

THE PRACTITIONER

LETTERS TO THE EDITOR

Young Lawyers, Keep an Eye on Integrity

I found the article "Thirty-Five Young Lawyers to Keep an Eye On — 35 Under 45: The Next Generation" (California Law Business, July 24) to be very informative.

Unfortunately, I have never had the opportunity to have one of the profiled attorneys appear before me. I guess part of "success" is doing the all-important cases which are in the superior court. I therefore make my observations based upon the statements made in the article.

I am now 45. When I was "under 35," I was a board member of the California Young Lawyers Association of the State Bar. At that time, we were very interested in advancing the careers of lawyers under 35 or those in practice less than five years. We stressed several characteristics that all successful attorneys possessed in large quantities. In no order of ranking, some of those listed were commitment, preparation, contribution to the profession (service to the Bar and the public), professionalism and ethics.

Over the years it seems that civility, professional integrity, personal dignity, candor, diligence, respect, courtesy and cooperation are characteristics that have become a "protected species," a species that is slowly becoming extinct among both the Bar and the judiciary.

None of the 35 mentioned any of the above characteristics as a requirement or trait necessary to "make it as a young lawyer." What a shame and pity. It is also unfortunate that none of the profiled attorneys works for a not-for-profit organization or agency and that only one profiled attorney works for a

governmental entity.

I'm lucky — at least I can remember a time when success was determined as much by the above mentioned characteristics as by the results that were obtained for one's client.

Maybe someday soon those traits will again become meaningful and important to both possess and display.

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The writer is a judge on the Santa Clara County Municipal Court.

Leftover Bar Dues Could Save Legal Aid

Y our recent article about budget cuts faced by non-profit legal services entities ("Fund Cuts, Other Limits Rock Poverty Law Bar," July 27) forecasts great difficulty in the future for indigent citizens to have legal representation and access to our judicial system.

I would suggest that \$100 of our bloated and totally unnecessary mandatory State Bar dues be directly allocated for distribution to such legal aid agencies — and I can assure you that every penny spent in that effort will bear more fruit and goodwill than our mandatory and involuntary membership in that status-quo-oriented monstrosity.

Laurence B. Labovitz
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Fourth Amendment Needs No Improving

I quote the Fourth Amendment to the Constitution of the United States of America:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

I emphasize the phrase "particularly describing the place to be searched and the persons or things to be seized," and especially the word "particularly." When the warrant says to search for and seize electronic equipment and cellular telephone handsets that means exactly what it says and nothing else.

If police officers use a faulty warrant to enter and search and then seize only what is described in the warrant, those things seized should not be allowed as evidence in a trial or criminal process because of the faulty warrant.

The Fourth Amendment is fine the way it is: It protects everybody. Let's keep it that way. No legislation can make the Fourth Amendment any clearer than it is. Any legislation would only weaken the protections we all have from the Fourth Amendment as written and could even be an attempt by some to get around it. The Constitution should not be tampered with nor used as a vehicle for legislation.

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