

# OOPS, I DID IT AGAIN

## Britney Spears —the bald truth

Oops! I screwed up my life again! Like many stars before her—Whitney Houston, Mariah Carey, and Robert Downey, Jr., just to name a few—Britney’s self destruction has been swift and steady; a far cry from her days on the New Mickey Mouse Club.

Britney hit the pop charts at the ripe age of 17 with her breakout hit “Baby One More Time.” Her meteoric rise since her 1998 debut has produced more than \$76 million dollars in record sales and reported annual earnings of \$39.5 million. Until recently, Britney appeared to have it all: she was the envy of every teenage girl and attracted the throbbing affection of boys of all ages around the world.

Perhaps we should have seen the writing on the wall when Britney and Madonna locked lips on the 2003 MTV Video Music Awards, or when in early 2004 she married a childhood friend in Las Vegas after a night of hard partying—a marriage that was annulled fifty-five hours later. Only months later, she met dancer and all around cool guy Kevin Federline whom she married in September of 2004. At the time they met, Federline and his then girlfriend, Shar Jackson, were expecting their second child.

You may want to get out a piece of graph paper to follow the next two-and-a-half years of Britney’s life. Spears and Federline had their first child on September 14, 2005, and their second child less than one year later on September 12, 2006. In between births, the world watched incredulously as Britney drove her car with her five-month-old son bouncing unrestrained on her lap. One month later she posed nude for the cover of Harper’s Bazaar. Two months after the birth of her second child she filed for divorce asking for both physical and legal custody of their two

children citing, you guessed it, irreconcilable differences. Got all that?

Somewhere during Britney’s slow moving train wreck of a life, things began to spiral seriously out of control. Her fifty-five hour husband, Jason Alexander, claims to have used the drug Ecstasy with Britney during their Las Vegas fling and further alleges that Britney has been using drugs since 2001. He also says—and you’re not going to believe this—that “she wasn’t a virgin when she dressed up as a schoolgirl in those early videos.” No!

If you have a tendency to read out loud, you may want to put the kids to bed before you read on. Things got worse. According to the Louisville Kentucky Courier-Journal, “She spiraled into drug addiction ... started hanging out with Paris Hilton, exposing her lady parts, vomiting and making a scene wherever she went.”

This is where family man Federline steps in. After two trips to rehab that lasted less than twenty-four hours each, it is reported that soon to be ex-spouse Federline called for an emergency custody hearing in an attempt to force Britney into rehab. Finally, but not before shaving her head (“wait, I’ll be with you in a minute, first I need to SHAVE MY HEAD”), Spears checked into Promises Residential Treatment Center in Malibu, California, where she completed her thirty-day stay on March 21.

We all wish Britney well. She certainly seems like a nice kid who like many others got lost trying to live up to their Hollywood hype. Where she goes from here is anybody’s guess, but if she’s like others who have fought addiction, it’s likely to be a long hard struggle. And despite his apparent supportive behavior, she’s also likely to struggle with Federline over the custody of her children.

It has been reported that Federline will receive a limited sum under the couple’s sixty-page prenuptial agreement. The prenup awards Federline only \$300,000, half the proceeds from the sale of their Malibu home, along with gifts received from Britney that are under \$10,000 in value. So,



