

In the Matter Of
John F. Veldhuizen
Petitioner

This matter came before the Permanent Judicial Commission of the General Assembly on May 10, 1991, pursuant to a petition from John F. Veldhuizen, dated March 18, 1991. In accordance with D-5.0100e, Mr. Veldhuizen requested that this Commission assume jurisdiction in a Complaint duly filed with the Synod of the Pacific against the Presbytery of San Francisco.

"The Administrative Commission of the Presbytery of San Francisco charged with matters related to the ministries at 1941 High Street, Oakland, California," determined that John F. Veldhuizen had renounced the jurisdiction of the Presbyterian Church (U.S.A.) by persisting in a work disapproved by the governing body (G-6.0502). This determination was reported to the Presbytery stated clerk and recorded as effective May 6, 1990. A Complaint against this action of the presbytery was filed with the stated clerk of the Synod of the Pacific by Mr. Veldhuizen on June 2, 1990.

The stated clerk of the Synod of the Pacific subsequently wrote to Mr. Veldhuizen, dated June 14, 1990, stating that John F. Veldhuizen was no longer a Presbyterian, and, therefore did not have standing to make any requests of the Synod of the Pacific. Subsequent communications and requests from Mr. Veldhuizen for action by the Synod of the Pacific Permanent Judicial Commission received no response. The General Assembly Permanent Judicial Commission again points out, as it did in a 1990 letter to all stated clerks, that stated clerks do not have the right or authority to decide what matters reach permanent judicial commissions. Specifically, the stated clerk of the Synod of the Pacific did not have the right or authority to refuse to transmit the June 2, 1990, Complaint to the Synod PJC.

Order

THEREFORE this Commission unanimously voted to issue the following specific instructions:

To the Synod of the Pacific Permanent Judicial Commission:

- a. Request that the Synod stated clerk immediately transmit to the Synod PJC the Complaint filed by Mr. Veldhuizen on June 2, 1990.
- b. Secure the services of a stated clerk from outside the bounds of the Synod of the Pacific in processing the Complaint because the Synod stated clerk was the stated clerk of the Respondent Presbytery at the time of the alleged irregularity.
- c. Notify the stated clerk of the Presbytery of San Francisco of the filing of the Complaint, request the minutes and papers pertaining to the case, and proceed to the disposition of this case in accordance with the Rules of Discipline.
- d. Transmit to the General Assembly Permanent Judicial Commission a copy of the decision, ruling, or determination of the case at the conclusion of the Synod Permanent Judicial Commission's proceedings.

To the Stated Clerk of the Presbytery of San Francisco:

- e. Restore John F. Veldhuizen to the membership roll of Presbytery of San Francisco with all rights and privileges until the above noted Complaint, and any appeal on it, is decided.

Mr. Marcos Feliciano, Esq. and the Honorable Charles L. Weltner were not present and did not participate in the matter.

Dated this 13th day of May 1991.

Margaret J. Thomas, Moderator
W. Clark Chamberlain, Clerk