint Recognition - n/a	**Constraint Recognition - High**	**Constraint Recognition - Low**
Involvement - Low	**Involvement - High**	**Involvement - High**
Self-efficacy - n/a	**Self-efficacy - Low**	**Self-efficacy - High**
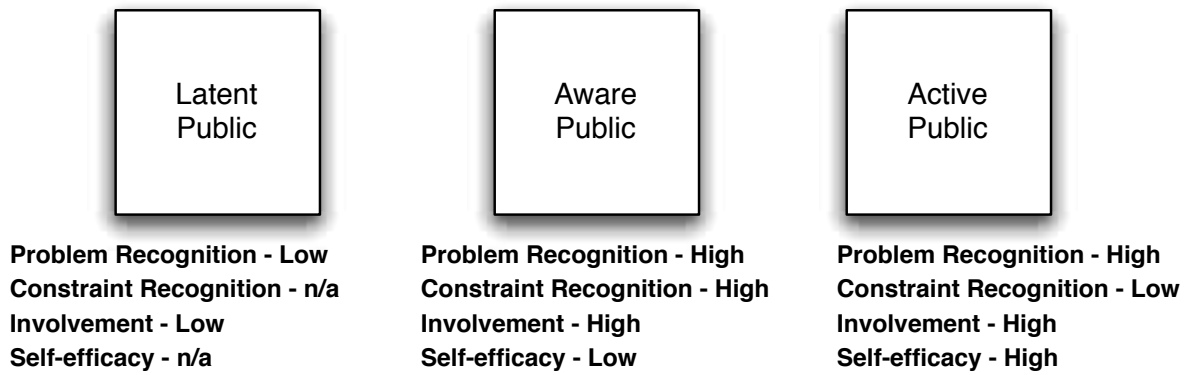
Figure 1. Situational Theory of Publics Variable Matrix.

This model (Figure 1) can be used as a guide in understanding how publics move along the continuum of latent to aware to active.

For example, the first step of communication will be to decide for which category a message is intended. The first fundamental step to reaching an audience is to tell them that they are an audience.

Based on the model, a latent public needs a message that focuses on helping them recognize the problem and creating a feeling of personal involvement to the issue while constraint recognition and self-efficacy are, for the most part, irrelevant. Constraint recognition and self-efficacy are the key differences between a latent and aware public.

Aware publics have high problem recognition and high levels of involvement but have a low feeling of self-efficacy and experience high levels of constraint recognition, hence they do not act upon their knowledge and become an active public. Successful messages to the aware public will focus on removing constraints and increasing self-efficacy.

Active publics have achieved a high level of problem recognition and involvement while also having gained a high level of self-efficacy, all the while lowering their constraint recognition.

With the primary objective in encouraging publics to move from *latent* to *aware* to *active,* the variables identified above, *problem recognition*, *constraint recognition*, *involvement*, and *self-efficacy,* are clearly important in utilizing the situational theory of publics to engage an audience and to understand why an audience engages or fails to engage with the message.

Situational Theory of Publics and Podcasting

The thinking of Grunig and other contributors center around public relations, creating campaigns to "activate" a public. Rather than studying the effects of a communications campaign, the *Spirit In The Law* podcast intended to utilize the situational theory of public's framework to understand how an audience responds to the podcast. The *Spirit In The Law* podcast targeted an audience affiliated with law and spirituality to see how this audience would engage with the message using the new technology. The driving question asked how a targeted audience would respond to a new medium with a message that speaks to spirituality and the law? Will the podcast itself, with minimal awareness building campaigns, cause the audience to move from latent to aware to active? Action, in the case of the podcast, can be defined on its most basic level as downloading or "tuning in" to the podcast. However, action can have other meanings, such as participation (sending email comments, referring friends), or even helping to produce an episode of the podcast. For this project, action, at its basic level, was defined simply as listening to the podcast. Thus, the main target of the project was to see how people moved from unaware (latent) to listening (active).

Figure 2 (below) is an attempt to synthesize the situational theory into a diagram that is useful for developing a marketing message campaign. Two steps are involved in such an endeavor. First, communicators must determine their target public. *Spirit In The Law* targeted law students and lawyers affiliated with either the BYU Law School or the JRCLS (as well as a secondary audience who found the podcast online or through iTunes). Is the audience latent, aware, or active? This audience is by definition aware and active in the law and, to a less certain degree, aware of spirituality's role in the law, with some of the audience actively pursuing insights that come from the intersection of the law and spirituality. But the entire audience, at the beginning, was unaware of the podcast; it was a latent audience in terms of engagement with the podcast. As the podcast goes into production this group stratifies, with some remaining latent, others becoming aware, and others actively engaging with the content. Second, based on the determination of the public, the message can be tailored for the specific public.

Step 1: Determine Target Public

| Latent Public | Aware Public | Active Public |

Step 2: Determine Message Focus

- **Problem Recognition**
- **Involvement**

- **Constraint Recognition**
- **Self-Efficacy**

- **Retention**
- **Reinforcement**
- **Recruitment (of others)**
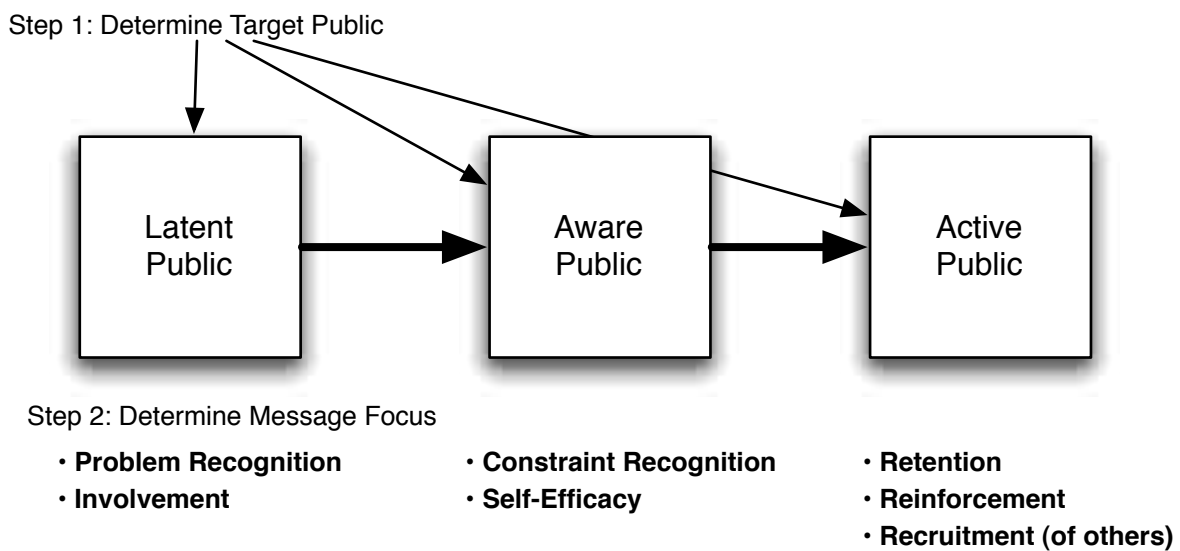
Figure 2. Message Strategy for Situational Publics.

As the theory suggests, to get individuals to listen to the *Spirit In The Law* podcast, the type of target public must be ascertained before moving to step 2, designing an appropriate message. It is valuable to understand the podcast's audience through the lens of McQuail's general audience categories–*place*, *people*, *medium*, and *channel* or *content* (McQuail, 2000).

By definition, the Internet is somewhat void of geographic *place*, hence a podcast audience can be drawn from many geographic locations. On the other hand, law schools are, by their nature, geographic institutions. Thus, the audience for the podcast was seen as a hybrid, both with and without "place."

Law students and practicing lawyers share a unique industry, a primarily service-based profession with many obscure bits of information that are known only by legal professionals. Law students, especially, share a difficult experience. The podcast targeted and identified it's audience as those affiliated with JRCLS and/or the BYU law school. These *people* have clear needs in information retrieval and interest in the cross section of spirituality and the law.

Podcasting is a unique *medium* and has a following for the medium itself. Since it is a new form of broadcasting, however, the audience is small but growing. The *Spirit In The Law* podcast intended to discover how law students and attorneys would engage with this new medium, and whether an audience would form specifically around the podcast medium. When this project began, most of the potential listeners were still unaware of this particular show, hence the *channel* or *content* audience did not yet apply.

To properly apply the theory, one must also consider the more specific categories of "publics." A *latent* public for a podcast can be seen as those individuals who are somehow in-

volved in the issue/problem (i.e. the shared experience of law school and careers in the law that recognize spirituality as an important component of their professional lives), but have not yet recognized the problem (i.e. become aware of the existence of the podcast).

Since the purpose at hand was to move people to listen to the podcast, it may be helpful to redefine Grunig's (1983) "problem recognition" to "outlet recognition." In other words, audiences that are latent have yet to recognize that the particular media *outlet* of podcasting exists, and specifically the existence of the *Spirit In The Law* podcast. Thus, three levels of outlet recognition exist: no awareness of either podcasting or the *Spirit In The Law* podcast; awareness of podcasting, but no awareness of the specific podcast; awareness of both podcasting and the *Spirit In The Law* podcast. It is logical that most of the potential listening audience fell into the first two of these categories when the podcast was first created, hence they were seen as a latent audience.

Step 2 - Determine Message Content

As noted above, the primary objective was to move the audience from a latent public to an aware public and then to an active public. Referring to Table 2, the message content should initially revolve around problem recognition (outlet recognition) and involvement. Email campaigns were intended to make people aware of the podcasts.

