

**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.**

**Ref No.: 90-002908-GD
Section: 003**

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MOTION TO INTERVENE

COME NOW, Bobby Schindler and the Terri Schiavo Life & Hope Network (“Movants”) with their Motion to Intervene pursuant to Florida Rules of Civil Procedure 1.230 (“Motion”). In support of their Motion, the Movants state as follows:

1. Bobby Schindler (“Mr. Schindler”) is the brother of Ward Theresa Marie Schiavo and is the President of the Terri Schiavo Life & Hope Network.
2. The Terri Schiavo Life & Hope Network is a Florida Not for Profit Corporation that is tax-exempt pursuant to Section 501(c)(3) of the Internal Revenue Code.
3. The Terri Schiavo Life & Hope Network’s (“Network”) mission is to uphold human dignity through service to the medically vulnerable. The Network expresses this mission through public advocacy of essential qualities of human dignity—which include the right to food and water, the presumption of the will to live, due process against denial of care, protection from euthanasia as a form of medicine, and access to rehabilitative care—as well as through 24/7 Crisis Lifeline service to at-risk patients and families.
4. Simultaneously with the filing of this Motion, Mr. Schindler and the Network are filing a Motion to Unseal Guardianship Records in the instant case.

5. The purpose of this Motion is to seek standing for Mr. Schindler and the Network to pursue their Motion to Unseal Guardianship Records.

6. Florida Rules of Civil Procedure 1.230 provides as follows:

Anyone claiming an interest in pending litigation may at any time be permitted to assert a right by intervention, but the intervention shall be in subordination to, and in recognition of, the propriety of the main proceeding, unless otherwise ordered by the court in its discretion.

7. Here, the Movants seek permission to intervene in the instant case for the purpose of unsealing court records.

8. More specifically, the Movants seek to have the records of the instant case unsealed in support of the Network's public advocacy mission concerning the essential qualities of human dignity, including the right to food and water, the presumption of the will to live, due process against denial of care, protection from euthanasia as a form of medicine, and access to rehabilitative care.

9. Because Mr. Schindler and the Network seek to have the records of the instant case unsealed, they claim an interest in this litigation by right.

10. Further, there is currently no other active litigation in this case, and therefore, no possibility that the Movants' intervention will interfere with the rights of any other party.

11. The process of determining whether intervention is appropriate in Florida is as follows:

"The Florida Supreme Court established a two-part test for determining whether intervention is proper. The trial court must first make a preliminary determination whether 'the interest asserted is appropriate to support intervention'. . . . The trial court must then exercise its sound discretion whether to permit intervention. . . In th[e] second part of the test, the trial court 'should consider a number of factors, including

the derivation of the interest, any pertinent contractual language, the size of the interest, the potential for conflicts or new issues, and any other relevant circumstance.’ This two-step analysis is a compromise among the competing and fluid interests. . .”
Houston Specialty Ins. Co. v. Vaughn, 261 So. 3d 607, 610 (Fla. Dist. App. 2018).

12. Here, as the Movants’ Motion to Unseal Court Records will show, they have a right to have the records of the instant case unsealed. Since they cannot pursue that right without a grant of this Motion, and since no other party’s interest will be affected by a grant of this Motion, the Court is compelled to grant intervention.

WHEREFORE, for the above-stated reasons, the Movants, Bobby Schindler and the Terri Schiavo Life & Hope Network, move that they be permitted to intervene in the instant case for the specific purpose of pursuing their Motion to Unseal Court Records.

Dated: March 28, 2024

Respectfully submitted,

The National Center for Life and Liberty

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