

JEB BUSH  
GOVERNOR

# Office of the Governor

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August 26, 2003

The Honorable George W. Greer  
Judge, Sixth Judicial Circuit  
315 Court Street, Room 484  
Clearwater, Florida 33756

Dear Judge Greer:

I appreciate the challenging legal and ethical issues before you in the case of Terri Schiavo. As I have expressed over the course of the past several weeks, our system of government has committed these decisions to the judicial branch, and we must respect that process. Consistent with this principle, I normally would not address a letter to a judge in a pending legal proceeding. However, my office has received over 27,000 emails reflecting understandable concern for the well being of Terri Schiavo. Given that there is no procedural avenue available for these views to be expressed to you in the normal course of the proceedings, I feel compelled to write in the hopes that you will give serious consideration to re-appointment of a guardian ad litem for Mrs. Schiavo before permitting the removal of her feeding tube or other actions calculated to end her life.

This case represents the disturbing result of a severe family disagreement in extremely trying circumstances. Emotions are high, accusations abound, and at the heart of this public and private maelstrom is a young woman incapable of speaking for herself.

I am disturbed by new rumors about the guardian's actions related to the current care of Mrs. Schiavo. It has come to my attention that Mrs. Schiavo has contracted a life threatening illness, and that she may be denied appropriate treatment. If true, this indicates a decision by her caregivers to initiate an "exit protocol" that may include withholding treatment from Mrs. Schiavo until her death, which would render this Court's ultimate decision moot. While the issue of Mrs. Schiavo's care is still before the Court, I urge you to ensure that no act of omission or commission be allowed to adversely affect Mrs. Schiavo's health before the September 11<sup>th</sup> hearing you have set. No one involved should be permitted to circumvent due process or the Court's authority in order to achieve personal objectives in this case.



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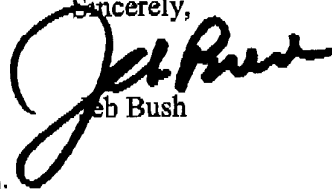
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Even discounting these rumors, there are a number of factual disputes regarding Mrs. Schiavo's medical condition, past and current care and therapy, and her prognosis. Given the contradictory positions of her guardian and other family members, I respectfully ask that you re-appoint a qualified guardian ad litem to independently investigate the circumstances of this case, and provide the Court an unbiased view that considers only the best interests of Mrs. Schiavo.

It is a fine balance between Mrs. Schiavo's right to privacy and her right to life, both of which are co-equal in our Constitution. To err on one side is to prolong her existence, perhaps against her wishes, and continue the debate. To err on the other is an irrevocable act that affords no remediation. I respectfully ask that you give Mrs. Schiavo's family the opportunity to present any new evidence as to her wishes. Evidence as to her wishes should be reweighed as often as necessary to take into account the effect of any new evidence, that is, to determine whether "clear and convincing evidence" still exists that Mrs. Schiavo would now choose withdrawal of life-prolonging procedures. While this process may delay the surrogate's exercise of Mrs. Schiavo's privacy rights, it is necessary to avoid denying her right to life. I urge you to err on the side of conservative judgment to ensure that all facts can be uncovered and considered before her life is terminated.

I appreciate your compassion for Mrs. Schiavo's plight, and that of the family members locked in dispute in these tragic circumstances. In light of the ongoing contention related to so many issues in this case, I hope you will consider appointing a guardian ad litem to ensure that the ultimate decision is based on facts presented clearly, unclouded and uncolored by personal interests of litigants.

Sincerely,



Jeb Bush

cc: Patricia Fields Anderson, Esq.  
George J. Felos, Esq.