Once the audience moves from a latent to an aware public, the next stage focuses on constraint recognition and self-efficacy. Perceived constraints for potential audience members may be a lack of skill for downloading a podcast and the lack of time to do so. It will be critical to address those constraints. Also, in conjunction with addressing perceived constraints, messages in this stage should be aimed at increasing self-efficacy.

Once a public moves to the aware stage, it should not be forgotten. Message campaigns must encourage retention and reinforce activity. The project anticipated that, after addressing constraints, the convenience and buzz around podcasting, the medium itself, combined with content targeted to the specific needs of the audience, would help move people from aware to active.

This review of audience theory leads to the second of the two main questions of interest in this project:

Question 2: Can the situational theory of publics be a useful tool for understanding and encouraging the activity of podcasting audiences?

CHAPTER THREE: METHODOLOGY

Overview

The *Spirit In The Law* podcast consisted of 20 individual shows (episodes) recorded, edited, then released to the public through a combination of methods. This section outlines the development and execution of the podcast, including the logistics of the interviews and the method of production, distribution, and audience gathering. It is necessary to outline these items so that the difficulties in establishing such a podcast is clear.

Logistics

The following tables identify the general logistics of the project.

Table 1. Project Events Timeline:

Item	Time of Completion
Preliminary Contact Work	Previous to April 1, 2006 and throughout
Web Site establishment, Blog design, Podcast Architecture	April 1, 2006 launch
Search Engine/iTunes Submission	April 1, 2006
Interviews (20)	April 1 - December 31, 2006 (See Interview List below)
Search Engine/iTunes Submission	April 1, 2006
First Announcement Email to Law Students (Approx. 450 recipients)	May 29, 2006
Second Announcement Email to Law Students (Approx. 450 recipients)	June 10, 2006
Link on Southern Virginia University home page (student body of over 700)	September 27, 2006
Final show published	December 31, 2006

Table 2. Interviewee List:

#	Interviewee	Position/Show Subject	Release Date	Show Length	Total Downloads
1	Thomas Griffith	D. C. Circuit Judge, Washington D. C.	April 1, 2006	25 min.	203
2	Richard L. Bushman	Author, Rough Stone Rolling, Stake Patriarch–how Rule of law impacted Mormons in Missouri	April 12, 2006	14 min.	310
3	Kif Augustine-Adams	BYU law Prof. International Law emphasis, spends extensive time for sabbaticals in South America	June 5, 2006	15 min.	118
4	Gerrit Steenblik	Counsel, Bryan Cave, Phoenix, Arizona	June 11, 2006	15 min.	84
5	Jay Moyes	BYU law alum (charter class)–water and power law, Phoenix, Arizona	June 18, 2006	13 min.	86
6	Mark Kokanovich	Yale law alum. LDS. Practicing lawyer in San Francisco, LDS bishopric member	June 26, 2006	13 min.	91
7	Tisha Illingworth	International Tax attorney and mother of two, Washington DC	July 2, 2006	16 min.	87
8	Ed Carter	BYU Law School Alum, Communications Professor	July 10, 2006	15 min.	78
9	Scott Cameron	BYU Law School Associate Dean	July 17, 2006	18 min.	80
10	Sean Murphy	Partner, Downey Brand, Sacramento, California	July 24, 2006	15 min.	91

#	Interviewee	Position/Show Subject	Release Date	Show Length	Total Downloads
11	Various - Sacramento Temple of LDS Church	Various interviewees attending Sacramento Temple open house, including two LDS General Authorities. Paul Koelliker and Shirley D. Christesen, and temple architect Brian Everett	August 3, 2006	9 min.	96
12	Bill Warne	Partner, Downey Brand, Sacramento CA	August 15, 2006	13 min.	95
13	Doug Bush	Partner, Arent Fox, Washington DC	August 23, 2006	12 min.	87
14	Melanie Reed	Associate, Covington and Burling, Washington DC	August 31, 2006	14 min.	106
15	Various - Sep. 11th Anniversary (video)	Students - Central European University	September 12, 2006	10 min.	88
16	Rod Smith	BYU law alum - President, Southern Virginia Univ., LDS liberal-arts school	September 19, 2006	21 min.	151
17	Rod Smith	BYU law alum - President, Southern Virginia Univ., LDS liberal-arts school	October 5, 2006	17 min.	75
18	Robin Lunt	Host - Story from Budapest LDS Church Stake Conference	October 18, 2006	5 min.	69
19	Bill Atkin	LDS Church Legal Counsel, International Affairs, Salt Lake City UT	November 14, 2006	15 min.	146
20	Russ Taylor	CEU Professor/Oxford PHD student/DC Lawyer	December 31, 2006	16 min.	77

Total show minutes published: **291** (shortest single show: 5 minutes; longest: 25 minutes).

Total show downloads (as of January 18, 2007): **2,218** (fewest downloads for one show: 69; most downloads: 310).

<u>Responsibilities</u>

It is important to note that the following people were not trained in their respective roles. While they gave their best efforts, there were problems that arose (technical, production related, and especially with marketing efforts) which none of the team members were well suited to solve. This is an important finding since podcasting supposedly has a democratization effect for broadcasting, allowing any average person to create and deliver a message intended for mass consumption (this will be discussed further in "Analysis").

Scott Lunt - Producer/Technical Director.

Since Scott is not a law student, he was not well suited to conduct the interviews himself. Thus his main role was that of producer, making decisions and recommendations about:

- Show format

- The timing and order in which the interviews (i.e. each episode of the podcast) were released

- The subject matter of each interview (what questions to ask, what to avoid, etc)

- Intro and exit music

- Show teasers and requests for email feedback

- The frequency of episode releases

- The length of each episode

Scott evaluated each of these aspects as the show progressed and made adjustments accordingly.

Scott also filled the role of the technical director, which entailed being present at each interview, manning the equipment, monitoring the sound levels and so on. Once recorded, he also edited each interview to fit the production interests of time and content. As technical director, his role included the following:

- The look and feel of the web site

- One time establishment of Wordpress web site with accompanying RSS feed for automatic podcasts

- Establishment of Libsyn podcast delivery account

- One time submission to Apple's iTunes database

- Selection of audio recording equipment and editing software

- Interview recording

- Show editing

- Post production sound engineering (noise removal, volume control, etc.)

- Uploading and posting of each individual show

Robin Lunt - Host/Interviewer.

Robin, a BYU law student, filled the role of host by asking questions and having recorded discussions with each guest. She also gave advice on the length and content of the episodes from the point of view of a law student (audience member), and in regards to the meaning and context of legal terms and subjects. Robin's previous acquaintance with many of the interviewees was an obvious asset to the project. Her responsibilities included the following:

- Contacting interviewees and coordinating interview times

- Preparing questions and themes for each interview, unique for each interviewee

- Conducting the interviews in real-time (without interruption)

- Recording teasers for each show

- Occasionally manning recording equipment during interviews

- Drafting and sending email messages to classmates to promote awareness of the podcast

Todd Leishman - Interviewer/Public Relations.

Todd, also a BYU law student, provided valuable networking and contacts through his friendship with many of the interviewees. He also conducted two interviews, helped with the email campaigns, and helped Robin to navigate the political elements of the JRCLS (such as access to interviewee contact information and permission to contact JRCLS members via email).

Production

Show Quality

Common sense dictated that the high quality of each show (and the podcast in general) was an important aspect to collecting and retaining audience members. Further, it was important to match the professionalism of the law school. Sloppy recordings and amateurish content would not meet the standards expected by law students, interviewees, and the professionals of the JRCLS.

The quality of the show was divided into two main areas: content quality and sound quality. Much care and discussion was given to both areas.

To maintain a high level of content quality, it was important to recruit notable interviewees who could provide a unique insight to the theme of spiritual values in a legal profession. In-

terviewees were selected primarily by convenience, with location and access being important factors. The interviewees were often first approached through email introductions from other interviewees. As a rule, interviewees, once approached, were very open to interviews, especially once they were provided a link to the *Spirit In The Law* web site where they could sample previous interviews.

Scheduling the interviews often required numerous emails and phone calls to coordinate schedules. In several cases, the interviews were planned, then rescheduled.

Sound quality was maintained through using high quality (yet consumer-level) recording equipment as well as careful control over the recording environment. While interviewing, it was important to be aware of (and avoid) ambient room noise such as air conditioners or outside traffic. In some cases this was unavoidable and the sound quality suffered.

Show Frequency and Length

An original goal was to release a new episode weekly, mirroring other podcast and interview shows which have weekly releases. Daily releases would be too difficult to accomplish given the involved nature of each show (pre-production, interview coordination, post production). With monthly releases, the show would lose the feel of an episode-by-episode show, so they were deemed too infrequent.

This weekly goal was honored at times but at times it became impossible for various reasons such as equipment failure, scheduling conflicts, and interviewee unavailability. Over the course of 36 weeks, 23 shows were recorded, 20 of which were published, averaging a show every 13 days at irregular intervals.

The length of each show also varied from 5 to 25 minutes. After releasing the first interview (25 minutes), the decision was made to limit the shows to around 15 minutes. This was determined by estimating the minimum amount of time that each interview would need to cover a delicate topic such as spirituality. Added show features such as background music and additional material were kept to a minimum to save on production and editing time.

Interview Techniques

Much discussion and thought was given to the technique of the interviews. Advice from professional interviewers, such as discussions with a radio interviewer of KXJZ in Sacramento, suggested that the interviews be kept as crisp as possible (J. Callison, personal communication, June 15, 2006). This crispness could be attained through real-time recording of the interviews (no pausing during interviews and limited or no editing) as well as through thought-provoking questions that quickly identified the respective strengths of each interviewee.

Recording

To maintain high quality recording, and still provide flexibility, a combination of portable audio recorders and commonly-used interview microphones were used for most interviews. Some interviews were conducted remotely by computer using telephone-like software (Skype).

