

Jill Wine-Banks:

Welcome back to #SistersInLaw, with Joyce Vance, Kimberly Atkins Stohr, and me, Jill Wine-Banks. Barb is away this week. And since the holiday season is approaching, it's time for everyone to get busy ordering SistersInLaw merchandise. Go to [politicon.com/merch](http://politicon.com/merch), where you can get SistersInLaw T-shirts, tote bags, water bottles, hoodies, pins, pins, pins, pins, and much, much more. Today we'll look at the subpoenas issued for Trump's presidential documents, and the results of not complying with a subpoena for the January 6th committee. The ongoing Rittenhouse trial and jury selection in relation to Batson v. Kentucky. And as always, we look forward to answering your questions at the end of the show.

But before we get to the heavier duty news, let's talk about the sad announcement that Brian Williams is retiring. I know we've all been on 11th Hour with Brian, and we all love him for different reasons. I'll start by saying he was actually the first host that I appeared with before I had a contract with MSNBC, I had written an op-ed and he tracked me down to rural Texas, where I was with girlfriends, and convinced me that when I got back from rural Texas, I would go on his show. And he was the most gracious, wonderful, smart, savvy, charming, smart, kind person. And he made you feel special. He made you feel like you were really contributing something. And I know I'm going to miss him enormously. Kim, what about you?

Kimberly Atkins Stohr:

Yeah. I understand he has had a decades long esteemed career, and when you are a pro like that, I can understand being the allure of wanting to take a little bit of time for yourself and your family and not wanting to stay up till midnight at work every night. I get that. But it is sad, because I do really enjoy doing his show. He's one of the folks who, even after I've been on 11th Hour a few times and had the pleasure of meeting him, when I would come onto a set, I would feel just a little bit of nervousness and intimidation, because this is Brian Williams.

And I remember once, when I was in the studio in New York, and I was coming in to sit down and I'm getting mic'd up, and he takes his glasses off and he looks at me and says, "That picture on Instagram of you and your mother is so adorable. I showed it to my daughter." It's like, oh my God. It's like Brian Williams is looking at Instagram pictures of me and my mom. But that's so genuine. That's who he is. When he asked about your family, you knew he really wanted to know. When he would joke with you, he's a New Yorker and I used to be a Red Sox fan. So he used to like to push me on that a little bit. He's just a great guy. Somebody who really knows, tries to get to know the people who he talks with. So it will be sad when he's gone. But I'm not entirely sure he's gone, gone. What do you think, Joyce?

Joyce Vance:

I don't think he's gone, gone. He has such a keen intellect. He loves to remind you that he doesn't have a college degree and then proceed to be the smartest person in the room with the keenest analysis. But I'll tell you what I like so much about him. And I hope I'm not going to get emotional saying this. He's just such a good human being. And I remember being in New York the day of the Brett Kavanaugh confirmation hearing, and sitting next to him for the whole day. And there were a lot of women who were providing commentary that day. And there were people who were very distressed for a lot of different reasons. People who had worked with Kavanaugh, and who had not expected to see this bad side of him and were very disappointed, and women who were horrified that he was about to become a member of the Supreme court, and women who were profoundly concerned about how Dr. Blasey Ford was being treated.

And throughout that all, he did something that impressed me so much. He kept everything going, but you could see him deliberately getting out of the way to let women's voices predominate, and to let them analyze the issues and talk about what was going on with genuine interest in his part, on their views. And it really stayed with me on what was a sad, horrible, depressing day that's responsible for a lot of where we are, frankly, with the Supreme court now, to see his staunch support for women. There was no question in my mind that that was what that was about. He's somebody who's always been there to support whether it's the people on his team, whether it's women like the three of us, who have the honor of meeting him and being on his show. And I'll tell y'all one last funny thing.

So his parents went to my college, little tiny Bates College in Lewiston, Maine. And he went to the trouble of telling me that he and his brother had put a bench in their honor, out on the campus. But he wasn't exactly sure where it was. And it turned out it was right outside of my daughter's freshmen dorm. My daughter went to Bates too. So every time I would walk past the bench, I would sort of think about Brian. And it would always give me that warm, happy feeling, what a great guy. We're going to miss him a lot.

Jill Wine-Banks:

Absolutely. And I think we'll also hope that the format for the show stays the same, because it is a unique format, summarizing all the news of the day and talking to experts. And I think we all, I know I really appreciate that, but the other thing I'm going to miss is it's not just the 11th Hour that to me equals Brian Williams. It's all the special coverage that he has been the leader of, elections and the Kavanaugh, all the Supreme court hearings. So he's really much bigger to NBC and MSNBC than just being his one hour show. So we all wish him the very best of luck and happiness in his new venture, whatever that turns out to be. And I personally hope we'll get to see a lot more of him.

When we decided on our first topic yesterday, it was looking at what in the world is going on with the January 6th committee subpoena for former President Trump's presidential documents regarding the planning the day of, and the aftermath of the events of January 6th. But minutes before we started recording today, big news broke, Bannon was indicted. So the topic has to be expanded to include his indictment and the more general subpoena power of Congress. I'm going to start though, with, in order to understand the Trump presidential documents case, which is now in the Court of Appeals for the District of Columbia. Kim, could you give a brief recap of the procedural history of the case, and why these documents are important? Why does the committee need them?

Kimberly Atkins Stohr:

Yes. So the January 6th committee, special committee, sought records, subpoenaed records, including White House visitor and call logs around January 6th handwritten memos from the files of ex White House chief of staff, Mark Meadows, and more. We mentioned the call logs. Just things that really could help the committee paint a picture of exactly where Donald Trump was, who he was speaking to, what was being said leading up to that event, which is a crucial fact. So the former president sued to stop those records from being released. They're held by the National Archives, which is normally what happens. But he's alleging that it's covered by executive privilege that went to a federal trial court in Washington, DC. And Judge Tanya Chutkan said, Nope, there is no executive privilege here. Sent it back. Trump filed an emergency motion for preliminary injunction, pending appeal or an administrative injunction, that's basically in lay person's terms means, buying time. The judge, again said, no, there is no executive privilege here. There is no need for intermediate relief.

And so he appealed to the US circuit Court of Appeals for the DC circuit. And that's where it goes from there. So depending on what he wants to do next, and we'll get into that a little bit more, but he

could try to... The next steps he takes could depend on whether he's really trying to run the clock out, which we suspect he's going to do. But that's where we are at this point.

