

Imani Gandy: Hello, fellow law nerds. Welcome to a special live reaction episode of Boom! Lawyered A Rewire News Group podcast hosted by the legal journalism team that is pretty jazzed that this SCOTUS term is coming to a close because it has been sweaty, and I'm ready for a nap. I'm Rewire News Group's editor at large, Imani Gandy.

Jess Pieklo: And I am Jess Pieklo, Rewire News Group's executive editor. Rewire News Group is the one and only home for expert repro journalism that inspires you to get behind court reform, folks, because we do not need to live like this. My word. And the Boom! Lawyered podcast is part of that mission. So a big thanks to our subscribers and a welcome to our new listeners and viewers, and everyone joining us for today's live stream. Holy hell, Imani.

Imani Gandy: Yeah, yeah. There's a reason why we're both drinking.

Jess Pieklo: I was just gonna say, man, this requires a drink. French 75 in a can, by the way.

Imani Gandy: I mean, it's like they're marketing directly towards me.

Jess Pieklo: Classy bitch to pick up from the last episode.

Imani Gandy: Very classy bitch.

Jess Pieklo: All right, today though, involved no classy bitches. Well, a couple.

Imani Gandy: No, there were a couple classy bitches.

Jess Pieklo: There were a couple. We'll get to that. Today.

Imani Gandy: We're already off the rails. How's that possible? It's like two minutes.

Jess Pieklo: Today, as all of you probably know, the conservative majority on the Supreme Court declared affirmative action policies unconstitutionally racist. They hurt white feelings.

In SFA, I hate this case. SFFA v. Harvard and SFFA v. the University of North Carolina, the plaintiffs had argued that race conscious admission policies violated the Equal Protection Clause of the 14th Amendment and Title VI of the Civil Rights Act. That's the statute that prohibits discrimination on the basis of race for institutions that receive public funds. And wouldn't you know it? The Court led by Chief Justice, just gonna call him balls and strikes, John Roberts agreed.

Imani Gandy: Ugh, so the Court overruled 40 years of precedent for, you know, again, they did the same thing last term. So I guess they had to like keep up, keep up with what they did last year. 40 years of precedent, in which 12 justices nominated by nine different presidents had ruled that schools may consider race as a factor in admissions. Not a, hey, you're Black, you get in. No quotas, right?

Nothing that cut and dry. Just a factor to be considered alongside all, a lot of other factors. And this opinion was just Roberts being Roberts like we thought we got a little reprieve from Roberts. Hey, racism is over. Ain't no sweat. You know, in *Allen v. Milligan* when he upheld section two of the Voting Rights Act, well this is classic Roberts, right? This is *Shelby v. Holder* era Roberts, where the Constitution is colorblind and the only way to talk about race is to not talk about race. The only way we get past racism is to just ignore it, right? There is no racism because I said so.

This opinion like this, ugh. Justice Thomas at his bitch ass-iest. Like, the man is such a bitch ass punk. Like, I just, maybe that's uncouth of me to say. And you know what?

Jess Pieklo: I don't know, someone else bought his mama's house, Imani.

Imani Gandy: I'll take that hit right? But he, this is a man who himself benefited from affirmative action. He hates apparently how inferior it made him feel. He's written about this in his memoirs about how, you know, he grew up a poor Black child. He's like Steven Mar, Steven Martin. He's like Steve Martin in the *Jerk* right? I was born a poor, poor Black child except for he actually was Black and he actually did grow up in the segregated south. But he somehow seems to think that that had no effect on him whatsoever right?

And so that's a him problem. Like, his feelings of inferiority are a him problem. But he just made it all Black people's problem. And I have issue with that. Like, I really take issue with that because, you know, I'm a Black woman. I got into Yale Law. I went to University of Virginia. It's the top, it was top seven at the time. You know, I have had my credentials questioned. I've had my intelligence questioned. I wrote onto Law Review and someone was like, oh, hey, it's really nice that you got onto Law Review because of that diversity requirement. Like, it doesn't matter what you do because white people, whether they mean it or not, are oftentimes going to look at you and judge you on your appearance. So what do you do? You try to make it better. You don't pull the ladder up behind you, which is what Thomas has done.

Jess Pieklo: Yeah, I mean, you know, and we saw it even play out in the confirmation hearings and the differences between Justice Barrett and Justice Jackson too. Like just as stark as night and day. But I gotta say, you know, this is a Chief Justice John Roberts' opinion. So this man owns it.