Interviews were conducted either in-person or remotely. For in-person interviews, portable, battery-powered recorders with lapel microphones were used in most cases. This was necessary since each interview was conducted in a new location. Locations included Utah, Arizona, California, Virginia, Washington D.C., and Budapest, Hungary. Therefore equipment portability was essential.

In several cases, remote interviews (to a telephone line) were recorded using a combination of computer software and recording hardware (see Appendix D for details).

Editing

After recording each interview, the recordings were imported to a Macintosh computer where they were combined with show introductions, salutations, and music. This proved to be a very difficult and time-consuming element to show production. Aside from the obvious need to learn and understand the editing software itself, further study and practice was needed to be able to "clean" the recordings, which involved standardizing microphone volume levels, eliminating hissing and room noise, and equalization. An average of approximately two hours per show was used for editing alone. (See Appendix E for details.)

Theme Music

The *Spirit In The Law* team wanted to include a musical theme song with each episode. The original intention was to find a commercially-available song and purchase it for use, or use it without purchase under "fair use" protection. According to the legal department at Brigham Young University (BYU Copyright Licensing Office, 2007), certain educational uses for copyrighted material such as music are permitted. To determine fair use protection, the person using the copyrighted work is under obligation to apply a four-pronged test. These prongs are paraphrased as follows:

1. What is the purpose and character of the use? Many educational purposes are allowed under fair use, but not all. Commercial uses are not likely to be protected.

2. What is the nature of the use? If the use is for factual reasons, such as educational material, then the use may be permitted. Creative uses are less likely to be allowed.

3. What is the portion used? In some cases, if a short excerpt is used, it may be permitted, whereas full-length performances of a song would be less likely to be permitted.

4. What is the market effect that the use will have? If the use will negatively effect the market, or decrease the value of the copyrighted work, then it would likely be seen as a violation of fair use. (BYU Copyright Licensing Office, 2007)

After considering the four-pronged test, an introduction song used for *Spirit In The Law* would have possibly been protected. Only a portion of the song was intended to be used; the use was for an educational project; no commercial gain was expected; and the usage would have no market effect on the copyrighted work. Since the use was for creative purposes, however, the second prong would make the weakest argument for fair use.

Ultimately, after consultation, the decision was made not to use a copyrighted work based on fair use principles for two basic reasons (E. Carter, personal communication, April 1, 2006). First, fair use was not guaranteed, especially since the shows could be downloaded by non-students. Second, since the subject matter and target audience were related to the law (including at least one copyright lawyer as an interviewee), a delicate approach to legal matters was essential.

As an alternative approach, the producer considered official registration and paid usage of a copyrighted song. However, this idea was quickly dismissed since the process for registration was complex, expensive, and ultimately quite unclear. To obtain proper licensing (insofar as it is possible), one would have to obtain as many as three licenses: one for the public performance of the music composition (licensed by ASCAP, BMI and SEASAC); one for the reproduction rights (licensed by the Harry Fox Agency); and one for the performance of a sound recording (licensed

by SoundExchange) (Carter & Lunt, 2006). Each of these agencies require minimum annual fees in the hundreds of dollars. In some cases, these licenses are complicated but available, such as for ASCAP (Podcasting News, 2005; ASCAP, 2007). But in other cases, they are not, such as for SoundExchange (Carter & Lunt, 2006). One podcaster noted that "the landscape for music licensing is even more confusing than most people would imagine, and it at times consists of entities who may not even want to sell you a license" (May, 2007).

Since the fair use and licensing options were unavailable, a theme song was composed by the producer using GarageBand audio editing software and a library of public domain instrument tracks. This theme song was used in all but one episode.

For the December 31, 2006 episode of *Spirit In The Law*, the producer used a song found at the Podsafe Music Network (2007). The license for the use of that song was covered under a Creative Commons license at no cost. The song was easily selected from a catalog of thousands of songs available for free use.

Distribution

Delivery Methods

Once each *Spirit In The Law* show was recorded and edited, it was uploaded to an online web service specializing in podcasting: Liberated Syndication, commonly known as Libsyn (2007). After a one-time setup phase Libsyn automatically created an RSS feed for the show. Users (audience members) were able to subscribe to the RSS feed using common software such as Apple's iTunes music browser, available for both Macintosh and Windows. Once a user established this subscription, each future show was automatically downloaded to the user's computer and was available for listening at his or her convenience. Users could also sync the resulting files

with their portable MP3 players (such as an iPod) and listen to the shows while away from the computer.

In conjunction with the RSS feed, a web site was used to distribute the files. Once the show file was uploaded to Libsyn, a link to the show was placed on the web site with a photograph of the interviewee and a brief description of the show. Users could also listen to the shows through the web site without downloading them.

Traffic

The Libsyn service also provided a method of tracking the number of downloads for each show, dividing the traffic reports between counting iTunes downloads and counting the number of times a show was listened to via the web site. These statistical reports were a useful way of tracking the "success" of individual shows as well as the results of the marketing campaigns.

Audience Gathering

Two separate email messaging campaigns were conducted in an attempt to move the potential audience to the "listening" category. First, to make the audience aware of the podcast, an email message was sent to 450 students announcing the podcast. Carefully worded in the announcement was a description of the show, with its subject matter (raising "awareness") as well as a statement aimed at addressing anticipated constraints:

> We aim to keep each show under 15 minutes--short enough to fit into our schedules, yet long enough to explore a delicate subject. You can listen to the interviews from the web site, from iTunes. Or, if you want, you can even put them on your iPod to listen while you're driving, working out, or studying for the bar. (see Appendix C)

The web site was equipped with a simple and prominent "click to subscribe" button which, when clicked would automatically subscribe the listener to the iTunes show feed (an automated process that would automatically download each subsequent show).

Figure 3. "Click Here To Subscribe" Button.

This required some effort on the part of the listener, especially if he or she had not already installed the iTunes music player software.

Other emails followed the original announcement, as well as links placed on web sites such as the Southern Virginia University, the home school of one prominent interviewee.

To follow the effectiveness of these efforts to generate audience response, the web site kept detailed traffic statistics (Appendix A).

Participation

To encourage audience participation in the show, the host encouraged each listener to send email with comments to an easy-to-remember email address at the close of each show. Also, a comment field was provided on the web site where visitors to the site could leave comments with a single mouse click (see Appendix F).

CHAPTER FOUR: ANALYSIS

Producer

This project drew upon two theoretical perspectives: one from the point of view of the *producer*, and one from the point of view of the *audience*. The first of these perspectives came from a reading of new media theory which argues that a defining characteristic of new media is a shift in power from traditional broadcasters (small teams or companies controlling virtually all of the world's media) to small broadcasters such as bloggers, podcasters, and community radio stations. This claim does not suggest that large media companies will disappear. It may in fact suggest that because of the competition presented by new media, large media companies will merge into even larger ones. The claim is that "everyday people" will have an opportunity to share a message through the established technology and inexpensive distribution channels, particularly over the Internet. This seems to hold true for bloggers, but will it also hold true for the similar technology of podcasting? So, given that the "everyday person" has the basic requirements (computer, Internet connection), the project asked:

Question 1: Can an unskilled or minimally-trained person create and maintain a podcast?

The results of this element of the project were mixed. In some ways, especially cost and distribution, it was possible to create and maintain a successful podcast by an unskilled or minimally-trained person. Of course, this raises the obvious problem of defining "successful." The basic requirements of success were defined as follows:

- 20 good quality interviews with content compelling enough that at least a handful of listeners would listen to more than one show.

- The occasional compliment from listeners about a specific show

• A regular audience large enough to justify the effort and cost (over 20 listeners would be sufficient)

• A smooth system of subscription and delivery to maintain the current audience

The podcasting team achieved a satisfactory result in each case.

Most notably the cost was even lower than anticipated. Except the one-time expense of a laptop computer ($2000) and recording equipment, the per-show costs were virtually zero.

However, the shortcomings of the project were in many cases related to the successes. Indeed 20 interviews were released to meet the criteria of success. However, to record and deliver the full set of shows took more effort than was initially expected. The minimum show number was achieved, although the podcasting team used nine months to record and release the interviews, rather than the planned 6 months. Also, while costs were low, there were equipment failures that required replacement of recorders and microphones, driving the costs up.

The delivery methods were straightforward and relatively inexpensive. Libsyn provided an unlimited delivery service (no extra cost for large audiences) for only $10 a month. Once a show was produced and uploaded, the subscription feed took care of itself. There were no complaints of technical problems from any audience members.

The audience size satisfied our baseline goal of 20 listeners per show, but given the size of the potential audience (several thousand listeners in the potential audience), the resulting audience size was low. Regular listeners started off in the range of 40 per show for the first few shows, then grew to over 100 per show by the last few shows. This number is disappointing by comparison to the potential audience size, but satisfying considering that monthly in-person lectures at BYU Law School about spiritual matters (the companion Spirit In The Law fireside

meetings) rarely draw audiences of more than 25 people. Hence, one podcast episode reached up to five times the audience than the in-person firesides.

It is worth noting that as the audience grew for the later shows, the downloads for earlier shows also increased. This highlights a distinct advantage of podcasting over traditional broadcast methods: once a show is released, it can be consumed at any point in the future. (Complete traffic statistics are listed in Appendix B.)