Jill Wine-Banks:

Okay. And let's just point out that the documents are presidential records. They are not his personal documents. They don't relate to anything other than his job as president or possibly his job as the leader of a coup attempt, but they are also the type of documents that are crucial to not only understanding what happened, but to identifying other witnesses who would be key people. It was the same type of documents that my Watergate team sought and obtained and really was valuable, essential evidence for getting to the bottom of what caused Watergate, and in this case, what happened. But Joyce, I want to-

Joyce Vance:

Hey, Jill, can I ask you a question about that before we move on? Because I think it's maybe not clear to folks who haven't had your experience, but for instance, one of the documents that's been under discussion is White House call logs or visitor logs and call logs for both former President Trump and Pence. So Jill, can you talk about what is it that you get? It doesn't seem very important. Call logs or visitor logs. What use do you think they'll make of it in connection with the January 6th?

Jill Wine-Banks:

Oh my God. I could give you hours of discussion of how crucial those documents are. I won't. I promise you listeners, we're not going to do that. But by looking at the call logs, which every phone call in and out of the White House is logged. You get an idea of who was he talking to? Was he talking to the command center at the Willard Hotel? Was he talking to Mark Meadows, who was in the room with him? And then you will be able to find out what the president knew and when he knew it, by talking to those people, as well as to the former president. Those are really important. The notes in the case of Watergate, the chief of staff was man named Haldeman, Bob Haldeman. And he kept prolific notes. They were, for example, when it came to the 18 minute gap, that's how we know what was on that 18 minute gap, is because he takes notes of the very meeting that's being recorded and erased, but we know what's on it because he took those notes. Mark Meadows, I don't know if he took those kinds of notes, but you certainly want to see Mark Meadows notes because he was there.

So it really is essential, not only because of what it reveals, but where it leads you, because you may find some strange phone calls from people you never expected to find, and you're going to want to talk to those people. So that's why it's so important. And Kim, I don't know if you were finished. Did you want to say something else?

Kimberly Atkins Stohr:

Yes. And I felt bad because I really should have pointed out when I was explaining the procedural history of this case, that Judge Chutkan was relying in denying this claim of executive privilege that Donald Trump was trying to make, was relying on the Nixon case, and really, painting how even when the assertion was made then, the judge said, well, no, this executive privilege is not, and never was meant to be a blanket protection on anything that any current or former president can assert. So I just wanted to make sure that our listeners had your perspective on that.

Jill Wine-Banks:

Well, as I watch all of these arguments, I just go, it's so obvious that there is no, there, there. That there is no such thing. There's no absolute immunity. There is absolutely no protection for any conversation that involves the commission of a crime. So whatever executive privilege does, it only covers when you're having a conversation about public policy, about the job of the president, which as we all know, does not include riling up a crowd and telling them to go and march and stop the counting of the ballots for the Electoral College.

So it seems to me at all points that ultimately this is going to be a failed substantive argument. And that I also, I guess I should point out, that in Watergate, we subpoenaed conversations in April, middle of April. And about three months later, the Supreme court had already ruled. We had gone to the Supreme court, we had argued it. We had a decision. And within a week after that, the tapes were public, and the president was forced to resign by his own party. Because in those days we also had one set of facts and there was bipartisanship and the Republicans saw the proof that the president was committing crimes and they forced him out. And it happened fast. There's no reason why this has to be delayed delay delay. And that's one of the questions I want to get to for, particularly, Joyce, who's our appellate expert.

But before we get to some more of these details, I really want to ask about the Bannon indictment. And for our listeners, I want them to all know that we're literally talking minutes after this was released. So none of us has actually read the full indictment. We're talking on limited information, but on expectations based on what we know about contempt and indictments. So Joyce, can you talk a little bit about the indictment of Bannon, for contempt of Congress?

Joyce Vance:

Sure. So this is a two count indictment charging two violations of two USC 192. That's the contempt of Congress statute that we've been talking about. And although it's a misdemeanor, it's an unusual misdemeanor. If Bannon's convicted, he'll serve a mandatory minimum 30 days in jail and up to a year for each of these counts. We're a PG themed podcast. So you may want to just cut this. But I'm going to say, I thought the best characterization of this indictment I saw, was on Twitter from friend of the podcast, Professor Jen Todd, who said, "Fuck around and find out."

But this indictment is a real smack in the face to all the folks who've been thinking that they have impunity to ignore the rule of law in this country. I know for a lot of people, this comes awfully late and it's a slow start. But let me tell you, this is a nine page indictment. It lays out in detail what Bannon did and how he violated the law. The reason it's in two counts is it addresses both his failure to testify and his failure to turn over documents. And it's a signal, not just to Steve Bannon, but to every other witness out there. Hey, Jeff Clark, and, hey, Mark Meadows, that you're not going to get away with ignoring a subpoena from this Congress. You may not testify that something important that we should say, this is a criminal prosecution, this isn't civil contempt proceedings, which would require the witness to testify to cure the contempt. This is a criminal proceeding. They go to jail, whether they ultimately testify or not upon conviction. It shows that DOJ is serious and that they mean business here when it comes to their role in protecting Congress.

Jill Wine-Banks:

Right. And just to stress, it does not mean that we will get his testimony. He can just serve his time. And we have an example from whitewater, where a witness went to jail for 22 months, which I've never figured out because her sentence was only 18 months, but somehow she served 22. And she never testified.

Joyce Vance:

But that was different. Wasn't that civil contempt with Susan McDougal?

Jill Wine-Banks:

Yes.

Joyce Vance:

And when it's civil contempt, you actually hold the keys to your own prison. In other words, if you agree to testify, you immediately get out of prison. You cure the contempt. In a criminal case. I mean, this is really a strong signal that Bannon will be punished for his failure to comply with the law.

Kimberly Atkins Stohr:

Well, can I ask you two, the former prosecutors, this. So to me, what this felt like and why this is so significant, is that I'm not sure how much helpful testimony the community expects to get out of Steve Bannon. I think he is most useful with this first indictment, this first criminal referral, as the example. Steve Bannon has already been indicted. This is old hat for him. But all these other folks, they may not be having all their legal bills paid for by Trump world. They may have their own reputations that they don't want their resume to include a criminal indictment. This shows that the DOJ means business, and that Bannon was helpful, perhaps as this example, but that's just me spitballing. What do you all think?

Joyce Vance:

No, I think you're right. I think that Bannon thought that he could play and he got out played here by Merrick Garland.

Jill Wine-Banks:

I agree, but I just want to point out that he wasn't subpoenaed to be an example. He ended up being an example, but I think that there was an expectation that he would have some valuable information and was worth subpoenaing and worth holding in contempt. So it's just sort of slightly nuanced.

