

Durham Baptist ministers try to join legal battle over gay marriage

THE ASSOCIATED PRESS

DURHAM — Two Baptist ministers want to be named defendants in a gay couple's lawsuit against Durham County for denying them a marriage license.

A Christian legal group filed a motion to allow the ministers to intervene in the civil lawsuit filed March 22 by Richard Mullinax, 36, and Perry Pike, 41. The couple filed their lawsuit after Durham County Register of Deeds Willie Covington rejected their marriage license application.

Rev. Ernest Ferrell of Edgewood Baptist Church and the Rev. Gregory Clark of Guess Road Baptist Church, both in Durham, would be directly affected by the lawsuit because marriages are made official by the religious leaders, said Michael Schmidt of the Patrick Henry Justice Center, a Christian legal foundation in Laurinburg.

Schmidt said the ministers want "to uphold the traditional meaning of marriage."

An attorney for Mullinax and Pike said she doesn't believe the ministers should be allowed to intervene because the outcome of the case won't directly affect their interests.

"Ministers aren't obligated to marry anyone," said Cheri Patrick, a Durham lawyer.

Schmidt said if a same-sex

couple were able to obtain a marriage license, a minister who refused to marry them would be subject to lawsuits.

"This puts them directly in the target of being the object of attack," Schmidt said.

Durham County Attorney Chuck Kitchen has filed a motion to dismiss the lawsuit, arguing that the couple's attorney had filed it in the wrong court. Kitchen said the lawsuit should have been filed in Superior Court, not District Court, because the couple is trying to compel a public official to issue them a license.

Both motions are scheduled to be heard May 10 in Durham County civil court.

The ministers say in their motion that it's "highly improbable, if not impossible" for Kitchen to adequately represent their interests or the interests of the law.

That's because Kitchen advised county commissioners during their decision to offer domestic partner benefits to gay county employees, according to the motion.

Kitchen's involvement in that decision and his relationship with the commissioners "demonstrate favoritism and bias toward acknowledgment of marriage between persons of the same gender by providing a 'first step' through Durham County's provision of 'domestic partner bene-

fits," the motion said.

Kitchen advised county leaders against granting domestic partner benefits,

citing an 1805 N.C. law against cohabitation. The county ended up approving the benefits in September.

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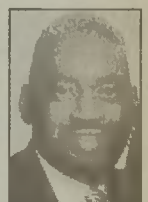
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Church School.....9:45am
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Saturday Intercessory Prayer.....8:00am
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CHURCH NEWS

Summer Day program at Chappell Memorial

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Faith Community Church will celebrate its 32nd Anniversary Friday and Saturday at 7:30 p.m. and 7:00 p.m., at 701 Howie Mine Road in Waxhaw.

May 22

The District III ushers will hold their quarterly meeting on Sat. May, 22 at 10 a.m. in the Macedonia Baptist Church at 1300 Hateras Ave., all youth ushers and youth supervisors are asked to attend.

June 14

Chappell Memorial Baptist is offering the Summer Day Program for parents in the West Charlotte area who are looking for a safe, learning environment for their children, ages 5-12. The program offers extended hours from 7 a.m. until 6 p.m. Monday-Friday. The program runs through July 31.

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