

[Boom! Lawyered: Anti-Choice Lawmakers Declare the Constitution Null and Void in Indiana](#)

Imani Gandy: Hello fellow law nerds! Welcome to another episode of Boom! Lawyered a Rewire.News podcast hosted by the legal journalism team that is ready to hear arguments. I'm Imani Gandy.

Jessica Pieklo: And I'm Jess Pieklo. Rewire.News is dedicated to bringing you the best reproductive rights and social justice news commentary and analysis on the web and the team legal podcast is part of that mission. So a big thanks to our subscribers and a welcome to our new listeners. So Imani, we have big news.

Imani Gandy: We do?

Jessica Pieklo: Yes. I mean, come on. Remember we spent a week in Denver recording a brand new podcast series?

Imani Gandy: We did? I guess I sort of vaguely remember that. Listen, I have raging ADD so I can't really remember what I had for breakfast this morning, much less what I did three weeks ago. I'm not even sure who you are. Your name is Jess, right?

Jessica Pieklo: For God's sakes, Imani.

Imani Gandy: Look, my brain is a scary place, but I do recall spending some time with you and our producer Marc in Denver drinking graham cracker flavored beer and eating comically large pizzas and sharing one honey crisp apple between us in order to keep our vocal chords lubricated.

Jessica Pieklo: Oh, we'll always have that shared apple, Imani. Hopefully neither one of us had the Corona virus at the time though. We should tell our listeners about our new project.

Imani Gandy: Yes, we should. So it's called, We'll Hear Arguments and it debuts on February 25th.

Jessica Pieklo: We're dropping a total of five episodes at once so you can binge to your heart's content.

Imani Gandy: You can think of, We'll Hear Arguments as Mystery Science Theater 3000 meets this show, Boom! Lawyered. We're going to unpack the biggest reproductive rights cases of our time, starting with maybe the biggest of them, all Roe versus Wade.

Jessica Pieklo: And y'all, we are so excited about this show like sincerely. First off, there has never been another podcast like We'll Hear Arguments ever.

Imani Gandy: Never!

Jessica Pieklo: It doesn't exist.

Imani Gandy: Never!

Jessica Pieklo: None. We're the first. We did it.

Imani Gandy: We did it. High five team work make the dream work. We take you into the courtroom and through the arguments using the original audio to highlight the dramas.

Jessica Pieklo: The face-plants.

Imani Gandy: Of one of the most important Supreme Court cases of all time!

Jessica Pieklo: Again, the series is called We'll Hear Arguments and it debuts February 25th.

Imani Gandy: You can search for it in your favorite podcast app or tap the link in the show notes of this episode, or visit [rewire.news/arguments](https://rewire.news/arguments) for more. Listen, you should subscribe literally right now. Stop this podcast and go subscribe to We'll Hear Arguments and then come back. We'll wait. So we're just going to wait.

Jessica Pieklo: I'll go get some water. It's good.

Imani Gandy: Okay, you done? Good, perfect. So now we can get down to the business of explaining how lawmakers in Indiana have lost the goddamn plot.

Jessica Pieklo: Lost the plot, Imani is putting it mildly. Lawmakers in Indiana are once again up to some nonsense as we like to say in the law.

Imani Gandy: Yes, we do. That's a legal term. Nonsense.

Jessica Pieklo: This time they're trying to pass HB 1089 a law, that in effect pretends the US Constitution doesn't exist.

Imani Gandy: HB 1089 depends on a concept called nullification. It's a newish trend that we're seeing in anti-choice restrictions and we're going to talk about it in this episode of Boom! Lawyered. Woo.

Jessica Pieklo: Okay, Imani. So what is HB 1089?

Imani Gandy: So HB 1089 is a bill that was introduced by Indiana Republican lawmaker Curt Nisly, the bill criminalizes abortion by redefining what a person is so that regular crimes against people are the equivalent to crimes against an egg, a blastocyst, a zygote or fetus.

Jessica Pieklo: Seems fine.

Imani Gandy: Yeah, it's all fine. It's just gets so much better from here. So let's just really just take a moment. In Indiana law human being used to be defined as an individual who has been born and is alive. That was what Indiana considered to be a human being. All right.

