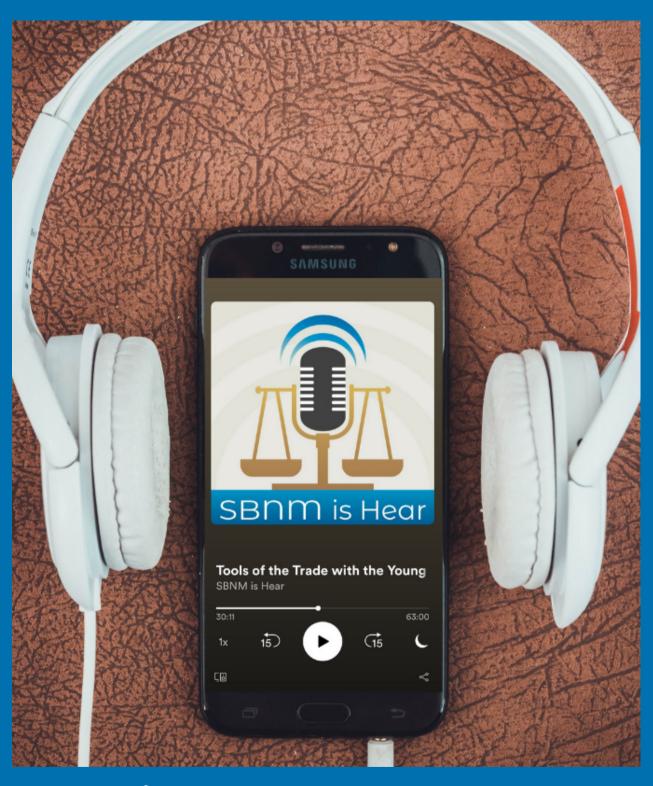
ARIZONA STATE UNIVERSITY

FALL 2020



Technical Communication Applied Project

PROJECT RESULT, ANALYSIS AND RECOMMENDATIONS

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Executive Summary

The report provides analysis and recommendations about the *SBNM is Hear* podcast to the State Bar of New Mexico's (SBNM) leadership. SBNM leadership is comprised of the Board of Bar Commissioners (BBC) and Bar Executive staff.

Overview

The SBNM created the podcast series in order to connect with members statewide and encourage community fostering. The Member Services Department of the SBNM collected feedback from members to determine listener demographics and gather desired listening content. This feedback can be used by SBNM staff and leadership to curate more effectively targeted content to help meet these goals.

Methods

The Member Services Department deployed an electronic survey (eSurvey) to all active members of the SBNM (n=6800). We distributed the survey via eBlast to the emails of members. We collected data from Oct. 6 - Oct. 13, 2020.

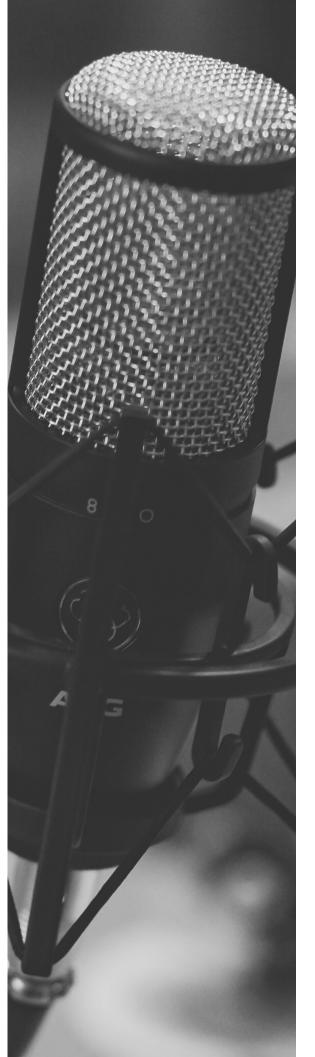
Summary Findings

The survey data provided the following insights:

- The age of listenership was well distributed across generations, which tells us that we should develop content that is relevant to legal professionals at different stages of their careers.
- Respondents are more likely to listen to episodes when the presenters gender matches their own. Future content and presenters should not disproportionally represent any one gender.
- Respondents view the podcast as a potential connection to the judiciary which provides the opportunity for the various institutions to collaborate more frequently.

