

## Britney Spears Court Battle Shines Light on Conservatorships

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Headlines covering the conservatorship battle between pop star and Louisiana native Britney Spears and her father have brought the practice into the public spotlight. Called an “interdiction” in Louisiana law, the arrangement provides a structure for managing a person’s affairs and assets if they are judged incapacitated.

### What is the latest in the Britney Spears case?

- Pop star Britney Spears’ father petitioned a court last week to end the conservatorship that has governed the star’s personal and business affairs for 13 years, asking a judge to “now seriously consider whether this conservatorship is no longer required.”
- Spears, 39, was placed in a conservatorship in 2008 over concerns about her mental health.
- Over the years since, the singer has questioned the necessity of the conservatorship, pointing out that she performed concerts and released records until 2019.
- At a hearing in a Los Angeles court in June, Spears spoke out publicly about the arrangement, expressing the desire to end it and criticizing her father Jamie Spears, who serves as co-conservator.
- The singer alleged she had little control over her \$60 million estate and was forced to take psychiatric drugs and use birth control, which Jamie Spears’ attorney denied, saying Britney Spears was entitled to make her own medical decisions.

### What is a conservatorship or interdiction, and why are people placed in them?

- A conservatorship is a mechanism set up for people who are judged unable to handle their own affairs (as to their person, property, or both) or designate someone to handle their affairs.
- In Louisiana, the procedure is called an interdiction.

### How common are interdictions?

- Interdictions are rare, in part, because in the estate planning process, individuals often designate the person who will be empowered to handle their affairs when/if they are incapacitated.
- Rarer still are interdictions with ‘able-bodied’ persons who are capable of working and earning an income.

### What types of information are judges looking at when they decide to start, continue, or end a conservatorship or interdiction?

#### ATTORNEYS

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#### CAPABILITIES

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- Friends, relatives, or public officials petition the court for the appointment of a conservator (or a curator, in Louisiana), detailing the reasons they believe the arrangement is necessary.
- The judge holds a hearing at which the potential conservatee/interdict and interested parties may testify, and where reports from mental health professionals and the specific requests of the petition are addressed.
- In California, a court investigator visits the conservatee regularly to determine whether a conservatorship is still necessary. Follow-up mental health evaluations may also be required to assess the continuation of the arrangement.
- In Louisiana, a curator is required to report to the court annually regarding the interdict's status. The court may also order additional investigation to assess the continuation of the interdiction.

**What happens next in the Spears case?**

- Now it is up to Los Angeles Superior Court Judge Brenda Penny to weigh whether to end the conservatorship for good.
- The next hearing in the case is scheduled September 29, 2021.