Jessica Pieklo: That was reasonable.

Imani Gandy: You're an individual, you've been born and you're alive. Make sense? HB 1089 amends that definition of human beings so that human being would mean quote, "having human physical life regardless of whether the individual has been born".

Jessica Pieklo: You can't see my face now listeners, but I'm basically all eyebrows and eyeballs right now. What does that mean?

Imani Gandy: Eyebrows and eyeballs!

Jessica Pieklo: Having physical life regardless of being born like, what?

Imani Gandy: You know, who knows?

Jessica Pieklo: The thing is that's not even the most bonkers part about this bill. HB 1089 declares that the federal courts have no jurisdiction to quote, "interfere with Indiana's interest in protecting human physical life from the moment that human physical life begins" end quote, and that federal laws that quote "fail to protect a person's inalienable right to life". End quote, are Imani, wait for it, null and void in Indiana. Null and void.

Imani Gandy: Did Indiana just declare that the US Constitution is null and void?

Jessica Pieklo: It sure did. It really did. So check out some of these details in HB 1089 that Indiana law makers dreamt up in this fight that they're picking against the Constitution. It's wild.

Imani Gandy: Yeah, that's really the thing, isn't it? Right. It's like one state versus the Constitution.

Jessica Pieklo: Like put up your dukes, Constitution.

Imani Gandy: Indiana is like, Hey, see you're going to take it to a fight. See, come on. Hey, put up your dukes. See. Apparently Indiana is like a circa 1940s like detective thinking.

Jessica Pieklo: I was thinking like the old time carnival barker.

Imani Gandy: Yeah, exactly.

Jessica Pieklo: Anyway.

Imani Gandy: Step right up we're going to nullify the Constitution. See?

Jessica Pieklo: But they are. Listen to this. The law provides that court decisions to enjoin HB 1089 are void. So in other words, if you sue and a federal court says, Hey, this is bonkers, the US Constitution is actually not null and void in Indiana. HB 1089 says no, it is -- and your stupid court order doesn't mean anything here in places like Pawnee.

Imani Gandy: Talk about the audacity of Knope, get it. Because Leslie Knope and she was in the-

Jessica Pieklo: That's a Parks and Rec joke. We love it.

Imani Gandy: Well you always are complaining that I make too many Friends jokes. So I figured I'd veer into some pop culture that I know you recognize.

Jessica Pieklo: We get it, Imani.

Imani Gandy: Look, I'm just saying, not everyone knows the glory that is Parks and Recs, and that's because really honestly, if you're going to start watching Parks and Rec, you start from the second season, that first season you can just ignore.

Jessica Pieklo: Oh, totally. And you could probably spag the whole last season too. I feel like it really sort of fizzled out.

Imani Gandy: It sort of did.

Jessica Pieklo: Anyway, that's a different show.

Imani Gandy: That's got to be a different show called the Legal Ramifications of Parks and Recreations and the Audacity of Knope, look for it in your Apple podcast in 2024 that's when we're going to do that one.

Imani Gandy: But back to 1089 which is frankly just the fucking hot mess of a law. Not only does it throw a middle finger up at the Constitution, it also specifies that it's the duty of Indiana officials to enforce this law.

Jessica Pieklo: So this is where it gets really weird. HB 1089 says that if the feds get a court order and try and block Indiana officials from enforcing the law, that the feds, the FBI, they will be arrested by Indiana law enforcement. So local sheriffs are going to go run around arresting federal agents, Imani, this is great, good times all around.

Imani Gandy: Yeah. And also completely reasonable. That's just what happens. You know, that's a- Oh God. So this whole concept is called nullification, right?

Constitutional nullification. And it is anathema to the rule of law and it's indicative of the mindset of these anti-choice legislators and advocates who believe that states should have the final word regarding the constitutionality of federal laws, that states can ignore federal laws that they think are unconstitutional, and that the federal government has no power to overrule state constitutional interpretation. It is wildly ridiculous.

Jessica Pieklo: It is wildly ridiculous, but we should probably drill down into this concept of nullification.

