

STATEMENT OF THE CASE FOR RESTRACTION OF TRUCHON

In Truchon Jean et. al. ats. Procureur General Du Canada et. al. the Trial Judge, Justice Christine Baudouin, expanded the eligibility criteria for Medical Assistance in Dying by removing the restriction, safeguard and protection to an Assisted death only if death was reasonably foreseeable.

By doing so, Justice Baudouin has left the door wide open for widespread abuse against the disabled, elderly and vulnerable populations who are too easily coerced, exploited and are not provided the services that they need to live with dignity.

This happened because Justice Christine Baudouin was blinded by her conflicts, and was not an Independent and Impartial Jurist, who failed to disclose her conflicts of interest, rendering an illegitimate decision, as there was a reasonable apprehension of bias.

Hundreds or thousands of vulnerable persons with disability will now be put to death by Justice Baudouin' bias and flawed decision, rather than helping those persons live with dignity and help them overcome some challenges in their life, either physical or emotional.

Justice Baudouin has exploited disabled persons vulnerabilities and assisting them to an Assisted Death. That is what Justice Baudouin did to Jean Truchon, who simply wanted to live with dignity and only wanted another 70 hours of home care which he told his psychologist,¹ but the Quebec Government did not want to help him, and allowed him to be coerced to death instead.

¹ Email Jean Truchon dated August 17, 2016 from his psychologist to Jonathan Marchand (Appendix 1)

None of that was uncovered at Justice Baudouin's bias trial, as the judge had her decision made up before the trial. Nor did the Attorney General of Canada protect and help vulnerable disabled Canadians, as they went along with sliding practices, and completely failed to protect vulnerable Canadians, too no steps to recuse a bias judge or even bother appealing the judgement.

Judges like Justice Christine Baudouin are required to recuse themselves and to disclose any conflicts of interest and potential bias.

Judges that participate in campaigns that support one side or are receiving evidence tendered by their father at trial, are not impartial and cannot decide a case based only on facts and law. Such a judge is biased and will infect the decision with their personal ideology, which happened in the Truchon decision.

Justice Christine Baudouin should have recused herself because of her bias and conflict of interest. Her personal experiences and relationships led her to pre-determine that being at the end of one's life is not a precondition to access medical assistance in death.

REASONABLE APPREHENSION OF BIAS BY JUSTICE CHRISTIN BAUDOUIN

Justice Christine Baudouin is the daughter of Jean-Louis Baudouin who was a judge for the Quebec Court of Appeal from 1989 to 2009. Justice Jean-Louis Baudouin is an advocate for the legalization of euthanasia and has ties to pro-euthanasia organizations.

Jean-Louis Baudouin has written several books, publications, and given presentations to advocate for the decriminalization of euthanasia. For example, he authored a pro-euthanasia

book in 1993 entitled “*Éthique de la mort et droit à la mort*”, and over many decades wrote publications such as Jean-Louis Baudouin’s 1995 contribution publication “L’autorité du précédent au Québec” and his 2009 publication “Rapport synthèse, Congrès de l’Association Henri Capitant, Journées Suisses”. He was also the Chair of the Quebec section of L’association Henri Capitant which is a pro-euthanasia organization.

Justice Christine Baudouin shares her father’s views on euthanasia as she has been a part of Chaire Jean-Louis Baudouin en droit civil for decades echoing her father's voice as pro-euthanasia, and therefore will not decide a case contrary to his pro-euthanasia views. Jean-Louis was her mentor and teacher as documented in the Chaire Jean-Louis Baudouin en droit civil's 2012 publication “En l’honneur de Jean-Louis Baudouin” and as reported by journalist Agnès Wojciechowicz's 2012 publication *Jean-Louis et moi*. Also, Christine Baudouin began raising finances for Chaire Jean-Louis Baudouin en droit civil in 2006 through her law firm cabinets to support her Father's canadian pro-euthanasia missions as documented in the Chaire Jean-Louis Baudouin en droit civil's 2006 publication “Lancement de la Chaire”.

Further, in 2016 Christine Baudouin, before becoming a judge, was a part of a panel at Université de Montréal event called "Droit et assistance médicale à mourir" on November 16th 2016.² At this event Christine spoke her opinions and predictions of how medical assistance in dying evolved and would continue to evolve in Quebec, Canada and abroad, and what the upcoming debates pertaining to the expansion of medical assistance in dying in Canada would

² Droit et assistance médicale à mourir conference November 16, 2016 (Exhibit 2).

be; It is further inappropriate for a sitting judge to not recuse herself from a case knowing she took public public stands on the issue expressing her desired outcome for that issue.