He starts it off with some of the just laziest writing, the laziest just shit I've seen, right? Like, this wording: "because the University of North Carolina is a public institution, and as a public institution beholden to the Constitution." Harvard's not as a private university, but obviously it's basically the same rules applying here do to Harvard because we have the Civil Rights Act, but Roberts is just like mi, mi, mi, mi, mi, moving on people.

Imani Gandy: It's like it all, all of it violates the Equal Protection Clause of the 14th Amendment. It's all bad.

Jess Pieklo: All bad. And you know, just stop it, John.

Imani Gandy: Just like. I don't, do people not Blue Book? Does he not have clerks that are like checking the language here? Come on this, I mean, this wouldn't pass most law firms.

Jess Pieklo: Were they legacy admissions?

Imani Gandy: I'm gonna break it to you listeners, viewers. It actually doesn't violate the Equal Protection Clause of the 14th Amendment. It doesn't. You know why? Because the 14th Amendment is not colorblind. It was not intended to be colorblind. Like it's just not, it's a pro, it's a Black ass amendment. It's a pro Black amendment right? It was the architects of that amendment intended it to bring about some level of equality and parity between Black and white people, because why? Because of the goddamn Civil War. It's a Reconstruction Amendment.

Jess Pieklo: I was just gonna say, it's part of the Reconstruction Amendments that included the 13th Amendment, which banned slavery. Like, you would think when you put them together, that might create some context, right? Which is basically what the dissenters in this case were doing right? Sotomayor notes that Congress really chose its words carefully when crafting the 14th Amendment here, offer, like opting instead for really expansive language that focused on equal protection and rejecting proposals that would've made the Constitution explicitly colorblind because they were around when Congress was debating and writing and passing the 14th Amendment. She also, and I love the justices for doing this, and she and Justice Jackson in particular are so phenomenal, phenomenal at giving these kinds of history lessons.

And she gave another one, right? This little history lesson that she had in her dissent on the Freedmen's Bureau Act, which was established in 1865, expanded in 1866, and essentially affirmative action for newly freed enslaved people. Like there's actually the textual legacy too.

Imani Gandy: Yeah, yeah, and I mean, again, Reconstruction Amendments that essentially were intended to give life to the voice of the Constitution, right? This voice, this freedom that had been voiced in the Constitution, this equality, the Amendments were intended to give that life. Why? Because of slavery, because of the Civil War. So it's absolutely ridiculous to try and claim as Justice Roberts did, right? To try and claim that what Jackson was saying about how, for example, Justice Harlan, who wrote this very famous dissent in *Plessy v. Ferguson*, in which he said, the Constitution is colorblind. Justice Roberts is like, oh, Justice Jackson said that like Justice Harlan wouldn't like my opinion. Well, you know what? Here's a quote from Justice Harlan, he ehh. Like, he said in *Plessy* that our Constitution is colorblind. Yeah, dude. I mean, yeah, if you take it, if you strip it of all context, then fine. But the point was he was dissenting from a case that established separate but equal.

And the Supreme Court has, you know, *Brown v. Board of Education* in which they, in which they essentially were like *Plessy*, we're not having separate versus equal, separate but equal anymore. And the whole point of a lot of these post *Brown v. Board of Education* decision were to let the people know that it wasn't just about colorblindness, it was about equality. It was about racial equality, so when Justice Harlan was saying the Constitution is colorblind, he was coming

off like 300 years of slavery right? Like he wasn't coming off some interview with Tucker Carlson where they were talking about whether or not the Constitution is fucking woke. Like, it's just so, it's so ridiculous. And so the fact that he tried to, that Roberts tried to like, to just shove that in Jackson's face was just so annoying. It's just so annoying.

And Sotomayor was really good at pointing out how, you know, John Roberts and the majority essentially just rewrote history. Rewrote the history of desegregation, right? Rewrote the history of how it is that, you know, higher education came to be, came to have affirmative action. It stemmed from inequality, it stemmed from school desegregation, it stemmed from white people in these freedom of choice plans, right? Where they're like, oh yeah, we're letting Black, we're letting Black kids in and white kids in. Meanwhile, it wasn't actually achieving equality. I'm gonna stop.