The small audience size is at least in part due to one of the major findings of this project: in spite of the promise of a democratized broadcast method, traditional production roles still apply. The podcasting team consisted of three people who were still conducting day-to-day business in their regular lives. Producing the podcast required the efforts of all of the team, and there were still tasks that were left unfinished. The first priority was to record each interview in a timely manner so that the audience did not lose interest. The second priority was to keep the show qualities, both technically and conceptually, at a high level, also for the reason of keeping the attention and esteem of the audience. The third priority was to share the message with as large an audience as possible. But to do this required more attention than was possible given the team's limited available time and expertise. Since one main goal of the project was to determine if a successful podcast could be carried out by an unskilled or minimally-skilled person, it would not have been appropriate to hire a full time marketing staff. Therefore, because of this initial intention of the project, and because of the natural constraints of time and money, marketing efforts were limited to email messages, search engine listings, and word of mouth. So it seems likely that there were potential audience members who were not reached by the email messages or word of mouth, limiting the listening audience size. However, in spite of the limitations, a

regular audience of more than 100 listeners at a very low cost was certainly an accomplishment that would not have been possible with old media.

With regards to theme song registration for *Spirit In The Law*, one finding of this project suggests that U.S. policy and the licensing procedures of music companies have not kept up with the demands of podcasting–supporting the similar conclusion of Carter and Lunt (2006). Due to the difficulty and expense of registering a copyrighted theme song, the producer instead resorted to creating his own theme music for use with each show.

The implications of this finding are twofold. The first implication suggests that it may be necessary for national and international lawmakers and educational organizations to draft new guidelines describing fair use which can account for Internet usage. The fair use guidelines (with respect to education, for example) may not be flexible enough to account for the worldwide access native to the Internet. Current fair use principles may be sufficient for in-class usage, but in the event that a copyrighted work, even if used for purely educational purposes, is posted on the Internet (hence becoming downloadable and available worldwide), the lines of fair use are stretched to a breaking point. Similarly, it seems that the lines between "educational use" and "non-educational use" are becoming less clear and may need redefinition.

The second implication applies to the music industry. For uses of copyrighted work not covered under fair use, the complicated and expensive licensing scheme as presently constituted (and only partially available to the public) has not been adjusted to fit the needs of the thousands of small broadcasters wishing to license music for use with podcasts and other similar broadcasting techniques. Music companies are losing opportunities to sell usage rights to broadcasters who are willing to pay for them.

Another difficulty of this project was in defining an "everyday person." The skill set of a person who fits the vague definition could range from unskilled to highly skilled, especially in specific areas. The producer was previously experienced with audio recording which was helpful in keeping the technical audio quality high. In many cases, the sound quality of the recordings was cleaned through a highly technical software process not available to an average Internet user. Also, he handmade a special audio cable to allow for stereo recording. This removed him, in some senses, from the unskilled category and into a category of a specialist. The same concept could be applied to the interviewer (who brought former interviewing skills).

Finally, one obvious issue is that of the singular form of "everyday person". The podcasting team consisted of three individuals, at least two of whom were involved in the production of every show. Thus, it is the opinion of the author that a single person could not have accomplished the basic requirements outlined above, at least not unless the person was skilled enough as a sound engineer and an interviewer (in the given subject matter) and had sufficient time to dedicate to all the necessary aspects of production.

Audience

The second theoretical perspective informing this project was from the point of view of the audience. Since audiences, by definition of the new medium of podcasting, must act to become audience members. And, since that action can be viewed at more than one level, the situational theory of publics was chosen as a guide to better understanding audience behavior. The theory suggests that audiences can be conceptually divided into groups and that tailored messages can be targeted at specific groups with the hope of moving the groups to action. Question 2 asked:

Question 2: Can the situational theory of publics be a useful tool for understanding and encouraging the activity of podcasting audiences?

The theory was useful for conceptually separating "publics" into groups, but it broke down somewhat in the application. To encourage participation in the *Spirit In The Law* podcast, the process started at the beginning of the publics model. First the potential audience needed to be aware of podcasting. Second it needed to be aware of the specific podcast. Then, third, it needed to be educated in how to actually listen to the show. And, finally, it needed to be encouraged to participate in the show and share the message with others. To do this, several hundred email messages were delivered which contained an announcement of the *Spirit In The Law* podcast (discussed previously in Audience Gathering), as well as an invitation to listen. The messages were tailored to raise awareness of the podcast and to address the perceived constraints to becoming a listener.

The strategy employed was to identify groups by participation levels according to the three publics described in the situational theory, *latent*, *aware*, and *active,* then to customize the email messages for the individual groups. Logically, participation levels for the podcast would split into at least *four* distinct categories as follows:

> • Not aware of the podcast *(latent)*
>
> • Aware of the podcast, but not a listener *(aware)*
>
> • A listener of the podcast but not a participator *(active–level one)*
>
> • A participator (anyone who listened to any show and also left comments through the comment interface on the web site, or emailed comments directly to the producers) *(active–level two)*

While the theory was useful for identifying conceptual groups, it failed to identify multiple levels of activity. In the case of the *Spirit In The Law* podcast, the two different levels of activity needed specific consideration. Further, to effectively apply the strategy, it would have been necessary to physically separate the groups so as to target messages to each individual group according to activity level. There was no way to know which specific individuals were in each group. So, the email messages were generic by necessity, addressing *all* of the groups at once. Therefore, in this aspect the theory did not effectively inform the practice.

But in spite of the limitations described above, the podcast's audience did grow. The email messages proved to be somewhat effective and each email campaign was followed by a significant raising of the number of subscribed listeners. Over the life of the show the audience changed from zero to over 100 (see Appendix B for complete statistics). There was no way to know if all of the audience members were a result of the email campaigns, but it is highly unlikely. This suggests that there were other forces at work, particularly when observing inconsistent traffic patterns. Consider, for example, the range of downloads for the individual shows. Most shows were downloaded by between 75 and 100 listeners, constituting a reliable baseline measurement. However, two shows had notably more traffic. Show #1, an interview with a well-known circuit court judge in Washington D. C., received over 200 total downloads. Show #2, an interview with well-known author Richard Bushman, received over 300 downloads, clearly an outlier.

The producers had a further goal of moving the audience to participation. Each show contained a request for feedback, and the web site had a simple comment interface open for public use. The host gave out the site URL and a feedback email address in each show. Yet in spite of

these efforts, the producers received no email comments from audience members. The comment field on the web site was only used during the first month by close friends of the producers. Thus not a single audience member (aside from close friends) "participated" in the show.

The reason for this can perhaps be explained by the subject matter (spiritual issues). With such a non-controversial topic, perhaps the audience did not feel the need to voice their opinion (for the same reasons that church congregations keep to themselves). Also, there was no motivating reason for the audience to participate (such as to win a prize or to ensure that future shows would still be created). Third, an audience of law students certainly has to make strategic choices as to how to spend their limited time (many potential audience members claimed a lack of time as a reason for not listening to the show).

Further, the content of the message clearly is a mediating factor in audience participation. Emails and word of mouth were used to spread the message of the show to a large potential audience, but relatively few people actually listened. By contrast, a single video (produced in a few hours by the author) of rioting in Budapest had over 5,000 downloads in 2 months (without any advertising), while the *Spirit In The Law* podcast had a total of just over 2,000 downloads in 9 months (with limited email solicitation). While these examples cannot be directly compared, they help to identify that audience interests, based on subject matter, drive behavior.

In summary, the situational theory of publics was a useful tool for understanding the podcast audience, especially with respect to identifying a potential audience, removing the perceived constraints and motivating them to action. However, the audience resulted in a much smaller size than was possible.

Also, the results from Question 1 (publisher), can inform the results from Question 2 (audience). Certainly, an individual producing a podcast who has limited skill or time for marketing will have a difficult time moving an audience to action (unless the subject matter is compelling enough where the audience will actively and aggressively seek out that message). A small team preoccupied with producing a podcast, and with limited time for comprehensive marketing efforts, will likewise see little response.

To supplement the limited feedback from the *Spirit In The Law* audience, an informal email survey was sent to the BYU Law School students with the intent to gather some general feelings the audience had about the show (see Appendix D for the list of questions). All recipients of the email were encouraged to reply, whether or not they had heard of, or listened to any of the Spirit In The Law interviews.

The email was sent out to the same group as the original announcement and encouragement emails sent months before. Approximately 450 students received the email. Since there was no particular incentive for responding, the response rate was low. Thirty two people replied to the email with answers to the questions.

Of the 32 respondents, 24 said that they had previously heard of *Spirit In The Law* either through the original announcement and encouragement emails or through word of mouth. Seven respondents had not previously heard of the show. Of the 24 who had heard of the show, 12 people had listened to at least one show in its entirety, two others had listened to part of a show but not a full show. 10 respondents had heard of the show but did not listen to all or part of any show, many of them citing the lack of time as the reason for not listening.

One respondent said, "It's hard to even accomplish all I need to do, let alone something extra like listening to one of the podcasts. Though the podcasts sound like good programs, more pressing matters take precedence for me."

Several respondents said that they had listened to multiple shows in their entirety. Curiously, most of the people who listened to one show listened to more than one. And very few of the people who listened to one or more shows reported listening to only part of a show. The fact that listeners returned for another show suggests that once they listen to one they are interested in others.

As to show length, only three of the total respondents claimed that the show length was too long; on the contrary, many respondents said the length was either fine or could be longer. One respondent stated, "I think a 15 minute discussion is great, but it is more important to have sufficient depth. Time is crucial to law students and I...would rather feel like I had used a half-hour to learn something important than waste 15 minutes brushing over it." So, it seems that the producer's decision to keep the show length around 15 minutes was a good decision.

When asked to explain if the subject matter was valuable, the responses were mainly positive. One person stated:

> I think it's always invigorating to see successful and faithful members of the
> church in any profession, and I really appreciate the podcast's ability to highlight
> these exceptional people and make other LDS lawyers feel like they have a spiri-
> tual community within their profession....I particularly enjoy hearing how these
> lawyers are trying to use the Spirit to do good works using their skills and train-
> ing. Hooray for smart, effective Mormons!

Identifying a limitation of the show, one person who categorized the show as "marginally" valuable went on to explain, "I've heard some of these people speak and thought they were more inspiring in that setting."

