

SUMMARY STATEMENT

Van Hook v. State

Docket No. 48601

On September 20, 2017, the administrative district judge of Idaho's Third Judicial District entered an order declaring Ronald Van Hook a "vexatious litigant" pursuant to Idaho Court Administrative Rule 59. The order required Van Hook to seek court permission prior to filing any new litigation, unless he was represented by a lawyer. Van Hook appealed to this Court, which affirmed his designation as a vexatious litigant. *In Re: Prefiling Order Declaring Vexatious Litigant, Pursuant to I.C.A.R. 59*, 164 Idaho 586, 434 P.3d 190 (2019).

On January 21, 2021, Van Hook filed a "Request for Leave to File Habeas Corpus and Juvenile Post-Conviction Relief," on behalf of his minor son, G.V.H., with the district court of the Third Judicial District. The district court denied Van Hook's request on January 26, 2021, determining that 1) Van Hook, as a non-lawyer, could not engage in the unauthorized practice of law by representing his son in a civil court proceeding; 2) the petition for writ of habeas corpus was without merit; and 3) that Van Hook was attempting to re-litigate prior court decisions that had been finally decided against him. Van Hook timely appealed.

The Idaho Supreme Court affirmed the district court's decision and concluded that Van Hook, as a non-attorney, was not able to engage in the unauthorized practice of law to file a petition for post-conviction relief on behalf of his minor son. The Court also held that the district court correctly determined the petition for a writ of habeas corpus was without merit and that the purpose behind the litigation was harassment or delay. Finally, the Court concluded that Van Hook's due process rights were not violated.

******This summary constitutes no part of the Court's opinion. It has been prepared by court staff for the convenience of the public.******