Imani Gandy: Let's do it.

Jessica Pieklo: So simply put, it's the idea that a state law can somehow erase or nullify a federal law.

Imani Gandy: As a general premise, lawmakers pushing this idea of nullification believe that the state should be a check on federal tyranny.

Jessica Pieklo: But as we see with these abortion restrictions, states can actually be tyrannical themselves. And that's especially true when it comes to substantive constitutional rights. Like whether people can marry someone of a different race, a different sex, and whether or not people can use contraceptives and access abortion.

Imani Gandy: But Jess, that's absurd.

Jessica Pieklo: It is.

Imani Gandy: Have notification enthusiasts ever heard of the supremacy clause because it suddenly seems like notification enthusiasts, have never heard of the supremacy clause.

Jessica Pieklo: I mean, what's the supremacy clause? I feel like there's like a nationalist joke in there, right? Like what's up parenthetical white supremacy clause.

Imani Gandy: Well, the supremacy clause doesn't have anything to do with white supremacy.

Jessica Pieklo: I mean it does kind of.

Imani Gandy: I mean arguably to the extent that the Constitution was built on the foundation of whites- never, that's another podcast.

Jessica Pieklo: Tomato, tomato.

Imani Gandy: Called, that's going to come after our Parks and Rec podcasts. But Article Six, Section Two of the Constitution says that quote, "this Constitution and the laws of the United States, which shall be made in pursuance thereof shall be the

Supreme law of the land. And the judges in every state shall be bound thereby, and anything in the Constitution or laws of any state, to the contrary, not withstanding".

Jessica Pieklo: They added three ands just to make sure these motherfuckers knew that the supremacy clause means that federal law trumps state law. Right?

Imani Gandy: Pretty much. Yeah.

Jessica Pieklo: So then the supremacy clause says Indiana just can't say declare a fetus as a person because the Supreme Court ruled in Roe versus Wade that a fetus is not constitutionally speaking a person for example.

Imani Gandy: Exactly. And in HB 1089 Indiana law makers are attempting to nullify that proposition, nullify the Supreme Court proposition that a fetus is not a person. So essentially they can work around the supremacy clause and work around that principle.

Jessica Pieklo: So I've got a question for you, Imani.

Imani Gandy: Yep, hit me.

Jessica Pieklo: Where do nullification advocates get the idea that this is something that they can do?

Imani Gandy: Well, this is where it gets interesting. So nullification proponents referenced the Kentucky and Virginia resolutions of 1798 and 1799 in those documents, two founding fathers, Thomas Jefferson and James Madison asserted that a state had the right to nullify the alien and sedition acts.

Jessica Pieklo: Okay. I'm really confused how this has anything to do with anything Imani.

Imani Gandy: Stay with me. Okay. So the alien and sedition acts. We're just going to go into a little bit of a history lesson here. So the alien and sedition acts were a set of laws that Congress enacted and that President John Adams signed in 1798 the most egregious of the laws was the sedition act, which made it illegal to quote, "write, print, utter or publish any false scandalous and malicious writing against Congress or the President," which is kind of crazy. Like that's like wildly anti first amendment right.

Jessica Pieklo: It totally is. Okay. So this is kind of interesting, go on.

Imani Gandy: I told you, I said this is where it gets interesting.

Jessica Pieklo: Mildly interesting so far.

Imani Gandy: Exactly. I'll try to spice it up for you. So TJ, Thomas Jefferson, you know my homie TJ with all the slaves and whatnot, real stand up guy. So Thomas Jefferson and James Madison said that these laws, the alien and sedition acts were unconstitutional and that the state should just nullify them.

Jessica Pieklo: I have another question.

Imani Gandy: Hit me. I love questions.

Jessica Pieklo: Why would the States have to nullify them on the grounds that they're unconstitutional though? Isn't that what the Supreme Court does?

Imani Gandy: Well, this is also, it gets further interesting. So that's the case now, right? Everyone knows now that the Supreme Court is like, eh, this law is unconstitutional off the books. But that wasn't the case in 1798 because it wasn't until 1803, five years later in a case called Marbury v Madison that the Supreme Court declared that it had the power to review the constitutionality of congressional acts and just strike them down were unnecessary.