The survey data reinforced current efforts to:

- Provide content, information and resources that are New Mexico-focused. This will allow for future episodes to be tailored more effectively to the target audience.
- Provide relevant and timely topics in communication and educational materials. By continually updating content, the SBNM can more effectively provide up-to-date and in-demand information to its membership.
- Continue to strengthen membership engagement through new virtual platforms. By doing so, the SBNM will be able to further their goal of providing a diversified experience for members seeking resources from the organization (i.e. CLEs, professional development, events, etc.).



Project Overview

In order to encourage statewide participation and foster community, the State Bar of New Mexico (SBNM) has created a new podcast series, SBNM is Hear. There are around 6800 members geographically located throughout the fifth largest state in the country. Coupled with a profession that typically averages 60-70 hours in a work week (McMullan Abramson, 2015), the on-demand accessibility of podcasts is a major appeal for legal professionals (Colletti, 2016). With the creation of the podcast series, the SBNM is more accessible to members throughout the state. They can more readily participate in this new form of media as opposed to traditional inperson events or courses. Podcasts have been suggested by academics and industry professionals as a way to expand employee and customer inclusivity (Lee and Chan, 2005; Colletti, 2016). Career-specific podcasts allow members to experience interactions virtually that they would not normally have experienced. Podcasts also help individuals create forums and communities around a common interest (Waddingham et al., 2020).

While the launch of *SBNM is Hear* has received detailed attention from the development staff regarding the production, launch and distribution of episodes, little focus has been devoted to developing a mechanism of reviewing episodes once they are live. In order to produce a sustainable podcast series that aims to include all members of the organization, it is imperative to understand listener opinions about their desired content.

This project uses an electronic evaluation survey in order to develop content that promotes statewide member inclusion. The questions that this report answers are:

RQ1. What is listener feedback regarding the content for the first nine (9) episodes of the series?RQ2. What are the listener demographics across the first nine (9) episodes?

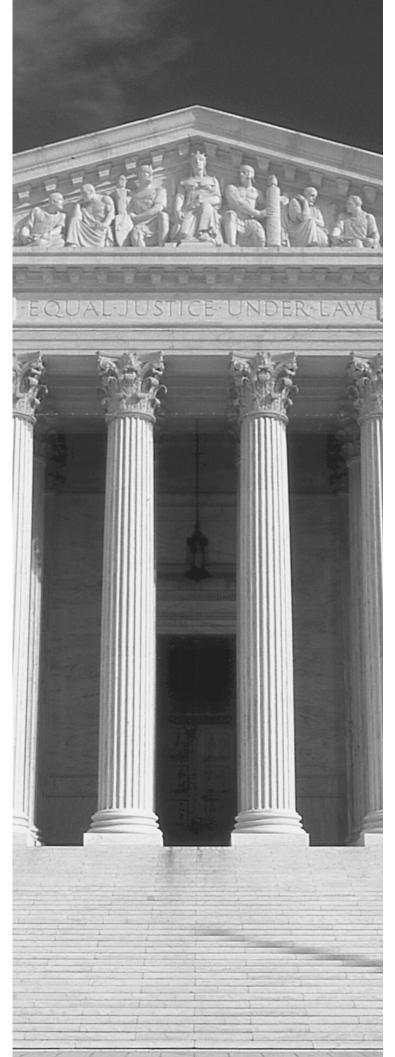
RQ3. What content does the membership request?

Legal Podcasts

Much of the literature that can be found regarding legal podcasts is more directed towards marketing. There are plenty of articles about tips, tricks, and the perceived usefulness of podcasts made by attorneys to advertise to potential clients (Colletti, Galotti). However, it is difficult to find literature or data on podcasts produced by legal organizations and associations. Even with limited data on organizational podcasts, helpful advice can be taken from the marketing literature. For example, the Attorney at Law magazine emphasizes a key point for the success of any podcast, "Too many lawyers throw up a podcast with no focus or follow through. You hate to see a podcast with 6-10 episodes and then nothing for months or years. If you are going to do a podcast, you need to follow through so you have consistent content. Consistency provides reliability which gets traffic" (Galotti, 2020).