Joyce Vance:

Well, remember there was a lot of speculation about Bannon when he was indicted for fraud. Remember he was ripping off the people that were sending him money to build this Trump's wall. And Trump ends up pardoning him so that he doesn't have to even go through the trial or any of the proceedings in that case. And I remember that at the time, part of that analysis was that there was a concern in the Trump camp that Bannon would give Trump up, rather than go to prison for a long period of time. Here we're talking about a more modest sentence, but one does have to wonder whether or not Bannon might decide to have little come to Jesus meeting with prosecutors down the road.

Jill Wine-Banks:

Yeah. And he could negotiate a reduced sentence.

Joyce Vance:

I love the look on Kim's face. I'm so sorry that our listeners... She was like, "There is no way that's happening."

Kimberly Atkins Stohr:

He is in so deep for Trump that I just don't... I think he's in a different position than the other people who may possibly face criminal contempt referrals, but I don't think he's budging.

Jill Wine-Banks:

Okay. So let's look at some of the substantive issues that are before the Court of Appeals for the District of Columbia. And eventually whether we think it's going to go to SCOTUS, what the Supreme court would have to decide. And those involved, as Kim has mentioned, things that are second nature to me from the Nixon era, and that is, who can invoke executive privilege, although that was never decided about an ex-president versus a current president, and whether executive privilege can stop release of information that is essential to the public interest and Congress's right. I want to broaden it because of the subpoena, the indictment of Bannon. Congress's right versus a prosecutor's, because again, if we look at the Nixon, US v Nixon, that was the prosecutors right in a criminal trial, definitely outweighed the potential generalized confidentiality of presidential documents. So anybody want to comment? Joyce, do you want to talk a little bit about the substantive issues before the court?

Joyce Vance:

Yeah, sure. I think it's really interesting how these issues have come together. We had for a while, what looked like two separate trajectories. We had the Trump papers that the January 6th committee was pursuing. And that's the case that we'll talk about that's in front of the DC circuit now. But we also had the committee subpoenaing these witnesses who weren't showing up and testifying, which seemed to be on a separate track. Ultimately though the issue is the same issue, I think. The issue is who can waive executive privilege. And as you point out, Jill, there's this slender issue that's undecided in the Nixon case, that remains open, how much power does a former president have, to say, I don't want you to release my documents or let my former staff people testify.

So I was really compelled by something that happened in the district court here. A government lawyer named Elizabeth Shapiro, who argued the case for DOJ was going back and forth with the judge. And she said, you know, your honor, this might be an issue of first impression, but that doesn't mean it's a difficult issue. I thought that that was just the right insight. It's not a difficult issue. And Jill, you and Kim have both said that at this point, this is not a difficult issue for us to parse, because at bottom, we know that a former president who might be able to weigh in and offer some thought and impact, ultimately that former president, you'll forgive me, can't trump the sitting president when it comes to making these sorts of decisions, particularly in a case like this, where President Biden has articulated a clear and compelling reason for the public needing to have access to this information, to get to the bottom of January 6th.

So I think the case resolves in the Court of Appeals in favor of the administration. Trump might try to take it on board. He will certainly try to go to the Supreme court, who knows, they may even take it and write something to it. But I think because we're having this delay in the Court of Appeals where they'll take an extra two weeks and do some briefing and hear full argument on the case, I think that will make it ripe for being dealt with on the Supreme court shadow docket, where they can just decline to hear the case and refer to the circuit court's opinion and let everybody go on their merry way.

Jill Wine-Banks:

And I want to pursue that a little more, but first I want to mention that there is a case, GSA versus Nixon, in which it does suggest that he can weigh in, but he is trumped by the current president. And as the

district court made quite clear in a brilliant lead written decision, we don't have a king, and the president is not a king. And Trump is not even the president, that Biden is, and he gets to make the decision. But Kim, do you think that the purpose, because I think we all are agreeing that ultimately this is a losing case, that there is no executive privilege that will stop this. Is he doing this just for delay or is there some substantive value that he's trying to get?

Kimberly Atkins Stohr:

Absolutely. Aside from the fact that I think Donald Trump will fight anything against him just because he enjoys that. But yes, this is a stalling tactic, and it's a political stalling tactic. Yes, it's a losing a legal battle. But by the time you get, as Joyce said, the on bank review of the full appellate court, and then go to the Supreme court and appeal, appeal, appeal. He's trying to run the clock out for the midterms in November of 2022. That's the next big goal. So it's clearly that is what the strategy is here. It's not the desire to change constitutional law interpretation.

Jill Wine-Banks:

And it seems to me that the damage of that delay is significant, and that we should not forget that that is the damage and that it could have been done quickly as it was in Watergate. And also Joyce, just very quickly, because we're running out of time, the issue of you could go straight to the Supreme court. He didn't have to go to the Court of Appeals. Many people don't know that it's passable. It's what we did in Watergate. We went there and we said, not only do we need to go straight to you, but you need to expedite it. And we recommended basically two weeks for all briefing. It was unheard of, and they agreed to it and it worked and it was decided long before the trial. So we got the evidence in time for the trial.

Joyce Vance:

Yes. So I think the composition of the Supreme court was different back then, and the equities were different. So if you're Trump, you don't really like this panel that he's drawn in the DC circuit very much. They're all Democratic appointees. I really don't think that matters. I just think this is a legal issue and the judges are going to take it at face value, but I suspect Trump looks at it in the same stark political terms he uses for everything else. So we could see him try to go directly to the Supreme court. We could see him try to get judgment before [inaudible 00:26:03]. We just saw DOJ do that, in fact, in the Texas abortion cases. There, the Supreme court had a real reason to say yes, which they did. They obviously wanted to decide that issue of the crazy Texas vigilante provision in proximity to their decision and in Dobbs, the Mississippi case.

Here, I'm not sure I see a compelling reason for the Supreme court to take this case. And you make such a good point, Jill, about Nixon versus GSA, which is this, Nixon is out of office, and this is a consideration of what power does a president have when he's no longer the president. And although the court leaves it open a little bit, there's a lot of good reason to believe that he simply doesn't have the power he wants to assert here. Once he's out of time to play the delay game, that Kim has done such a good job of explaining, his whole little house of cards has folded in and he's done.

Jill Wine-Banks:

I don't know about you guys, but Headspace is a lifesaver this week. The news has been breaking so fast that I have needed to take a deep breath, put on my headset, and tune into Headspace to get relaxed enough, to be able to even just breathe. What about you, Joyce?

Joyce Vance:

I'm so grateful that Headspace advertises with the podcast. That's how I found them. And this week, more than any other week, I have really needed them. With today's dropping news between Bannon and the two trials that are going on in Wisconsin and in Georgia. I know I'm going to wake up in the middle of the night with my mind racing. I'm so glad that I will have Headspace there for that moment that I know that's coming. What about you, Kim?