Jessica Pieklo: That was the very first case that we read in con-law. That's how I mostly remember it.

Imani Gandy: Exactly, and that's the very first case that probably almost everyone in America read in con-law, because it's widely perceived as being the most-

Jessica Pieklo: It's like the foundation of constitutional law.

Imani Gandy: Yeah, I was going to say the foundational case of constitutional law because it established that the Supreme court's jam, so to speak, is judicial review.

Imani Gandy: Right. So in Marbury for the first time, the court declared that an act of Congress was unconstitutional. And in doing that established judicial review, thereby cementing itself as the third coequal branch of government, along with the executive and the legislative, and then solidifying the system of checks and balances that the framers like TJ and JM, James Jimmy boy Madison.

Jessica Pieklo: Did you just say Jimmy boy Madison?

Imani Gandy: I did.

Jessica Pieklo: Now I have Jenny from the block ear-worming for some reason.

Imani Gandy: Jimmy from the Madison! But you know, they established themselves as this third coequal branch of government and solidified the system of checks and balances that the framers essentially created to ensure that no one branch of the federal government became too powerful. And you know, when I was doing this script for this podcast, I was like, Oh, I should go into Marbury v Madison.

And I actually wrote a whole fricking thing explaining the case and then I deleted it because frankly, it's fucking boring and no one gives a shit.

Jessica Pieklo:

It's so boring.

Imani Gandy:

Like literally nobody cares.

Jessica Pieklo:

Take her word for it, listeners, you don't care about the facts of the case.

Imani Gandy:

You don't care, you don't want me go on about the judiciary act of 1789, like just nobody cares. But the main takeaway for our purposes is that in Marbury, in a pretty ballsy decision, Chief Justice John Marshall was like, Hey, we're the ones that get to have the authority to determine the validity of a particular law. He wrote that quote, "a law repugnant to the Constitution is void, thereby announcing that we're going to fricking in-validate those laws if they violate the Constitution".

Imani Gandy:

So essentially when you combine the supremacy clause, hashtag white supremacy clause, with the court's ruling in Marbury, you get this principle that federal courts strike down state laws that are unconstitutional because they conflict with the Constitution or the Supreme court's interpretation of the Constitution.

Jessica Pieklo:

It just occurred to me that Justice Marshall is basically the original Mayor Pete here in declaring his win in Iowa, step it up to the plate and own it. And like everybody's being like, okay, I guess we have to go with that now. He just, he probably took some inspiration from there, but most importantly, Imani, the Constitution reign supreme like going to put that on a mug. I'm still mad Tony, the Constitution reigns supreme.

Imani Gandy:

Exactly, exactly.

Jessica Pieklo:

But really, I mean truly there's simply no question that the Constitution is the supreme law of the land and since conservatives frequently claim to love the framers so much, I think that was helpful to point out that James Madison agreed.

Imani Gandy:

In a report that he wrote to the Virginia delegates just a few years prior to the Marbury decision. James Madison wrote that declarations by state legislatures regarding the constitutionality of federal law are quote "expressions of opinion unaccompanied with any other effect than what they may produce on opinion by exciting reflection." Which I really just love that turn of phrase, which is basically like, Hey states you don't get to say fuck off, but instead he said, you know, your opinions don't really have any effect other than what it may produce upon exciting reflections. And I just think that that's hilarious.

Jessica Pieklo: I love that Imani gets her anglophile on whenever she's in charge of scripting because Madison also wrote that quote, "the expositions of the judiciary on the other hand are carried into immediate effect by force." We're putting that in because you just love the way it sounds.

Imani Gandy: Exactly, I mean absolutely.

Jessica Pieklo: I mean that's good, it's helpful.

Imani Gandy: The expositions of the judiciary on the other hand are carried into immediate effect by force. Alexander Hamilton said some similar shit and then you know, he went and got shot in the face in a dual. So not really sure why we even care too much about what he thinks because as far as I'm concerned, intelligent people don't get their heads shut off in duals. But I guess there's whole musical in his name. So maybe we do care, I don't know.

