

## **Top Florida court rejects Schiavo life-support law**

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Terri Schiavo, a severely brain-damaged Florida woman, is at the center of a legal battle pitting her estranged husband against her parents.

MIAMI - The Florida Supreme Court struck down a hastily enacted law Thursday that let the governor keep a severely-brain-damaged woman on life support against the wishes of her husband and legal guardian.

The ruling eventually could allow Michael Schiavo to remove his wife's feeding tube and let her die, against the wishes of her parents.

But the high court left open the possibility of a rehearing in the long-running battle over the fate of Theresa "Terri" Schiavo, who has been on life support since suffering severe brain damage during a heart attack in 1990.

Doctors testified that her brain had deteriorated so severely that she would not regain consciousness, and Michael Schiavo has won numerous court rulings since 1998 that would allow him to remove his wife's feeding tube.

He has battled in court against Terri's parents, Bob and Mary Schindler, who argue that hope remains for their 40-year-old daughter. The case took on much larger dimensions as right-to-life groups, advocates for the disabled and civil libertarians joined the dispute.

Terri's feeding tube was removed in October 2003. Florida lawmakers, at Gov. Jeb Bush's behest, quickly passed a law allowing him to intervene and the tube was reinserted six days later.

The state Supreme Court ruled unanimously that the law violated Florida's constitutional separation of powers among the legislative, executive and judicial branches. It said that if the legislature and governor were allowed to retroactively overturn court rulings, no judgment would ever be final and "vested rights could be stripped away based on popular clamor."

The justices acknowledged the tragic circumstances of the case but said they were bound to base their decision on the law and not on emotion.

"Our hearts can fully comprehend the grief so fully demonstrated by Theresa's family members on this record. But our hearts are not the law," they wrote in their ruling.

Bush said he was disappointed in the ruling and still was considering his legal options.

Terri Schiavo left no written instructions as to whether she would have wanted to be kept on life support. Her husband testified that Terri had told him she would not want to be kept alive artificially. Terri's parents said she would have wanted to live.

Thursday's ruling addressed only the issue of whether the law allowing Bush to intervene was constitutional.

