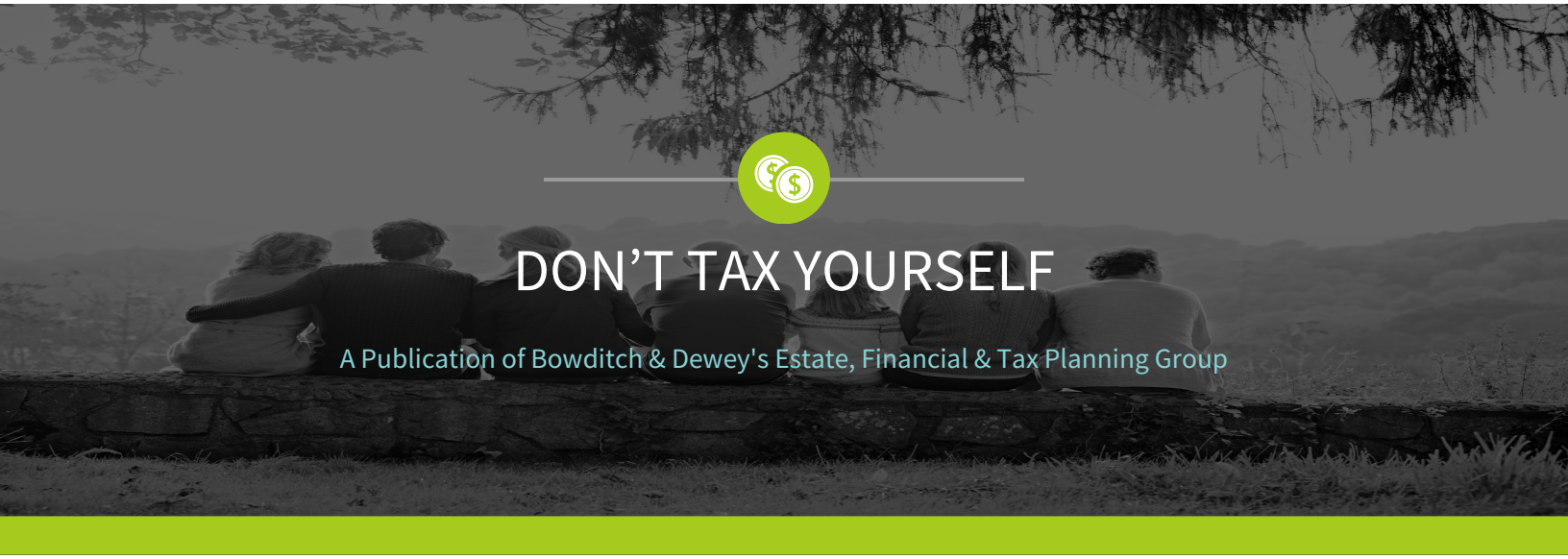


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Britney Spears Conservatorship Questioned

BY KATHRYN E. SZEWCZYK • JUNE 21, 2016

The New York Times recently published an article questioning whether the conservatorship set up for Britney in 2008 is still in her best interests given her tremendous progress. There was no question in 2008 that Britney needed intervention, given her alarming behavior and multiple hospitalizations for psychiatric evaluation, but she has since turned her life around. This is in large part due to the help of her father, Jamie Spears, and an attorney who were appointed by the Probate Court in California as her conservators to oversee most aspects of her life.

What is a conservatorship? A conservatorship, known alternatively as a guardianship in many states, is a type of court proceeding where a judge appoints a responsible person to make certain types of decisions for an adult or child who is unable to make such decisions on his or her own due to minority or a clinically diagnosed impairment. There are two types of proceedings, one which deals with making decisions about the person's health, safety and care (known as a guardianship in Massachusetts), and the other which can manage the person's property, financial and business affairs (this is called a conservatorship in Massachusetts). These proceedings can be temporary or permanent, and can be limited or give maximum authority permitted by law. Britney's father was appointed by the court to manage her physical health and wellness, and he shares responsibility for managing her finances with an attorney specializing in probate law. The appointments in both cases were made permanent and seem to be working extremely well.

A guardianship or conservatorship is often established for adults who require help due to permanent disability or where cognitive abilities have declined due to advanced age or dementia. They are also seen in cases of mental illness to assist in making healthy decisions, which was the basis for Britney's conservatorship. One benefit is the judicial oversight, with the guardian or conservator required to report back to the court on an annual basis. This ensures there will be no mismanagement of assets and that the person is still benefiting from such protection.

Britney's conservators assist in such tasks as negotiating her business opportunities and overseeing her household and legal matters, including custody of her children and maintenance of her vehicles. Her father must also make decisions to keep her safe and healthy, at which he has succeeded. The system has worked well since 2008, with Britney's social media portraying her now as a happy, healthy, confident mother of her two young sons. The only question now is

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whether a conservatorship is still necessary under the law. This type of arrangement typically terminates when a protected person regains the ability to make decisions on his or her own. However, for now it will likely remain in place as long as Ms. Spears continues to benefit from her conservatorship.

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