Jessica Pieklo: Imani, I'm pretty sure people still care about what Hamilton said, even if he did get shot and killed in a duel, like a dumb ass.

Jessica Pieklo: The point is this, States are welcome to express an opinion about a federal law, but it remains just that an opinion with absolutely no effect other than as Madison put it, "the exciting reflections that the opinion may produce".

Imani Gandy: So Jess, why is Indiana's law so problematic besides all of the obvious reasons?

Jessica Pieklo: Well, for starters, because the Supreme Court has already said that fetuses aren't people in Roe versus Wade and in a myriad of cases after Roe. So Indiana just can't add new people to the Constitution, let alone use that as a way to infringe on a pregnant person's constitutionally protected, right to terminate their pregnancy.

Imani Gandy: Right? I mean, it's ridiculous to think that the Constitution sets out who people are and then states want to just make up people, just add people to that mix and then say, Hey, by the way, these new people, which are actually just eggs and blastocyst and clumps of cells, those people can infringe on the rights of the people that the Constitution actually says are people, it doesn't even make sense just from a logical standpoint.

Jessica Pieklo: It doesn't. But you know, Imani, lawyers love thought exercises. So let's do a thought exercise here.

Imani Gandy: Okay, let's do it.

Jessica Pieklo: What would happen if Indiana tried this bullshit?

Imani Gandy: Actually, it's a little bit unclear. You know, the rule of law depends on the existence of institutions to uphold the rule of law. And if those institutions are a

hot fucking mess the way they are right now, then the rule of law doesn't really mean a whole lot.

Jessica Pieklo: Okay, well can say the federal government force Indiana to obey the Constitution?

Imani Gandy: Again, I got to give you kind of an eh answer. You know, it's yes and no.

Jessica Pieklo: Super.

Imani Gandy: It's fantastic, right? So yeah, the federal government, the feds, the FBI, marshals, whatever, could March into Indiana and force Indiana to stop throwing the rights of pregnant people under the bus. But the federal government can't commandeer Indiana law enforcement to help it enforce federal law.

Jessica Pieklo: Okay, so say more about that. That's kind of confusing.

Imani Gandy: So I'll give you an example. One of our favorite things, right? Weed.

Jessica Pieklo: Oh, yes.

Imani Gandy: We love weed. Okay.

Jessica Pieklo: We do.

Imani Gandy: So, there's a tension between federal and state law regarding the use of cannabis, marijuana, weed, yada, yada. Federal law still categorizes weed as a controlled substance and prohibits its cultivation, it's distribution or it's usage. But as you know, and as I know, because we live in two of those states, more than half of states have legalized it for medical use, for recreational use, or for both. So federal agents can't force, for example, California law enforcement or Colorado law enforcement to help it enforce federal laws regarding the use of weed, the possession of weed, or the distribution of weed. Right?

Jessica Pieklo: Yup.

Imani Gandy: Now as it stands, federal agents seem to have better things to do than crack down on states that have legalized marijuana. Like, I don't know, going into every state and rounding up all the brown people seems to be Trump's priority.

Jessica Pieklo: I was going to say throwing kids in cages.

Imani Gandy: Right, that's Trump's priority. But you may recall under the Obama administration, there were several incidences where the federal government, I remember they came into California and about half the dispensaries in California were forced to close because they weren't up to code.

Jessica Pieklo: Yeah.

Imani Gandy: So the federal government can waltz into a state and be like, Hey, y'all are fucking up. We're here to enforce federal law. So you know, they decided, you know what, no more devil's lettuce. And they go in and they just shut down dispensary's or what have you. But they can't say, hey California, you need to help us do this. You need to get your shit in order. You need to go crack down on dispensary's because there are a couple of cases I'm not going to mention them, because then I'm going to go into whole fricking tangent about the commerce clause, which nobody needs that. But there are cases, the Supreme Court has said that federal governments can't commandeer state law enforcement to achieve federal goals. Right. So the States would have no legal leg to stand on if agents wanted to come and enforce the law, but they would have a legal leg to stand on if agents came in and said, Hey, you Sheriff so and so you need to help us enforce this law.