Truchon's lawyer, Jean-Pierre Menard, was president of a working group with the Barreau du Québec called Comité de juristes experts to study the legalization of euthanasia. Jean-Pierre Menard's Comité de juristes experts working group used Justice Jean-Louis Baudouin's writings to reach their conclusions.

Comité de juristes experts used Jean-Louis Baudouin's 1993 book "Éthique de la mort et droit à la mort", his 1995 contribution publication "L'autorité du précédent au Québec", his 2009 publication "Rapport synthèse, Congrès de l'Association Henri Capitant, Journées Suisses", and his 2012 legacy book collection "Mélanges Jean-Louis Baudouin" in their 2013 report called "Mettre en œuvre les recommandations de la Commission spéciale de l'Assemblée nationale sur la question de mourir dans la dignité".

Per paragraph 121 of the Truchon 2019 QCCS 3792 decision "Three important documents (1) the Collège des médecins du Québec; (2) the Select Committee on Dying with Dignity; and (3) the Comité de juristes experts" Comité de juristes experts 2013 report called "Mettre en œuvre les recommandations de la Commission spéciale de l'Assemblée nationale sur la question de mourir dans la dignité" were submitted as evidence to Justice Christine Baudouin along with other Comité de juristes experts publications that used Jean-Louis Baudouin's books and publications as evidence in favour of expanding euthanasia and his name is cited multiple times..

Menard not only tendered and relied on Justice Christine Baudouin father's writings and evidence to his daughter acting as the Trial Judge in Truchon, he tendered documentary evidence where he was a co-author to further his own legal arguments.

Menard knew or ought to have known that Justice Christine Baudouin was Jean-Louis' daughter and that she therefore would have significant bias, conflict of interest and prejudice in

Truchon's trial. Menard owed a duty to the court to bring this conflict of interest to the court's attention or the Attorney General of Canada and the Attorney General of Quebec ought to have known of this conflict of interest and demanded Justice Christine Baudouin recuse herself.

Additionally, Jean Truchon was seeking death due to Home Care and Social Inclusion Services not being offered to him by the government which cast him into a state of relentless oppression, per Jean Truchon's Wednesday August 17th 2016 email communication to Jonathan Marchand where Jean Truchon states "En réponse à ta question concernant le maintien à domicile, je pense qu'effectivement s'il y avait des services 70 heures et plus, j'aurais préféré rester à domicile et possiblement que je n'aurais pas eu le même désir de mourir."

In addition to being refused the home care services he needed to live and relive his suffering, Jean Truchon was also receiving very poor and extremely substandard institutional care. For decades, the Quebec Government has and is making infamous headlines regarding how horrible the state of its institutional quality of care is, and how horrible its home care quality is. Jean Truchon would not have been suicidal if he had the ten hours per day of self-managed home care within his own apartment tailored to his needs which he had expressed would relive his suffering and stop his thoughts of suicide. Jean Truchon would not have want to die if he had access to supports to live that he expressively needed.

In paragraphs 25, 26, 27, 28, and 29 of the Truchon decision 2019 QCCS 3792 , the lack of community care services, pain management treatments, and pharmacare are revealed as his root cause of being suicidal due to oppression, Justice Christine Baudouin ignored the

oppressive situations Truchon was suffering from and the solutions that would have solved his oppressive situations in actual access to appropriate services for him to live with dignity.

Justice Christine Baudouin ignoring the oppressive situations that Jean Truchon was suffering from and ignoring Jean Truchon's will to live if he had the home and community care he needed, where she did not provide any solutions other than death reveal that Christine Baudouin is so blinded by her bias to expand Assisted Dying that she ignored Jean Truchon right to life in order to achieve her and her father's predetermined goal of legalizing their ideal Assisted dying regime in Canada, further proving Justice Christine Baudouin was not an independent jurist.

Lisa D'Amico has lawfully demanded immediate retraction of Justice Christine Baudouin's bias and illegitimate judgment

CHAPTER II - [Code of Civil Procedure, R.S.Q., c. C-25](#)

REVOCATION ON APPLICATION BY THIRD PERSON

349. Any person whose interests are affected by a judgment rendered in a proceeding in which neither they nor their representatives were called may apply for the revocation of the judgment if it prejudices their rights. The application for revocation commences a proceeding before the court that rendered the judgment.

Except if personality rights or personal status or capacity are at issue, the application must be brought within six months after the person becomes aware of the judgment. It must be served on the parties to the judgment whose revocation is sought or, if the application is brought within one year after the judgment, on the persons who represented them in the case.

Lisa D'Amico is a person that has an interest in the proceeding as a disabled and vulnerable citizen of Quebec, who has been prejudiced by the decision. Lisa is fearful and feels threatened by the decision and feels in great danger by the decision. She is in fear that she is at greater risk of being denied services to live, that her life as a person with a serious disability with