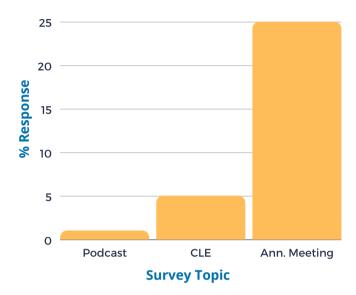
Although it is difficult to find conclusive data on the amount of legal podcasts available, many Bar associations like the SBNM have podcasts available as a resource to their respective memberships. A cursory internet search shows that the following associations have at least one podcast episode produced within the last year. While the list below is a brief snapshot of organizations similar to the SBNM, it is encouraging to see other Bar associations embracing podcasts.

Dade County Bar - American Bar Association -Colorado Bar Association - Maryland State Bar Association - New York City Bar - Indianapolis Bar Association - Chicago Bar Association - Texas Bar Association - Michigan State Bar Association - San Diego Country Bar Association



Survey Response

RESPONSES COLLECTED AND COMPARISON TO OTHER BAR SURVEY RESPONSES

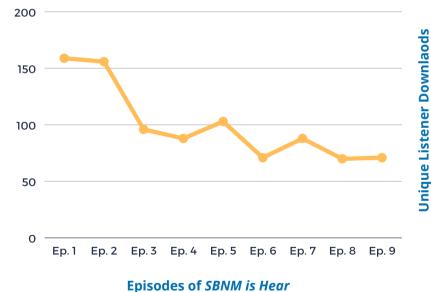


OPINION SURVEY RESPONSES

The State Bar of New Mexico (SBNM) and New Mexico State Bar Foundation frequently use surveys to solicit feedback from their members. Typically, the best performing survey is the Annual Meeting Conference survey with about a 25% response rate. The response rate for continuing legal education courses (CLE) is about 5%. The response to this survey was a little over 1%. This may be in part due to the recent distribution of the podcast (less than six months since series premier) or the added complexities brought on by 2020.



The podcast is hosted through an external website that collects statistics on a daily basis, such as total streams, unique listeners, location of listeners, etc. The statistics from this website were not considered in this analysis. As the survey responses only represent a subset of total listenership, the trends discussed in this report provide a helpful framework for assessing the broader analytics, but further surveys may introduce new insights.



SNAPSHOT OF PODCAST ANALYTICS

1150

Total downloads as of Nov. 30, 2020. Podcast was launched in June 2020. 61%

Of respondents listen to the series on Apple Podcasts.



Different states across the US have listeners of SBNM is Hear.

Survey Result Analysis

SURVEY WAS DEVELOPED AND HOSTED THROUGH QUALTRICS WITH ASU

UNDERSTANDING SURVEY RESPONSES

The eSurvey was distributed to all active members of the SBNM between Oct. 6 - 13, 2020. The potential respondents were informed on the eBlast, as well as on the survey itself, that their participation would be voluntary, anonymous, and confidential. Participants were not compensated or rewarded for their participation in the survey. It is possible that survey participants were more likely to respond if they had either listened to or heard of the *SBNM is Hear* podcast. Future surveys will hopefully yield a larger sample size and may help to mitigate this potential response bias.

The eBlast also included phrases in an attempt to create a positive feedback environment: "We are continually striving to produce content that benefits our diverse membership and helps to connect us across our great state. Even if you have not listened to an episode yet, please let us know what content would encourage you to listen or hope to see in the future. These questions are important to the organization and we would be grateful for your honest feedback." While the promise of anonymity and encouragement for participation can only minimize intentional or unintentional omissions, distortions, or untruthful responses, it is believed that these two factors contributed to collecting quality responses.

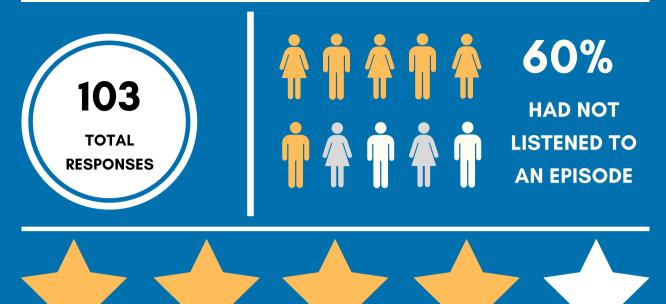
ANALYZING THE DATA

Responses yielded quantitative and qualitative data. The resulting data was initially divided into two categories, those who had listened and those who had not. Within each category, the quantitative data for both cohorts was broken down into gender, age, and location. Indicated practice types were totaled, as well as responses to other questions (how listeners rated episodes, non-listeners knowledge of podcasts, etc.).

