

Joyce:

Well, good morning. How are y'all doing? So welcome back for those of you who are regular listeners. If you're new, we're happy to have you too, to #SistersInLaw with Barb McQuade, Jill Wine-Banks, Kimberly Atkins Stohr, and me, Joyce Vance. We are so happy to be with y'all. We were together in New York City last weekend doing a little bit of television with our friend Alex Wagner. I got to say, the Texas-sized welcome makes it feel like home. So we are happy to be with y'all. We just have a little bit of news to talk with you about this week.

We'll talk about the most recent developments in the prosecution of the former President Donald Trump. Did I say prosecution? It's really prosecutions, four of them. We'll also talk about these efforts to weaponize the federal government, Republicans who say Democrats are doing it, but in fact seem to be doing it themselves. And did y'all know that Kim used to be a Supreme Court reporter? Kim, who is our resident Supreme Court expert, will lead us through a conversation about the Supreme Court cases that are the most on our radar screens as we head into this new term. So lots to talk about. We look forward to your questions at the end of the show. We'll take as many of them as we have time for. So please limit yourself to one question. And as my friend Barb McQuade likes to say, as law professors, she and I are interested in your questions, not your comments.

So we have a lot to get to, but this is the second time we've all been together in Austin for the Tribune Festival. I love your barbecue here in Austin. It is not Alabama barbecue, but it is some righteous stuff. And I have already partaken, I did have barbecue for breakfast. But y'all, what are you guys looking forward to doing while we're here? What have you already done that makes Texas special for us?

Barb:

Well, I am thrilled to be here in Austin again. It's a wonderful, wonderful city. And I have to say I commend you on that really generous ovation as we came into church. I'm used to having churches that are on the quiet side, not so much here in Texas. I remember when my daughter was young, I would say to her, "Now we need to be very quiet in church, right? Oh, yes. And do you know why we need to be quiet in church?" And she said, "Because everybody is sleeping." But not here. I like the Texas-sized ovation we get here. I had a chance to have breakfast this morning with some friends who live out this way, and although everybody else was having a healthy breakfast, like some oatmeal or egg white omelet or something like that, I said, "I need to have the huevos rancheros while I'm in Austin." And it was chef's kiss delicious. So, that's what I've been doing.

Jill:

Well, mostly what I love about being in Austin is you. It's so nice to be with you and get this kind of warm welcome. We did have a great dinner last night at the [inaudible 00:03:51]. That was really fun. Good place, but I am looking forward to taking home barbecue, because that's the best here. I love it. And my husband loves it, so that's what I'm doing.

Kim:

Yeah, I love how so much of this involves food. I had brisket within a half hour of touching down. I swear to goodness. I did. It was really great. But also, it gives me an opportunity to wear some of my favorite footwear.

Barb:

You got to show those off. You got to show off those cowboy boots.

Kim:

That I bought in Dallas many years ago. But the great state of Texas has a great sense of style, so it's fun to show that off here.

Joyce:

Well, we love being with y'all. Thanks for having us back. Hey Barb, do you want to kick off?

Barb:

Well, let's jump into it, shall we? As Joyce mentioned, there are some developments in the prosecutions of Donald Trump, and one thing that I thought was really intriguing that we learned this week, was some testimony provided by a former aide named Molly Michael. This is a woman who worked for him, worked as an aide at Mar-a-Lago, and it appears that she would from time to time, get to-do lists from Donald Trump and oh look, they're written on a classified document. Is that the most Trump thing ever? I am abusing classified information so that I can tell other people what to do. So, I thought that was absolutely fascinating. And then when she told him that she had received a subpoena from the federal government, from the FBI to go testify, he said, "You don't know anything about boxes." So that strikes me as some very interesting news.

Jill, what do you see as the significance of that reporting in that Mar-a-Lago case?

Jill:

So it's great reporting. It's dynamite testimony. I have to say. It reminded me of my Watergate experience where Rosemary Woods, the aides became a critical important witness. So here you have the same thing, Molly Michael, and she proves the obstruction without a doubt. Don't say anything about the boxes, you don't know anything. But she also shows his reckless disregard for these documents by using them as notepads. It's a horrifying thought. So I think she is going to really put the screws to his case. He is going to be gone.

Barb:

Who among us doesn't use post-it notes with classified information on the other side? I mean, come on once in a while. Well, there was some other big news in the prosecutions in the Jack Smith federal prosecution for election interference. There's a lot to keep up with. I know with four different criminal cases.

Joyce:

We need a whiteboard.

Barb:

You know what we need? Does anybody watch Only Murders in the Building? That's like my favorite show of that. We need that Bloody Mabel's murder board, right? With the strings and all that to keep track of it all, in the pictures. But one of the things that I thought was very interesting last week was, special counsel Jack Smith asked Judge Tanya Chutkan to do something no human has ever been able to do, and that is to gag and shut up Donald Trump. Kim, you're sort of our resident First Amendment scholar as a journalist, what do you think about that? It's usually fairly routine in a criminal case to get a gag order. Don't talk publicly about the case, but when you've got someone who is running for president, there is public interest in what he has to say. I mean, what are your thoughts about that?

Kim:

Yeah, well just first of all, the idea that you would get Donald Trump to do anything is just... That's absurd on its face. But, Barbara's absolutely right. That is a central part and it's actually fairly routine to have some orders put in place during the conduct of a trial, that limits what people can disclose with respect to the evidence in that trial. That sounds like... We're using words like gag orders and it sounds very... It's really fairly routine now. The more sensitive the potential information can be in this case, the more dangerous that information can be if it is seen as trying to influence a jury, trying to threaten prosecutors or judges, the more important it is to put limitations on that in place. And I think we will see that happening here.

Generally speaking, judges tend to be more hands off in that, especially when it's a political candidate or an office holder, because you don't want to be seen as muzzling someone whose speech, on a regular basis, is a matter of public concern. You don't want to be standing in the way of that. That runs counter to the principles, if not the letter, of the First Amendment. But here I think that prosecutors will be able to make the case, given what has already happened after Donald Trump has spoken. We have had judges who have needed to get protection for themselves and their children. We have ongoing or soon we'll have ongoing process of jury selection. The administration of justice is so important that I think we will see an order and if Donald Trump continues to talk, we will see perhaps contempt. Him held in contempt and everything that can come with that, including potentially a jail sentence.

Jill:

That's the only problem is, what she will do to enforce it. It needs to be enforced. He is endangering the jury pool. He is endangering just everything about this case, the prosecutors and the judge herself, but putting him in jail will cause a riot in this country. And I don't know what alternative there is. He has -

Kim:

I'm not sure that's true.

