

Father of Berkowitz Seeking Role As Conservator of Son's Property

By MARCIA CHAMBERS

The father of David R. Berkowitz, the man accused of being the "Son of Sam" killer, has moved to become conservator of his son's property.

According to papers filed in State Supreme Court in Brooklyn, Nathan Berkowitz, who adopted David shortly after his birth, said in a sworn affidavit that he had reached "the unavoidable conclusion that my son is not capable of managing his income or assets." His son is not able, Mr. Berkowitz said, to "enter into or negotiate various contractual arrangements which have been and which, upon information and belief, will be offered to him."

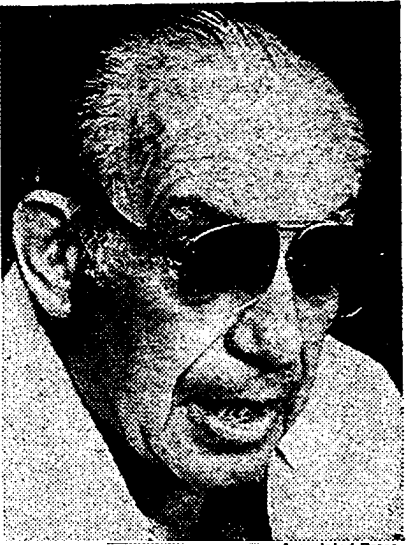
If Mr. Berkowitz is appointed conservator by the court, he would control all income, assets and investments derived from literary or film contracts based on the life of the 24-year-old Yonkers mail clerk.

Mr. Berkowitz's petition was filed in the court's section that handles legal matters for incompetent people on Aug. 31, the day after two court-appointed psychiatrists made an initial finding that David Berkowitz was not competent to stand trial at this time.

The finding, by Dr. Daniel W. Schwartz and Dr. Richard L. Weidenbacher Jr., has been challenged by the District Attorneys of Brooklyn and Queens and is expected to be opposed by the Bronx District Attorney. David Berkowitz is accused of committing six murders and seven attempted murders in the Bronx, Brooklyn and Queens.

As part of a process of determining whether Nathan Berkowitz should serve as conservator of his son's property, Justice Carmine A. Ventiera of State Supreme Court last week appointed a guardian to protect David Berkowitz's interests in the civil proceeding over the conservatorship.

The guardian, Harry Gittelsohn, a retired justice of State Supreme Court, will submit a report to Justice Ventiera possibly before Sept. 19, the date of a scheduled hearing. Justice Gittelsohn will decide whether he thinks Nathan Berkowitz should be appointed conservator. In the



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last week or so, Justice Gittelsohn has interviewed David Berkowitz, Dr. Schwartz, Nathan Berkowitz and others familiar with the defendant.

In his affidavit, Mr. Berkowitz mentioned attempts by Philip Peltz, a former lawyer for his son, and other unidentified people who "entered into contracts with David purportedly for the purpose of representation and the making of tape-recordings, which are ultimately intended to be sold through various literary agents."

Mr. Berkowitz's father asked Justice Ventiera to issue a restraining order against those "who would seek financial benefit at the expense of my son's right to a fair trial."

While Justice Ventiera did, in fact, issue a temporary restraining order prohibiting the sale of any of David Berkowitz's property until the Civil Court proceeding is completed, the restraining order was not served, and presumably is not binding, on Scott Meredith. Mr. Meredith, a literary agent, says "an official" in the case offered to sell him 10 hours of taped conversations with Mr. Berkowitz.