In contrast to the previous respondent who had other opportunities to hear some of the interviewees, another respondent felt that the podcast provided a way to be connected to the community. The respondent stated, "I loved being a virtual part of the wider LDS legal community, if only as an observer. It is good to know what is going on around the country/world with other LDS lawyers, especially hearing them explain how their legal training has informed and influenced their career choices and opportunities and being able to hear what they have been able to accomplish with their JD."

The delivery method and technology did not seem to create a barrier to receiving content for the majority of the survey respondents. One respondent did state that, "Honestly, I'm not sure how to access podcasts and didn't know if I had the capability to access it, i.e.: I didn't know if I needed an MP3 player." However, that response was an exception. Thirteen of the respondents stated that they had no difficulties listening to the show.

CHAPTER FIVE: CONCLUSION

Lessons Learned

Podcasting did indeed live up to most of its expectations from the perspective of the producer as well as the audience. Podcasting showed clear advantages over other traditional methods of broadcasting such as terrestrial radio. The most notable advantage was cost. A podcast can be produced and delivered to millions or just dozens. However, for some podcasters, a small audience is perfectly acceptable. For *Spirit In The Law*, the producers deemed it worthwhile to continue producing shows with an audience of only a handful. If, as in terrestrial radio, the costs were high, then a small audience, although perhaps valuable, would likely not outweigh the large costs of production.

A second advantage is the element of convenience. There is no doubt that the podcasting team was able to deliver material in the form of interviews to audience members that would have not found the material from any other source. Further, there is a value (compared to text-only messages) in the richness of hearing a person speak, with all their voice inflections and pauses. Delivering audio content from varied locations (while still holding down day jobs) to an audience spread around the globe, can currently only be accomplished effectively through podcasting.

Using theory to inform production and marketing decisions can also be useful. But, these theories can only provide background material and cannot, by themselves, accomplish any tasks without their proper and persistent application. The situational theory of publics, for example, only gives general principles, and makes little or no mention of the need for repetition, flexibility or creativity. New media theory only attempts to clarify what has happened and seems quite in-

capable of predicting what will happen. Thus, in that sense, theory application on such a project can be short sighted.

As a general rule, this project suggests that it might be easy for independent producers to be lured into the hearty promises of podcasting; they would be wise not to overlook traditional and time-tested methods of radio production and marketing. In concept, radio producing equipment has not changed for decades; marketing rules still apply; it still takes time to record interviews, edit them, and upload them. And so on. Moreover, technical skills are still required for even very basic situations such as proper microphone placement for optimum performance.

While it is true that many of today's podcasters are "everyday people," it is worth pointing out that many of the most notable names in podcasting are by training radio professionals. For example, Adam Curry, touted by many as "the podfather", was formerly a radio (and video) disc jockey, giving him ample exposure to technical matters such as microphone selection, sound engineering, and audio editing (Berry, 2006, p. 151; Wikipedia, 2007c). Thus the claim of podcasting for "everyday people" is similar to the same claim for, say, auto mechanics. It may be that most people can pick up a screwdriver or a wrench, perhaps even tighten a bolt or change a flat tire. But it's a different matter to say that most people could rebuild a carburetor. To do that requires experience and technical knowledge. It may be that podcasting, like auto mechanics, requires a certain amount of technical prowess not acknowledged by the numerous podcasting yea-sayers. Further, even an experienced auto mechanic must have the dedicated time to perform the task. Likewise, the "everyday people" of podcasting might be only those with enough free time to perform the often-tedious tasks that a regular podcast requires.

While the democratization concept might hold true for the simplicity of blogging (the most basic skill requirement being the ability to input text into a web interface), it does not seem to hold true in the same way for podcasting. It is true that bloggers can spend huge amounts of time compiling a written message, but the added complexity of audio production (as well as show planning and sound editing) takes the notion of democratization past an acceptable line of universality. Put simply: yes, an "everyday person" can create a podcast, but can an everyday person create a *good* podcast? Of course, that raises the subjective and difficult issue of defining "good."

Future Study

This project raises some important questions that can possibly be addressed with future research. As mentioned above, there are several subjective principles of podcasting which make it difficult to measure or understand completely.

For example, this project raised the issue of community, and how podcasting might contribute to a new type of community. Results from the survey of *Spirit In The Law* listeners suggested that there are overlapping communities. On one hand, respondents identified a traditional concept of community–one that involves a physical space and the common issues that lawyers face. On the other hand, there were participants who were seeking for a new type of community only found in podcasting–one that overlays the subject matter with the unique delivery method. The notion of time-shifting content (listening at ones own leisure, pausing and resuming as needed) seemed to be a unique aspect of podcasting that enhanced community building. One survey respondent enjoyed being part of "the wider LDS community" that the technology of podcasting facilitated. However, it would be unwise to assume that the new type of community is

completely unique, since it certainly is composed of elements of traditional communities. It would also be unwise to assume that only a simple cause-and-effect model of communication applies to podcasting. Rather, it seems likely that podcasting incorporates a ritual-model of communication as described by Carey (1975). But, it is still unclear to what extent podcasting, and other forms of new media, incorporate the ritualistic principles of faith sharing, participation, and the like. To put it into a question: How does a podcast uniquely contribute to community building? And also: How does this apply in the context of journalism where both news and community building are involved?

This project also identifies the need to better understand the tradeoffs between the elements of message content, audience size, cost, and production time and quality. Podcasting has implications for each of these elements individually. With the precipitous drop in costs to record and deliver audio (and video) content over the last few decades, podcasting, along with other forms of new media, might open the door for a new set of producers. A changing set of producers (and a reduction in production cost) would likely affect the content of the message.

Also, since audiences can listen at their leisure and inexpensively (podcasts are normally free to the public), podcasting changes the way audiences receive messages. Since producers can deliver a message for less money, they can afford to have smaller audiences. Consequently, they can narrow their messages to focus on niche markets. But what implications, if any, would this have on mass media markets? Do large audiences inherently behave differently than small ones? Since podcasting suggests a trend toward message specialization (sometimes referred to as "narrowcasting"), what effect might that have on the messages of other mediums, or on the media themselves?

This project has suggested that it is helpful to think of audience sizes in a continuum from small to large, rather than the more binary notion of small audiences or large audiences. For some producers, as it was for the *Spirit In The Law* producers, it may be acceptable to distribute content to a small number of people. Distributing a message to 20 or 50 or 100 or 500 people is acceptable based on the low cost of producing the show. However, as the production time and cost increase for certain shows, it might be necessary to have a larger audience to justify (or to compensate for) the increased expense. At what point in the continuum of audience size does the producer gain the opportunity to spend more money on a show? Where are the tradeoffs between audience size and cost (profitability)? The point of profitability may be unique to each individual show, but there may be common lessons about audience size and cost that can be shared among all podcasters.

Podcasting, like blogging, does bring an opportunity for message production to a large group of people. Its relatively low cost of production and ease of use (especially compared to traditional brick-and-mortar broadcasting) give the broadcasting opportunity to thousands of in-dependent producers. But, the basic necessities of a computer, an Internet connection, and basic exposure to some software and hardware are items that may be available to millions of people, but are also not available to millions of others, especially in developing parts of the world. Thus the digital divide is clearly an aspect that should be considered. Will podcasting, and other new media, broaden or narrow the digital divide?

Another aspect of this project that was very illusive relates to message content. It is clear that the content of a message can affect the audience response to a message, both in how the message is received and whether or not the audience will give feedback. More sensational mes-

sages can generate more "buzz" and more traffic. Since the content of a podcast is available at any time for download, as opposed to a one-time broadcast of a television or radio program, the buzz can have a snowball effect. How might downloadable messages differ from one-time broadcasts in both content and in their effect on the audience?

The producers of *Spirit In The Law* observed that interviewees were easily convinced to take time out of their busy schedules for interviews. Often, interviews were conducted during the day when the interviewees would have been working billable hours. Yet, they were willing and even excited to take time out of their day to give an interview. Certainly the subject matter of the show was a contributing factor. Lawyers were excited to share their spiritual insights to others. But more could be learned about the reasons that guests were willing to participate. Why were they willing to give freely of their time and insights and how did the subject matter affect their decision?

These questions, and many others, are still open for further study and thought.

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APPENDIX A: COST

The following expense list does not include travel costs and ancillary items such as batteries:

Table 3. Expenses:

Expenses	
Item	**Cost**
Laptop Computer, some editing software included	$2000
Lavaliere Microphone (2)	$54 ($27 each)
USB headset (for Skype)	$29
iRiver IFP-790T	$85
Online web hosting account	$90 ($10/month for 9 months)
Logic Express audio editing software	$99 student price (retail $299)
TOTAL	$2357

APPENDIX B: SITE TRAFFIC

Aggregated Show Downloads at periodic intervals (each column is a sum of the previous downloads as well as new downloads):

Table 4. Traffic Statistics:

