

# Charges dismissed against Missouri institutions

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**By Vicki Brown**

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JEFFERSON CITY, MO. (ABP)—A Missouri judge dismissed conspiracy charges June 27 filed by the Missouri Baptist Convention against four Baptist entities, but the convention may appeal the ruling.

Cole County Circuit Court Judge Thomas Brown dismissed conspiracy counts against the Baptist Home, Word & Way, the Missouri Baptist Foundation and Windermere Baptist Conference Center.

The judge dismissed the same counts against Missouri Baptist University on June 12.

The conspiracy charges are part of legal action the convention filed against the five entities in 2002. The convention filed the lawsuit in an attempt to require each agency to rescind changes each made to its corporate charter to elect its own trustees. In the past, messengers to Missouri Baptist Convention annual meetings elected each institution's board members.

Convention lawyer Michael Whitehead argued that university president Alton Lacey influenced the other agencies' chief operating officers. The

charter changes were “interlocked,” Whitehead said. “Trustees for each entity “voted with the knowledge of what the others were doing.”

Judge Brown responded that the entity heads and trustee chairpersons “did not constitute a majority of any board.”

Whitehead pointed out that three institutions are utilizing the same law firm to represent them in the case and that all five entities have listed concerns about liability as a reason to elect their own trustees.

“It shows they were cooperating together. ... It will show a pattern,” Whitehead argued.

In its lawsuit, the convention charges all five institutions with breach of contract. Judge Brown ruled the convention’s legal action does not adequately identify a contract between the convention and the four entities.

The judge ruled the convention must specify which provisions of the Missouri Baptist Convention’s governing documents and the covenants the institutions allegedly have breached. He granted attorneys two weeks in which to file the new document. Restated conspiracy charges could be included in the new petition.

*Vicki Brown is associate editor of the Word & Way.*

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