Kimberly Atkins Stohr:

Yeah, I think that this is an example of why Headspace is so important. I actually use Headspace even before I did this podcast. And I'm so glad that they're a sponsor, because there are times that you need to get away from everything that is happening. It's important that it is for us to talk about it and help people understand, we ourselves have to take good care of ourselves.

So, one thing I love about Headspace are the meditations that you can do while you're out on a walk. And they're crafted so that you're not in danger, but you can still really enjoy your surroundings and just take a moment. So sometimes I take a walk during lunch hour or after I'm done with work, just to clear my mind in that way. Life is confusing enough, but meditation doesn't have to be. Headspace is your convenient dose of meditation, mindfulness and sleep exercise to relieve stress and anxiety and help you get a good night's sleep. All in one app. Headspace makes it easy to catch your breath and take time for your mental health. It's science-backed, with a study proving just two weeks of Headspace can reduce your stress by 14%. Meditation works y'all.

Joyce Vance:

It really does using the Headspace app for a few minutes each day, helps me feel better and helps me ditch unnecessary stress and anxiety. You really have to try it to feel the difference. Let's try it now. So sitting comfortably, just taking a big, deep breath, in through the nose and out through the mouth. As you breathe in noticing how the body expands. And as you breathe out, just watching the body soften, as you gently close the eye. And rather than the mind leading the breath, allow the breath to lead the mind. Notice the sensation of the breath. Notice where you feel it in the body. If you need to, you can just gently place your hand on the stomach. And just following that rising and falling sensation, nothing else to do, allowing thoughts to come and go. And then when you're ready, just gently opening the eyes again,

Kimberly Atkins Stohr:

Find some Headspace at [headspace.com/sisters](https://www.headspace.com/sisters), and get one month free of their entire meditation library. This is the best Headspace offer available. So go to [headspace.com/sisters](https://www.headspace.com/sisters) today. That's [headspace.com/sisters](https://www.headspace.com/sisters), and use promo code sisters, or look for the link in our show notes. So this week testimony in the trial of Kyle Rittenhouse, the teen who took a high powered rifle to a social justice rally wrapped up, he's charged with first degree intentional homicide, and a number of lesser charges. So Jill, how do you think the prosecution in this case went? And what was a key moment or a surprising moment for you that you think really exemplified what's going on

Jill Wine-Banks:

So I want to all my remarks by saying, I am at heart, a former prosecutor, although I have been a defense lawyer for significant defendants. And I think, Joyce may agree with me, because Joyce's definitely a former prosecutor.



Joyce Vance:

I have that DNA.

Jill Wine-Banks:

Exactly. And Barb does too. And so when the three of us discuss it from that perspective, we may have a different view because I hear the other commentators on MSNBC saying things that I go like, really? I don't think so. I think that the prosecution went pretty well. I think there were some glitches. The prosecutor made some strategic errors and some self-inflicted wounds. I think in terms of what was a key moment, maybe not so much in the prosecution, but in the defense, the fake tears. To me, and again, this may be my view as a prosecutor, but that if you want me to do it, I can do it too. And there was no tears flowing. I'm sorry.

Kimberly Atkins Stohr:

I wish you guys could see that.

Joyce Vance:

You know what we call that in my old office, we used to call that all snot, no tears.

Jill Wine-Banks:

Okay. We didn't have that phraseology, because I never had anybody break down in tears.

Joyce Vance:

But you know what I mean, people who were sobbing, but they were dry hard.

Jill Wine-Banks:

No, it just looks so funny.

Kimberly Atkins Stohr:

But as prosecutors, both of you, the idea that the defendant will be placed on the stand, that's so unusual. I just learned in law school that you just don't do it. So talk a little bit about that decision too, and what that was for this case.

Jill Wine-Banks:

Well, I've had defendants testify, an organized crime, they sometimes think they are powerful enough to do it, but I've also seen juries go, when, particularly I remember once a rebuttal witness, which is why I hope we'll get a chance to talk a little bit about the rebuttal here. The jury went, oh my God. She caught him in a red handed lie, the defendant took the stand and said he had been at this very important meeting. He couldn't have possibly done the crime because he was meeting with this official in Washington. And we brought the official in, who said, I've never met this man before. And that's when I knew, when I heard the jurors say that, that was a conviction. I didn't have to do anything else. It was over. So Joyce, do you have a different view of that?

Joyce Vance:

No. I think you're right, but I also think that self-defense cases are a little bit different. If you're going to pull off self-defense, I believe that the defendant almost has to take the witness stand and look the jury in the eye and tell them his or her story in order to succeed. In this case, the defense said in opening statements, they promised the jury that they would hear from the defendant. And so I think that they had no choice, but to follow through on that commitment. If they had not put Rittenhouse on the witness stand, the jury would have perceived that as a form of deception.

Kimberly Atkins Stohr:

So Joyce, talk a little bit more about the defense and how that went. He's charged with a number of intentional homicide, and as well as gun charges, curfew charges, attempted homicide. But talk about the fact that this is a self-defense case. And when I watched it, one of the things that I kept asking myself is, well, does the fact that he did not live in Wisconsin, that no one asked him to come to Wisconsin, that his gun was illegally purchased for the purpose of taking to Wisconsin. He's not a medic. He's not a security guard. He has no special skills. Does that weigh here at all?

Joyce Vance:

So that's a really interesting question. And the answer to that is, I think unclear, in fact, Barb and I spent some time earlier this week talking with one of our former US attorney colleagues in Wisconsin, about just this very point. And ultimately we did agree that the law's not clear. Here's how that plays out. Before the jury deliberates, the judge will instruct them on Wisconsin self-defense law. And I should say that self-defense is different in all of the states. It's a statutory creature, and the states have wildly different laws. But in Wisconsin, you can get self-defense to protect yourself from interference, but you can't use more force than is necessary to terminate whatever is being done to you, that sort of the legal language. But what it means is you can't bring a gun to a knife fight. You can't shoot someone for taking a slap at you.

So that'll be a first line distinction here, whether Rittenhouse used more force than was necessary to repel the people he shot at, even if you believe he's entitled to use the defense. But perhaps more importantly than that, you're not entitled to claim self-defense if you were the person who engaged in the conduct that provoked other people to attack you. So that, I think is where your question really comes into play Kim, right?

Kimberly Atkins Stohr:

Yeah.

Joyce Vance:

Is this whole story of him coming from another state with a gun that he couldn't even legally purchase. Does that entire line of conduct become evidence that the jury can use to conclude whether or not he provoked people and lost the right to claim self-defense? What I'm looking for is the precise language that the judge uses when he instructs the jury on the law. And then one more twist here, Kenosha is a place with a difficult history. They've gone through economic hard times. People there are definitely not better off than they were for 8, 10, 12 years ago, because they've lost the car factories that were building cars and doing downstream work in that area. There may not even be a unanimous jury verdict here. It occurs to me that this could end up with a hung jury that's unable to decide the issues.