Qualitative data was only present in the open-ended question regarding content suggestions for both cohorts (listeners and non). A majority of the responses were brief such as "family law topics", "civility", and "practice tips". These responses were totaled based of frequency of mentions. Of the handful of responses that were longer or fully formed suggestions, they were added to the frequency count of its related topic and/or designated as a standalone topic.

Given that most data was multiple-choice or short answer, totals, frequencies, and percentages were the main analytics used. Findings and recommendations were based off the comparison of these three metrics within and between each cohort and its subdata.

THE SURVEY FIGURES - DEMOGRAPHICS ACROSS THE FIRST NINE EPISODES (RQ2)



53% OF LISTENERS WHO COMPLETED THE SURVEY RATED THE SERIES 4 STARS (GOOD). 28% RATED IT 5 STARS (GREAT) (RQ1).

SPECIFIC LOCATIONS INCLUDE:

83 RESPONDENTS PRACTICE IN NM ALBUQUERQUE SANTA FE LAS CRUCES TAOS BERNALILLO

DEMING HOBBS GALLUP LAS VEGAS ROSWELL CARLSBAD

DALLAS, TX EL PASO, TX CHANDLER, AZ DENVER, CO LOS ANGELES, CA MIDLAND, TX PHOENIX, AZ WASHINGTON, D.C.

20 PRACTICE THROUGHOUT THE COUNTRY





Finding 1: Age Demographics Across All Respondents (RQ2)

It was expected that the age of *SBNM is Hear* podcast listeners would skew more heavily towards a younger audience. However, the results showed a relatively even split among age of listeners. As such, future content should not skew too heavily towards younger/newer practitioners.

Studies indicate that podcast listenership is starting to slightly expand into the older age demographics (54+), but that a majority of listeners are 25 to 54 years of age (Bear; Improve Podcast, 2020). Coupled with the fact that the average age of a law school graduate is 26 (American Bar Association), the expected results were that the majority of *SBNM is Hear* listeners would be of the younger generations.

There were minimal differences in the age of the 43 respondents who indicated they listened to at least one episode in the series. Survey participants were provided the following age categories: 23-29, 30-34, 35-44, 45-54, 55-64, 65+.

The six age categories were evenly split, with the exception of the 30-34 age range having one additional response. All other age ranges had the

same percentage of listenership (17.5% or 7 per age category). The SBNM's demographics of active attorneys (n=6800) breaks down into 35% Millennial, 25% Generation X, 25% Baby Boomer and 5% the Silent Generation (State Bar of New Mexico). Despite younger generations making up the majority of the SBNM membership, listenership was still equally distributed across all age categories.

Of the 60 respondents who had not listened to an episode, 41% were age 55 and over. Of those respondents, 81% indicated that they were more likely to listen to an episode if the topic related to their practice area. This further supports the benefits of not exclusively creating content for a presumed younger audience, but instead tailoring to a diverse array of topics and fields.

Creating content and platforms, such as podcasts, geared towards younger/incoming attorneys helps the organization by fostering relationships as they start their careers. However, survey results indicate that the podcast content should target attorneys of all ages to promote member connection and inclusivity.

"I think that it should not be overlooked that the "YLD" topics are very useful to ALL lawyers! I'm a 25 year atty (sic), and learned things."

*Respondents were given the option to select **male, female, non-binary/third gender or prefer to self describe.** Respondents only selected **male** and **female.** Therefore this report will reflect a binary of male and female.

Finding 2: Gender Demographics Across Listeners (RQ2)

The survey data indicates that gender plays a role in the listening experience of the *SBNM is Hear* audience. Females listen to more episodes on average and both genders are more likely to listen to a presenter of their own gender.*

Studies have shown that men tend to be the more prominent consumers of podcasts (Bear; Improve Podcast, 2020). While the listenership of women is increasing at a faster rate, men are the predominant listeners of podcasts. This may be in part due to the gender gap in podcast production. Although tracking podcasts can be difficult, a handful of studies indicate that only one out of three podcast series is produced by women (Shendruk, 2019).