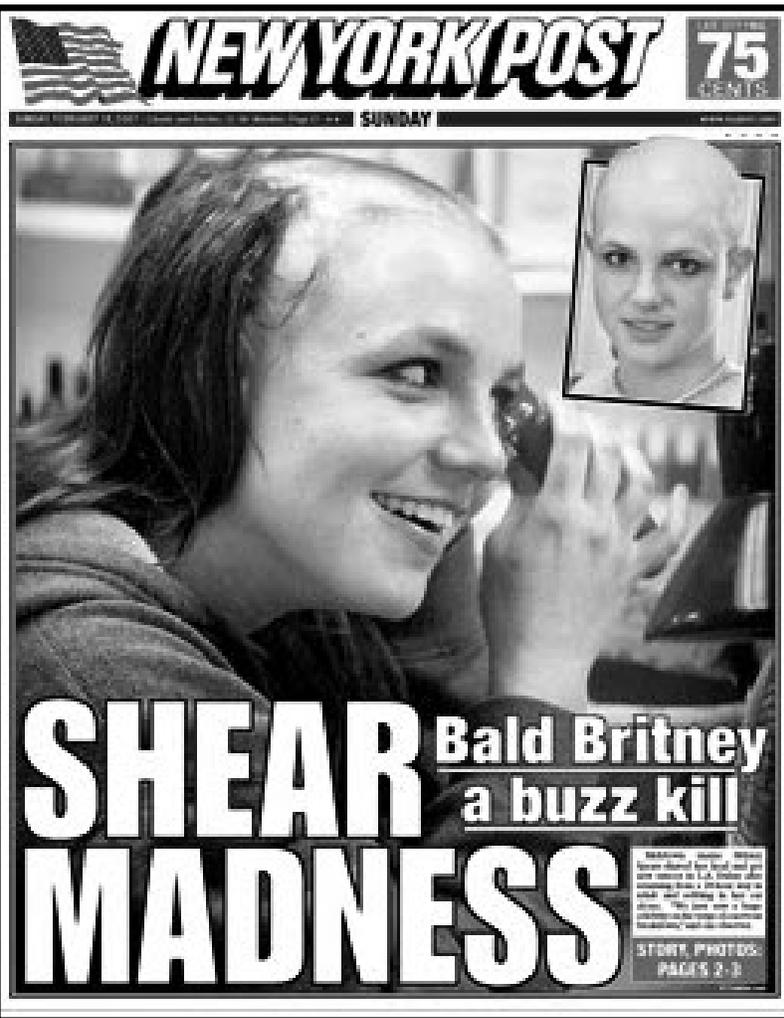
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you see, things will be tight for Mr. Federline, who if his paltry record sales are any indication, has no apparent way of maintaining the lifestyle to which he became accustomed as Mr. Spears. That is, if you leave out his golden parachute: the kids.

It is against public policy to allow couples to agree on child custody matters in a prenuptial. So, even though Federline agreed to limit his rights to alimony and marital assets, his right to child support is only limited by the laws of the State of California.

Determining child custody is the first step in calculating child support. Child support payments are calculated based on a number of factors including the earnings of the parties and which parent is awarded custody. Prior to Britney’s troubles, she could have likely been granted physical custody. Courts tend to favor the custodial rights of mothers, adopting a traditional view that mothers have a greater nurturing role during children’s formative years. The court, in awarding physical custody of the kids to Britney would have no doubt taken notice of Federline’s abandonment of the two children he bore with his former girlfriend. Having custody of the children would have resulted in Federline paying Britney child support.

There are good economic reasons for Federline adopting the role of doting father and stable parent: time with the kids means cash money. How much money are



## Will batty Britney's buzz cut cost her money or her kids?

we talking about? Based on calculations using Michigan's child support formula (and using some earnings assumptions), it could mean anywhere between \$70,000 to \$270,000 per month if Federline is awarded full physical custody of the children, and roughly half that amount in the event that the couple is awarded or agree to joint physical custody.

According to Kathleen M. McCarthy, Wayne County Circuit Court Family Division Judge (and a Livonia native), "the laws of each state are different, but Michigan law is a good indicator of the factors that courts look at in determining custody." The Michigan

Child Custody Act requires that custody matters be resolved in the best interest of the child. The Act defines "best interest of the child" using twelve factors to be considered, evaluated, and determined by the court. It is Judge McCarthy's view that factors involving moral and mental fitness would be the most damaging to Ms. Spears. Other factors important to Britney are the length of time the child has lived in a stable environment and the desirability of maintaining continuity and the permanence of the proposed custodial homes.

Attorneys in a child custody hearing would present evidence of their client's fitness to



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be a parent on each of the twelve elements of the Act, and where appropriate, the lack of their spouse's fitness. Such hearings can become brutal character assassinations where each spouse presents any and all evidence, including witnesses, photographs, police records etc., to demonstrate that they are the fit parent and most deserving of custody.

A trial would be extremely damaging to Britney's already tainted image. Certainly Federline would present Britney's exploits as evidence that he is the better choice to raise their children. The mere threat of a prolonged court battle would likely be enough to get Britney to accept any reasonable settlement with Federline.

The longer Britney's troubles continue, the better the outcome for Federline. Although Federline may be a lot of things, he's proven to be no dummy. According to a MSN-

BC report, he is setting up a home for himself and his sons in the Hollywood Hills. Don't be surprised if he answers the door in an apron if you go up and ring the bell. His handlers are advising him to keep doing what he's been doing: maintain a household for the boys, be a responsible parent, stay out of the limelight, and portray high moral character.

Unfortunately, Britney has oops done it again, as recent reports have her hooking up with thirty-three year old guitarist Jason Filyaw whom she met at Alcoholics Anonymous. They reportedly have plans to move in together. Instead of getting back on the rollercoaster, Britney is best advised to start following the footsteps of her soon to be ex and end her Toxic lifestyle.

**Contact Farmington Hills attorney Mark Accettura at (248) 848-9409.**