Show Title	8/14/06	10/5/06	1/18/07
SITL1 - Thomas Griffith - Premiere Episode	134	148	203
SITL2 - Richard L. Bushman	225	260	310
SITL3 - Kif Augustine-Adams	86	98	118
SITL4 - Gerrit Steenblik	58	67	84
SITL5 - Jay Moyes	58	74	86
SITL 6 - Mark Kokanovich	56	74	91
SITL 7 - Tisha Illingworth	54	69	87
SITL 8 - Ed Carter	48	63	78
SITL 9 - Scott Cameron	41	60	80
SITL 10 - Sean Murphy	53	77	91
SITL 11 - SPECIAL Sacramento Temple Show	48	74	96
SITL 12 - Bill Warne		72	95
SITL 13 - Doug Bush		63	87
SITL 14 - Melanie Reed		77	106
SITL 15 - Sept 11 Anniversary - Video Episode		59	88
SITL 16 - Rod Smith, President of SVU, part 1		98	151
SITL 17 - Rod Smith, President of SVU, part 2			75
SITL 17.5 - Catching Up			69
SITL 18 - Bill Atkin - LDS Associate General Counsel			146
SITL 19 - Russ Taylor			77
Average Audience Size:	72	85	111
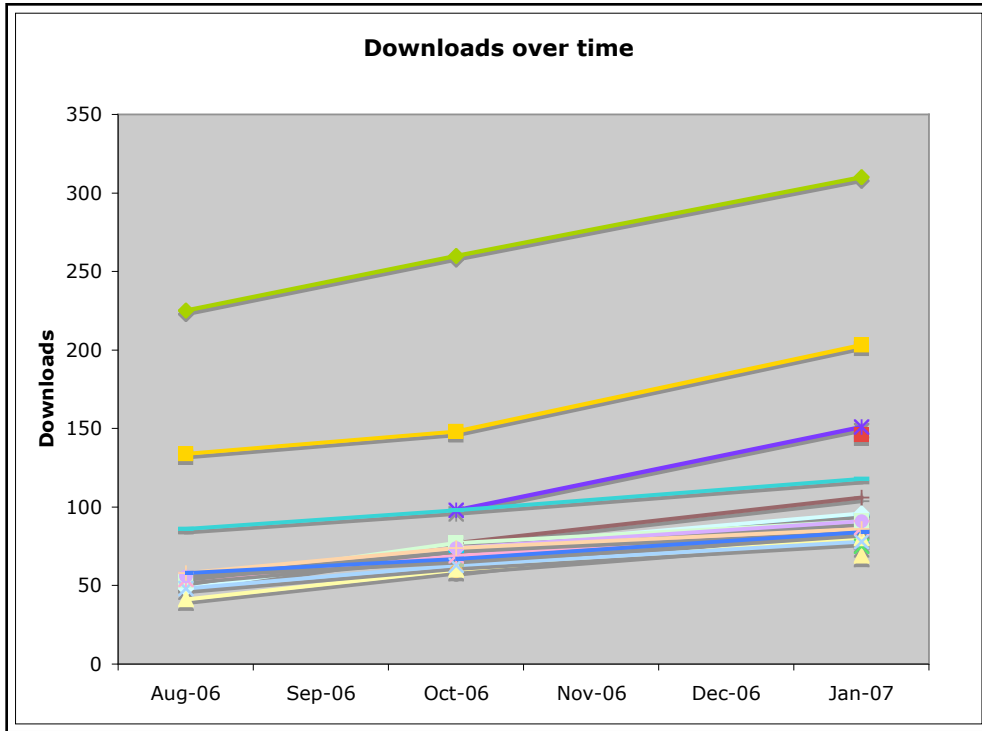
Figure 4. Graphs of aggregated show downloads. Each line represents an individual show.
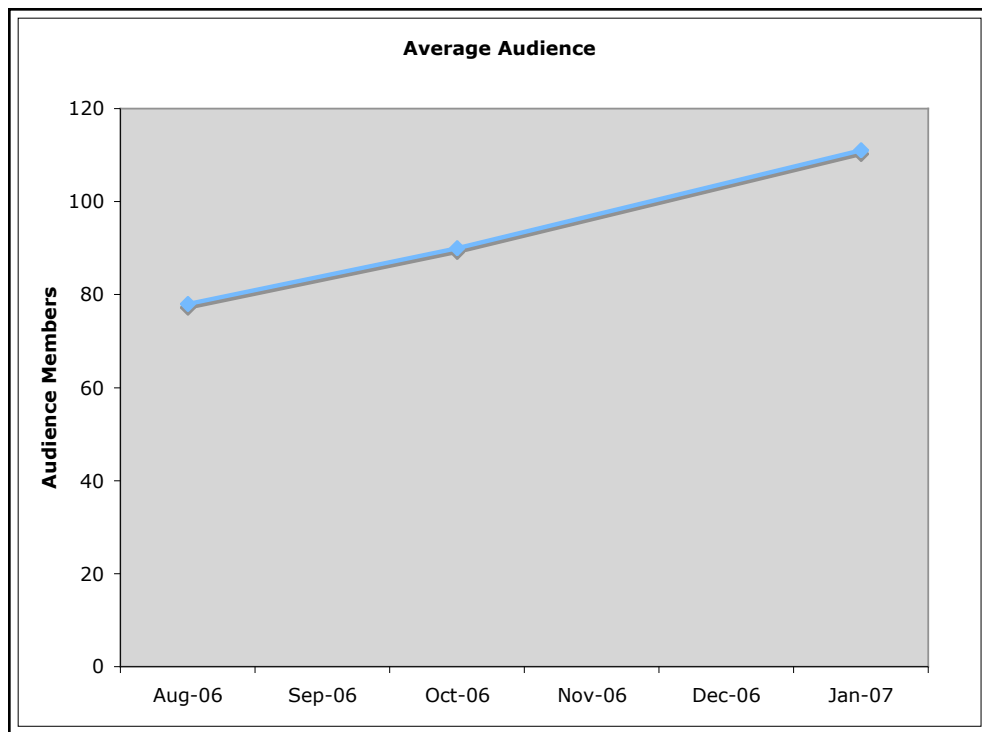
Figure 5. Graphs of average audience. Note the general increase over time.

Figure 6. Audience Statistics as of January 18, 2007.

Figure 7. Audience Statistics as of October 5, 2006.

Figure 8. Audience Statistics as of September 27, 2006.

Example of show-by-show statistics from **September 27, 2006:**

SITL12-Bill_Warne.mp3 - SITL 12 - Bill Warne

published: 15-AUG-2006 | current view: all time | compare

file size: 12.5 MB | status: active | age: 1 month | download clients

podcatchers: 54
web downloads: 17
unknown clients: 0
total audience: 71

total requests: 74
podcatcher: 55
web browser: 19
unknown: 0
unique IP: 66
podcatcher: 52
web browser: 14
unknown: 0

most popular podcatcher: iTunes (54 / 51)
biggest traffic day: 16-AUG-2006 (10)
audience by date: (10 most recent days)

■ iTunes
■ Unknown

view all in list

SITL11-Sac-Temple.mp3 - SITL 11 - SPECIAL Sacramento Templ...

published: 03-AUG-2006 | current view: all time | compare

file size: 7.8 MB | status: active | age: 1 month | download clients

podcatchers: 65
web downloads: 9
unknown clients: 0
total audience: 74

total requests: 86
podcatcher: 71
web browser: 15
unknown: 0
unique IP: 73
podcatcher: 64
web browser: 9
unknown: 0

most popular podcatcher: iTunes (71 / 64)
biggest traffic day: 04-AUG-2006 (18)
audience by date: (10 most recent days)

■ iTunes

SITL-10-Murphy.mp3 - SITL 10 - Sean Murphy

published: 24-JUL-2006 | current view: all time | compare

file size: 12.4 MB | status: active | age: 2 months | download clients

podcatchers: 58
web downloads: 19
unknown clients: 0
total audience: 77

total requests: 86
podcatcher: 65
web browser: 21
unknown: 0
unique IP: 73
podcatcher: 55
web browser: 18
unknown: 0

most popular podcatcher: iTunes (65 / 55)
biggest traffic day: 25-JUL-2006 (13)
audience by date: (10 most recent days)

■ iTunes

view all in list

SITL-10-Cameron.mp3 - SITL 9 - Scott Cameron

published: 18-JUL-2006 | current view: all time | compare

file size: 12.9 MB | status: active | age: 2 months | download clients

podcatchers: 48
web downloads: 11
unknown clients: 0
total audience: 59

total requests: 61
podcatcher: 49
web browser: 12
unknown: 0
unique IP: 57
podcatcher: 46
web browser: 11
unknown: 0

most popular podcatcher: iTunes (49 / 46)
biggest traffic day: 18-JUL-2006 (14)
audience by date: (10 most recent days)

■ iTunes

view all in list

SITL-8-Ed-Carter.mp3 - SITL 8 - Ed Carter

published: 11-JUL-2006 | current view: all time | compare

file size: 11 MB | status: active | age: 2 months | download clients

podcatchers: 50
web downloads: 12
unknown clients: 0

total audience: 62

total requests: 65
podcatcher: 51
web browser: 14
unknown: 0

unique IP: 60
podcatcher: 48
web browser: 12
unknown: 0

most popular podcatcher: iTunes (51 / 48)
biggest traffic day: 11-JUL-2006 (12)

audience by date: (10 most recent days)

■ iTunes

view all in list

SITL-7-Tisha-Illingworth.mp3 - SITL 7 - Tisha Illingworth

published: 03-JUL-2006 | current view: all time | compare

file size: 11.7 MB | status: active | age: 2 months | download clients

podcatchers: 54
web downloads: 15
unknown clients: 0

total audience: 69

total requests: 75
podcatcher: 55
web browser: 20
unknown: 0

unique IP: 66
podcatcher: 51
web browser: 15
unknown: 0

most popular podcatcher: iTunes (55 / 51)
biggest traffic day: 05-JUL-2006 (11)

audience by date: (10 most recent days)

■ iTunes

SITL-6-kokanovich.mp3 - SITL 6 - Mark Kokanovich

published: 27-JUN-2006 | current view: all time | compare

file size: 9.5 MB | status: active | age: 3 months | download clients

podcatchers: 53
web downloads: 21
unknown clients: 0

total audience: 74

total requests: 78
podcatcher: 53
web browser: 25
unknown: 0

unique IP: 68
podcatcher: 49
web browser: 19
unknown: 0

most popular podcatcher: iTunes (53 / 49)
biggest traffic day: 27-JUN-2006 (18)

audience by date: (10 most recent days)