Contrary to podcast research expectations, SBNM women both responded to the survey and listened to the podcast at a greater rate than their male counterparts. The SBNM's gender demographics of members break down into 59% male and 41% female. Of the listeners, 16 identified as male and 24 as female. The above numbers indicate that despite males representing a larger portion of the overall membership, female listeners make up more than half of the podcast audience.

Results from this survey indicated two trends. The first trend was that women on average listened to more episodes than men. The 16 male respondents streamed a total of 40 times, which is about 2.5 episodes per male. The 24 women streamed a total of 81 times, which is about 3.4 episodes per female.

The second trend was that the two genders favored certain episodes differently. Four episodes of the podcast were themed "what I wish I knew" and featured interviews of established attorneys. Each episode had the same structure and content but featured three different presenters, one male and two female (one female presenter hosted two episodes).

Episode 4 of "What I Wish I Knew with Tomas Garcia" accounted for 27% of the streams by men but only 15% of the streams by women. Streams of the remaining three "what I wish I knew" episodes with female presenters accounted for 73% of the streams by men and 85% of the streams by women. These percentages indicate that men are slightly more likely to listen to podcast with males hosts while females are more likely to listen to podcasts with female hosts.

As people often form stronger connections with those who have shared experiences, this may in part explain the gender preferences of the listeners. Of the 23 presenters that have been featured on the *SBNM is Hear* podcast, 17 have been women. This was not intentionally done. Moving forward, presenters should be selected in such a way as to not disproportionately represent any gender. M. PETTIT

Finding 3: Connection to the Judiciary (RQ3)

Perhaps the most interesting insight from both cohorts of respondents (listeners and nonlisteners) resulted from the qualitative open-ended responses. Pertaining to the content request question (RQ3), respondents indicated that they view the podcast series as an opportunity to connect to the judiciary. As of this report, there has not been an episode with any judge or justice, nor has there been any content directly related to the judiciary.

Few comments gave context to their content request. However, some respondents referenced the major impact COVID has had on in-person court proceedings. Because of this, their comments reflected the desire to hear guidance from the judiciary.

"What's happening with the District Court houses around the state in terms of audio or video hearings, and when & under what circumstances in-person hearings / trials will resume."

"Information directly from the Court on how they are handling things due to COVID, plans for the future, information directly from Judges."

"Anything with family courts! We need to hear from judges!"

"Interviews with judges about changes due to COVID - especially as related to online/remote hearings, both good and bad."

"A lot of stuff specific to *our* (NM) [sic] courts I'd probably listen to, like discussion of new appellate cases that come out."

There is no denying that COVID will change many aspects of our professional lives. After attending countless meetings where attorneys have said that they cannot imagine that the court system will look the same after this pandemic, it seems rational that they would like to hear how the leaders of the judicial system see the future of the practice.

As judges maintain busy dockets and are elected officials, it may be challenging to have regular content from judges made available to the membership. However, the opportunity to connect members to the judiciary once a quarter or a few times throughout the year would be an incredible opportunity on behalf of the SBNM and the state-wide judicial system.

This particular finding also presents the opportunity for the various practice groups to become involved in content curation and creation. As practitioners know the local judges, they have the best available connection to the system and know first hand what is going on in their courts. Such collaborations between SBNM staff, attorney members, and judges have the potential to foster a strong sense of community amongst practitioners.

M. PETTIT

SBNM is Hear in the Podcast Ecosystem

Podcasts are becoming a staple of entertainment and informational media. According to data analysis from institutions like Edison Research, Pew Research Center, and Triton Data, a resounding 70-75% of Americans ages 12 and up are aware of podcasting as a listening platform (Baer, DiscoverPods, Pew Research Center). Between the two cohorts of respondents of the *SBNM is Hear* podcast, 88% were familiar with podcasts in general as a listening platform. Focusing in specifically on the *SBNM is Hear* podcast, 72% of survey respondents knew of the recent launch of the series. While the response rate for the survey was small, this preliminary data seems to show that the *SBNM is Hear* listenership is similarly distributed when compared to trending national data.