Jill:

Millions of people paying him to defend himself and that's where the money's going to come from for a fine, the fine for Eugene Carroll, \$5 million didn't stop him from re defaming her immediately after he got the fine. So I think jail's the only alternative. I just think it's dangerous.

Kim:

I'm not sure that it is. Actually, I think and I've changed my mind not only by after talking to people in national security and in the Department of Corrections, but Donald Trump likes to publicize this. I think that's why he wanted a mugshot so badly and he didn't get one until that last indictment and they couldn't wait to use that and put that up and he started putting on his fundraiser without the Georgia seal behind him. I think he would use this and try to fundraise off of it and I think in a weird way they would try to use that to prove that he's being persecuted. And I actually think that that won't result in some sort of uprising. I think even his supporters now, this has been going on so long that they're kind of over it.

Joyce:

I'm going to chime in with you on that one, Kim. And I've had a little bit of a change of heart. I think there's this mythology that Donald Trump can't be put in jail because he's a former president and that

it's time to walk away from that. Would it be difficult? Yes, but the Secret Service, they are problem solvers with their protectees and I suspect that they have had this one gamed out for years and that they know how they would handle it. To your point though, and to what's always the subtext here is this fear that there will be civil war if Donald Trump is put in jail. If we are so concerned that his followers would resort to that level of lawlessness, then maybe it's time to hold him accountable.

Barb:

I'm processing what you just said about the Secret Service, having this one gamed out for years. Secret Service agents are around the president all the time. So, what you're telling me now is that when they were standing there in the corner stoically with their sunglasses staring straight ahead, we couldn't see their eyes. What they're really thinking about is, I got to come up with a plan to jail this guy.

Joyce:

I mean, but don't you think the Secret Service, right, they do a routine walkthrough for somebody that they're protecting in your district. They're looking behind the doors in the kitchen of the restaurant where they're going to eat. They know exactly what they'll do.

Kim:

They got it all planned out, they're ready to go.

Barb:

Well, Joyce, let me ask you one last question on the Trump world topic, and let's go down to Georgia where that RICO case is pending and we're seeing all of these defendants filing motions to remove the case to federal court. So we know that the former chief of staff, Mark Meadows, tried to do this and lost, at least in the district court and this week the judge held a hearing for Jeffrey Clark, who by the way I think is the most despicable of all of these defendants because he's so besmirched our Department of Justice. But also, three of the fake electors have filed a motion to remove to federal court. Why is it they are so desperate to get out of state court and into federal court?

Joyce:

Did y'all expect that you would become experts on removal of criminal cases from state court to federal? Such a shock. I talked with so many prosecutors who went before this started up, didn't know that you could remove a state criminal prosecution to federal court. I mean, this is not a common thing. It's a good question, right? Why would they want to leave behind a young state court judge, who's a Republican appointee, for an Obama appointee federal court, someone with a reputation for being thorough and rigorous. Although, I have to say as an aside, I am very impressed by the way the state court judge is conducting himself in his courtroom, right? It's interesting, there was speculation early on that it had to do with the jury pool. Fulton County leans strongly democratic. Northern District of Georgia, the federal district is much more diverse, but the Northern District of Georgia, when it tries federal cases, draws its juries just from a few counties and it doesn't change the composition of the jury pool.

And I resist this whole notion that the way people vote in presidential elections reflects how juries decide cases, because juries are made up of individuals and there are a lot of different. So I just don't think that that can be it. Two possible reasons. One is what happens to the case on appeal, and some of these defendants, especially Mark Meadows and Jeff Clark, may think that they will get a better hearing

from their Federalist Society brethren on the 11th Circuit on appeal. Again, I'm not compelled that that's accurate, but that could be the thinking. And of course there's that time honored strategy in Trump world delay and create chaos. I think that's really what this is about. We'll see Trump file a motion to remove on the very last day he can, September 29th because more delay and more confusion. And that's the strategy when you don't have a good legal defense.

Kim:

I have to say, I did chuckle this morning when I heard on the news that Donald Trump posted, if he wanted the government shut down because that would shut down the federal case.

Jill:

Wrong.

Barb:

Who wants to tell him?

Jill:

Wrong.

Barb:

Sorry.

Jill:

Courts will keep on going. I also think there could be a third reason, and this is really devious, but federal prisons are better than state prisons. And I think they're all thinking -

Barb:

Club Fed.

Jill:

Exactly. Well, they're not exactly club fed.

Barb:

This is the best one I've heard. I had not thought of this, but Georgia DOJ is investigating the state prisons for violating the eighth amendment prohibition on cruel and unusual punishment.

Jill:

Yeah.

Barb:

And one last difference of course is television. In Georgia State Court, everything is televised in federal court there are no cameras in the courtroom. And so, it prevents them from spreading disinformation about what's happening in the trial, if it is happening in plain view and everyone can see it. So that could be another reason.

Kim you know it's in my contract not to discuss underwear. So, can you tell me about shapewear?

Kim:

I like to call them, like Tim Gunn said, foundational garments. That's a nicer term for it. In the summer heat, comfort is crucial and that means that what you wear every day, should be something you love. So when you buy shapewear or foundation garments, you deserve the best. Honeylove's products feature supportive bonding that eliminates the need for underwire without sacrificing lift, if you know what I mean. Plus, they're made with fabric that's so soft, it feels like a second skin. You'll immediately feel better and see the difference. It's so next level comfortable. You'll forget you're wearing it. And for a limited time only you can get Honeylove on sale. Get 20% off your entire order with our exclusive link.

Joyce:

We all know the feeling when you just get home and you can't wait to get out of your shapewear. But with Honeylove, you'll never experience that again because their shapewear and bras are just so comfortable. That's one of the reasons their bestseller, CrossOver Bra, is going to be a power player in your wardrobe. No matter what the day has in store for you. You get all the support you're used to without the underwire plus mesh detailing adds a touch of spice.

Jill:

Well, I have to admit, I never thought I'd be talking about this in any public place, but it's really good stuff, but it doesn't stop there. Honeylove has a lot more to offer, including some of our favorite active and leisure wear. Their tank tops look amazing and are perfect for the summer and their extremely comfortable leggings and other shapewear, will revolutionize your style and provide everyday support. We recommend pairing the V or CrossOver with their breathable and versatile leggings or get the matching shapewear to match your upper body selection.

Joyce:

Treat yourself to the best shapewear on the market and save 20% off. At Honeylove.com/sisters. Use our exclusive link to get 20% off. Honeylove.com/sisters. Thank you to Honeylove for supporting us and you can find the link in our show notes.