Jessica Pieklo: Okay. So you kind of anticipated my next question, which was what would upholding Indiana's law look like? What would that look like? That's bonkers.

Imani Gandy: Well that's the thing. I mean it would look like boots on the ground probably. I mean, that's what happened during the Little Rock Nine crisis.

Jessica Pieklo: Okay. What? Now we're talking Little Rock Nine?

Imani Gandy: Yeah, we're going straight from Weed to Arkansas. Keep up America.

Imani Gandy: So the Little Rock Nine crisis, right? The little nine black girls wanted to go to school in Little Rock Central High School in Little Rock, Arkansas, and the governor of Arkansas, who was a Democrat, Orval Faubus, which has got to be one of the worst names I've ever heard.

Jessica Pieklo: That is such a perfect name for this whole thing though.

Imani Gandy: Governor Orval Faubus basically was like, no, we don't want these little negro children to go to our all white high school.

Jessica Pieklo: He was like, no.

Imani Gandy: No, that's not going to work for me. And so he mobilized the Arkansas national guard to bar this group of black students who are trying to attend Little Rock Central High. And so after a lot of back and forth, President Dwight Eisenhower actually issued an executive order, which federalize the Arkansas national guard and then told the Arkansas national guard, which had been protecting this school from this black incursion, ordered them to actually start protecting the black students who were trying to get into school.

Imani Gandy: So the federal government can flex its muscle when it wants to and it can protect the civil rights, civil liberties of people if it wants to, when states are denying those civil liberties and civil rights to its own citizens. But here's the thing, is Trump going to federalize the Indiana national guard to prevent Indiana from throwing the rights of preggos under the bus? I don't think so.

Jessica Pieklo: No.

Imani Gandy: I don't think Trump is going to be like we've got to protect pregnant people and we've got to, this whole eggs are people business, that's nonsense. Because everybody knows Trump has got the evangelicals in his pocket, and so what the evangelical say, which is eggs are people is what Trump is going to say. So there's no fucking way in hell Trump is going to do anything to help protect pregnant Indianans.

Jessica Pieklo: No, Attorney General Bill Barr doesn't give a shit about any of these folks, so there's no way. I mean, look at how they're handling clinic violence, right? I honestly was surprised to see that we got face act violation charges against Robert Lewis Dear, the guy who several years ago shot up a Planned Parenthood out here and killed three people and it took them several years to bring a face act charge. I was surprised they even brought one. Protecting civil rights is not a priority of this administration.

Imani Gandy: Not even close.

Jessica Pieklo: It's a fascinating thought exercise, though.

Imani Gandy: I mean, yes, it's a thought exercise that doesn't really go anywhere though.

Imani Gandy: So why does this bill matter, right. This isn't the first time that Curt Nisly has introduced this bill. So why should our listeners care now? Why are we making a big stink about it now?

Jessica Pieklo: No, that's an excellent question. And one reason is because that although nullification, as we've said, is anathema to the rule of law to the Constitution. Oh, I don't know. Over 200 years of Supreme Court precedent. We're living in an age where the rule of law no longer means much because the institutions that are supposed to uphold it are collapsing. So, that's scary.

Imani Gandy: Yeah. And you know, if the new conservative constitutional logic is to pick and choose which constitutional rights it considers fundamental or which rights it considers worthy of upholding, then almost all of what we call substantive due process rights: those are rights that relate to sex, same sex marriage, interracial marriage, contraception, abortion, these are all substantive due process rights.

Imani Gandy: All that goes out the window. Right? And the only remaining rights will be the ones that were written down in the Constitution, written down in that bill of rights. Which is essentially the right to own AK 47s.

Jessica Pieklo: Definitely.

Imani Gandy: And the right to scream fire in a movie theater, but only if you're conservative because normally you can't shout fire in a movie theater. But if you're conservative you can basically do what you want because this is Trump's America!