The data around national listening trends appears to focus primarily on age, gender, and overall listening frequency. There is little data to be found regarding other variables such as listenership across different professions. However, national data does indicate a change in listener demographics. While younger listeners still maintain a majority of listenership (Jin et al., 2019), the percentage of Americans over the age of 55 who listen to podcasts increased 29% within the last year (Baer). Edison Research and Triton Data recently found that of the listeners who are over the age of 55, around 25% of them were listening to a podcast at least once a month. This is consistent with the *SBNM is Hear* survey data, as older listeners were just as likely to have listened to the podcast as the younger age cohorts. As mentioned in the second finding of the *SBNM is Hear* survey, content should be inclusive to all age demographics.



M. PETTIT

Podcasts as a Tool for Professional Development and Outreach

While podcasts for professional development are starting to become more commonplace, the understanding on their success is still unknown. However, some studies do address the importance of content being appropriately created and aligned with career professionals. Podcasts for professionals should encourage listeners to turn content and discussions into workplace action (Waddingham et al., 2020). Other fields have explored the potential impact of podcasts as a tool for professional development. The medical profession, much like the legal field, is demanding and time consuming. In 2008, the British Medical Association recognized that podcasts are a "valuable addition to these traditional (lecture) formats owing to their portable, global, and on-demand nature" (Large et. al). In a survey study conducted by the Canadian Journal of Emergency Medicine, the authors found that physicians used podcasts as a resource to review materials or learn of new medical literature (Goerzen et al., 2018). Hopefully, as more legal organizations expand into podcasting, similar studies on listenership and professional development will be conducted.

Having a resource that helps to increase the feeling of inclusivity and participation is crucial to organizations such as the SBNM. The members of the SBNM are mandated to be part of the organization to practice law. Coupled with having only one physical location that is a one to three hour drive for most rural towns, some members throughout the state have made it clear to organizational leadership that they feel the SBNM is too metro-focused and that they are forgotten when plans are developed and implemented. Future podcast episodes should include presenters and content that are relevant to different parts of the state. Presenters allow listeners to make a personal connection to an episode. If they see or hear a colleague in their area featured in an episode, they may feel a stronger inclination to listen. Similarly, content should reflect the broad range of practice in our large state. While there is overlap in practice areas across the state, some regions have clients or areas unique to them and should be included in future content.

OPEN-ENDED RESPONSES FOR CONTENT

The following list includes all of the open-ended responses from both cohorts (listeners and non-listeners) regarding requests for future podcast topics.

ABA CONNECTIONS ACCESS TO JUSTICE ADMINISTRATIVE LAW AOC INTERVIEWS ATTORNEY ETHICS BALANCE **BAR OFFERINGS BULLETIN CASE SUMMARIES BBE INTERVIEWS** CANNABIS LAW CARES ACT CHIEF JUSTICE INTERVIEW CHILDREN'S LAW CIVILITY (GENERAL) CLEAN AIR ACT CLIENT RELATIONSHIPS CONSTRUCTION COVID PRACTICES COURT SPECIFIC ISSUES CRIMINAL PROSECUTIONS DEPOSITIONS DISTRICT COURT **DIVERSITY TOPICS** DOMESTIC VIOLENCE EDUCATION LAW EVIDENCE PRESENTATION FAMILY LAW FAMILY LAW JUDGES FEDERAL CLEAN WATER FEDERAL COURT CHALLENGES FUN LEGAL CASES GUARDIANSHIP HOME LIFE BALANCE IMMIGRATION LAW IMMIGRATION IN NEW MEXICO IMMIGRATION IN US INCREASING BUSINESS INDIAN CHILD WELFARE INTERVIEW WITH JUDGES IOLTA INTELLECTUAL PROPERTY ISSUES OF THE DAY