Jess Pieklo: No, no, no, no. Please don't stop. And I mean, as we talked about when we previewed this case at the beginning of the season, this effort to rewrite history, particularly to rewrite Reconstruction and Jim Crow and the Civil Rights movement generally is happening at the same time that this quote/unquote anti-wokeness conversation is going on in conservative circles. That there's efforts at wide scale book banning and efforts to like really rework curricula to whitewash everything. And John Roberts just, and the conservative majority just played along right with it. They are co-conspirators in the movement to whitewash history. And let's be honest, this is just John Roberts showing his true colors.

Imani Gandy: Absolutely.

Jess Pieklo: Right? Just John Roberts showing us who Johnny really is, right? Because today's decisions are gonna do far more harm than the good he ostensibly did in *Milligan and Moore v. Harper*. Like, thank you for not completely upending democracy. That was honestly very good, but what the fuck?

Imani Gandy: Right exactly. Exactly and it's like, well, I mean that first footnote, someone in our chat just mentioned it, that first footnote.

Jess Pieklo: John Roberts, go eat rocks. Like, if what you are doing is taking the opportunity as Chief Justice of the Supreme Court to use your first footnote, and we've talked about on this podcast, the importance of footnotes in terms of like flexing a lawyer's ego as well, if you are using your first footnote to take like direct aim at your colleague, who is right in so many ways. Like take a moment and think about some of the choices you are making right? Like, I apologize for giving you the credit of the doubt or benefit of the doubt and thinking that like, I don't know, maybe you were microdosing mushrooms and like getting some awokeness. No, none of that's happening. None of that's happening.

Imani Gandy: Basically, he and Thomas are just protesting too much, right? Just as Roberts dropped that footnote, it just seems like Thomas essentially his entire concurrence was just jab after jab after jab at Justice Jackson. Not in a way that really made any sense, right. It seemed

like they were debating Justice Jackson on history and the 14th Amendment more than they were making actual arguments, cogent arguments based in law, fact, common sense. Just seemed, it seemed like they were writing a slam book almost.

Jess Pieklo: It completely was. I mean, it's probably 'cause she does originalism better than they do.

Imani Gandy: Exactly right? Like he, Thomas spends his entire concurrence quibbling with Justice Jackson about racism, about structural racism, about how it is Justice Jackson wants to perpetuate some sort of Black victimhood mindset, which is absurd. You know, he's pretending to do originalism when it's just, he is not doing originalism because as we've said, the 14th Amendment is the pro-Black amendment. It wasn't intended to benefit white people, which is now how it's being read for some reason. And I just, I love how Jackson just sort of hand waved him, right?

Just eviscerated Thomas when, here's what she said. Thomas does not dispute any historical or present fact about the origins and continued existence of race-based disparity, nor could he, yet is somehow persuaded that these realities have no bearing on a fair assessment of individual achievement. She also said that he was attacking a descent that she didn't even write. And then later she said that he was igniting too many more strawmen to list or fully extinguish here, like yowzas right? Like, I mean, she put him in his place in the nicest possible way, but more, did it more so by just being right.

And explaining history and the law and what they should have done but failed to.

Jess Pieklo: Ugh and then there's this from Roberts. Eliminating racial discrimination means eliminating all of it. Can I give a yanking motion? Like am I gonna get like?

Imani Gandy: The FCC's not gonna find us.

Jess Pieklo: What, I mean, eliminating racial discrimination means eliminating all of it? John, are you serious? This is such bad faith bullshit from him. And as you've said, it returned to this colorblind approach to the Constitution that we saw it, you know, emerge in Shelby County. And I saw, I think somebody published a piece in the Atlantic that, you know, this colorblind Constitution is going to become the new separate but equal. And I, it's absolutely, I think in terms of framing the way that it is, and like, look, the reality is these titans of originalism, these men with big thoughts and ideas, they ignore it when it's convenient.

Right? It's just, it's bad faith. It's just such bad faith. Okay, this though, I've been mad, I've been mad about this like all day. Here, listen to this, folks. Quote, nothing in this opinion should be construed as prohibiting universities from considering an applicant's discussion of how race affected his or her life be it through discrimination, inspiration, or otherwise. Okay I gotta collect myself for a moment after that inspiration.

Imani Gandy: Such a punk, such a punk sellout move.