■ iTunes

view all in list

SITL-5-Jay_Moyes.mp3 - SITL5 - Jay Moyes

published: 19-JUN-2006 | current view: all time | compare

file size: 9.3 MB | status: active | age: 3 months | download clients

podcatchers: 55
web downloads: 19
unknown clients: 0

total audience: 74

total requests: 82
podcatcher: 56
web browser: 26
unknown: 0

unique IP: 68
podcatcher: 50
web browser: 18
unknown: 0

most popular podcatcher: iTunes (56 / 50)
biggest traffic day: 19-JUN-2006 (18)

audience by date: (10 most recent days)

■ iTunes

view all in list

SITL-4-Gerrit_Steenblik.mp3 - SITL4 - Gerrit Steenblik

published: 12-JUN-2006 | current view: all time | compare

file size: 10.9 MB | status: active | age: 3 months | download clients

L.E.S.

podcatchers: 51
web downloads: 16
unknown clients: 0

total audience: 67

total requests: 73
podcatcher: 52
web browser: 21
unknown: 0

unique IP: 64
podcatcher: 50
web browser: 14
unknown: 0

most popular podcatcher: iTunes (52 / 50)
biggest traffic day: 13-JUN-2006 (16)
audience by date: (10 most recent days)

■ iTunes

view all in list

SITL-3-Kif_Augstine_Adams.mp3 - SITL3 - Kif Augustine-Adams

published: 05-JUN-2006 | current view: all time | compare

file size: 11.1 MB | status: active | age: 3 months | download clients

L.E.S.

podcatchers: 56
web downloads: 42
unknown clients: 0

total audience: 98

total requests: 206
podcatcher: 58
web browser: 148
unknown: 0

unique IP: 89
podcatcher: 53
web browser: 36
unknown: 0

most popular podcatcher: iTunes (57 / 52)
biggest traffic day: 11-JUL-2006 (95)
audience by date: (10 most recent days)

■ iTunes
■ Unknown

view all in list

SITL-2-Bushman.mp3 - SITL2 - Richard L. Bushman

published: 12-APR-2006 | current view: all time | compare

file size: 10.6 MB | status: active | age: 5 months | download clients

L.E.S.

podcatchers: 154
web downloads: 104
unknown clients: 0

total audience: 258

total requests: 324
podcatcher: 188
web browser: 136
unknown: 0

unique IP: 237
podcatcher: 143
web browser: 94
unknown: 0

most popular podcatcher: iTunes (181 / 140)
biggest traffic day: 14-APR-2006 (23)
audience by date: (10 most recent days)

■ iTunes
■ Unknown

view all in list

SITL-1-GriffithNEW.mp3 - SITL1 - Thomas Griffith - Premier...

published: 08-MAR-2006 | current view: all time | compare

file size: 12.3 MB | status: active | age: 6 months | download clients

L.E.S.

podcatchers: 68
web downloads: 78
unknown clients: 0

total audience: 146

total requests: 163
podcatcher: 73
web browser: 90
unknown: 0

unique IP: 136
podcatcher: 65
web browser: 71
unknown: 0

most popular podcatcher: iTunes (72 / 64)
biggest traffic day: 30-MAY-2006 (7)
audience by date: (10 most recent days)

■ iTunes
■ Unknown

view all in list

APPENDIX C: EMAIL MARKETING MESSAGES

Email sent to Law Mailer May 29, 2006 announcing the podcast (approximately 450 re-

cipients):

From: Robin Lunt <robinlunt@byu.edu>
Subject: **Spirit In The Law - the podcast**
Date: May 29, 2006
To: lawmailer@lawgate.byu.edu

Please send to all law students and all faculty.
Thanks!

Hi fellow law students!

Announcing the new *Spirit In The Law* podcast! - exploring spiritual matters and the law.

http://www.spiritinthelaw.com/

Spirit In The Law is a podcast (like a radio show for the Internet) for law students and attorneys. Our main goal is to "explore the intersection between spiritual matters and the law." To do this we have lined up more than 20 interviews with notable lawyers and legal professionals who have some interest and expertise in spiritual matters and the law. We've already finished the first two shows which, I think you'll find, are valuable dialogues about spiritual matters.

New shows will be released every Monday for the rest of the summer and beyond. We aim to keep each show under 15 minutes--short enough to fit into our schedules, yet long enough to explore a delicate subject. You can listen to the interviews from the web site, from iTunes. Or, if you want, you can even put them on your iPod to listen while you're driving, working out, or studying for the bar.

Please visit the web site, subscribe to the shows, and join us in the dialogue.

Current Shows:
SITL#1 - Judge Thomas Griffith - D.C. Circuit Court Jodge
SITL#2 - Richard L. Bushman - Author of Rough Stone Rolling, Joseph Smith Biography

Upcoming Shows:
SITL#3 - Kif Augustine Adams - BYU Law professor - **June 5th**
SITL#4 - Geritt Steenblik - Counsel, Bryan Cave LLP - Former LDS mission president in Africa - **June 12th**

Thank you all for listening!

Robin Lunt, Todd Leishman
spiritinthelaw@gmail.com

More info:
About Spirit In The Law
Listening and subscribing
Upcoming shows

Email sent to Law Mailer June 10, 2006 with link to podcast (approximately 450 recipients):

   From: Robin Lunt <robinlunt@byu.edu>
Subject: **JRCLS-Chapter Chairs**
   Date: June 10, 2006
     To: lawmailer@lawgate.byu.edu

please send to all students

As you may or may not know, BYU has a chapter of the J. Reuben Clark Law Society. The monthly Spirit in the Law discussions and podcasts <http://spiritinthelaw.com> are part of our chapter of the law society. So are you, by virtue of being a BYU law student. The society also includes law students and attorneys from a variety of law schools who live all across the country and the world. Take advantage of this society and contact the chapter chair in your community. For chapter chair contact information go to: http://www.jrcls.org/ChapterChairs.htm.

If you have questions, feel free to contact Todd Leishman, BYU's JRCLS Chair.

APPENDIX D: SURVEY QUESTIONS

The following questions were asked of the students at the (BYU) J. Reuben Clark Law

School in an email message:

Previous to this email, have you heard of the Spirit In The Law podcast with interviews of LDS lawyers by Robin Lunt?

If so, how did you hear of it?

Approximately how many shows have you listened to in their entirety?

How many additional shows did you listen to only partly?

Why did you not finish?

Did you find it technically difficult to listen to a show (i.e. computer difficulties)? If so, please explain.

When did you listen (for example: while driving, at work, at home)?

If you did NOT listen to any shows, what was your primary reason for not listening?

Have you found the interviews to be valuable to your personal and/or professional life?

Please EXPLAIN why or why not:

Did you share any of the shows (via a linked email or otherwise) with someone else?

One of our goals was to limit the length of each interview to around 15 minutes. In your opinion, is that length appropriate to balance a spiritual discussion with the demands of your personal schedule? (would you prefer longer shows, shorter shows, or no change?)

Do you have any further comments (perhaps regarding the content of the show, a favorite show, podcasting, or spiritual matters and the law)?

APPENDIX E: RECORDING EQUIPMENT

<u>In-Person Recordings</u>

For in-person interviews a portable MP3 recorder was used. A custom-made splitter allowed each individual audio track (interviewer, interviewee) to be recorded onto separate tracks (left, right) of the stereo recording. Aside from the obvious advantage of only having to use one recorder (rather than two), this technique also allowed for better level control and sound engineering in post-production since the audio tracks were kept separate. This technique was used for most of the recordings.

Figure 9. Fully assembled recording kit: recorder, splitter, two lapel microphones and headphones.

Table 5. Recording Equipment In Use (part 1):

Recording Equipment In Use

iRiver IFP-790T 256 MB portable MP3 player and stereo recorder

Audio Technica ATR-35S Lavalier (lapel) Microphone

Custom splitter, directing the respective lapel microphone signals to left and right channels of the stereo recording.

Macintosh MacBook Pro used for editing after recording and for Skype calls with a software recorder.

Table 6. Recording Equipment In Use (part 2):

Recording Equipment in Use

Interviewer with lapel microphone.

Interviewee with lapel microphone.

Audio engineer monitoring.

Portable recorder connected to lapel microphones.

Remote Recordings

For remote recordings, the interviewer was recorded using a lapel microphone and a port-

able audio recorder, while the interviewee was recorded using Skype computer telephony soft-

ware and Wire Tap Pro software recorder. This was necessary due to the inability of the computer

software to simultaneously place a call to a telephone (using the Voiceover Internet Protocol

(VoIP) through Skype software) while recording both the interviewer and interviewee.

Figure 10. Skype screen shot.

Figure 11. Wire Tap Pro screen shot.

