

Jackson's Mom Files for Permanent Custody of Kids

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AP Photo/Aaron Lambert

Michael Jackson with his father, Joe Jackson (L) and mother, Katherine Jackson (C), at the Santa Barbara County Courthouse for his child molestation trial May 27, 2005 in Santa Maria, California

Michael Jackson's family moved quickly Monday to take control of his complicated personal and financial affairs, winning temporary custody of his three children and asking a judge to name the King of Pop's mother as administrator of his estate.

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Michael Jackson has been a legend since childhood. Check out pictures of his star-studded, and sometimes troubled, life.

In documents filed in Superior Court, Jackson's parents said they believe their 50-year-old son died without a valid will.

Katherine Jackson, 79, is asking the court to legally appoint her the permanent guardian of all of the children.

The guardianship petition states that the kids have "no relationship with their biological mother," according to [TMZ](#).

She has already been taking care of the three children since her son's death, and a judge today approved her request for temporary guardianship.

Judge Mitchell Beckloff did not immediately rule on her requests to take charge of the children's and Jackson's estates.

Beckloff scheduled a hearing for July 6 and another for Aug. 3 to consider those issues and whether Katherine Jackson should be appointed the children's permanent guardian.

The judge later on Monday also granted Katherine Jackson the right to take control of her son's personal property that is now in the hands of an unnamed third party. The ruling does not detail the nature of those items and does not provide control of any money in the estate.

L. Londell McMillan, the family's attorney, said in a statement that the Jacksons are pleased with the results of their Monday filings.

"Mrs. Jackson deserves custody, and the family should have the administration of the brilliance of Mr. Michael Jackson. Mrs. Jackson is a wonderful, loving and strong woman with a special family many of us have admired for years. The personal and legal priorities are focused on first protecting the best interests of Mr. Michael Jackson's children, his family, his memorial services and then preserving his creative and business legacy with the dignity and honor it deserves."

"I don't think there will be anybody who thinks that there is someone better" than Katherine Jackson to have custody, McMillan said Monday on NBC's "Today" show. "She is a very loving host of other grandchildren."

Jackson left behind three children: Michael Joseph Jackson Jr., known as Prince Michael, 12; [Paris Michael Katherine Jackson](#), 11; and Prince Michael II, 7. The youngest son was born to a surrogate mother.

Londell McMillan, the Jacksons' attorney, said the family hasn't heard from [Deborah Rowe](#), the mother of Jackson's two oldest children, about custody.



Experts say the person who has the strongest legal claim to Jackson's two oldest children is Rowe. As for the youngest child, Jackson's wishes will be more influential. It remains unclear who Jackson designated as potential guardians for his children.

Those details — likely contained in the 50-year-old singer's will, if it exists — have not been released.

Rowe's attorney, Marta Almlí, wrote in a statement Saturday that "Ms. Rowe's only thoughts at this time have been regarding the devastating loss Michael's family has suffered. Ms. Rowe requests that Michael's family, and particularly the children, be spared such harmful, sensationalist speculation and that they be able to say goodbye to their loved one in peace."

Prince Michael II's mother has never been identified, and while she may surface, it is likely that she signed away her rights, said [Stacy Phillips](#), a [Los Angeles](#) divorce attorney who has represented numerous high-profile clients.

In the guardianship petition filed by Katherine Jackson, the box where it says "mother" for Prince Michael II is filled out "none," according to TMZ.

Jackson's manager, Frank DiLeo, said on ABC's "Good Morning America" that he was the one who told the children their father had died.

"They knew when I came into the room," he said. "I'm sure they just saw it on my face. They said, 'say it's not true,' and I just said, 'I'm sorry.'"

Jackson never told his family who he had in place to handle his business affairs, a person close to the family told The Associated Press on Friday. The person, who requested anonymity because of the delicate nature of the situation, said they were told by the singer's phalanx of advisers that he likely had a will, but it may be many years old.

But according to [TMZ](#), Jackson's lawyer John Branca has a copy of the singer's most current will and intends to file it with the court.

Rowe, a former nurse for Jackson's dermatologist, married Jackson in 1996 but filed for divorce in 1999. She later gave up her custody rights to the children, but petitioned to have those rights restored in 2003 after Jackson was arrested on child molestation charges, and an appeals court sided with her.

Jackson and Rowe apparently agreed in 2006 regarding her rights, but the terms have never been disclosed. The couple's divorce case that was heard in Los Angeles Superior Court remains closed.

Phillips said if her parental rights remain intact, she's presumed to be first in line to receive custody of her two children. "That could still be contested," she added.

Rowe would have to undergo an evaluation by the court to determine if she's the best person to care for Jackson's children. So, too, would anyone else who applies to become the children's guardian — some of whom may have Jackson's blessing.

"If he did indicate a preference, that will be given great weight, but that will not be determinative," said Los Angeles attorney Gloria Allred. "Children are not property, they cannot be willed to another person."

Allred agreed that Rowe has better legal standing than others who apply for custody of Jackson's eldest



children. "She's definitely going to have an advantage."

But judges in California often take into account who is left in the children's lives with a strong bond, said Charlotte Goldberg, a family law professor at Loyola Law School in Los Angeles.

"It's really a balance between continuity and stability and a biological relationship," Goldberg said.

A judge deciding the matter may even seek input in chambers from Jackson's children about who they feel comfortable with, she said.

But a court will also take into account with whom the children have a relationship bond, and that may not work in Rowe's favor. She wrote in a 2001 petition to sever her parental rights that she thought Jackson was doing a good parenting job.

"Michael has been a wonderful father to the children, and I do not wish to share any parenting responsibilities with Michael because he is doing so well without me," Rowe wrote. She also indicated in court filings during the 2006 custody struggle that she had not seen the children since 2005, shortly after his trial ended in acquittal on all charges and Jackson moved the children overseas.

It is unclear how often Rowe has seen the children since Jackson returned to the Los Angeles area in recent months to prepare for a 50-show concert engagement in London. It is also unclear what role the children's godfather, British child actor Mark Lester, may play in the proceedings.

Whoever wins custody of Jackson's children won't automatically gain control of their inheritance, Phillips said.

"For many people, the person or persons who are taking care of their kids are not necessarily taking care of their money," Phillips said. "There's a benefit to that — a sort of a check-and-balance."

In a press conference held today outside of the Jackson estate in Los Angeles, Michael's father, Joe Jackson, said the three children are doing well and are "happy" with kids their own age right now.

"This is where they belong," said Joe Jackson. "We're the parents... we have the area enough and the premises enough to to give them all the help and education they need."

Asked about Debbie Rowe, Joe Jackson said, "[She] has nothing to do with what we're doing." He also said he had not yet seen Michael's will.

The Rev. Al Sharpton, who also spoke at the press conference, said the family is still planning for a funeral while awaiting results of a second autopsy.

Joe Jackson said the funeral will be open to the public.

"I wish that Michael could be here to see all this," he said of the outpouring of love and support for his son. "We had to wait for something to happen like this before it could be realized Michael was a superstar... he was loved all over the world.."

Jackson also plugged his record label with Marshall Thompson, former leader of the R&B group the Chi-Lites, who said they were going to go back to the beginning, and "take kids from the streets and make them stars."



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