Jill:

Was supporting us a double entendre?

Joyce:

Oh, that's good. That's good Jill. Jokes on me.

Jill:

So now we're going to talk about the weaponization committee and all they're doing. I mean it's a long time Republicans have been accusing Democrats of doing this and now we're seeing live what weaponization really looks like, because they're really doing it. And so, I want to start our discussion about a couple of the examples of weaponization that's going on now. Jim Jordan, of course, chairs the... Okay, you can boo. Yes, boo. Yeah, Jim Jordan. I'll say it again, boo again. He's the chair of both judiciary and the weaponization committee. And in those roles he has done a lot of things that I think are despicable. Joyce, I'm going to start with you. You wrote a very, you said to me snarky but I would say

accurate, tweet about the hearings and you want to talk about why you did that and what you thought of the hearing.

Joyce:

I'll just say you can look up the tweet if you want to see me at my pre-coffee snarkiest.

Barb:

No one can throw snark like Joyce Vance.

Joyce:

I don't know Barb McQuade. I don't know. My husband and I have four kids and we always taught our kids to respect the office, even if you didn't like the person who was currently holding it. Jim Jordan tries my patience.

Barb:

That's Southern four makes me mad as hell.

Joyce:

At a time where people are debating the way Senator Fetterman dresses on the floor. I am a lot more worried about Jim Jordan's demeanor, his lack of respect for the process. And I think I'll just leave it at that. I suspect this crowd shares my view. We should demand better from our elected officials.

Jill:

So I hope some of you saw the attorney general testifying in what was supposed to be oversight. I mean, I don't think there was any oversight happening there, but Kim, what did you think of him as a witness? I mean, I thought he was really powerful when he said, "I will say this, I am not President Biden's attorney and I am not Congress'. I am the people's attorney." So that was one of the best lines of all but overall, what did you think of him as a witness?

Kim:

I agree with that, Jill. First, I just want to say in terms of weaponization and Jim Jordan, it wasn't a weapon, but if you have not read district attorney Fani Willis's response to Jim Jordan, she cut him. She cut him, very politely. So I encourage all y'all to read that.

Joyce:

Southern prosecutors, never count us out.

Kim:

Yes, yes. So listen, those who listen to the podcast know that I have been critical of the Attorney General on more than one occasion. I don't always love his approach to things. He is very thoughtful, very deliberative, is not a fast moving individual in a lot of ways is very serious. And I think those are the very qualities that made his testimony before this committee so effective and powerful because it showed what it means when you take the rule of law seriously, when you are steadfast in its protection. And when you project that in front of people who are far less serious. And I think, I hope most people, if you

haven't, it's available on C-Span. Go watch this. Because I think for all of us who care very much about the future of democracy and the guardrails that remain in place, watching that should bring you some comfort that there is an adult in the room. There is someone in charge that is doing what they ought to.

Jill:

Thanks. And Barb, what did you think in terms of, were any points made by any of the questioners, Democrat or Republican?

Barb:

Yeah, I thought that there were a couple of really interesting exchanges that really just sort of demonstrated what was going on at this hearing and what wasn't. One is, Republican congressman from Kentucky, Thomas Massie. Do you know who this guy is? This is the guy who sent out the Christmas card with his family and kids holding them automatic weapons and said, "Merry Christmas Santa, please send ammo." To which Lauren Boebert, wanted to get in on the action and then created her own very similar, hey, we'll top yours. So this is the guy, so consider the source. But when he was testifying, he was spreading such disinformation. What he said to Merrick Garland is, normalizing the January 6th attack. He said, "You've been locking up grandmothers just for peacefully protesting. You're putting people away for 20 years just for taking videos." 100% false. Absolutely not true. These are violations of statutes. People prosecuted in court for very serious crimes. Assaulting police officers, trespassing in a place where they shouldn't be and shutting down an important certification of government.

So I thought that was a great example of how the weaponization committee is absolutely gas lighting America, by trying to turn the tables and say, "I'm not the weaponizer, you are." So, I thought Massey really typified it, but I thought the best response was Eric Swalwell, from the Democrats, who really made the same point Kim just made about Merrick Garland. Now, I agree with Kim that there have been some people who are critics who want him to be more forceful and would like for him to have pounded the table a little more and given it right back to him. But I think he does our country a service by being the adult in the room. And that's what Eric Swalwell said, "Sir, you are a serious person and obviously there are many people here who are not serious people. So thank you for being a serious person." And I thought that was a great framing better than anybody else of the whole exercise in that hearing.

Jill:

Great answer. And I want you all to have noticed that Barb did this with her fist. It's the cover of her new book.

Barb:

Thank you.

Jill:

Which all of you should buy -

Barb:

Thanks, Mitch. Available for presale on Amazon and other booksellers due out February 27th, attack from within. Thank you.

Jill:

Okay, so let's do another quick round of questions before we run out of time. I want to talk about the impeachment inquiry that they have started and they've scheduled the first hearing for when, two days before the government shutdown. Are they doing anything to stop the shutdown? No, they are not. So, that's a little scary to me, that they are doing this and of course they're doing it based on what evidence? Zero, none. So Joyce, let's talk about what's the standard for starting an impeachment inquiry?

Joyce:

You know, these are not serious people, right? I mean that goes without saying. The House gets to make up its own rules for impeachment. There's not a thick rule book like we have in federal court with rules of procedure. But the founding fathers left some expectations including that, it was a serious process that should not be commenced in the absence of reason to believe that high crimes or misdemeanors against a sitting president or other official could be proven. I bet you recall a lot of Democrats were concerned that Nancy Pelosi was not quipped to commence impeachment proceedings against Donald Trump on either of the two occasions when he was impeached. And that was because she wasn't sure that there was enough evidence. And both of those events played out in front of us.

We saw a whistleblower testimony. We knew that Trump had withheld security aid for Ukraine trying to get political concessions in the form of an announcement of an investigation into Joe Biden, impeachment number one. And we of course all watched January 6th, impeachment number two and Trump's inaction in the face of the Capitol being overrun. There was plenty of reason to believe that Congress needed to conduct impeachment. What's going on here? After five years of criminal investigation using a grand jury, a Trump appointee who was the US attorney in Delaware and who has been held over by Merrick Garland, did not find evidence sufficient to indict Joe Biden for participation in his son's foreign business dealings. And so not deterred by the fact that a US attorney with far superior resources to theirs and FBI agents and IRS agents came up empty-handed, Congress has decided to open an impeachment hearing. It is a page from Trump's playbook. You just announced the investigation and I'll do the rest. That's what's going on here.