Jess Pieklo: Such a punk sellout move because like, can applicants talk about how race has impacted their lives? Yeah, sure kids, knock yourselves out right? Go for it. But just don't think that there's any societal obligation to do jack shit about it right? Like, and there, and this is just a straight cover your ass from Roberts on claims that he and the conservatives are overturning precedent on affirmative action because they can.

Imani Gandy: Yeah and he knows what he's done right? And you know how I know? He knows that he's just denied Black people access to levers of power right? Access to becoming senators and president and CEO of a corporation. How do I know that he knows? Because he exempted the U.S. military, right? He exempted military academies from this ban on race conscious admissions.

Right? Why? Because you can't have an all white military, particularly not now when we're in this, like, sort of this sort of tug of war with white nationalism in this country. It's not gonna look great if the military is all white. So we can't have that. So it obviously diversity matters. Obviously these race-based admissions policies matter societally, matter to democracy. Of course it's the same thing if you're applying it to universities and colleges. It cannot be that affirmative action is good for military academies, but bad for Harvard and UNC. That doesn't even make any sense.

And the, you know, the United States submitted an amicus brief, and here's what they said in the amicus brief. The government has a vital interest in drawing its personnel, many of whom will eventually become its civilian and military leaders from a well-qualified and diverse pool of university and service academy graduates. Graduates, excuse me. That applies to colleges and universities.

Jess Pieklo: I mean, how could it not? How could it not? All right, so I guess apparently the only way Black and brown folks achieve pipelines to leadership is via the war machine. That's great. That's super, that's super. It says a lot about white, what white conservatives in the majority see as sort of acceptable places for people of color to be, doesn't it?

Imani Gandy: Absolutely and Jackson again, doesn't let them off the hook. She says the quote, the Court has come to the conclusion that racial diversity in higher education is only worth potentially preserving, insofar as it might be needed to prepare Black Americans for success in the bunker, not the boardroom.

Jess Pieklo: Damn.

Imani Gandy: I mean, mic drop. And that was just one of many mic drops she had. But you know, we could turn this into an hour long, you know, Jackson fan show. Let's talk about some of these other jamokes.

Jess Pieklo: Okay, I am going to issue the Brett Kavanaugh just shut up challenge.

Imani Gandy: Yes. I mean, so what does that challenge involve?

Jess Pieklo: Why issue a concurrence that says nothing, but yeah, me too. Totally agree yup yup yup.

Imani Gandy: He's the yeah shit yeah guy. I have a friend who used to call people who had nothing to say, like they brought nothing to the table, no discourse whatsoever, a yeah shit yeah guy. He's just on a stage at a hip hop concert with a mic in his hand and be like, yeah, yeah, shit yeah. You know what I mean? He's fuckin', he's like Migos on a Cardi B track.

Like skeet skeet brr. Skeet skeet rr rr. Like it's just, he doesn't bring anything to the table. And I'm very proud of myself for having a Gen Z reference to connect with the youths right? Because it's ridiculous. My original, my original comparison was he's P Diddy in a Biggie video. Just like with the fish lens being like, yeah, yeah. You know, like bringing nothing to the goddamn table.

Jess Pieklo: Oh my god. Literally, he's brought nothing to the table, the entirety of his time on the bench so far. And basically just wanted to chime in and say, well, you know, we can't have affirmative action for like ever guys. Like ever, ever. That's not gonna happen.

Imani Gandy: We need a deadline. Like he's so obsessed with this deadline. He literally thinks that in Grutter, the 2003 case where they, where the Court said, you know, race-based admissions is fine if there are no, there are no race neutral alternatives. And Sandra Day O'Connor was like, yeah, we think probably in 25 years there may be some race neutral alternatives. So we should take another look. According to Brett Kavanaugh, Sandra Day O'Connor gave a 25 year deadline. By 2028, racism will be dead. White people put it in your calendars, get some canned margaritas, it's gonna be a fucking celebration.

Jess Pieklo: The bad faith bullshit.

Imani Gandy: So bad, so bad. And it's just.

Jess Pieklo: From the man who couldn't keep, like find his calendar during his confirmation hearing.

