

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20515-6216

March 8, 2021

The Honorable Jerrold L. Nadler
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nadler:

The House Committee on the Judiciary is charged with safeguarding the rights afforded to Americans by the U.S. Constitution. These rights include having the free will to guide one's own affairs and the legal autonomy over one's own finances. When situations suggest the unjust deprivation of those rights by the government, we have an obligation to conduct oversight and explore potential remedies.

In recent years, there has been growing public concern about the use of conservatorships to effectively deprive individuals of personal freedoms at the behest of others through the manipulation of the courts.¹ A project funded by the U.S. Department of Justice to examine conservator exploitation found that "financial exploitation by conservators often goes unchecked by courts" and there is a "dire need for guardianship/conservatorship reform."²

Moreover, the American Civil Liberties Union recently voiced that "conservatorships should be viewed with skepticism and used as a last resort" but that in "most cases, it's done routinely and without substantive engagement."³ The ACLU is concerned that individuals are being "stripped of virtually all of their civil rights through guardianships and conservatorships" and has called for the exploration of reforms to ensure that unnecessary conservatorships can be terminated so these individuals may "direct their own lives."⁴ The most striking example is perhaps the case of multi-platinum performing artist Britney Spears.⁵

¹ See e.g., U.S. GOV'T ACCOUNTABILITY OFFICE, GAO-10-1046, GUARDIANSHIPS: CASES OF FINANCIAL EXPLOITATION, NEGLECT, AND ABUSE OF SENIORS (2010).

² Brenda K. Uekert, et al., Nat'l Cen. for State Courts, Briefs No. 1-8, <https://ncsc.contentdm.oclc.org/digital/collection/famct/id/1538> (2018).

³ Eva Lopez, *How Conservatorship Threatens Britney Spears' Civil Rights*, AM. CIVIL LIBERTIES UNION (Aug. 20, 2020), <https://www.aclu.org/news/disability-rights/how-conservatorship-threatens-britney-spears-civil-rights/>.

⁴ *Id.*

⁵ THE NEW YORK TIMES PRESENTS: FRAMING BRITNEY SPEARS (Left/Right Prod. 2021).

Since 2008, Ms. Spears has been under a court-ordered conservatorship.⁶ The facts and circumstances giving rise to this arrangement remain in dispute but involve questionable motives and legal tactics by her father and now-conservator, Jamie Spears.⁷

In court appearances in August and November of 2020, Ms. Spears' attorney represented to the court that that Ms. Spears "strongly opposed" having her father as a conservator, that she was afraid of her father, and that she would not again perform publicly so long as this arrangement persisted.⁸ Despite these pleas, Mr. Spears remains a conservator of her estate.⁹ Despite Mr. Spears's claiming to want nothing more than to see Ms. Spears "not need a conservatorship," his attorney admitted in a recent documentary, "Of the cases I've been involved in, I have not seen a conservatee who has successfully terminated a conservatorship."¹⁰

Ms. Spears is not alone. There are countless other Americans unjustly stripped of their freedoms by others with little recourse. For example, Long Island resident Daniel Gross was forced against his will into a conservatorship after being hospitalized with cellulitis while visiting his daughter in Connecticut.¹¹ In what the judge labeled as "a terrible miscarriage of justice," Mr. Gross was locked in a Connecticut nursing home for 10 months despite his pleas for release.¹²


Given the constitutional freedoms at stake and opaqueness of these arrangements, it is incumbent upon our Committee to convene a hearing to examine whether Americans are trapped unjustly in conservatorships.

We look forward to hearing from you on this important issue.

Sincerely,



Jim Jordan
Ranking Member



Matt Gaetz
Member of Congress

⁶ *Id.*

⁷ *Id.*

⁸ Joe Coscarelli, *Britney Spears Seeking Substantial Changes to Conservatorship*, N.Y. TIMES (Aug. 18, 2020), <https://www.nytimes.com/2020/08/18/arts/music/britney-spears-conservatorship.html>.

⁹ *Id.*

¹⁰ FRAMING BRITNEY SPEARS *supra* note 3.

¹¹ Rick Green, *Wrenching Story Ends With Justice*, HARTFORD COURANT (Jul. 14, 2006), <https://www.courant.com/news/connecticut/hc-xpm-2006-07-14-0607141043-story.html>.

¹² *Id.*