Jill:

So, that sort of leads to the question I have for you, Kim, which is there's some evidence that Kevin McCarthy caved to Donald Trump's pressure and that he also went forward with this inquiry without an official vote, which is normally required. So, was that totally improper and what's going to happen?

Kim:

Kevin McCarthy sold his spine to get the gavel, and we're seeing that as an example of this. He has no power against the most MAGA wing of his caucus in the house, and anything that he does that goes against it risks him losing that power. So, what you are seeing is him putting power above everything. Not just the rules, even things... Even over what is logical in many cases, including this looming shutdown because he knows if there was already a deal in place, he knows if he backs that deal because it has democratic support, that's the end of his speakership. Everything now is being governed by that Faustian bargain that he made and anything that he does... And I still don't think he'll be able to keep the gavel anyway because he's going to do something at some point to annoy the MAGA wing and there's that. So, everything that Kevin McCarthy is doing right now is suspect, honestly.

Jill:

So, the other thing I want to ask about as Jordan has said he subpoenaed... Or has done, subpoenaed Hunter Biden's bank records. It's apparently in an effort to link money that he received to his father, which of course wouldn't be shown properly in his bank records anyway, but what do you think the chances are that he will get those records at all or that they will show anything?

Barb:

Yeah, this I think goes to the point that Joyce made about going on a fishing expedition. When we were prosecutors, before you may begin an investigation, you had to have what is called predication. You can't just say, let's go after this guy in case he's doing something wrong. You had to have an articulable factual basis that a crime had been committed. There is no similar standard, but it seems to me that this is just a fishing expedition. Let's see what Hunter's records show. Let's see what Brother James's records show. Aha! and make some links and see if they lead anywhere, which really strikes me as an abuse of the power that they have. Will it succeed? I don't know.

Remember the Mazars case that came out by the Supreme Court last year said, that before you can get a President's records, you have to make a showing that it's necessary and that you can't get this information from any other method. I don't think that same rule applies for President's family members. And so I think instead of going after Joe Biden where they're unlikely to be able to meet the standard, they're doing an end round around that rule, by getting the family members, those closest to Joe Biden, which really feels simply like guilt by association. So, back to Kim's spineless point, it's a wonder any of these guys can sit up straight in their chairs during those hearings, because they don't have any spines.

Jill:

So, this is kind of depressing. Can anybody offer something to the audience that isn't so depressing about this? Anybody in the audience has something?

Joyce:

I'll try.

Kim:

There's going to be an election.

Joyce:

Yeah, I got one. Get out and vote.

Jill:

I think that's the answer. It's turn out the vote. Everybody here has to get at least 10 other people to vote. So that's, I think our hope for the future is that we will vote properly. Go to I will vote.org to check your registration status, make sure it's up-to-date and get people who aren't registered to register.

Barb:

Did you know we're eating and drinking roughly a credit card's worth of plastic a week?

Joyce:

Gross.

Barb:

Yeah, that's right. The products that we're using every day are contaminating our water supply, generating hundreds of microplastics that we end up ingesting. So Blueland set out to do something about it. Eliminate the need for single use plastic in the products we reach for the most. That's why we feel great about using Blueland and we know you'll love them too.

Joyce:

That's really gross, Barb. I didn't notice that.

Barb:

I just choked down my MasterCard.

Kim:

Well if you haven't heard, Blueland is on a mission to eliminate single use plastic by reinventing cleaning essentials to be better for you and the planet. Their idea is simple. They offer endlessly refillable cleaning products with a beautiful cohesive design that looks great on your counters. We have Blueland hand soap at every sink in our house. It does look great and classic and beautiful and it's easy and it's affordable.

Joyce:

Same in our house. We are so taken with the soaps, but I also noticed as I left the house very early this morning, that my husband had pulled out one of the cleaning spray bottles and was getting ready apparently to do some cleaning. So not only are you doing your part for the planet with Blueland, but all their products are so easy to use that even my husband can do it. Just fill your bottles with water, drop in the tablets and wait for them to dissolve. You'll never ever have to grab bulky cleaning supplies on your grocery run. Refills start at just \$2.25 and you can even set up a subscription or buy in bulk for additional savings. Right now, you can try Blueland's new limited edition hand soap kit with scents inspired by the National Parks and our shared goal of leaving no trace. They feature Joshua Tree, one of my favorite places, Zion, Sequoia, and Glacier scents.

Jill:

I love all of those parks for sure, and I'm looking forward to visiting Joshua Tree in a few months. So that'll be fun. From cleaning sprays to hand soap, toilet bowl cleaner and laundry tablets, all Blueland products are made with clean ingredients you can feel good about and their scents are amazing. Even better, Blueland has a special offer for listeners right now. Get 15% off your first order by going to blueland.com/sisters. You won't want to miss this. [Blueland.com/sisters](https://blueland.com/sisters) for 15% off. That's blueland.com/sisters to get 15% off and you can also find the link in our show notes.

Kim:

So that leads us to the fun topic of the US Supreme Court.

Barb:

Did you fly here on the private seat in a plane that was otherwise going unused?

Kim:

Yeah, somehow Clarence forgot to pick me up to bring me here. So yeah, we talk a lot about the Supreme Court on this podcast as our listeners know, and often we are talking about ethical lapses or how many jets Justice Thomas has flown on or how the court is absolutely crippled by its own ineffectiveness, especially since the Dobbs leak. But, there's actually substantive stuff that the court does too, and that's what we're going to talk about today.

A new term starts in just a couple of weeks and we cannot go through everything that's going to be happening in this term and what all the sticks are. There are some big cases that we will not have time to talk about today, but I wanted us each to just talk about one case that each of us is looking at. And I want to start with you Jill, what's on your radar this term?

Jill:

So there's actually a lot of things on my radar, but since I could only pick one, I picked two. But -

Barb:

That is the most Jill wine banks thing ever.

Jill:

Well, it's actually they're sort of linked. They are the same thing. They both relate to the use of social media and there are both cases of elected officials who have gone from a private page to a public use of their social media. They are posting about their government responsibilities, Covid policy, school board policies. And so the question is, can they block people? There was a decision, and I have to mention this, because it was a law school classmate of mine, Judge Buchwald in New York ruled that Donald Trump could not block people at real Donald or whatever it was called. When he was on Twitter and using it, he was blocking people and not letting them say what they really thought about him. And she ruled that he could not do that. That that violated the constitution because it was a public forum.

It was affirmed by the Second Circuit and then he lost the election and lost his right to use Twitter. So it mooted and the Supreme Court never decided it. Now these are two new cases that raise the same exact issue of whether a public person can use it. This is important because nowadays, we get our news, unfortunately not from vetted sources like the Texas Tribune or the Boston Globe, but we get it from social media.