Imani Gandy: Yeah, yeah, and then Gorsuch chimes in to be like, well, Title VI of the Civil Rights Act says, blah, blah, blah. Nobody, like, nobody asked you, Neil, like of course you have to read Title VI alongside the Equal Protection Clause. You have to read the 40 years of precedent in which the Court has said time and again that race-based admissions doesn't violate the Equal Protection Clause, doesn't violate Title VI, but here comes Neil Gorsuch. Hey guys, have you heard about Title VI? Basically.

Jess Pieklo: Basically, and like Imani said, like truly nobody asked for textualism today, Neil, like read the room. Read the room. I have to say, one of the things that is really upsetting, I mean everything's upsetting about this, but I think that's kind of getting missed in the conversation so far, is that this is really the beginning of a wholesale rewriting of the 14th Amendment. I mean, if you just create out of whole cloth a new history, a new legal understanding around how the 14th Amendment is supposed to operate in one context, in this context it's race-based admission policies. Then what is stopping the Court from rewriting out of whole cloth how the 14th Amendment is supposed to work in other contexts, right?

This opens the door to ending birthright citizenship, for example. Something that we know conservatives are really keen to do. And a, you know, conservative super majority in 2024 would make a priority. It also paves the way for rewriting the 14th Amendment to establish "fetal personhood." Like that's what happens when you start saying up is down and yeah, you know. But Roberts and the majority are, decide that the 14th Amendment is supposed to address systemic racism in this case because they can. They didn't like the policy. And so they changed the Constitution to reflect a policy outcome that they preferred.

Imani Gandy: Yeah, that's exactly what they did. And I just wanna congratulate white women, all of the white women, the Abigail Fishers and the other white, you know, the white liberals. Elie Mystal had a really great quote, and I should have written it down, but basically talking about like, you'll never see a white liberal drop their mask sooner than when their kid doesn't get into the elite school that they want to right?

This goes out to all y'all. Congratulations, you shot yourself in the foot 'cause you know who benefited the most from affirmative action? White women.

Jess Pieklo: We did, we did. And when white women try to hurt Black folks and people of color, we hurt ourselves too. And hopefully one day we'll figure that out, all right?

Imani Gandy: You know well, we can be thankful for one thing.

Jess Pieklo: Thank god Sam Alito had nothing to say about this case.

Imani Gandy: I wouldn't have been able to handle it. I wouldn't have been able to handle it. Not that rambling ass Thomas opinion and then Alito with his sneering nonsense. Oh god, I couldn't, I wouldn't have been able to do it, but, why would,

I'm just gonna, I'm just gonna circle back. I'm just gonna circle back to Justice Jackson, right? Because Justice Jackson had this banger of a quote that has basically gone viral on social media. And it's kind of funny that like a quote from a Supreme Court opinion could go viral now. The times we live in. She said with let them eat cake obliviousness, today the majority pulls the ripcord and announces colorblindness for all by legal fiat. But deeming race irrelevant in law, does not make it so in life. I mean, it doesn't get any clearer than that right? Like she and Sotomayor made absolute fools of the conservative justices with their dissents. Like their

dissents were clear, concise. Sonia Sotomayor does what she always does, which is she relates it to the people. She actually cited her own opinion in *Utah v. Strife*, talking about how of course race matters in society because it's not white parents that have to sit their children down and talk about here's how you survive an interaction with the goddamn police.

Right? It is absurd to insist that we are colorblind and that race doesn't matter. So I just, I just really loved that about those two. I just really loved that about those two so.

Jess Pieklo: Ugh, I just wish they didn't have to do all that work. But if someone's gonna do the work, I'm glad it's Justice Jackson because hot fuckin damn.

Imani Gandy: She's so smart. She's so good. Her writing is so clear and concise and it's gonna, this is, that's gonna form the basis of the majority opinion that overturns this bullshit. Whether in 20, 30, 40 years.

Jess Pieklo: Yeah, as Imani and I have been saying for a long, long time on this podcast, this is generational repair that we are undergoing. And so it's not one election fix, it's not like, you know, one little bit of policy fix. This is, you know, this is for the long haul like this fucking term, man.

Imani Gandy: I know, I was about to say. This is our, this is our final episode of the season and we still don't have 303 Creatives right? We still, that's the, that's the case of the lady who's, who wants to make wedding websites, but she doesn't make wedding websites right? She doesn't wanna serve gay people 'cause ooh, icky. And then we're still waiting for student debt relief. What the hell man?

Jess Pieklo: What the hell man? Like truly, what do you guys have to do?

