

Making Sense Of Search And Seizure Law: A Fourth Amendment Handbook

By Phillip A. Hubbart

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Fourth Amendment law is both fascinating and inspiring — as it deals with a fundamental human right, the denial of which was one of the leading causes of the American Revolution. But this law can also be extremely confusing. Thus the reason for this book: to make sense of this subject.

In a single volume, Hubbart restates the content, organizational structure, and principled basis of Fourth Amendment law — as laid forth by numerous U.S. Supreme Court decisions on the subject — so that it is understandable and coherent.

The work concentrates on U.S. Supreme Court caselaw, relies heavily on the historical background of the Fourth Amendment upon which much of this law is based, and cites to relevant treatises and leading federal and state court decisions. It also briefly discusses the theories of constitutional construction that the Court has used in reaching its decisions.

A wide variety of professionals (such as judges, prosecutors, defense lawyers, police legal advisors, as well as teachers and students) at the law school, undergraduate, and law enforcement levels will find this book extremely useful.

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Review

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"I am in awe of Hubbard's achievement for his admirably lucid exposition of the Fourth Amendment." Political Science Professor Dennis Dalton, Columbia University --Letter to author conveyed to publisher: Carolina Academic Press

"It's easily the best single one-volume hornbook on the Fourth Amendment that has been written." --Norm Lefstein Professor of Law and Dean Emeritus, Indiana University School of Law-Indianapolis

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From the Author

The subject of this book is the Fourth Amendment to the U.S. Constitution: the protection against unreasonable searches and seizures. The book is the labor and love of my professional life: it took me 25 years to research and write it: 1977-2003. The book contains (1) five chapters on the historical background that led to the adoption of the Fourth Amendment 1761-91; (2) one chapter on the theories of constitutional construction that the U.S. Supreme Court has used in interpreting the Fourth Amendment; and (3) ten chapters explaining the existing law on the Fourth Amendment as announced by the 403 U.S. Supreme Court decisions interpreting the Amendment. The book is lucid, coherent and reader-friendly. You don't have to be a lawyer to understand it. But it is an in-depth book. Its purpose is to make sense of this complex but vitally important subject.

About the Author

1. State Appellate Court Judge: District Court of Appeal of Florida, Third District 1977-96. Chief Judge of the Court 1980-83. 2. Public Defender for the 11th Judicial Circuit of Florida, Miami/Dade County, Florida. Elected Office. 1971-76. Assistant Public Defender in same office 1965-69. 3. Adjunct Professor of Law [part-time]. University of Miami Law School. 1967-76, 1980-to date. Taught criminal law related courses, including [at present] a seminar on the 4th Amendment. 4. Duke University Law School. J.D. 1961. Managing Editor of the Duke Law Journal. 5. Georgetown University Law School LL.M. 1962. 6. Augustana College, Rock Island, Illinois A.B. 1958. Phi Beta Kappa. 7. Member, American Law Institute.

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