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Communication and Offering Supported  
12 Decision-Making Services

13 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
14 **FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

15  
16 In re the Conservatorship of the Person and  
Estate of

17 BRITNEY JEAN SPEARS  
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Case No. BP1088790

PETITION BY AMERICAN CIVIL  
LIBERTIES UNION FOR  
CONFIDENTIAL  
COMMUNICATION WITH  
CONSERVATEE TO OFFER AND  
PROVIDE SUPPORTED DECISION-  
MAKING SERVICES

REQUEST FOR ARGUMENT

Date: July 14, 2021

Time: 1:30PM

Department: 4

Judge: Hon. Brenda J. Penny

1           **PETITION FOR CONFIDENTIAL COMMUNICATION WITH CONSERVATEE TO**  
2                           **OFFER AND PROVIDE SUPPORTED DECISION-MAKING SERVICES**

3           Petitioners American Civil Liberties Union Disability Rights Program and American Civil  
4 Liberties Union of Southern California (collectively “ACLU”), respectfully petition this Court to  
5 offer conservatee Britney Spears supported decision-making assistance in selecting her next  
6 attorney.

7           This petition incorporates the arguments set forth in the proposed brief concurrently filed  
8 by disability and civil rights organizations as *amici curiae* in this case. Petitioners represent a  
9 diverse group of disability rights organizations in California and nationwide who, through their  
10 proposed brief, urge this Court to allow Ms. Spears to select her own attorney, and to ensure that  
11 she has access to resources, including supported decision-making services, that can help Ms.  
12 Spears make her own, informed choice. The proposed brief of *amici* highlights the importance of  
13 ensuring that Ms. Spears has the opportunity to choose her own lawyer, and that she has a  
14 meaningful opportunity to make this choice, including through supported decision-making, should  
15 she so desire.

16           Petitioners do not have information at present as to whether Ms. Spears identifies herself as  
17 having disabilities, whether she seeks the assistance of a neutral supporter to help her navigate the  
18 selection of counsel, or what kinds of assistance might be most helpful. Petitioners observe,  
19 however, that many people under conservatorship have been isolated, with limited access to the  
20 internet and external advice. People with and without disabilities may benefit from, and wish to  
21 have, support or guidance from a neutral advisor for an important decision such as the one  
22 currently before Ms. Spears. Petitioners will *not* serve in the role of engaging in supported  
23 decision-making with Ms. Spears except with Ms. Spears’ interest and consent,<sup>1</sup> and seek an  
24 opportunity now to determine whether Ms. Spears is interested in this process.

25 \_\_\_\_\_  
26 <sup>1</sup>           Petitioners are aware of media reports that Ms. Spears may have already identified a  
27 commercial litigator whom she hopes to retain as her conservatorship counsel, but also of other  
28 media reports indicating that she does not have consistent access to the internet or to private phone  
calls. Petitioners accordingly offer Ms. Spears help ensuring that she has identified the  
considerations most important to her in selecting and retaining a legal team as well as the full  
universe of attorneys potentially available to her, if and only if she is interested in such help.

1 Supported decision-making is defined in the Uniform Guardianship, Conservatorship, and  
2 Other Protective Arrangements Act as, “assistance from one or more persons of an individual’s  
3 choosing in understanding the nature and consequences of potential personal and financial  
4 decisions, which enables the individual to make the decisions, and in communicating a decision  
5 once made if consistent with the individual’s wishes.” (Uniform Guardianship, Conservatorship  
6 and Other Protective Arrangements Act (2017) § 102(31); see also §§ 301(a)(1)(A); 310(a)(1).)  
7 As outlined in the proposed *amici* brief, supported decision-making is a well-respected and widely  
8 used and recognized system that allows people to use trusted supporters and advisors to  
9 understand, make, and communicate their own choices. *Amici* describe how supported decision-  
10 making can be used both within and in lieu of conservatorships. In their brief, proposed *amici* urge  
11 the Court to facilitate the use of supported decision-making to help Ms. Spears select her own  
12 successor attorney.

13 This petition offers the Court and Ms. Spears a mechanism to make that system of  
14 informed, supported choice a reality. Petitioners here request confidential communication with  
15 Ms. Spears to make sure she is aware of the concept of supported decision-making, and to learn  
16 whether she wishes to use supported decision-making to select a successor lawyer. If she so  
17 wishes, and if she wishes to consider Petitioners as supporters, Petitioners seek the Court’s leave  
18 to provide this support to Ms. Spears.

