

**THE PERMANENT JUDICIAL COMMISSION  
OF THE GENERAL ASSEMBLY  
OF THE PRESBYTERIAN CHURCH (U.S.A.)**

**1994, Hoover v. Pby of Charlotte,  
Remedial Cases 206-9, 206-11 and Case 206-10,  
11.092**

**THOMAS B. HOOVER**  
Complainant/Appellant

v. **(Hoover-Charlotte I) Remedial Case 206-9**

**PRESBYTERY OF CHARLOTTE**  
Respondent/Appellee

*In the Matter of*  
**A DISCIPLINARY CASE  
IN THE PRESBYTERY OF CHARLOTTE** **Remedial Case 206-10**

**THOMAS B. HOOVER**  
Complainant/Appellant

v. **(Hoover-Charlotte II) Remedial Case 209-11**

**PRESBYTERY OF CHARLOTTE**  
Respondent/Appellee

These cases come before this commission on appeal by Thomas B. Hoover, minister, from decisions by the Permanent Judicial Commission of the Synod of Mid-Atlantic (synod PJC). By agreement with the parties, this commission heard the cases in a single consolidated hearing.

This commission finds that it has jurisdiction, that appellant has standing to appeal, that the appeal was properly and timely filed, and that the appeal is in order.

**a. History**

In November, 1992, this commission heard an appeal by Mr. Hoover against a decision of the Permanent Judicial Commission of the Synod of Mid-Atlantic. The history of that case may be found in the General Assembly *Minutes*, 1993, Part I, pp. 160-62. A key provision of the order from this commission stated:

*"This decision concludes consideration of these issues. The Permanent Judicial Commissions of the Presbytery of Charlotte and the Synod of Mid-Atlantic are*

*advised to dismiss any remedial case filed by Mr. Hoover in relation to events which took place earlier than March 20, 1992."*

At about this time, Mr. Hoover began to make charges against a member of his presbytery, and also to request vindication from unspecified rumors.

On May 27, 1992, Mr. Hoover filed a complaint with the synod PJC, citing certain alleged irregularities in previous judicial actions, requesting a retrial of the previous case which had been appealed to this commission as General Assembly Remedial Case 205-2 (see above), and also requesting the synod PJC to direct the Presbytery of Charlotte to form a special disciplinary committee to act either on Mr. Hoover's request for vindication or on his charges against a member of Presbytery. (It is not clear which is intended.) The synod PJC received this complaint as its Remedial Case 92-1.

On December 7, 1992, Mr. Hoover filed a self-styled original judicial paper with the synod, alleging errors in this commission's handling of General Assembly Remedial Case 205-2, and complaining of various matters having to do with his requests for the creation of special disciplinary committees by the presbytery. The actions requested in this document are unclear. The synod PJC received this complaint as its Disciplinary Case 92-2, considering it to be related to Mr. Hoover's charges against a member of the presbytery. It should be noted that although Mr. Hoover claimed that his complaint was disciplinary, it was, in fact, remedial involving an alleged delinquency, rather than an offense. The synod PJC styled the case a disciplinary case at Mr. Hoover's insistence.

On March 1, 1993, Mr. Hoover filed a self-styled formal complaint with the synod, citing certain alleged errors in the handling of his correspondence and other matters by the presbytery and its stated clerk, as well as renewing his request for the appointment of special disciplinary committees. The actions requested were to hear the previous complaints, as well as to retry General Assembly Remedial Case 205-2. The synod PJC received this as its Remedial Case 93-1.

On March 21, 1993, this commission, in response to various communications from Mr. Hoover, ordered the Presbytery of Charlotte to take seriously Mr. Hoover's charges against a member of presbytery and his request for vindication. In each instance, a special disciplinary committee was to be constituted, with certain conditions and stipulations imposed (*Minutes*, 1993, Part I, p. 177).

On May 18, 1993, the Presbytery of Charlotte appointed a special disciplinary committee to investigate charges by Mr. Hoover against a member of the presbytery. At the same meeting, another special disciplinary committee was appointed to act on Mr. Hoover's request for vindication.

On June 3, 1993, the Permanent Judicial Commission of the Synod of Mid-Atlantic met for a pretrial hearing on the three cases. Neither Mr. Hoover nor his counsel, although invited, were present. The Presbytery of Charlotte had not yet appointed a committee of counsel for the three cases, and was represented by a member of the presbytery council.

On its Remedial Case 92-1, the synod PJC issued a final order dismissing the complaint. It cited the order of the General Assembly PJC that the matters involved in the case were to be considered closed. It also noted that the Presbytery of Charlotte had appointed the special disciplinary committees, so that matter was moot. Mr. Hoover has appealed the final order in General Assembly PJC Case 206-9.

On its Disciplinary Case 92-2, the synod PJC issued a final order dismissing the complaint. Since a special disciplinary committee had been appointed regarding Mr. Hoover's charges against a member of presbytery, the matter was moot. Mr. Hoover has appealed the final order in General Assembly PJC Case 206-10.

