Once Fairly Rare, Conservatorships Are Being Used More Often, Joshua Rubenstein Tells *Citywealth*

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While still relatively uncommon in the US, the use of conservatorships for young adults is on the rise.

In an interview with *Citywealth*, Joshua Rubenstein, partner and national chair of the Private Wealth practice, said that despite the hype from the #FreeBritney case, conservatorships are less common. That's because they can be avoided in many situations through the use of power of attorney planning.

"By giving power of attorney to someone to handle financial transactions for you, as well as appointing a medical/healthcare power of attorney too, there isn't a need for a conservatorship so they tend to be seen in cases for people who haven't undertaken any estate planning," Josh was quoted saying.

However, Josh said conservatorships are being used more frequently, mostly with older individuals who are disabled. Generally, younger adults with conservatorships are used in situations in which the individual is suffering from a congenital problem, mental health issues, or has a substance abuse problem, Josh said.

Josh told *Citywealth* that the Britney Spears case was helpful in that it shined a light on the difficulty of getting out of a conservatorship.

"Conservatorship are hard to put in place and hard to get out of once in place," he said.

In the wake of the #FreeBritney buzz, lawmakers have introduced the Freedom and Right to Emancipate from Exploitation Act (FREE Act) in the House. *Citywealth* notes the FREE Act would create a right to petition to replace a conservator with a public guardian, add financial conflicts disclosure requirements, and require the appointment of an independent caseworker to monitor for signs of abuse and neglect.

Also See:

"Conservatorships in the US," *Citywealth*, October 4, 2021

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