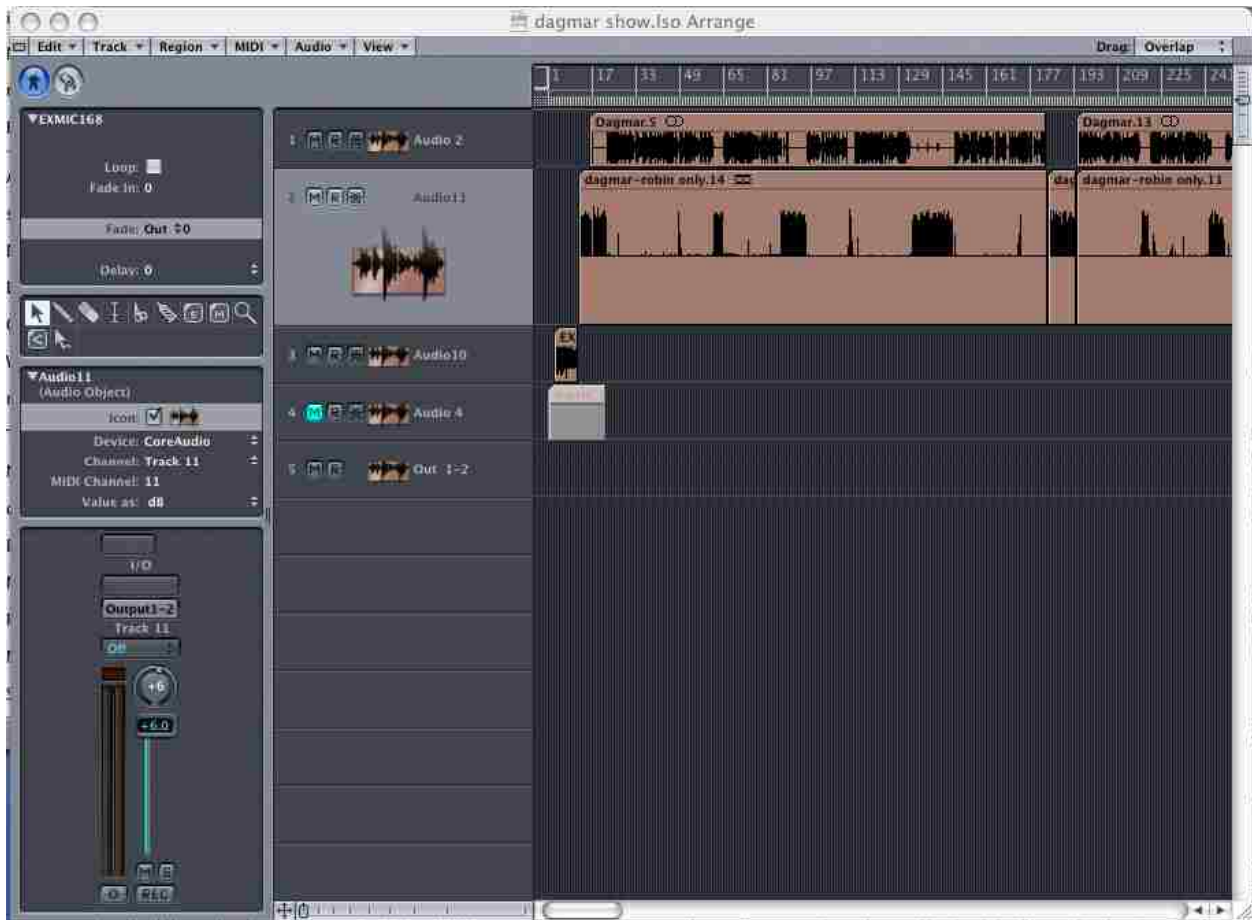# APPENDIX F: EDITING SOFTWARE

Figure 12. Logic Express Screen Shot.

Apple's Logic Express was used for audio editing for each show. The main editing window is shown above.

Figure 13. Logic Express Screen Shot With Equalizing Software.

This screen shot of Logic Express shows the complex post-production tools used to

"clean" recordings. A mixing console and an equalizer are pictured with the main editor in the
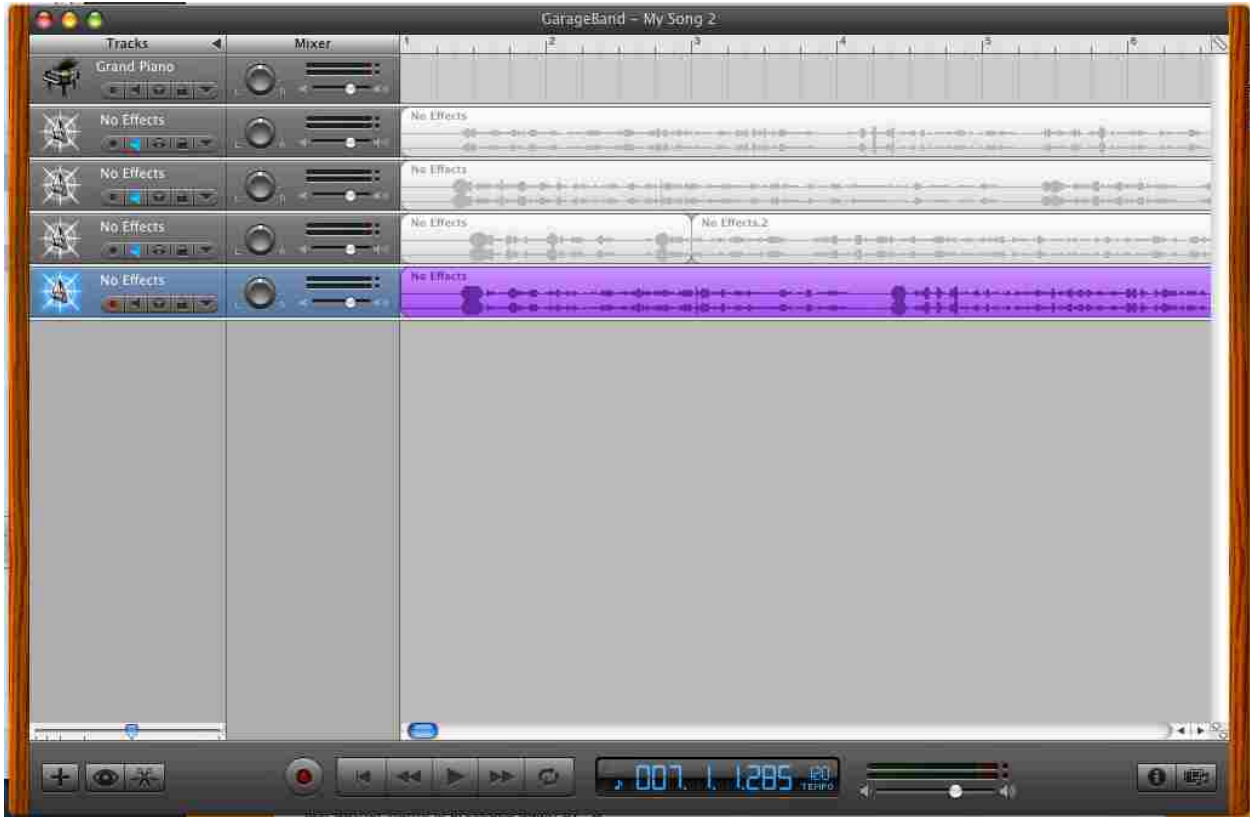
background.

Figure 14. GarageBand Screen Shot.

On occasion, Apple's GarageBand was used for audio editing that did not require cleaning, such as the theme music.

APPENDIX G: LISTENING TO THE SHOW

All shows were linked from the web site, blog fashion, with new shows appearing at the top of the site.

Figure 15. Spirit In The Law web site.

A simple "leave a reply" interface was linked to each show:

Figure 16. Leave a Reply window.

Each show was also available and could be downloaded automatically through Apple's

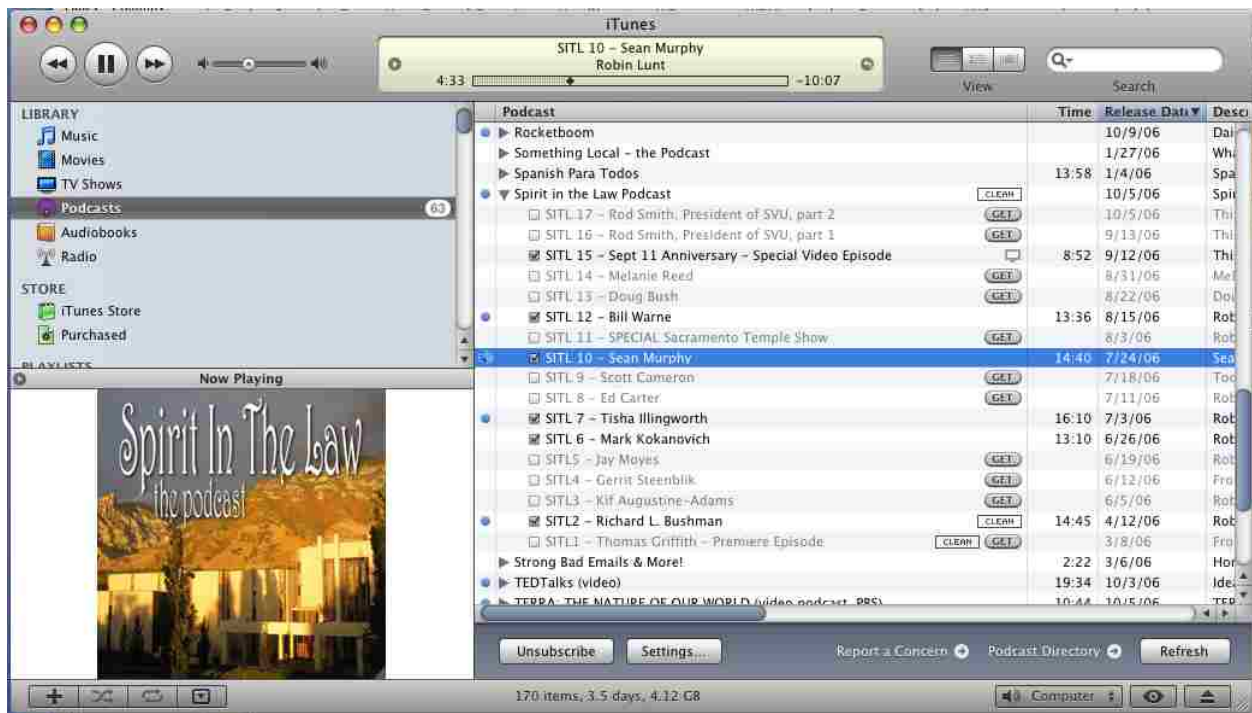iTunes music player. Most listeners used this method.

Figure 17. iTunes screen shot.