

HOPPE v. HOPPE was a 1965 Ohio appellate court decision. Famous WatchTower attorney Victor F. Schmidt represented the defendant Wendell N. Hoppes.

In 1963, Lola B. Hoppes filed a divorce action against her husband, Wendell N. Hoppes, alleging that his constant preaching and obsession with his new Jehovah's Witnesses religion constituted "extreme cruelty", and that such had resulted in the marital bonds being broken. After hearings in October and November 1963, the trial court granted the divorce on grounds of "extreme cruelty" in January 1964. Custody of the couple's four children was granted to Lola Hoppes, with Wendell Hoppes receiving rights of visitation. The trial court's decision was affirmed by the Ohio Court of Appeals in February 1965.

Wendell and Lola Hoppes lived on a 525 acre farm in Fayette County, Ohio. They had four children. The family had a good relationship with relatives on both sides of the family. However, at some point, Wendell Hoppes became interested in the Jehovah's Witnesses, and subsequently became an obsessed member of such. At trial, Wendell Hoppes not only was represented by one of the WatchTower Society's more prominent attorneys, Victor Schmidt, but Anthony Belegante, a Circuit Servant (District Sales Manager) of the WatchTower Society also testified in Hoppes' behalf.

Interestingly, at trial, Wendell Hoppes' own father, brother, and sister provided much of the testimony which substantiated Lola Hoppes' allegations.

S.W. Hoppes, father of the defendant, testified that when his son and Lola Hoppes were separated, the son, for a short time, made his home with his father, but that the father ordered his son from his home, because Wendell talked constantly about Jehovah's Witnesses beliefs, and the father did not want his home to be "Jehovah's Witnesses Headquarters". The father also testified that Lola once came to his home crying, and stayed there all one day, because of the trouble in their home.

Wilbur Hoppes testified that his brother, Wendell, was engrossed in the Jehovah's Witnesses to the extent that it

was "number one before family or anything else". Wilbur stated that his brother offered WatchTower literature to him, but he refused to accept such. Wilbur also testified that Lola was "a little edgy" the last few months.

Mrs. Winifred Dellinger, Wendell's sister, testified that Wendell had talked to her three or four times about Jehovah's Witnesses in the past ten months or so, and that he would be reading WatchTower literature when she visited in his home. She testified that when she and her husband told Wendell that they would not accept his religion that Wendell had become aggravated about it a couple of times. She also testified that Lola was was unhappy, nervous, and upset.

Lola Hoppes' sister, Julia Wilson, testified that when she and her husband visited the Hoppes in their home, the defendant would lecture and read to them Jehovah's Witnesses materials. When Wendell and Lola came to visit them in their home at Columbus, that she told him to leave and not come back, "if that's all he could talk about", and that he left and had not come back since. Even on the telephone, long distance, Wendell started preaching to her. As a consequence, her sister was sad, upset and on occasion would cry because her husband would lecture to her all the time. On some of the Wednesday nights that Wendell would spend studying with a Jehovah's Witnesses preacher in their home, Lola would go to her sister's home in Columbus to get away from them.

Lola Hoppes testified that:

1. That the defendant tried to force his religion on plaintiff and the children. That the defendant spent "all his spare time" in the home reading Jehovah's Witnesses' literature and lecturing to the plaintiff and their children as to its merits. That even when she asked her husband to refrain from reading and lecturing to the plaintiff he would continue anyway.

2. That the children would have to go to their rooms because they couldn't concentrate upon their school studies while defendant would read and lecture to them and their mother. That the husband's teaching to the children

Jehovah's Witnesses' beliefs regarding not voting and not saluting the flag created dissention between him and his wife.

3. That defendant, many times, called plaintiff, and anyone not a member of his church, hypocrites. That the defendant would leave company who were visiting in the home to attend his church meetings. That his actions brought about by his beliefs affected their social life so that their friends and family didn't "come around very often."

4. That because of the persistence of the actions of her husband she became very nervous and upset and she maintained that it "made her life unbearable" and that "he ceased to be a companion" to her.

5. That the defendant told the plaintiff if he could come back he would give her and the children one night a week or one Sunday a month, otherwise the rest of his spare time was to be used in the work of Jehovah's Witnesses.

Even Anthony Belegante, a witness for the defendant and a Special Representative of the Watchtower Society, Circuit Servant, when questioned as to how far a mate should go in trying to win his spouse to his belief in Jehovah's Witnesses, testified that by continually talking to people who were vehemently opposed to their beliefs, they eventually "wear them down to the point where they would appreciate the things that were being spoken of."

In granting Lola Hoppes petition for divorce, on the ground of "extreme cruelty", the court stated, in part:

"... the court thus finds sufficient evidence to substantiate plaintiff's grounds for extreme cruelty and hereby grants to the plaintiff a divorce.

... ..

"... it appears to this court from a careful analysis of the testimony elicited from the witnesses testifying in this case that even though the defendant's motives may have been good, nevertheless if his conduct destroys 'the legitimate

ends and objects of matrimony', then his actions have constituted extreme cruelty.

...

"The court further finds, that because of the tender age of the children and because there is no testimony to controvert the fact that the plaintiff is a fit, proper and suitable person to have custody and control of the said children, that the plaintiff is therefore awarded exclusive custody and control of the children of said parties until further order of the court.

"The court also feels that there should be reasonable visitation rights on the part of the defendant to see his children at such times as are mutually agreed between the parties."