IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT IN AND FOR PINELLAS COUNTY, FLORIDA

IN RE: GUARDIANSHIP OF PROBATE DIVISION
THERESA MARIE SCHIAVO,
Ward. PROBATE DIVISION
Ref No.: 90-002908-GD
Section: 003

ORDER DENYING MOTION TO INTERVENE AND DENYING AS MOOT MOTIONS TO UNSEAL GUARDIANSHIP RECORDS

THIS CAUSE came before the Court for hearing on October 29, 2024. On March 28, 2024, Movants, Bobby Schindler and the Terri Schiavo Life & Hope Network, filed their Motion to Intervene and Motion to Unseal Guardianship Records. On July 2, 2024, Michael Schiavo, surviving spouse and former Guardian of the Ward, filed a Response and Objection to both motions. On July 31, 2024, Movants filed an Amended Motion to Unseal Guardianship Records. On October 3, 2024, Michael Schiavo filed an Amended Response and Objection to Motion to Intervene as well as a Response and Objection and Affirmative Defenses to Amended Motion to Unseal Guardianship Records. On October 25, 2024, Movants filed a Memorandum in Support of Amended Motion to Unseal Guardianship Records. Upon consideration of the court file, the arguments of counsel, and the applicable legal authority, the Court finds that the Motion to Intervene is denied and the Motion to Unseal Guardianship Records are denied as moot.

There is no absolute right to intervention; it is a matter left to the court's sound discretion. Fla. Wildlife Fed'n, Inc. v. Bd. of Tr. of Internal Imp., 707 So.2d 841, 842 (Fla. 5th DCA 1998). Under Florida law, intervention is permitted only where a party seeking intervention has an interest in the litigation. Fla. R. Civ. P. 1.230. "An interest sufficient to warrant intervention 'must be in the matter in litigation, and of such a direct and immediate character that the intervenor will either gain or lose by the direct legal operation and effect of judgment." Testa v. Dolphin Suite, LLC, 391 So. 3d 946, 948 (Fla. 4th DCA 2024) (quoting Union Cent. Life Ins. Co. v. Carlisle, 593 So. 2d 505, 507 (Fla. 1992)). "A showing of indirect, inconsequential or contingent interest is wholly inadequate." Stefanos v. Rivera-Berrios, 673 So. 2d 12, 13 (Fla. 1996). Intervention after final judgement is "extraordinary and disfavored." PS Capital, ILC v. Palm Springs Town Homes, LLC, 9 So. 3d 643, 645 (Fla. 3d DCA 2009); see also Technical

Chems. & Prods., Inc. v. Porchester Holdings, Inc., 748 So. 2d 1090, 1091 (Fla. 4th DCA 2000). "Post-judgment intervention is, however, permitted when the ends of justice so require." Lefkowitz v. Quality Labor Mgmt., LLC, 159 So. 3d 147, 149 (Fla. 5th DCA 2014) (finding the general rule against post-judgment intervention was inapplicable where the movant did not have grounds to intervene prior to entry of judgment) (citing Wags Transp. Sys., Inc. v. City of Miami Beach, 88 So. 2d 751, 752 (Fla. 1956)).

Movants failed to establish that the ends of justice require their post-judgement intervention in this matter that concluded nearly 20 years ago. Movants seek to intervene for the sole purpose of then requesting to unseal records in this case. The request to unseal court records is largely supported by Movants' contention that the records are needed for their research and advocacy efforts. Movants' interest in this matter is only of an indirect, inconsequential nature. Where post-judgment intervention is extraordinary and disfavored, the Court, in its discretion, finds that Movants are not entitled to intervention in this matter.

It is therefore **ORDERED AND ADJUDGED** that the Motion to Intervene is **DENIED**.

The Motion to Unseal Guardianship Records and corresponding Amended Motion are **DENIED** as moot.

ORDERED

Circuit Court Judge

Copies to: