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Lawyers Podcast a Wide Net

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Lawyers are like opera singers -- sometimes they can be just a little too fond of their own voices. So it's not surprising that a novel technology known as "podcasting" has caught the imagination of a few lawyers who are particularly fond of their vox advocatus. Some of these folks are even worth listening to.

Podcasts are on-demand radio-type programs in the form of MP3 audio files that are downloaded from the Internet and then loaded onto MP3 players. The term "podcast" is derived from Apple Computer, Inc.'s iconic iPod portable musical player. Podcasts have given the opportunity to thousands of people, from ranting amateurs to polished radio personalities, to come up with their own virtual radio show.

These podcasts are an outgrowth of the blogging phenomenon of the past couple of years; enterprising programmers discovered that they could transmit audio files as easily as photos and text, using the same technology that powers blogs.

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Using RSS, or "really simple syndication," subscribers can automatically receive "feeds" of new audio files as they become available.

There are podcasts on everything from anarchist politics to legal affairs. Attorney-podcasters are creating programming like "The Supreme Court Watch Podcast" and "The Legal Underground." In fact, the breadth of legal podcasting's subject matter seems limitless. In recent weeks lawyer-podcasters have weighed in on everything from lawyers who sleep with their clients (Australia's "The Law Report") to Minnesota's solicitor general's take on corporate responsibility ("Conversations in Law"). Even famed trial lawyer F. Lee Bailey is podcasting ("Legal Talk Network").

Conspicuously absent is the in-house community, which isn't surprising given the corporate strictures on out-of-school commentary. But a lot of the lawyer podcasts, or "blawgcasts," are of interest to the corporate counsel. And they're free to download.

What's in it for listeners? For one thing, convenience. Subscribing to a podcast means being able to listen to commentary anywhere, anytime, on an MP3 player hooked up to a car's stereo or through headphones. The shows can be played -- as well as fast-forwarded and rewound -- at any moment.

To get in on this latest technofad, listeners need to do two things. First, find a podcasting client, a software program that points the computer in the direction of the podcasts and "catches" them. Then subscribe to an RSS feed, so that there will be something to listen to. And at some point, listeners need to transfer the audio files to a listening device, such as an iPod or Creative's Nomad.

There are a number of free podcast clients available for download. The two most popular are iPodderX (available for free at ipodder.org) and Apple Computer's latest version of iTunes (Version 5.0; also a free download). Both work with newer Windows PCs (using Windows XP) and Macintoshes (with OS X). Each includes large directories of podcasts that can be navigated by topic areas or searched by keywords. Most clients allow users to either hit a "subscribe" tab to a particular podcast or enter the podcast's Web address. Once subscribed, shows will be automatically downloaded every time a new one is broadcast (although users can adjust the settings).

Here are a few blawgcasts that are heating up the pod dial.

The plaintiffs bar was an early champion of podcasting. Two shows, in particular, are worthy of in-house attorney attention:

"The Legal Underground"

Hosted by Schaeffer & Lamere partner Evan Schaeffer, this podcast features music (all licensed) and a trial lawyer's not-too-overbearing take on legal news. In a recent broadcast, Schaeffer made an interesting argument on why Merck & Co. Inc., was unlikely to file for bankruptcy, following a jury verdict of \$253 million in a trial involving adverse reactions to the pain medication Vioxx.

"Power of Attorney"

Another noteworthy podcast in this genre is by private practice trial lawyer Marsha Kazarosian. The Massachusetts-based Kazarosian explores everything from sexual harassment in the workplace to the way that media is influencing her job. One recent broadcast included an interview with an NBC producer on how Hollywood shows like "Ally McBeal" and "CSI" affect the U.S. justice system.

Not surprisingly, podcasting has become a natural extension for bloggers. Some popular blawgers have taken their advanced tech chops to podcastville:

"The Bag and Baggage Podcast"

Reed Smith intellectual property lawyer and popular blawger Denise Howell's podcast features insightful talk about the ways in which advanced technology (such as blogs, wikis -- group-edited encyclopedias -- and social bookmarks, which people share over a network) can help lawyers on the job. One slight drawback: It sounds as though it's coming through a tunnel. Why? Howell produces her podcasts by recording herself on a cell phone as she drives to work. Happily for Howell and her listeners, she manages to get it all in without causing a pileup on the freeway.

"May It Please The Court"

J. Craig Williams' program is another podcast from a distinguished blawger. Williams, an appellate lawyer at The Williams Law Firm in Newport Beach, Calif., is sharp and brief (usually less than three minutes a show) and gives his takes on such topics of interest to in-house counsel as environmental audits, tort reform and Sarbanes-Oxley compliance. Two years ago a radio show about SOX was as likely as a Broadway musical about interior decorating, but podcasting makes it all possible.

"Rethink(ip) Aloud"

Blogging can be a solitary pursuit, but the three podcasters (and IP attorneys) behind this podcast have turned their program into a freewheeling exchange of ideas. The three lawyer-podcasters, Matthew Buchanan, Stephen Nipper and Douglas Sorocco, get together on recorded conference calls every so often and share their experiences working their craft with listeners. On a recent program, Buchanan reported from a town hall meeting in Chicago on patent reform as the other two questioned him on it. The three then chatted about *Knorr-Bremse v. Dana Corp.*, a recent case that brought up issues of patents and attorney work product.

And the in-house bar? The only known in-house podcaster, the popular and anonymous blawger known as the "Wired GC," broadcasted a show called the "Legal Sound Check," but he hasn't done a new show in months. Don't corporate counsel enjoy the sounds of their voices, too?

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