

1 actually going to the next step and euthanizing their
2 patients.

3 THE COURT: Well, wait. That's not what this
4 is about.

5 MR. SMITH: Well --

6 THE COURT: This case is not about
7 euthanasia.

8 MR. SMITH: Well, Your Honor --

9 THE COURT: This case is about the statute
10 that I have before me --

11 MR. SMITH: I -- I --

12 THE COURT: -- which is the statute passed by
13 the legislature of New Jersey, signed by the governor,
14 giving individuals the right to make a decision about
15 whether or not the individual wishes to continue when
16 the individual has been diagnosed as being terminally
17 ill. Isn't that what the statute says?

18 MR. SMITH: Your Honor, I respectfully
19 disagree, because in the Quinlan case the Court said --

20 THE COURT: You disagree that that's what the
21 statute says?

22 MR. SMITH: It -- yes, Your Honor, because
23 the -- the Court in Quinlan said that in allowing the
24 removal of assisted life-supporting assistance, that it
25 clearly said that there's no right to assisted suicide.

1 There is no right for doctors -- a doctor -- medicine
2 must be used for healing and not for ending life, and
3 that it cannot be used to justify euthanasia.

4 So if we're going to -- if the Court is going
5 to allow the abrogation of -- of Quinlan, which Quinlan
6 is just stating.

7 THE COURT: Quinlan -- Quinlan -- Quinlan did
8 not address the issue before this Court.

9 MR. SMITH: Yes -- yes, it did, Your Honor.
10 We bought quotes, clear quotes.

11 THE COURT: No, it did not. Quinlan
12 addressed the issue about continuing a -- a --
13 continuing life-sustaining measures for a person who is
14 deemed not to be able to continue. That's what Quinlan
15 is about.

16 MR. SMITH: Your Honor, your --

17 THE COURT: Whether or not -- that whether or
18 not --

19 MR. SMITH: -- Quinlan --

20 THE COURT: -- the Court should intervene and
21 require life-sustaining measures to be taken for the
22 patient. That's what Quinlan was about.

23 MR. SMITH: Your Honor, Quinlan was in the
24 context of a much bigger question.

25 THE COURT: You're talking about dicta in

A.25