JLAP LABOR LAW LEGAL SERVICE ATTORNEY WORK LEGISLATIVE UPDATES MARKETING MEDIATIONS MEDICAL MALPRACTICE MEMBERSHIP PERKS MENTAL HEALTH MENTORING MILITARY LAW MOM SUPPORT MUNICIPAL NEW LAWYER ADVICE NM COURTS SPECIFIC NM UNIQUE ISSUES PANDEMIC STRUGGLES PARENTAL ALIENATION PARENTING PERSONAL DEVELOPMENT PERSONAL INJURY PRACTICE TIPS PRO BONO PUBLIC INTEREST **REMOTES HEARINGS RESEARCH TIPS** RETIREMENT RURAL AREAS SELF HELP SOLO AND SMALL FIRM TIPS SUBSTANCE ABUSE TANGIBLE IDEAS **TRUST & ESTATE** TECHNOLOGY TRANSACTIONAL LAWYERING TRIAL PRACTICE TIPS UPCOMING EVENTS VISITATION **VOLUNTEER OPPORTUNITIES** WELLNESS WOMEN IN THE PROFESSION WORKING FROM HOME

FALL 2020

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RESULTS SHOW SUPPORT FOR ORGANIZATION-WIDE INITIATIVES & PLANS

NEW MEXICO BASED INFORMATION

A common theme found in the open-ended responses regarding future content was that it should be centered solely around New Mexico: "Focus on things uniquely valuable to NM and that we can only get from NM - don't need to compete with other resources country-wide".

PROGRESSING LEGAL EDUCATION

Of the participants who answered "Would you be interested in the podcast counting as CLE credit?", 56% indicated they would. This shows that the SBNM membership is open to different and/or new formats of obtaining their required legal education credits.

TIMELY TOPICS FOR ANY ORGANIZATION CONTENT

Future content should include timely topics. There were over a dozen requests for COVID-related topics, such as wellness and technology tips. There were also a dozen requests for topics about diversity and access to justice.

ENGAGEMENT CORRELATES TO MEMBER CONNECTION

The final question posed to all participants was "To what extent do you feel virtual platforms help increase member outreach?". Of the 40 listeners, all responded, and 80% indicated that the SBNM moderately or significantly improved its outreach through virtual platforms. Of the 63 non-listeners, only half responded. Of the few nonlisteners who responded, only 30% felt the SBNM had improved outreach. While the sample set is small, the results do show that those who engage with the organization in multiple ways indicate a personal stronger connection to it.

Report Summary

Although the response rate was small, the data still provided valuable insights and findings of the *SBNM is Hear* podcast series. The eSurvey helped to answer the three questions posed by this project and provided a framework for collecting podcast feedback in the future.

Demographics Overview (RQ1 & RQ2)

The eSurvey results (n=103) provided insight into podcast demographics:

- The average age of survey respondents was 44 and more females responded to the survey (63% female, 37% male).
- Roughly 4 out of 10 respondents had listened to the podcast.
- Respondents were distributed between 11 locations in New Mexico and 5 different states.
- Of those who listened, more than half rated the series as 'good' (four stars).

Summary Findings (RQ3)

The survey data provided the following insights and recommendations:

- A pleasant surprise that the age of listenership was well distributed between generations. Future content should target this wide demographic range and not focus on one age cohort.
- Gender played a role in the *SBNM is Hear* listening experience. Survey results contradicted podcast industry listening norms and had a higher female listenership. People of both genders favored certain episodes differently as well.
- Respondents view the podcast as a potential connection to the judiciary, especially in light of COVID-19 and how it has changed their practice. This finding highlights an incredible opportunity on behalf of the SBNM and the statewide judicial system to connect.

Future Recommendations

As the podcast becomes known to the members of the organization, the need to evaluate the podcast as a member outreach resource is imperative. The podcast should be evaluated on an annual basis using the same survey questions with adjustments made as necessary to adapt to future content, total episodes and developing world events. As the survey development and distribution incurs minimal costs, this is a feasible task to be continued by the Member Services department.

For soliciting future content, our primary request is continued support from the SBNM leadership, the BBC and Bar Executive staff. As the members of the BBC are active attorneys, they have the most direct connections with their practice areas, peers and members of the judiciary. The Executive staff also has administrative connections with the various legal institutions of the state. The continuation of content production is heavily reliant on the connections provided by those most familiar with the practice of law and those who influence it. As the Member Services staff are not attorneys, we must work hand in hand with those who are in order to continue to grow and better this particular platform.

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