Jill Wine-Banks:

Before we go on. I think the gun may have been picked up in Wisconsin, that he didn't bring it with him. That it wasn't actually his.

Joyce Vance:

It's interesting to consider whether the jury can consider that this gun, that he wasn't even old enough to purchase for himself, that he picked that gun up and brought it with him to the events that night.

Kimberly Atkins Stohr:

So, you know what, let's talk about this judge. He upbraided the prosecution twice, and he made some bizarre and seemingly racist comments about Asian food. He had a weird ring tone. Jill, how might that affect the outcome?

Jill Wine-Banks:

I don't know that it'll affect the outcome because some of this was not in the presence of the jury. Some of it was. But some of it is, if the prosecution had the same rights of appeal, there would be certainly reversible error in some of this. And you'd have to look at, is he the right judge for this case? His ringtone on his phone, which first of all, why is his phone ringing in the courtroom? No one's allowed to have a phone ring in the courtroom. And his is Lee Greenwood's, God Bless the USA, which is the Donald Trump theme song. That seems to me to send a message that's quite scary if you're the prosecutor in this case. The Asian food remark was certainly a tasteless, horrible thing, very racist. His display of a cookie book. He was studying something on his desk very carefully. And then he picked it up and it was Christmas cookies. What is going on?

Kimberly Atkins Stohr:

It was a Christmas cookie cookbook.

Jill Wine-Banks:

I know. It's ridiculous. But then you get to his disparate attack and the defense versus the prosecutor, he sort of ignores the defense, doing exactly what the prosecutor did, and then looking at the prosecuting. Well, what is making you have that face? You want to speak up now? And when you talk about him yelling just at the prosecutor, it's yes, I can see why he might have been upset, but his demeanor, his tone of voice was definitely not what I would call professional judging. And he is, I think the longest serving judge in Kenosha. And so he certainly is experienced.

It seemed a little unfair in the same way that we can look back and say, he wouldn't let the prosecutors call the people that were killed, victims, but he would let the defense call them looters, rioters, arsonists. And he did require that they prove that before they could actually say that. But he didn't say you can, at any point, call them call them victims. And that is a longstanding rule of his. So that kind of makes sense. But I think in general, we have to just, hearing that ring tone made me go like, whoa, this is a biased judge.

Kimberly Atkins Stohr:

What do you think Joyce?

Joyce Vance:

I was less concerned about some of the early rulings. I had heard from some local lawyers up there that this was a judge that they had enormous reservations about. He came to this case with a lot of concerning history. But those early rulings didn't bother me too much. For instance, he wouldn't let the prosecution refer to victims, but it was okay to say people that the defendant killed. So that concerned me less. And although he initially said that the defendant could refer to his victims as looters or rioters, he said that he could only do that once he offered proof that that was in fact true.

So I viewed that as being something that I might not have loved, but that I could tolerate. And it would certainly protect the record on appeal if the defendant was convicted, and you have to go on appeal, the meaner the judge is to the prosecution, the easier it is to defend the conviction. But of course, that's the problem here, has this judge intervened to the point where he could prevent a conviction? And something that I think people don't always focus on is how different criminal cases are. This isn't a situation where whoever loses gets to appeal because of double jeopardy. If there's an acquittal and the defendant gets off, the prosecution can't appeal that. They have no remedy for the judge's misbehavior. So what you have to do as a prosecutor is you have to learn how to deal with it in trial, in front of the jury. You have to find ways to neutralize it and find ways to prove your case, despite whatever hurdles the judge puts up in front of you. Sometimes judges do that. This case, I think is an extreme example of that happening.

Kimberly Atkins Stohr:

So just as quickly, before we move on, I want to ask about jury instructions. It seems the prosecution is asking for lesser included charges to be in part of the jury instructions. As former criminal attorneys, what does that say to each of y'all?

Jill Wine-Banks:

Well, first of all, the indictment includes both the most serious homicide and lesser degrees of homicide. So you would of course have to instruct them on each of the counts, as to the lesser. And a lot of people are interpreting the request for lesser included offenses as being the prosecution thinks the case is weak, and wants to make sure that it gets something, even if it's not the maximum. But they're already charged that way. So I was less concerned about that. And think it's always a good idea to ask for lesser included offenses as a general rule. In Wisconsin, if there's any way that the person could not be convicted without the lesser offense, or that they can't be convicted of the lesser offense, if they can't be convicted of the greater one, that they won't allow it. And the judge did let them include lesser for one of the victims and not for the other.

Joyce Vance:

I think it's always a judgment call as the prosecution, really, as the defendant, too, whether you want to ask the judge to charge on lesser included offenses. The calculus is sharper if you're the defendant. What you're trying to do is, if you believe your client is going to be convicted, you're trying to avoid him being convicted on the most serious charges that will subject him to the longest period of time in jail, in hopes that the lesser charge is what the jury will return and the sentence will be lower. As a prosecutor, I think it signals a little bit of concern that you're in trouble, to be honest. And that may be what what's going on here.

Kimberly Atkins Stohr:

So on a week like this, I will admit I have no dinner plan for myself or my husband tonight. So it's so lucky that we have HelloFresh, that makes it so easy for us by sending all the ingredients we need for a delicious meal, right to our door. Jill, how are you enjoying HelloFresh?

Jill Wine-Banks:

It's fabulous. Of course the foods taste great, but more importantly, they make me feel like a professional chef. It looks just like, if you follow the recipe, it looks just like the picture on the recipe, and you put it out and you just feel like you're in a restaurant. And they have new fall flavors. And that's been fabulous now that the weather's turning really chilly. They have some very warm comfort food that I'm loving. And you, Joyce?

Joyce Vance:

I am. And on the weeks when we forget to order from HelloFresh, I tend to make reservations for dinner. And even worse than that, my husband makes. I don't know if you saw my post on Twitter last night, he made hot dish, which is this like potatoes and cheese, and it was good, but it was loaded with fat. The reason that I like HelloFresh is because it's so healthy. It tastes good. It's easy to do. And it's healthy. It's fabulous to have it waiting in your refrigerator, especially during a week like this one.

Jill Wine-Banks:

It's quite amazing. And for people who don't know what HelloFresh is, it is a package that includes pre-measured ingredients and mouthwatering seasonal recipes. It's delivered right to your door with everything you need to create that particular recipe. Skip the grocery store and sign up with HelloFresh, to make home cooking, easy, fun, and affordable. All their meals are tested by professional chefs and nutritional experts for deliciousness and simplicity. And their limited additional holiday boxes give you all need to cook up a family feast, no planning necessary.

