



# ★ GUARDIANSHIPS RIPPED FROM THE HEADLINES!!!

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## BRITNEY SPEARS – THE BEGINNING

IN 2008, BRITNEY SPEARS SUFFERED A PUBLIC MENTAL HEALTH CRISIS

BRITNEY SPENT TWO NIGHTS IN LOS ANGELES' CEDARS SINAI MEDICAL CENTER AFTER SHE FAILED TO  
TURN OVER HER KIDS TO HER EX-HUSBAND, KEVIN FEDERLINE, RESULTING IN A THREE-HOUR STANDOFF WITH  
COPS

IN FACT, REPORTS INDICATED THAT SPEARS TESTED CLEAN FOR SUBSTANCES

SOME REPORTS SAY THAT HER BEHAVIOR WAS THE RESULT OF A "PURPLE MONSTER" – VODKA AND  
PRESCRIPTION DRUG COCKTAIL

THE LATEST BREAKDOWN IN THAT YEAR WAS A RESULT OF A YEAR AND A HALF OF WHAT SOME CALLED BIZARRE  
BEHAVIOR, INCLUDING SHAVING HER HEAD BALD AND BEATING A CAR WITH AN UMBRELLA

# THE UMBRELLA INCIDENT



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## GOALS OF THE PRESENTATION

- PROVIDE A BRIEF HISTORY OF GUARDIANSHIP AND ISSUES SURROUNDING IT
- BRIEF LOOK AT CURRENT TEXAS LEGISLATIVE HISTORY
- EXPLORE CASE STUDIES THROUGHOUT FROM THE HEADLINES AND OUTSIDE OF THEM
- PROVIDE A DECISION TREE FOR CONSIDERING AND DETERMINING FEASIBILITY OF SUPPORTS AND SERVICES AND ALTERNATIVES TO GUARDIANSHIP

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# BRIEF HISTORY OF GUARDIANSHIP

- SOME OF THE EARLIEST EXAMPLES OF GUARDIANSHIP IN LAW ARE PROTECTIVE ARRANGEMENTS FOR MINORS WHO INHERITED PROPERTY
- SOME OF THE EARLIEST LAWS RECORDED IN THE US INCLUDED PROVISIONS FOR GUARDIANSHIP LIKE MASSACHUSETTS
- LEGAL SCHOLARS HAVE COMMENTED THAT UNTIL RECENTLY GUARDIANSHIP AND PROTECTIVE PROCEEDINGS HAVE GONE WITHOUT MUCH (IF ANY) SCRUTINY
- IN THE EARLY THE 1900'S, WE SEE MORE DECISIONS DELINEATING "DEPRESSION" OR "EMOTIONAL DISABILITY" FROM SOMEONE WHO IS NON COMPOS MENTIS (NCM) "NOT OF SOUND MIND"

# BRIEF HISTORY OF GUARDIANSHIP

- MOST PEOPLE COMMITTED IN 1900, FOR EXAMPLE, WERE SOCIALLY MISCHIEVOUS. SEE, FRIEDMAN, GROSSMAN AND GUTHERIE, GUARDIANS A RESEARCH (1996) (CITING E.G., RICHARD W. FOX, SO FAR DISORDERED IN MIND: INSANITY IN CALIFORNIA, 1870-1930 (1978))
- THOSE WHO WERE DEEMED "INCOMPETENT" WERE GENERALLY OLDER PEOPLE WHO BEGAN TO DECLINE.
- THE DISTINCTION OF "INSANITY" VS. "INCOMPETENCE" WAS FREQUENTLY THE QUESTION CONSIDERED BY THE COURT.

Also available as part of the eCourse

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"Guardianships: Ripped from the Headlines"