Imani Gandy: Judge Judy GIF.

Jess Pieklo: I mean, seriously. I'm just, it's, we don't have to live like this. It's the one thing we're gonna say. And in terms of 303 Creatives and student debt relief, those, they should kick both those cases on standing. They should have done that today. So we could all be wrapped up and go home and be drinking canned margaritas all across the board, right? Especially because if folks missed it, and it would've been easy to today with the affirmative action cases, there was a pretty bombshell reporting on the 303 Creatives case, right? Imani, we have to talk about this.

Imani Gandy: Yeah, we really do, we really do. First of all, shout out to Melissa Gira Grant, because apparently no one had ever thought to just call this gay couple who apparently asked for this website, like.

Jess Pieklo: Journalism, you're doing great, sweetie.

Imani Gandy: I'm like, are you fuckin' kidding me, right? Like, the whole basis of the case is that this lady, Laurie Smith is a graphic design artist and that her designs are her art and she has a First Amendment right not to have to serve, you know, people she doesn't like, in this case, gay people. And, you know, she doesn't make wedding websites, but she really just wants the court to tell her that she doesn't have to make websites when she decides to make websites for gay couples. And why is, why does she have standing? Because Stewart and Mike.

Jess Pieklo: Stewart and Mike, okay? So let's talk to, let's talk about Stewart and Mike. Melissa Gira Grant published a piece in the New Republic that shows that the gay couple at the center of the case about this make-believe wedding website designer, right? 'Cause this broad didn't even make wedding websites at the time right? This is all make believe, that who doesn't wanna design, and she didn't make 'em, but she said if she did, she really wasn't gonna make 'em for gay couples okay? The couple, the gay couple at the heart of this dispute, they don't exist.

Imani Gandy: The guy, Stewart, quote/unquote Stewart? He's already married. It was like Melissa.

Jess Pieklo: To a woman.

Imani Gandy: Melissa Gira Grant called this man up and this man was like, I don't know what the fuck you're talking about, man.

Jess Pieklo: Seriously, this is true. Please go look it up. The Stewart who the Alliance Defending Freedom claimed reached out to their client for the design of a website to his partner, quote/unquote Mike.

Imani Gandy: Hey Mike, what's up Mike?

Jess Pieklo: Stewart's a real person. Stewart exists. Right, but married to a woman and apparently also reached out to the website designer the day after the Alliance Defending Freedom filed its initial lawsuit challenging the Colorado law at issue in this case okay? This is hysterical and terrifying.

Imani Gandy: And scandalous. This is scandalous. This should be, this is fraud on the Court.

Jess Pieklo: It's fraud on the Court. People should lose their license for this stuff. Because what is happening is the Roberts Court is creating fictitious precedent. This is just narrative. None of these cases are real. They don't involve real life.

Imani Gandy: Is this the real life? Is this just fantasy? I mean, it's complete. It's absolutely bananas. It's absolutely bananas. And the fact that we didn't get the 303 Creative case today, today is Thursday, June, I'm almost said January, June 29th. June 30th tomorrow's ostensibly the last day of the term.

Jess Pieklo: It is, Robert said it was gonna be. He's got plans.

Imani Gandy: He's got plans, so tomorrow we're getting 303 Creative. It does not bode well that they held it for the last day of the term. Because normally, if they were just gonna kick it on standing, they would've done it like end of May, early June.

Jess Pieklo: It's really bad, and it, and I mean, you know, the tea leaves right now are that Gorsuch has the opinion. We'll see, right? And if that is the case, I don't even really know what to about that.

Imani Gandy: I don't know because he did Bostock but this isn't, this is a Constitutional issue right? It's a First Amendment issue. So there's no statutory language he can parse with his textualist little fingers. So, you know, and we also know like what happens when Neil Gorsuch gets a case that's based on lies. He propagates those lies.

Do you remember Kennedy v. Bremerton? Let coach pray. I mean, geez, this was just this poor innocent coach. This was just a real, he was just a real faith abiding Jesus loving, good Christian coach. And he just wanted to have very small little prayers. Just little, just small events. Just a couple of friends. Couple of close friends. Do a little prayer. Say a little prayer for you. No big deal. Turns out, in actuality, they were like, they were in the middle of the football field with like both teams with helmets up, praying on the field. This is a public school. It's a clear violation of the First Amendment. Gorsuch wrote a whole opinion based on some shit that never happened. Right?

