

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

John F. VELDHUIZEN
Complainant

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)
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v.

REMEDIAL CASE 210-6

Presbytery of SAN FRANCISCO
Respondent

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This remedial case has come before this Commission upon reference from the Synod of the Pacific.

On July 26, 1997, the Synod of the Pacific requested that this Commission accept on reference the matter of John F. Veldhuizen v. Presbytery of San Francisco. This Commission accepted jurisdiction of this case on September 20, 1997.

Subsequently, the Moderator and the Clerk examined the documents and found that the complaint failed to state a claim upon which relief could be granted (D-6.0307d). The Complainant was offered the opportunity to request a hearing on the jurisdictional questions.

On January 17, 1998, a jurisdictional hearing was held in Phoenix, Arizona (as required by D-6.0308b) to allow the parties to respond to jurisdictional questions.

Mr. Veldhuizen complained against the Presbytery when it disseminated and recorded in its minutes, a protest of the February 9, 1997, decision rendered by this Commission in the consolidated case of Veldhuizen-Yoshioka (Remedial Cases 209-2 and 209-3, *Minutes*, Part I, 1997, pp. 134-136). In that case, this Commission reversed a Synod Permanent Judicial Commission decision and ordered that the Presbytery transfer Mr. Veldhuizen from the inactive

to the active roll and recognize his Honorably Retired status. The protest was found in order (G-9.0306).

Based upon the record submitted and arguments offered in the jurisdictional hearing, the recommendation of the preliminary order was affirmed. Whereupon, on February 3, 1998, Mr. Veldhuizen requested an additional hearing before the full Commission to further present evidence and argue the findings in question.

This Commission denied the request for a second hearing and ordered that the Complaint be dismissed.

Additional Matters

Since 1991, seven cases have come before this Commission regarding Veldhuizen and the Presbytery of San Francisco. Review of the matters advanced by Veldhuizen shows that a single judicial matter is at the heart of his claims.

Veldhuizen's repeated efforts to seek resolution of his conflicts with the Presbytery of San Francisco have resulted in thousands of dollars and hundreds of hours of professional and volunteer time being spent.

To ensure that Mr. Veldhuizen's legitimate rights under the *Book of Order* are preserved, and to limit further financial and human costs, this Commission has determined that it shall assume jurisdiction for all future cases filed by Veldhuizen against the Presbytery of San Francisco.

Order

IT IS THEREFORE ORDERED that the request for a second hearing be denied, and that the Complaint, dated June 3, 1997, of John F. Veldhuizen v. the Presbytery of San Francisco, be dismissed for failure to state a claim upon which relief can be granted.

IT IS FURTHER ORDERED that Veldhuizen direct all judicial filings subsequent to February 15, 1998, exclusively to the Stated Clerk of the General Assembly for appropriate action by this Permanent Judicial Commission.

IT IS FURTHER ORDERED that the Stated Clerks of Veldhuizen's presbytery and synod direct all judicial filings, subsequent to February 15, 1998, submitted by Veldhuizen or by his Presbytery concerning him, to the Stated Clerk of the General Assembly for appropriate action by this Permanent Judicial Commission.

IT IS FURTHER ORDERED that this decision be communicated to Veldhuizen, and to the Stated Clerks of Veldhuizen's presbytery and synod.

IT IS FURTHER ORDERED that the Stated Clerk of the Presbytery of San Francisco 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 (D-7.0701).

And IT IS FURTHER ORDERED that the Stated Clerk of the Synod of the Pacific 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 (D-7.0701).

Patricia Norris and Ferdinand Pharr, members of the Commission, were not present for the meeting of the Commission and, accordingly, took no part in the deliberations or decision of the case. Ruby Rodriguez, member of the Commission, took part in the deliberations, but did not

vote on the decision. Stephen Taber, member of the Commission from the Presbytery of San Francisco, took no part in the deliberations or decision of the case (D-5.0205).

Dated this 15th day of February, 1998.