Barb:

Chapter four of my book.

Jill:

Let me do the posting for you. I'm the one who's... Anyway, so that's why I think it's important. I am going to take little... Just mention the name of a case Muldrew, which is a section seven, Title VII case that I think is important, not just because it deals with the rights of an employee about being transferred, but because I think it could impact on the DEI policies of corporations. And so I'm going to watch that case too.

Kim:

All right, just moving down the line. Barb, what are you looking at?

Barb:

As a former prosecutor, a case that I'm looking at is a case called United States versus Rahimi. This is a case that is challenging the law that says, it is a crime for a person to possess a gun if they're under a court protective order against an intimate partner based on a finding of violence. So there's a statute in the US code, we used it all the time, Joyce, you probably use it too, 922(G), that makes it a crime for people to possess a gun in certain categories. If you're a felon, you can't possess a gun. If you are a drug user, this is the Hunter Biden charge, you can't possess a gun. If you have been deemed mentally incompetent, you can't possess a gun. So about seven different categories, but one of them that's really important that got passed in the '90s as an amendment to the Violence Against Women Act, was this very important provision that says it's a crime when a person gets a protective order against their intimate partner to possess a gun.

Really important for protecting the lives of intimate partners in domestic violence situations. Mr. Rahimi has challenged that law. Now, back when I was a prosecutor, I would've said, no chance. There it is. It's a statute. It's certainly in the best interest of public safety to have this. And so, even though there's some impact on the Second Amendment, there's a greater interest that outweighs that. But, that was before the Supreme Court decided this case called Bruin, a couple of terms ago, that came up with this standard to look at gun restrictions under the Second Amendment that goes back to the founding and it says, that the regulation restriction on gun rights has to be both consistent with the plain language, and these are textualists of the Second Amendment, but also it has to be a restriction that was historically recognized in light of the history and traditions of the Constitution.

Well, Kim wrote an interesting piece in the Boston Globe about this. At the time of the founding, men were allowed to engage in chastisement of their wives, which meant they could beat them. So, if we're going back to the founding, that's going to undo every right for everybody, unless you had the same kinds of rights you have today. So, it's a standard that I fear is going to come back and haunt us again and again and again as various challenges get filed. And so Rahimi, the fact that they took this case, they didn't take this case to preserve the status quo. And so, I think we're going to see this case fall and when this falls, we may see lots of other rights fall as well. That didn't exist at the time of the founding in 1789 ladies, when the Constitution was implemented. Those are the rights we will revert to I fear.

Kim:

And what's so crazy about this case is, what we've seen with a lot of past gun rights case is the plaintiffs, the challengers in these cases are people who are sort of sympathetic. They're usually law-abiding people who they find to bring these... Rahimi? This guy is a violent, horrible person and it's really going to the Supreme Court saying, please let me be able to have a gun. I mean, it's really wild how this debate has descended. Joyce, on that cheerful note, what are you looking at?

Joyce:

I don't have anything good to add, but before I answer, I'll just remind you that when we take questions, and we hope that you all have lots of them. We've got two microphones on either side of the aisle here, and so I think shortly after I answer, we'll be at that point and we'll look forward to doing that. So, here's the Supreme Court case I've got for you. CFPB. Sounds like a real sexy case, right? Keep y'all awake. It stands for Consumer Financial Protection Bureau. You may remember this was the 2011 brainchild of Elizabeth Warren, right. Unregulated and under-regulated sectors of the financial business institutions where vulnerable people were taken advantage of. So I have a personal story about this that I'll tell you. Here's what the case in the Supreme Court is about. To Barb's point, the court doesn't take cases when they want the status quo to rock along. And I fear that they've taken this case because the CFPBs, 10 years, 12 years in existence are about to come to an end.

The challenge is this sort of boring case about how the Bureau is funded. Their funding mechanism is a little bit different. They get to suggest what level of funding they need based on a prior year's expenditure and Congress doesn't come back and refund every year. So the challengers, a fine organization predominantly consisting of payday lenders. They're challenging that funding mechanism. This is a bad thing. This is an office of government, an agency that has protected people with student loans from being taken advantage of. Military families, people who have payday loans, all of these gray areas. CFPB for me as a US attorney, they were a fabulous partner both in criminal prosecutions and on the civil side of the house.

In 2012, the bureau held its first full day of field hearings, where it goes out to communities and asks for information about problems. And the new director, director Cordray, came to Birmingham and we did that field hearing together. I was grateful for his help because I had a serious problem in my district involving our military families, who often when the military member is on a long deployment, the family has real financial issues and many of these families were being victimized by payday lenders, who could charge outrageous amounts of interest. I mean we're talking, it would wrap around and become over a hundred percent. And when you drove off of Redstone Arsenal, which is in Huntsville, Alabama, part of my old district, there were street corners where there'd be a payday lender on every corner. CFPB helped us deal with that problem. I am forever grateful. Pay attention to this case. If the Supreme Court permits the payday lenders to put them out of business, we all suffer.

Kim:

Yeah, that is an important question. So, the case that I'm looking at, it wouldn't be a full Supreme Court term without gerrymandering. And so, there is a gerrymandering case in front of the US Supreme Court that I think is going to be very important. It involves the first congressional district in South Carolina. Now, one interesting thing and one reason why in all of my coverage of the US Supreme Court as a reporter, I didn't cover gerrymandering cases that much back then, because the way that gerrymandering challenges are made, they have their own process. They go before a three judge panel, then it's automatically appealable to the US Supreme Court, but it's very fact-based, which means that the decisions only really affect the district at issue. Well, that was in the past.

What we have discussed on our podcast already, is a case that came out a couple of years ago called *Rucho v. Common Cause*, in which the Supreme Court ruled that federal courts have no jurisdiction at all to take up challenges of partisan gerrymandering. Which means that the states divided up their districts, in an effort to protect one political party or another. Not only is that not unconstitutional, but federal courts can't even review that question. If it comes before them, it's not it. They can't take it up at all. Well, in places like South Carolina and much of our south in the United States, if you take a partisan gerrymander and a racial gerrymander and do a Venn diagram, it's a circle. And that seems to be the case in South Carolina where in order to protect a district that was once solidly Republican, but in the last election was down to single digits in how close it was, they took about 30,000 black people around the Charleston area and moved them to another district.