In its Remedial Case 93-1, the synod PJC noted that it was considering the complaints, that it again refused to retry a previous case, that the special disciplinary committee matter was now moot, and that it was dismissing the complaint in a final order. Mr. Hoover has appealed the final order in General Assembly PJC Case 206-11.

In its orders, the synod PJC further ordered that the Presbytery of Charlotte will comply in the future with the provisions relating to special disciplinary committees and to committees of counsel. With regard to Mr. Hoover, the synod order has been complied with in full.

Mr. Hoover did not request trials on the matters involved in the pretrial hearings. There were no trials on the cases.

#### **b. Decision**

In his briefs, Mr. Hoover has cited no specific errors of the synod. Mr. Hoover's failure to comply with the *Book of Order* requirements for appeals, therefore, forced this commission to make an independent review of the record in these consolidated cases. This record does not reveal that the synod permanent judicial commission committed any error whatsoever in their decisions to dismiss these cases.

Therefore, the decisions of the Synod of Mid-Atlantic are sustained.

#### **c. Additional Matters**

Review of the matters advanced by Mr. Hoover for more than a decade show that a single judicial matter is at the heart of all of his allegations and claims.

Mr. Hoover has filed numerous cases, petitions, and miscellaneous papers before presbyteries, synods, and the General Assembly. Cases reported from the General Assembly Permanent Judicial Commission from the last decade alone include:

*Hoover v. Presbytery of Grafton, Minutes*, 1983, Part I, p. 127.

*Hoover v. Presbytery of Mecklenburg, Minutes*, 1986, Part I, p. 155.

*Hoover v. Presbytery of Catawba, Minutes*, 1988, Part I, p. 116.

*Hoover v. Presbytery of "E," Minutes*, 1989, Part I, p. 111.

*Hoover v. Synod of the Piedmont, Minutes*, 1989, Part I, pp. 110-111.

*In the matter of Hoover, Minutes*, 1991, Part I, p. 188.

*In the matter of Hoover, Minutes*, 1992, Part I, p. 180.

*Hoover vs. Presbytery of Charlotte, Minutes*, 1993, Part I, p. 160.

*In the matter of Hoover, Minutes*, 1993, Part I, p. 176.

Additionally, the record of litigation from Mr. Hoover, as summarized above, reveals a pattern amounting to scandalous abuse of our procedures and process:

(1) Mr. Hoover's present consolidated cases all arise out of or pertain to final decisions rendered by this commission;

(2) Mr. Hoover has filed a barrage of overlapping complaints and petitions;

(3) Mr. Hoover has accused individuals in the judicial system of bad faith simply because he did not get his own way, and has threatened them with civil suit for merely fulfilling their responsibilities under the *Book of Order*;

(4) Mr. Hoover has attempted to have lower judicial bodies review and overrule the decisions of higher bodies, for which there is absolutely no warrant in the Rules of Discipline;

(5) Mr. Hoover has failed to respond to specific requests and directives of this and other permanent judicial commissions;

(6) Mr. Hoover's litigation tactics have resulted in a tragic waste of thousands of dollars and hundreds of hours of professional and volunteer time.

Given this record, in civil (nonchurch) law, such a litigant would be sanctioned and forever barred from further judicial process. The Rules of Discipline, however, do not permit the courts of the church to take such drastic measures.

This commission must insure and protect the finality of earlier decisions rendered by it and other judicial commissions. Further, it must prevent confusion about and disregard of the decisions rendered by this and other commissions. However, to insure that Mr. Hoover's legitimate rights under the *Book of Order* are preserved, it is necessary to determine when genuinely new judicial matters have arisen.

To accommodate these goals, the mechanism fashioned by this commission in the order below is extraordinary and is intended by this commission to apply solely to Mr. Hoover because of our objective review of his record of abusive litigation.

#### **d. Order**

Therefore, be it ordered that the decisions of the Permanent Judicial Commission of the Synod of Mid-Atlantic in cases 206-9, 206-10, and 206-11 be affirmed.

And be it further ordered that Mr. Hoover direct all judicial filings subsequent to February 7, 1994, exclusively to the Stated Clerk of the General Assembly for appropriate action by this Permanent Judicial Commission.

And be it further ordered that the stated clerks of Mr. Hoover's presbytery and synod direct all judicial filings, subsequent to February 7, 1994, submitted by Mr. Hoover to the Stated Clerk of the General Assembly for appropriate action by this Permanent Judicial Commission.

And be it further ordered that this decision be communicated to Mr. Hoover, and to the stated clerks of Mr. Hoover's presbytery and synod.

And be it further ordered that the stated clerk of the Presbytery of Charlotte report this decision to the presbytery at its first meeting after receipt, that the presbytery enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly (*Book of Order*, D-8.1900).

And be it further ordered that the stated clerk of the Synod of Mid-Atlantic report this decision to the synod at its first meeting after receipt, that the synod enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly (*Book of Order*, D-8.1900).

The untimely death of Harold Densmore, member of the commission on October 24, 1993, precluded his participation in the proceedings.