Joyce Vance:

You can easily customize your order on the app within minutes. Pick the meals that you like the best, and feel good knowing that you'll be getting fresh high quality ingredients from the farm to your door in less than a week. So don't wait to get started. HelloFresh is a can't beat value. Even at full price, it's over 30% cheaper than grocery stores. And with this holiday deal, it's time to try for even less.

Jill Wine-Banks:

Go to [hellofresh.com/sisters14](https://hellofresh.com/sisters14) and use code sisters14 for up to 14 free meals and three free gifts. That's [hellofresh.com/sisters14](https://hellofresh.com/sisters14), and use codes, sisters14 for up to 14 free meals and three free gifts. Or look for the link to America's number one meal kit in our show notes. And Joyce, you mentioned when you forget to order, if you're signed up, they send you two meals anyway. And every time they surprise me with these really great things that I might not have picked, but I love.

Joyce Vance:

We've found that it's the things that you don't necessarily plan to order for yourself that sometimes really rock your week's meals. And it's always good to have change and something fresh. We're all watching a lot of trials right now. And of course, at trial, it's the jury that ultimately decides the issues. In fact, that's why we have juries. Cases go to trial when the parties can't agree on what the facts are. So we let juries listen to all of the evidence and then it's up to them to decide what really happened.

That's obviously a really important rule. It's critical, especially in some of these criminal cases that we've been paying attention to. So let's talk a little bit about juries and how a defendant ends up with a jury of his peers. That's the constitutional standard. And how juries are selected. Kim, can you start us off by discussing the process of striking a jury. And also tell us what the Batson case's all of about?

Kimberly Atkins Stohr:

Yes. So, generally speaking, when you have a case, attorneys on both sides have a certain number of what we call peremptory strikes. They can say they don't want a particular juror on a jury and dismiss them for any reason or no reason at all. But it is both wrong and unconstitutional to strike a black juror or any other juror based on that juror's race. Well, the problem is it took until 1986 for the US Supreme court to state that clearly, and to establish a test for determining whether that constitutional violation may have taken place.

So they created a three part framework in a case called Batson v. Kentucky. First, the objecting party has the burden of making a primer fascist showing of purposeful discrimination. So in non-legal Latin terms, that basically means that if no defense is mounted, what they would show would have to be sufficient to prove that there was a discriminatory reason to strike this black juror or juror of color. Then the burden shifts to the striking party, the party who dismissed the juror, to respond with a race neutral explanation for the strike. We'll talk a lot more about that standard later. And third, the trial court makes a credibility finding to determine if the objecting party has proven a case of purposeful discrimination.

Joyce Vance:

So ultimately it's up to the judge to decide if the lawyers strikes are racially discriminatory. Is that what I'm hearing?

Kimberly Atkins Stohr:

That is absolutely true. That's what you're hearing.

Joyce Vance:

That took a judge. So Jill, Kim has laid out Batson for us. And typically when that comes up, it's often a criminal defendant objecting to the strikes that the government is making in selecting the jury. But that's not what's been in the news lately. We've been talking about concerns about the defendant doing the strikes. We call that reverse Batson, in my office. I'm not sure if everybody calls it that or not. But what is it that happens when the government objects to the jury strikes? That's been the situation, for instance, in Arbery.

Jill Wine-Banks:

Yeah. And just to make clear what the issue is, of course, Batson was intended to curb racial discrimination in the use of peremptory challenges. And it was aimed at, of course, the prosecution doing that, state action was really what was being looked at, because the defendant has a 6th amendment right to a fair trial and the 14th amendment right to equal protection. And the idea was to protect the defendant from having a jury that wasn't of his peers, because the prosecution used it. And it's also to promote trust in the jury system, because without having a fair jury, you can't have trust in

the system. So you're protecting jurors of color who want to serve on juries, you're protecting the defendant, and you're protecting the institution.

But the problem gets into the rights of the government to appeal. So in a case like Arbery, where they basically objected to all the jurors of color who were in the panel that was being considered for service on this jury, and ended up with just one person of color on the jury. And where you have a black victim, a person who was considered to be a modern day lynching. It's unfair not to have people who would be understanding and sympathetic. And by striking all people who looked like the victim of this murder, it got to be a problem, but the right of appeal isn't the same. If a person is acquitted, as we mentioned in this other context, that's the end of it. The government can't appeal it. If the defendant is convicted, they can appeal and they can raise this at a further higher court, but the government can't do it. So I think that's the real problem. And there are some problems with Batson, but I think maybe that's another subject.

Joyce Vance:

Yeah. That's obviously an incredibly big problem when the government is prosecuting cases with civil rights overtones. But in the larger sense, Batson is supposed to make juries be juries of a defendant's peers. I've heard a lot of concerns about Batson. Some of those concerns center just on courts that don't follow the process, for instance, judges who fail to make that determination about whether there really is a neutral non-racial reason for the strike. Kim, what's your overall assessment. Does Batson work, does it really prevent racial animus from getting in the way of jury selection?

Kimberly Atkins Stohr:

Long story short, no, it does not work. It's very difficult. And it's in part because of that standard that I talked about, that rebuttal standard on the party that is making the strikes, that they just need to proffer a race-neutral explanation. They can say, no, he was wearing a yellow shirt, and I believe that people who wear yellow shirts can't make rational judgments. That would be enough to overcome. I exaggerate, but only a little.

Joyce Vance:

Well, but let me give you a closer example.

Kimberly Atkins Stohr:

Yeah.

Joyce Vance:

I don't like having engineers on my jury because they want two and two to add up and four. And when you're prosecuting a criminal case, sometimes two plus two is 4.1. So I used to just always strike folks like that, who are mathematically minded. And sometimes that might mean that you would strike a black juror, sometimes a white juror. You could take that reason that I legitimately held and you could actually use that to strike jurors intentionally. So that may be the better example.

Kimberly Atkins Stohr:

And and that's exactly right, Joyce. And it's important to realize two things, I think, about the reason why this Batson rule is so important as inadequate as it is, to really protect this right. It's so important because it arose after a long history where, one, black people were struck from courts, most particularly

in Southern states, but everywhere in the north and in the west too, on juries, because they knew that the likelihood of an actual jury of one's peers, when the defendant was black, having a black person on the jury would increase the chances of acquittal. And that's just part of the reason why we see this practice of striking jurors of color.