Well, the three judge panel unanimously said, "Yeah, no, that's the racial gerrymandering. You can't do that." But the line drawer said, "Oh, no, no, no, it's a partisan gerrymandering, which means that you can't stop us from doing that." And now that's headed to the US Supreme Court, which really gives it its first chance to try to sort out how do you tell the difference between a partisan gerrymander and a racial one? And depending on what tests they adopt, it could provide a blueprint for these states to racial gerrymander on its face and just wrap it up in a bow of partisan gerrymandering so it could have massive impacts. That's one that I'm looking at.

Barb:

They'll probably use that same old test. What does the history and tradition of the country say? Oh, I guess no right to vote for you folks.

Kim:

Yes, I am out of luck if we keep going by this history and tradition act in a lot of ways.

Joyce:

Hey Jill, I know you love HelloFresh. Tell me what you get when you order from them?

Jill:

I love HelloFresh and it has made me into a cook. I really had sort of stopped cooking because it took so much time to plan a menu and so much time to then go through my pantry to see what ingredients I needed for the menu and then to go to the grocery store. So, when I switch to HelloFresh, you get farm fresh pre-proportioned ingredients and seasonal recipes delivered right to your doorstep. No trips to the grocery store and no time planning meals and a grocery list to go with it and no wasted ingredients at the end of cooking. Count on HelloFresh to make home cooking easy, fun, and affordable. That's why it's America's number one meal kit. And to answer your question, I go for either the pescatarian or the low calorie options, and it really helps to control things because you don't realize how many calories you're putting on your plate, but with this, you can check the total number of calories before you cook it.

Joyce:

I mean, it really is helpful and especially when there's a new season, you just want to have some new meals. But now HelloFresh has a fresh fall lineup of delicious dinners and more to choose from and you don't even have to think about it. Take your pick from 40 weekly recipes that suit your lifestyle, from veggie to family friendly to fit and wholesome. The selection is truly awesome.

Barb:

I think I told you guys, my daughter who is in college and living in her own house with some other students for the first time has started using HelloFresh and she loves it. She sends me photos of her beautiful meals with a protein and a green vegetable and a lovely looking potato or rice or something on it, and she frames them just so, she's doing great. She's making great meals with it. So, if you ever wish you could spend less time planning, shopping and cooking for the family and more time with them, HelloFresh is the answer. From easy time-saving breakfasts and family dinners to kid approved lunches and snacks. HelloFresh has what it takes to keep everyone including you, happy and satisfied.

Kim:

HelloFresh would make a really great gift. And now I'm regretting saying that out loud because if people get that from me this year, they will have seen it coming.

Jill:

There goes a surprise.

Kim:

Yeah, HelloFresh even works with your schedule. Their plans are flexible and you can change your meal preferences, update your delivery day and change your address with just a few taps on the HelloFresh app. Imagine, getting fresh quality produce from the farm to your kitchen in less than a week. So you can enjoy the flavors of the season right from home.

Jill:

Go to hellofresh.com/50sisters and use the Code 50Sisters for 50% off plus 15% off the next two months. That's a great deal. Again, go to hellofresh.com/50sisters and use Code 50Sisters for 50% off plus 15% off the next two months. Everyone can also look for the link to HelloFresh, America's number one meal kit in our show notes, and I guarantee you're going to love it.

Kim:

Well, on that cherry note, it is our favorite time.

Barb:

So We're ready for your questions. Why don't we start here, we'll go back and forth and one of us will answer each of your questions.

Jo Wilson:

I believe it was Clarence Thomas who in -

Barb:

Will you tell us your name please? Where you're from?

Jo Wilson:

I'm Jo Wilson and I'm from Austin, Texas and I'm a retired lawyer. I believe it was Clarence who... Clarence Thomas who wrote that opinion in that gun case that said you have to go back to the way things was in 1789. Well, in preface to my question, there's news today that Clarence Thomas has attended at least two Coke donor summits, putting him in the extraordinary position of having helped a political network that has brought multiple cases before the Supreme Court. At least two donor. Anyway, my question is, if we have to go back to 1789, didn't they just have single shot muzzle-loading rifles? Should we ban assault weapons based on that?

Barb:

Yes. It's such a good question. Thank you for it. In the case of Heller versus District of Columbia from about 2010 or thereabouts, I think it was, that argument was raised. This was a case where a man argued that he should be permitted under the Second Amendment to keep a gun in his home. And Washington DC had some gun control laws to address their serious violent crime problem. And he challenged that law and the Supreme Court said, despite the militia clause, the need for a well-regulated militia, even though we call ourselves textualists, eh, we're just going to ignore that part and we're going to rule that the Second Amendment right is an individual right, that every citizen has, even if you're not in a militia. And that very argument was raised.

And they're looking at the language and the history and all this sort of stuff, and somebody says, "Well, if we're going to go back to 1789, as you just said, a gun then was not an AK-47. It was a single shot musket that had to be reloaded each time. It didn't shoot straight." And you know what the answer to

that was? Oh, that's not a serious argument, off with the back of the hand and no serious consideration of that whatsoever. So, I find that the problem I have with textualism is that they pick and choose. If they're textualists and historians when it helps and ignore it as dismissive when it doesn't.

Sarah Stagner:

Hi. Thanks y'all. My name is Sarah Stagner. I live in the Permian Basin. I wanted to know your thoughts on the Paxton trial. If you guys followed that. I think we should all get CLE. I'm going to self-report my CLE from watching that, but just would love y'all's opinion on that.

Jill:

So I was actually deluded into thinking that this was bipartisan and that he would be convicted. And as I tweeted that, my surprise at the acquittal, despite huge evidence, everybody said, "Well, this was Texas. What were you expecting?" So I still remain surprised. The evidence was clear. Does that bode ill for future trials of Donald Trump? Will there be, as there was in the special grand jury in Georgia, one person for each count who says, oh, not on that one. I worry about that, but I think all my sisters, I've tried enough cases, I trust juries, they make decisions. The politicians, maybe not in this case, but jurors will make a decision based on the evidence presented in the courtroom, not on their preconceived notions, not on their political or partisan motives.

So I don't think it's going to affect the future. I think it's sad that you have such a corrupt person who has been able to manage for how many years now? Nine. To not go to trial on his criminal. I don't even get that. That's beyond. Beyond.

Joyce:

It does. It boggles the mind.

Nancy Lynch:

Hi, I'm Nancy Lynch from Austin. I was wondering if you think that Donald Trump may flee the country, and if so, what does that -

Joyce:

And where to?

Nancy Lynch:

What happens?

Kim:

Absolutely. Now -

Nancy Lynch:

Actually in Hungary for example, the extradition treaty is airtight supposedly, but there's an exception for if the person is fleeing the country because of political persecution, which is what Donald Trump uses all the time.