Jessica Pieklo: I mean, yes. The other thing too, and we see this with abortion restrictions all the time, is that other states are pulling this shit too. It's not just Indiana trying to advance this kind of bill. Idaho has a similar bill working its way through its legislature and Colorado Republicans also tried to advance their own version here. We killed that thankfully, but this means that we're going to see this idea catching on in other places too. It's a fringe idea that is basically gaining mainstream popularity.

Imani Gandy: And it's an idea that feeds into conservatives already highly refined sense of a persecution complex. Right?

Jessica Pieklo: Right.

Imani Gandy: So this image of the federal government swooping in and arresting local cops who are just trying to save the babies, I mean Jesus Christ, the propaganda practically writes itself.

Jessica Pieklo: I can practically see Justice Clarence Thomas's opinion upholding one of these laws and also managing to twist the Little Rock desegregation bit into it to somehow, right? Like he's going to take that whole thing and flip it on its head.

Imani Gandy: And considering how many judges do we have that don't believe that Brown vs Board of Education was rightly decided. I mean, are we looking at a world where they use an abortion case to overturn Brown?

Jessica Pieklo: Oh God.

Imani Gandy: It literally just came into my head. It wasn't even something I scripted that just popped into my head.

Jessica Pieklo: Put those words back into your mouth.

Imani Gandy: I'm sorry, I am taking them back. That's me rewinding.

Jessica Pieklo: Rewind tape!

Imani Gandy: You didn't hear that. Nobody heard that.

Jessica Pieklo: We're going to fix it in post.

Imani Gandy: Don't share it with the conservative. If they're conservatives listening to this, plug your ears. Oh Christ. What a mess. So that's going to end the episode for us today. We again, we are so excited about our new project, We'll Hear Arguments.

Jessica Pieklo: So excited.

Imani Gandy: Just like over the moon with how excited we are about this project, how excited we think you're going to be about this project. So please subscribe. You can subscribe now so that when everything drops on the 25th it'll just be like just Jess and Imani and Roe V Wade just in your ear holes. Just like shoving ourselves into your ear holes with consent, that's consensual.

Imani Gandy: We would never shove ourselves in your ear holes unless you were totally down for that.

Jessica Pieklo: And if you changed your mind, we back off.

Imani Gandy: Exactly, because consent can always be taken back, revoked. So please share our trailer, our We'll Hear Arguments trailer with your friends, get excited. If you're a law student, go up to your com-law professor and be like, Hey man, listen. Have you heard Jess and Imani's new podcast? We'll Hear Arguments? Get people involved, dang it.

Jessica Pieklo: Professors love it when you call them, hey man too.

Imani Gandy: Yeah, they do. But yes, We'll Hear Arguments debuts on February 25th and you can find it wherever you get your podcasts. You can also find Jess on Twitter if you want to talk about anything at Hegemommy H-E-G-E-M-O-M-M-Y. You can find me on Twitter at angryblacklady. Yeah, let's talk about Outlander, man, it's back.

Jessica Pieklo: I was just going to say, there's a new season of Outlander, so you're talking about that.

Imani Gandy: Oh Boom! Lawyered, we have a Face Book group.

Jessica Pieklo: Yes.

Imani Gandy: We have a Face Book group. It's got about like 1400 members in it. Please answer the questions. We'll probably switch up the questions a little bit. It's been awhile since we've done that, but for now, if you were looking for alternative names- I was going to say Brad Kavanaugh. That's not his name. It's

Brett Kavanaugh. You can try Justice Keg Stand. Just anything beer related and like justice related. Just throw them together and you know, we'll let you write in. We're just trying to keep it a safe space.

Jessica Pieklo: Justice Natty Light.

Imani Gandy: Justice Natty Light. Justice Rolling Rock.

Jessica Pieklo: Okay.

Imani Gandy: That's enough for us.

Jessica Pieklo: We have gone-

Imani Gandy: We've gone way off the rails. We're going to, what are we going to do, Jess?

Jessica Pieklo: We're going to see on the tubes, folks.

Imani Gandy: See you on the tubes, folks.

Boom! Lawyered is created and hosted by Jessica Mason Pieklo and Imani Gandy. Marc Faletti produces the show.