And the second reason is, even without that purposeful action, black people are disproportionately underrepresented on juries, with respect to the communities that they're in, in general, for a host of reasons, because black people are more likely to have jobs or childcare responsibilities that make it more difficult to show up for jury duties. The roles from which jurors are selected often are not complete in a way that excludes black and brown folks either accidentally or intentionally. There are a lot of reasons why it's already too few black folks to serve on juries. So to have the protection to ensure that people do have a jury of their peers is super important.

Joyce Vance:

Well, Jill, do you think that there's a better approach? Could Batson be used more strictly, just applied better, or will it take some sort of judicial ruling or legislative change to fix the problems?

Jill Wine-Banks:

Well, of course it could be used better, but I think there may be a better way. And the state of Washington has done something that seems to be at least a good starting point. They have addressed, not just explicit discrimination, and I'm going to just divert for a minute to say, we're talking about mostly jurors of color, but I had a trial where all women were struck. And the defense ran out of peremptory challenges and asked the judge for extra peremptories in order to strike all the women in the panel. And he granted it. And they excluded all women for the panel. And I can explain the reason later.

Joyce Vance:

Also a post Batson violation to strike on the basis of gender.

Jill Wine-Banks:

Right. This was one of my first trials. So it was way before Batson. Sorry. Way, way, way before. But they've added implicit, unconscious bias, as well as the explicit. And they have also disallowed peremptories if an objective observer could view jurors race or ethnicity as a factor in using the peremptory. And they've disallowed the use of what are those sort of common excuses that are offered as... Well, I had an alternative, things like, well, the juror lives in a high crime area, which to me is code for, they're a person of color, or they didn't make eye contact, because there are a lot of cultures in which eye contact is not made, which is not the white culture, that does make eye contact.

Prior contact with law enforcement is used as another code for striking people. And they have specifically excluded those reasons as being legitimately accepted to get past the Batson standard of why, if you can offer a colorable claim for a non-race based reason. So I think that if more states and courts would adopt court rules that did that, maybe we would get closer to achieving the goal of Batson, to curb discrimination in the selection of juries, and to actually have a jury of your peers.

Joyce Vance:

Criminal justice reform has become such an important topic in this country. I think to this point, jury selection has really been excluded. It hasn't been a focus of that conversation. So I hope we'll continue



to stay on this topic and some other ones and see where we get with them. Obviously we need to do some work in this area.

Jill Wine-Banks:

So we'll all miss Barb this week, but we have to ask, because as we plan holiday gifts, what bras do you think Barbara would be ordering from ThirdLove? What do you think, Joyce?

Joyce Vance:

I'm so excited about doing my holiday shopping. I'm going to get Barb one of everything from ThirdLove. Do you think we'll ever be able to get her to talk about it, Kim?

Kimberly Atkins Stohr:

I think if there's a way that we can get ThirdLove to put pockets on the bras, she would be so into it. And I think maybe we can get together and that can be from all three of us.

Joyce Vance:

Well, heads up to our friends at ThirdLove, because we all love the bras and everything else that they make. I think Barb does secretly too. She's just, aren't Midwesterners a little bit more restrained. They're less effusive than southern girls are when we talk about how much we love our bras. But being a good gifter is easy this holiday season, even if it's just for you and you're not worried about Barb, you can give the gift of comfort with ThirdLove, your one stop shop for the women in your life. They've got in addition to their fabulous bras, ultra-soft loungewear for mom, fun sleepwear sets for your sister, premium active wear for friends, and luxe intimate sets for some one special. So gifting ThirdLove brings joy and feels good in the all day wear that hugs better, hold stronger and supports longer. I'm getting one of everything for Barb.

Kimberly Atkins Stohr:

So the 90,000 5-star reviews don't lie. And with sizes in extra small, through three X, we know you'll find your fit. If you don't love it, and we know that all of you will, including Barb, exchanges and returns are free for 60 days. ThirdLove even gives gently used return bras to women in need, with over \$40 million donated so far. So take the easy fitting room quiz to focus on your or fit in size and shape and current issues, and your style to deliver clothes perfect for you. So far their stylists are on standby and have helped millions of women, including us, find their perfect fit.

Joyce Vance:

So I love third loves washable silk pjs with a soft like a peach touch. It's machine washable luxury, feeling is believing. You can upgrade to everyday pieces that love your body as much as you do. And right now you can get 20% off your first order at [thirdlove.com/sistersinlaw](https://thirdlove.com/sistersinlaw). That's 20% off at [thirdlove.com/sistersinlaw](https://thirdlove.com/sistersinlaw).

Jill Wine-Banks:

Well, we're onto the part where we answer our viewers questions. And we love answering your questions. They are some of the best thoughtful things that we ever see, and we're very happy to be doing it. So this week we had a really lot of good questions, but we only have time for three, and I'm going to start with one from Courtly. And Kim, she asked, wonder if you could explain why a Texan suing

anyone under the new abortion law isn't required to show standing. And it's actually not just to Texan, anyone can sue, any citizen of the United States can sue. How have they, as an individual, been harmed or affected by the abortion?

Kimberly Atkins Stohr:

That is a great question. And Jill's absolutely right. Anyone can bring a suit under the language of this state law. But there are many ways to confer standing, Courtly, you hit upon one, which is you can show that you were affected or harmed in some way, and you need to have some sort of redress and be able to go to the court for that. Another way to get standing is just statutorily. It's just because the law gives you standing. And in this case of SBA, the law explicitly gives standing to anyone to bring sue.

Jill Wine-Banks:

Which I would say is one of the reasons why I hate the statute because it isn't fair. But let's move on to a question from D. What are some terms we as women could use more to affirm one another when we want to acknowledge strength, fortitude, and other behaviors that typically fall under the, she puts quote marks, "around masculine umbrella." Lady boss, and badass are not allowed. So let me just comment as the oldest member of this team, and say that when I started practicing law, women didn't support other women. Of course there were so few of them, that it was hard to matter, but women didn't mentor other women and women didn't say nice things about other women, and women weren't always conscious of the fact that discriminatory terms were used to define the same contact by a woman as a man, but they would say a man was assertive, and that was a positive good thing. And women were aggressive bitches.

And so I think we need to, first of all, stop using the bad differential language. But I think we can just acknowledge that women don't have to be men to be successful, that we can use our own skills, our own talents and our own unique gender based advantages. So I think just by saying someone is a good boss, who would be good enough, not saying someone's a lady lawyer, one of my particular horrible, one of the only language things I get upset about. You're a trial lawyer. You're a corporate lawyer. You're just a lawyer. Don't put the gender before it. That's some of the things I suggest. But I bet you guys have other ideas. Joyce, do you have some?