Kim:

As the political reporter of the... The resident political reporter on the stage, I would say no. Because everything that Donald Trump derives his power from is right here in the United States, and that's why he's using everything that he can, is to protect his own power. Which is solely based here. He's running for president in order to avoid these prosecutions, in order to hold onto his supporters, in order to hold onto his money, in order to hold... if he goes to Hungary, he can't live at Mar-a-Lago and go golfing and do all the things that he can. So, I don't think he wants to flee the country. So that's why, just logically, I just don't think that that's a big risk.

Barb:

I don't know. Trump Tower of Moscow has a certain ring to it.

Anika Henry:

Hi, my Anika Henry. I'm a student from the University of Texas, El Paso. So, my question for you all is that you talked about the hope for us being... People getting out to vote, and we also briefly touched on social media. I guess the question would be, would you say that the algorithmic features of social media is posing a problem in voter education? And if so, how can we manage that?

Joyce:

Yeah, thank you for the question. It's an excellent question and thank you for your concern. We have, as Professor McQuade has written a really fabulous book about, issues with disinformation in this country, and they are fueled by the way some of the algorithms are worked. Let me address the positive aspect of your question, because the science of algorithms is a little bit beyond me. I went to law school because I'm bad at math. I think Get Out the Vote is the most important thing that happens in this country. Not just every four years, but it's something that we need to think about in ways we're not used to in this country. We need to have, I think... And I'll confess that I'm a little bit sappy on this topic and on patriotism. We have the right to vote for our elected officials. There is no excuse for having someone like Donald Trump or any one of his ilk in elected office.

That means students bear an outsized share of the burden for making this work. And I think if social media fails, you'll have to move beyond social media. But I continue to believe it's a very powerful tool for educating people and mobilizing voters. It's just not the only one. And I am old enough to remember the good old-fashioned teach-ins of the '60s. And it occurs to me, for instance, that when a Republican debate occurs on the campus of the school I teach at, the University of Alabama, that I hope that the students will listen politely to what those candidates have to say. And I hope that they will also educate their fellow students in the community about different views so that we can all be informed voters.

Anika Henry:

Thank you. Thank you.

Kim:

I've mentioned to you guys before that I've had my identity stolen in the past. It was really terrible and it took years to resolve, and I really love it when I get a notification that everything with my credit and my credit report is okay and my house is in order. And that's because of Aura. Did you know your personal info is out there for anyone to find? Data brokers scrape public tax records and sell that information legally making it accessible to anyone. We all need to fight back. You know what, Jill, you know how important that is, right?

Jill:

I do because of course, like all of you I'm sure, every once in a while you get that dreaded phone call or text message saying, did you just buy \$3,000 worth of computer equipment in some state you've never been to? And then you have to call. You have to get a new credit card, cancel it all, and it'd be so much better to get the notices and have someone on your side who's ready to take care of you. I bet all of you have had some kind of hacking before, right? Joyce, what about you?

Joyce:

Yeah, I mean, I had an experience while I was the US attorney where I was in Washington for a meeting. I ordered cupcakes for Barb, our then boss, whose birthday it was and had to go down to Norfolk, Virginia for a weekend thing. When I got down there, the hotel declined my credit card. What I learned was that someone, apparently the person who I gave my credit card number to over the phone to buy cupcakes, then bought \$30,000 of train tickets in Mumbai, India. My credit card company didn't flag it for me, so it was embarrassing but funny while I'm talking to them on the phone at the front desk of this hotel. My life would've been so much easier if I had just had Aura back then.

Kim:

Yeah, when privacy is paramount, we're thrilled to partner with Aura. Aura is an all-in-one online safety solution that helps protect you and your family from identity theft, financial fraud and online threats before they happen.

Joyce:

With Aura, you can rest easy knowing you're being looked out for. The app scans, the dark web to look for your email addresses, passwords, social security numbers, and other sensitive information bad actors might have. If anything is found, you'll get alerted in real time. You will not have to wait until you're in the hotel lobby and if you're an ID theft victim or has experienced white glove fraud resolution team, helps you navigate credit bureaus, initiate credit freezes or locks and works with you around the clock to resolve it.

Jill:

Yeah, the fraud resolution team is really important. The security is such a great feeling and Aura offers a suite of tools to protect you and your loved ones, including real-time alerts as Joyce just said, on suspicious credit activity, computer virus protection, parental controls, a VPN and a password manager. It's a comprehensive safety solution that provides almost every tool you'll ever need, all in one place. Aura also helps reduce annoying robocalls, telemarketers, and junk mail by sending take down requests for you regularly.

Barb:

For a limited time Aura is offering our listeners a 14-day trial plus a check of your data to see if your personal information has been leaked online, all for free when you visit aura.com/sisters. That's aura.com/sisters to sign up for a 14-day free trial and start protecting you and your loved ones. Again, that's A-U-R-A.com/sisters. Certain terms apply, so be sure to check the site for details and of course, everyone can find the link in the show notes.

Dr. Sue McCann:

Thank you for coming. Thank you for being here. I listened to each of you very carefully. I'm a clinical psychologist. I hear what you're saying and I hear the media very adroitly, avoiding some issues, and I'm always feeling refreshed when I hear each of you speak because you speak with such clarity and you're each very informative. My name is Dr. Sue McCann. I'm a resident formerly of Chicago and then Hawaii, now the Austin area. And so, my sense of the demographic of the country is maybe a little bit greater than some or others because I've had the experience of living as a minority and also in the majority culture. My question is, my concern is with the billionaire class and specifically people like Leonard Leo and Jenny Thomas, and I wonder what your feelings and your thoughts are about what can be done with these individuals who are polluting our democratic process?

Jill:

So I want to answer that, not just because you're from Chicago, but because after Watergate, there were laws passed to prevent the kind of dark money that we're now seeing again. Citizens United changed everything and we have to find a way to go back, but we also have to find a way, in the thing you mentioned, to put a code of ethics in place that actually means something so that we don't have this. The Supreme Court has also made it more difficult to prosecute public corruption cases because they have changed the rules for that. So, we need to make some changes in our laws and we need to make some changes in our ethics rules. And ethics became a big thing for lawyers right after Watergate, new rules were put in place. Well, look what happened just now. How many lawyers are indicted in Trumpgate? So, we need to do some changing. It is a terrible thing.

Paul Stemco:

Hi, my name is Paul Stemco. I'm the first vice chair of the Williamson County, formerly Red Williamson County, now purple Democratic Party. I hope our law professors will appreciate this question. And first of all, thank you so much for defending democracy and educating the country on law. How would you defend Donald Trump?

