



## Search and See-zure

Pardon the above title, but our cover story brings out the visual in me. As I bet it will in you when you “see” the Fourth Amendment in a new way.

After all, I ask you to recall for a moment the constitutional history that comprised your law school experience.

There sat the Constitution itself, swathed in all its deserved glory, hazy through the gloom of ages, almost buried up to the tip of its very Preamble with cases, commentary and learned hands that pointed the eager and untutored toward holdings and dissents, and away from the blood and sweat that Constitutes us all.

Trailing behind were the amendments, our nation’s delightful afterthoughts, marching in a sonorous line. Dedicated workers each, they shuffled past law students *cum* scribes who espied glimmers of religion in the 1st, maybe some soldiers quartered in peacetime in the 3rd, a *suspicion* of excessive bail in the 8th, but no splendor, no beauty, no brilliance.

Where is the grit, man, where is the straining sinew that wrestled a great monarchy to its knees? *Certainly denied*, indeed, to the law student.

But then examine this month’s feature on a **pictorial history of the Fourth Amendment**. Read its prose—skip not the footnotes—and there you will see—really *see*—an amendment like you’ve never seen it before. Smell the molasses and the rum. Feel the waves crashing against the brig’s bow. Mix yourself a well-deserved *Cuba Libre* and read of the scholars, rakes and scoundrels whose exploits gave us an Amendment that is Fourth in our heart.


History **Writ** large, you might say.

Many thanks to our author **Bob McWhirter**, whose love for legal history is matched only by his fondness for the elusive and discursive detail—and we are the better for it. This article is one of the chapters he expects to publish in a book (and to present at the June State Bar Convention; don’t miss it!).

Thanks also to **Karen Holub**, our Art Director. Though our Founding Patriots gave us a remarkable Bill of Rights, I sold Karen quite a bill of goods when I passed on this article for design. I happily raise a glass of rum to her accomplishment.



Whether in work life or home life, many people avoid conversation about the question of how to ensure continuity and security after we die or are disabled. **Traci Smith** performs a great service in her article on “**The Professional Will**.” In it, she provides a roadmap to follow in order to establish a succession plan for your law practice. Read it and take it to heart today. Your clients, your colleagues and everyone in your circle will benefit from your foresight.

As always, send your questions, comments or story ideas to me at [arizona.attorney@azbar.org](mailto:arizona.attorney@azbar.org). 

Tim Eigo

### Editor

TIM EIGO

Tim.Eigo@staff.azbar.org

### Art Director

KAREN HOLUB

### Production Coordinator

LESLIE ROSS

### Contributing Writer

MIRA RADOVICH

### Communications Assistant

KATE CORTEZ

### Advertising Sales Director

DREW WILLIAMSON

(602) 340-7230

Drew.Williamson@staff.azbar.org

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### Addresses

4201 N. 24th Street, Suite 200  
Phoenix, AZ 85016-6288  
(602) 252-4804

320 S. Convent, Tucson, AZ 85701-2215  
(520) 623-9944

1-866-48-AZBAR

(Toll-free outside Maricopa County)

[www.myazbar.org](http://www.myazbar.org)

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