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Britney Spears' Dad Gains Control Over Her Affairs; Family Obtains Restraining Order Against Sam Lutfi

Issue will be reassessed Monday afternoon, following an already-scheduled custody hearing.

By Jennifer Vineyard, with additional reporting by Todd Brown

Who should act on behalf of Britney Spears? A Los Angeles judge decided Friday afternoon that the hospitalized singer's father, who along with her mother called an emergency hearing in Los Angeles Superior Court, should have control over their daughter's affairs, at least temporarily.

Jamie and Lynne Spears asked the court to establish a conservatorship, where they would be co-conservators, along with a third independent party, so they can make decisions in regards to health care and finances for their adult daughter. Commissioner Reva Goetz decided that Jamie Spears would be the conservator of Britney's person, as well as her estate, along with attorney Andrew Wallat, who was appointed by the judge. The conservatorship lasts at least through Monday, at which point the issue will be addressed in depth at another hearing that afternoon. Spears' custody dispute with ex-husband Kevin Federline is due for a status hearing that morning.

On Saturday (February 2), TMZ reported that the singer's hospital stay is likely to be extended by 14 days, but this information was unconfirmed at press time. One of the reasons conservatorship over Britney's estate was sought, court information director Allan Parachini told reporters, was to secure her residence and hire 24-hour guards, giving her father the power to remove people from the residence. He'll also have authority to revoke contracts regarding sales of her assets. Conservatorship over Britney's person means that her father will have access to her medical records, be allowed to communicate with her attending physicians, and can restrict or limit her visitors while she's in the hospital.

The Spears family also obtained a restraining order against Britney's manager, Sam Lutfi, who reportedly had power of attorney over Britney, which is voided by the conservatorship. The civil-harassment order is good for 21 days, at which point it will be reviewed in a hearing set on February 22.

"This is exactly what I would recommend, given Britney's mental status at the moment," mental-health law expert Carolyn Reinach Wolf told MTV News. "Maybe her mental

status at the time she gave Sam Lutfi the legal documents to act on her behalf was compromised, which would void these documents."

Wolf, a senior partner at New York law firm Abrams, Fensterman, Fensterman, Eisman, Greenberg, Formato & Einiger LLP, said the Spears family would have to demonstrate that Spears wasn't capable of making that decision and they would need medical or psychiatric testimony from her treating physicians or another expert who could evaluate the singer. "It seems there are health care issues as well as financial issues," Wolf said, "and really, the only way to get control of that for an adult is to demonstrate she lacked the mental capacity and get authorization to act on her behalf. Those are the only options."

When Spears signed any such paperwork authorizing Lutfi's power of attorney would be an issue, especially if it was in a time of crisis. "That gives them more reason to question it," Wolf said, "and to whom was she giving it to. If you've known someone for a week and you're suddenly changing your will and giving them authority over you, it can be a problem."

Lutfi has known Britney for longer than a week, of course, but there have been questions and concerns regarding his involvement with the singer, including past restraining orders against him and allegations that he has staged paparazzi shots of Britney from which he would benefit financially (Lutfi has denied these allegations).

Wolf also approved of the restraining order against Lutfi. "If her manager is not acting in her best interest and is exacerbating her psychological issues, the way she can get him to go away is to get a protective order," Wolf said. "She's very open to suggestion, very open to manipulation, very open to being put in a compromising situation right now. She needs a reduction of outside stressers and she needs to find the right people to manage her affairs until she's well."

"Lynne is extremely concerned for her daughter and would like to take Britney back home to Louisiana and get her out of Hollywood," one of Britney's lawyers, J. Michael Flanagan, told PageSix.com. "Brit has an amazing support system in Louisiana. Lynne was holding up reasonably well, but her first priority and concern right now is with her daughter and helping her get through this very tough situation that she is in."

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