19 As non-profit organizations with no vested interest in the outcome of this case, Petitioners  
20 offer their services confidentially and without cost. Members of Petitioners’ legal team have  
21 experience providing support to people through supported decision-making to help them  
22 understand, select, and communicate their own choices.<sup>2</sup> They have developed supported decision-  
23 making tools and materials used around the country, and have provided training, continuing legal  
24 education programming, and direct supported decision-making services to individuals and  
25 organizations for the past five years. Petitioners have no financial or other interest in whom Ms.  
26 Spears selects as her successor lawyer, and do not themselves seek to be appointed as successor

27 \_\_\_\_\_  
28 <sup>2</sup> See, e.g., ACLU, *Supported Decision-Making Resource Library*, available at:  
www.aclu.org/supported-decision-making-resource-library (last visited July 12, 2021).

1 attorneys in the conservatorship.

2 **CONCLUSION**

3 Petitioners respectfully request that the Court:

- 4 • Permit Petitioners to be heard briefly on this matter at the upcoming July 14, 2021 hearing;
- 5 • Authorize and order that within 10 days, conservatee Britney Spears be permitted to
- 6 communicate confidentially with Petitioners to discuss the concept and possibility of
- 7 supported decision-making in selecting an attorney; and
- 8 • Allow Petitioners to file a status report, drafted with Ms. Spears’ agreement on what
- 9 information will be filed publicly and what will remain confidential, within one week of
- 10 any meeting with Ms. Spears to report whether and in what capacity Ms. Spears requests
- 11 supported decision-making assistance, what progress has been made if applicable, and
- 12 what mechanism for future engagement, if any, she and Petitioners propose.

13 DATED: July 12, 2021

14 AMERICAN CIVIL LIBERTIES UNION  
By:

15 /s/ Zoë Brennan-Krohn  
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 Counsel for Petitioners Requesting Confidential  
 25 Communication and Offering Supported  
 26 Decision-Making Services  
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1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not  
3 a party to the within action. My business address is 1313 West Eighth Street, Los Angeles, California  
4 90017. I am employed in the office of a member of the bar of this court at whose direction the service  
5 was made. On July 12, 2021, I caused the following to be served:

- 6 • **PETITION BY AMERICAN CIVIL LIBERTIES UNION FOR CONFIDENTIAL**  
7 **COMMUNICATION WITH CONSERVATEE TO OFFER AND PROVIDE**  
8 **SUPPORTED DECISION-MAKING SERVICES**

9 Via personal hand delivery on the parties listed below.

10

<b>Party</b>	<b>Attorney/Address Served</b>
Court Appointed Counsel for Conservatee, Britney Jean Spears	Samuel D. Ingham, III 444 South Flower Street, Suite 4260 Los Angeles, CA 90071-2966
Litigation Counsel for Conservatee, Britney Jean Spears	David C. Nelson Ronald Pearson Loeb & Loeb, LLP 10100 Santa Monica Blvd., Ste. 2200 Los Angeles, CA 90067
Temporary Conservator of the Person	Jodi Montgomery 1443 E. Washington Blvd., Ste. 644 Pasadena, CA 91104

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Attorney for Jodi Montgomery	Lauriann C. Wright Wright Kim Douglas, ALC 130 S. Jackson Street Glendale, CA 91205
Attorneys for James P. Spears, Co-Conservator of Estate	Vivian L. Thoreen Jonathan H. Park Holland & Knight, LLP 400 South Hope Street, 8th Floor Los Angeles, CA 90071
Attorneys for James P. Spears, Co-Conservator of Estate	Geraldine A. Wyle Jeryll S. Cohen Freeman, Freeman & Smiley, LLP 1888 Century Park East, Suite 1500 Los Angeles, CA 90067
Attorney for Lynne Spears	Yasha Bronshteyn Ginzburg & Bronshteyn, LLP 11755 Wilshire Blvd., Ste 1250 Los Angeles, CA 90025
Attorneys for Lynne Spears	Pro Hac Vice Gladstone N. Jones, III, Esq. Lynn E. Swanson, Esq. Jones, Swanson, Huddell & Daschbach, LLC Pan-American Life Center 601 Poydras Street, Ste. 2655 New Orleans, LA 70130

1 I declare under penalty of perjury under the laws of the State of California that the above is true  
2 and correct. Executed on July 12, 2021, at Los Angeles, California.

3 *Crista Minneci*

4 Crista Minneci

5 ACLU Foundation of Southern California  
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