There was never any like, you know, closed room, quiet, you know, proceedings where they all prayed. It was wide open. It was people on the football team who maybe didn't feel comfortable with it, but couldn't say anything because they were all on the field. So it's again, fake law. Fake cases make fake law.

Jess Pieklo: Fake law. Fake ass law is what the court is dropping these days. Ugh, my god. Imani. What a year. What a year. We had our first live show though.

Imani Gandy: Yeah, we went live this year. I feel like we've been doing it for way longer, but it's only been a year.

Jess Pieklo: Right? But like live and in person, like.

Imani Gandy: Oh yeah, that's right. We did do that. Oh my god. We won an award. We won an award. For our The Day Roe died podcast. I mean, it's been a, it's been a, and also the Supreme Court term hasn't, despite this affirmative action just nonsense, the term hasn't been as bad as it could be. Right? ICWA, ICWA survived and that is frickin' huge.

Democracy survived right?

Jess Pieklo: Mostly.

Imani Gandy: More or less because the court was like Moore v. Harper, seriously with the Moore and the Harper? Can we not right now?

Jess Pieklo: Oh. We moved the show to video. Like when we would do the show as audio only, I would always have the opportunity to see Imani's lovely face. But that was never broadcast to y'all. And this is a fantastic development right? And you know, I don't know about you, but I would love to hear from the Boom! Lawyered fam about what some of your favorite moments from the season were right? Like, there are things I kind of have object, like I have a problem with object permanence with the show where like we put it out and I'm like outta, sight outta mind.

Imani Gandy: I forgot we did a live show that was just like three months ago. I mean, so you know, my brain is not, it's broken.

Jess Pieklo: But hit us up on Twitter or Facebook or the Facebook group while we are taking our season break and let us know really, truly what you liked the most right? We would love to hear from you. Nothing is better than having the ability to chat with the Boom! Lawyered family. The law nerds are everything.

And look, I know things feel really dire right now. And it's hard because real damage has been done by this court. They're taking away our rights. They're dismantling the rule of law because they can.

Imani Gandy: Yeah, it's a last chance power grab. You know? They're trying to cement conservative rule for generations. Democracy be damned.

Jess Pieklo: Democracy be damned.

Imani Gandy: And you know that we here at Boom! Lawyered, we do our best to keep you informed in this ever-changing and yes, terrifying landscape, but we also know that laughter and giving ourselves room to breathe and room to have fun and room to drink Snowmelts on a Thursday afternoon. It's important in times like these.

Jess Pieklo: Yeah, joy is an important part of our existence and resistance right now. And monthly donations, no matter the amount, have the most lasting and long-term impact here. This allows us to continue publishing essential and expert journalism and analysis like you find right here on the podcast. I mean, who else is gonna call a federal district judge a classy bitch?

Imani Gandy: No, who else is gonna call Justice Thomas a bitch ass? No one. No one, literally. So if you sign up to donate \$10 a month, you'll get exclusive access to the Boom! Lawyered blooper reel, which is hilarious. Jess and I are not afraid to make fools of ourselves in public. It's the end of our first ever season, and we've had a lot of fun this year bringing this new medium to

you. We love it. And we think that you'll enjoy seeing some of the scenes from behind the scenes because it's a hot mess. But we're your favorite law nerds and you're our favorite law nerds. So it's a symbiotic relationship.

Jess Pieklo: It is. I'm getting emotional. Like I'm gonna miss doing this for a little while. We're coming back. Don't worry about that. We're coming back and we'll be coming in hot too. Don't you even worry about it.

Imani Gandy: Comin' in hot with season nine.

Jess Pieklo: Tell us what you wanna hear about, what questions you have. What do you wanna see from the next season? Hit us up.

Imani Gandy: Hit us up yeah. You can find me on Twitter @AngryBlackLady. You can find Jess on Twitter at @Hegemommy, H-E-G-E-M-O-M-M-Y. We're both on Blue Sky. You can hit us up there and sign up for the YouTube channel. So next year when we go live, you'll be the first to know or one of the first to know.

And aside from that, what are we gonna do, Jess?

Jess Pieklo: We're gonna see you on the tubes folks.

Imani Gandy: We're gonna see you on the tubes folks.