Barb:

Sorry?

Jill:

How would you defend Donald Trump?

Barb:

I'll take this one. I would explain to his client that it is my ethical obligation to advise him to plead guilty.

Jeffery Skillman:

I want to make sure I get this quote accurately. No provision in the Constitution gives them, Congress, the authority to regulate the Supreme Court period. Samuel Alito.

Kim:

I'm sorry. I didn't mean to laugh. Was that... Did you finish your question?

Jeffery Skillman:

Is there a basis in constitutional history or precedent in legislation that backs that statement? For an originalist, I think he would be kind.

Kim:

The answer is no. You can all read your Constitution yourself and see not only is there no basis for such a statement, but that our constitution actually sets up three separate parts of government, three separate and co-equal branches that are meant to be a check on one another. So it is exactly Congress' job to regulate the US Supreme Court and Congress has done so. That's the reason why we have nine justices. That's the reason why the court meets in October and closes in June. Congress did all of that. So the good justice is incorrect.

Joyce:

But nice try, right? Nice try, sir.

Craig Brusca:

I appreciate the great work you guys do. Love you. When I get you on MSNBC, Craig Brusca from Chicago, originally retired in New Braunfels here in Texas.

Barb:

Why are so many people fleeing Chicago Jill?

Craig Brusca:

I married a Texas Hill Country girl, so therefore I had to come south. That was a promise I made.

Jill:

For love. That's a good reason.

Craig Brusca:

But I remind her that I left God's country. But my question is, and it's a civil question rather than a criminal question, they've won the battle initially to strike down the healthcare law in Texas because it threatened women's lives and they've documented and shown it. It's now going to the appellate court. If Texas courts rule with that, is there any chance the Supreme Court in their infinite wisdom will back up women and their health?

Joyce:

Look, Texas is leading the way in turning women back into second class citizens, Mississippi's right there with them. That's where the Dobbs case came from. And my attorney general in Alabama has now announced that he will prosecute women and people who help them travel out of state to obtain abortion care. I would like to believe that this Supreme Court will draw some lines. That there will be some conduct that's too far for them, a bridge too far. But when it comes to abortion, they seem to have this special jurisprudence that's not tied into preexisting standard of law. How else do you reverse 50 years of precedent and Roe versus Wade? And so traveling across state lines seems like a pretty bold move for a state's attorney general to try to criminalize. Just like some of the maneuvers that have been pulled in Texas, where litigation has been commenced in these one judge districts where the judge is known to have profound anti-abortion views.

But the Supreme Court has not shown any willingness to do anything to stop off these moves. I think it's going to be up to us, citizens at the polls to impose some reality and to restore some rights.

Kim:

All right. We have four minutes left and four questions. We can do it though. Let's go.

Jeffery Skillman:

Jeffrey Skillman. I'm here from Austin, Texas. I grew up in Indiana, not quite Chicago.

Jill:

Good enough.

Jeffery Skillman:

And I feel like I'm auditing a law class.

Barb:

Can you walk up to the microphone?

Jeffery Skillman:

Sorry. I feel like I'm auditing a law class these days as I'm now retired. And so, I read and listen to a lot of you guys and many others. I just finished a course this past Saturday. It was on impeachment in the state of Texas, and there were some things that I heard the defense presenting as arguments, which I understand they can get away with some things that the prosecution can't, but they were arguing that the whistleblowers had gone to the FBI without evidence and there was some discussion -

Kim:

All right, we're in the lightning round. So can you ask the question really fast?

Jeffery Skillman:

I'd just like your thoughts on the defense's arguments about not bringing evidence to the FBI and also the fact that we haven't heard anything from the FBI means there's obviously nothing there, as a defense argument in -

Barb:

Yeah, so it sounds like you're talking about maybe the Hunter Biden investigation and these IRS whistleblowers.

Jeffery Skillman:

The Paxton case.

Barb:

Oh, in the Paxton case.

Jeffery Skillman:

The Paxton case.

Barb:

Yeah. Well -

Jeffery Skillman:

But it didn't apply in any case.

Barb:

As Gerald Ford once said, the standard for impeachment is whatever Congress wants it to be. And I think the same is true in the state court proceeding. And so, unfortunately from our perspective where law is based on rigor and standards, I think when you turn to politics, it is much looser. I think that I share your concerns that they're not basing it on that kind of rigor, but I think that's what we're left with when it comes to political processes.

Kim:

Ma'am.

Warrenda Harris:

My name's Warrenda Harris. Good to see you today. Could you talk a bit about the recent lawsuit being brought against West Point, the affirmative action lawsuit, whether you think that this may also wind its way into the Supreme Court and whether military recruitment might have something to do about a decision?

Kim:

Somebody?

Jill:

Yeah, I'll be happy to. I was general counsel of the Army in the Carter administration. I know how -

Joyce:

Jill has had literally every job. She used to clean the windows here. It's a fabulous job.

Jill:

I let the sun shine in. Yeah, I think it's a serious issue. It's so interesting that they were excluded from the affirmative action at the college level because they are a college. And I think that we're going to have to wait and see. I think it will get to the Supreme Court. I think there are going to be many other consequences as we look at other ways in which affirmative action at the corporate level. And again, that's why I mentioned the Maldoro case, although I didn't have time to discuss it. And it's a case with bad facts, so could lead to bad law. So that worries me a lot because this is a very important issue and colleges are now getting around this, but there's also the challenge to the legacy rule. And of course what's happening, you get rid of the legacies and racial diversity suddenly is there. So yeah, it's a great question. Thank you.

Joyce:

So with apologies to the remaining questioners, I'm getting the hook, but can I please ask that you either email your questions to us at Sisters-in-Law at politicon.com or tweet them to us on Twitter, let us know that you were still in line here, and we will make sure we answer them next week or during the week on social media. Thank you for listening to #SistersInLaw with Kimberly Atkins Stohr, Barb McQuade, Jill Wine-Banks, and me, Joyce Vance. Go to politicon.com/merch to buy our shirts, totes, and other goodies. To keep up with us every week. Follow #SistersInLaw on Apple Podcasts or wherever you listen, and please give us a five star review. It really helps others find the show. See you next week with a new episode, #SistersInLaw.

Jill:

Kim, I love your boots.

Kim:

Thank you.

Jill:

You came dressed for the event.

Kim:

I love these boots. I bought them in Texas and every time I come I try to wear them.

Jill:

Everybody in Texas should wear boots, right?

Barb:

There are some very beautiful cowboy boots and I think Kim has a new nickname. We've been calling her Bootsy.

Kim:

These boots are made for walking.