Joyce Vance:

I think it so important for us to do this. I'm not sure that I care about the specific language. What I care about is something that you mentioned, Jill, this notion of women deliberately supporting other women, and really going out of our way, not just to be role models, but to bring somebody along, to make space for them, to give them an [inaudible 01:05:47] to group of people where they might not otherwise be welcome. That I think is something that we can all do every day to help support other women.

Kimberly Atkins Stohr:

I agree with that. And I think that the real work comes in those regular conversations that you have with people who you work with, your colleagues, your superiors, those who come below you as well, coming up behind you up the ladder. I often find myself not so much using affirming code words, but saying things to people, to other women in my industry who are making moves within it, for example, don't forget to ask for what you're worth, make sure that you-

Joyce Vance:

Such good advice.

Kimberly Atkins Stohr:

You get everything, the benefits and everything else. You assert what your bandwidth is and what you can give so that they don't expect to have this be an endless well that they come back to again and again, and again. There's so much in that. And it's kind of built into the lady boss and badass tropes that, she talks about, this idea that women are not only expected to do their job, but they're also expected to comfort everyone else. Also go home, take care of the children, be superwomen. That's what we're seeking. We're seeking to be superwoman who want it all, and can do it all, and can work a 80 hour week while balancing a baby on our knee. No, that's unrealistic, and those expectations should not be put on us. So I think it's always important to lift other women up, speak direct to them, praise them, say that was a great job because of the analysis that you did. Tell them why they're good at what they do. And just be really direct. Just complimenting someone.

Joyce Vance:

Kim, that's reminding me of a night where I was in my kitchen, cooking dinner, bouncing a baby in one arm. And I had a phone in the crick of my ear, I was doing a detention hearing for a defendant who had been arrested up in Tennessee. And so I was doing it over the phone with the magistrate judge in Memphis. And I got off the phone, having been able to get detention for the defendant. My baby was happy and not crying. Dinner was not burnt. And I thought, wow, I'm superwoman. But no one should have to live like that. You can only do that for just so long. We really have to support other women.

Jill Wine-Banks:

And I hope and think that all of us do. And you are in fact, of course, superwoman, Joyce. There's no question about that. So nothing to worry about. And I think the other thing we need to do is to make sure that our successors are women, because that is how we can help other women and compliment them and get them to be our successors. So let's go to our last question for today, comes from Kathleen. And I'm going to ask you to talk about this, Joyce. Is there any real way to heal the separated immigrant families, money? personally the trauma and fear heaped on these desperate poor families is ongoing. How many have not been reunited? Can any of us women ever imagine a baby you may be breastfeeding being confiscated. This isn't Hitler or Poland, Germany of the 1939s. This is the United States of America. And I know Joyce, you have very strong feelings about this.

Joyce Vance:

I do, because I think the only way to characterize what happened with the family separation policy is to characterize it as a human rights abuse. The evidence is now very clear. The justice department's inspector general has concluded that the department deliberately neglected to ensure that it would collect the information that was necessary to reunite families. Because the whole goal here was to deter immigration, and then Attorney Jeff Sessions believe that he could deter future immigration if word got out that families were being separated. So they were actually cheerleading this human rights violation. On total, about 3,000 families were separated while the policy was at its high point. As of earlier this year, more than 500 children, many of them under age five, still hadn't been reunited with their families. And you can imagine how much more acute the problem is with younger children who aren't able to say where they came from or who their families are.

So I think the question whether the issues these families face can be fixed. That's a little bit beyond my capabilities as a prosecutor. The answer that I would give is to say, we have to try. And it's

also in our best interests to try, just very pragmatically these families have now joined together and filed almost a thousand claims against the United States of America, some regulatory claims, some lawsuits. The early results the United States is getting in motions practice are bad. The government is losing in all of those motions, and the courts are letting the cases proceed against the government.

So it's in the United States best interests to go ahead and settle the cases. We do need to take on a range of remedies. Some of the issues under consideration are citizenship for these families or a path to citizenship, financial compensation, providing counseling and medical care. That's all on the table. I think the real issue here is what are we going to do to heal the country? We have obligations to these families, because it's our government that inflicted these wrongs on them. We also need to heal ourselves too.

Jill Wine-Banks:

So, that's a pretty emotional way to end the show. And I want to mention that there is a film called The Fight. It's a documentary about the ACLU, and it includes some of their lawyers who've gone to the Supreme court, one of whom is Lee Gelernt, who represented separated families. And if you want to cry your eyes out, watch The Fight, about the ACLU. Thank you for listening to #SistersInLaw, with Joyce Vance, Kimberly Atkins Stohr, and me, Jill Wine-Banks. We look forward to seeing you again next week when Barb McQuade will be back with us. Don't forget to send in your questions by email, to [sistersinlaw@politicon.com](mailto:sistersinlaw@politicon.com). Or tweet them for next week's show using #SistersInLaw.

Don't forget to go to [politicon.com/merch](http://politicon.com/merch) for all our new amazing T-shirts, hoodies, bags, buttons, water bottles, and pins, pins, pins, and more. This week sponsors are Headspace, HelloFresh and ThirdLove. You can find their links in the show notes. Please support them as they really help make this show happen. To keep up with us every week, follow #SistersInLaw on Apple Podcasts, or for those of you who, like me, are not apple users, wherever you listen. And please give us a five star review. We do love to read your comments, and it also helps others to find the show. See you next week with another episode #SistersInLaw.

Joyce Vance:

So I'm so jealous. You guys got to get together in person this week. Didn't you?

Kimberly Atkins Stohr:

We did.

Jill Wine-Banks:

We did. Yay. It was so amazing. I got to hug Kim, and have breakfast with her and just be together. It was fabulous. And I'm going to make you even more jealous, because on Sunday morning, Barb's coming to my house for breakfast. She is going to be taking her daughter on a college tour and happens to be in my neighborhood. So I get to be with two of you in person for the first time in, well, years. So I'm really excited and it's [crosstalk 01:13:33].

Kimberly Atkins Stohr:

Well, for us, it was the first time ever. I met Joyce and Barb before, but it was the first time I ever met you in person. You are even more delightful in the flesh than you are on a podcast.

Joyce Vance:

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I love it so much. This is maybe the post COVID world. Maybe we all get to see each other in 2022 in person.

Kimberly Atkins Stohr:

I'm hoping we might coming to Birmingham to see you.

Joyce Vance:

Yeah. Y'all come on down. We do have something live schedule down here that we might do, in which case I will take y'all out for really good barbecue, really good food, but also to see the civil rights sites. I mean, it's really amazing living in the history. I think we take for granted what we're exposed to every day. I'd love to get to show you guys 16th street Baptist church and the museum.

Jill Wine-Banks:

Can't wait.