

Lawsuit Proves to Be Boon for Utah Couple Reaching Mormons

Jerald and Sandra Tanner say a 1999 legal case attracted national exposure that still benefits their ministry

A Utah couple's decision to post portions of a Mormon handbook on their ministry Web site triggered an unexpected lawsuit that attracted national attention—an action that instead of thwarting their Christian work has benefited it, they say.

The 1999 copyright-infringement suit centered on Jerald and Sandra Tanner and their Utah Lighthouse Ministry's (ULM) use of the Church Handbook of Instructions, Book 1. The manual addresses several issues of the Church of Jesus Christ of Latter-day Saints (LDS), including directions on how to officially leave the worldwide church body, headquartered in Salt Lake City.

The Tanners, both former Mormons, are regarded as premier ex-Mormon scholars. They have authored more than 40 books about Mormonism and have extensively studied Mormon history and doctrine. They founded their ministry in 1983 to provide critical research and documentation about the LDS church.

Sandra Tanner said that although both sides ultimately agreed to drop the lawsuit, it gave ULM national exposure that resulted in hundreds more people contacting the ministry through its Web site. "And it hasn't hampered anything we wanted to do or say," she said. "It was a face-saving deal for the [Mormon] church."

LDS spokesman Donald Jessee disagreed. He claims the

arrangement forced the Tanners to "cease and desist."

"The handbook is copyrighted material, not to be given out to anyone other than bishops and state presidents," he said. "It was never intended to be available to the public."

Although the Tanners had removed the portions of the LDS handbook from their Web site, they had posted some e-mails they received about the suit. As the Tanners pointed out on their site, "Two of these e-mails contained URLs, or web addresses, purporting to contain all or part of the Handbook. Note, these were never posted on our site as links."

However, the references caused the Tanners to get caught in a legal firestorm. On Dec. 6, 1999, a judge found the Tanners liable for contributing to copyright infringement. In a written statement the couple said: "The judge reasoned ... when a person merely went to one of the sites containing the Handbook, they made an illegal copy, as the text would have been temporarily copied in the computer's ... memory. By our posting Web addresses where a person might be able to find the entire Handbook, we were contributing to their copyright infringement."

This attracted national attention, with observers saying the judge's decision could dramatically change the Internet's future. The suit was settled without the Tanners admitting to any wrongdoing. They were obligated to destroy all the copies of the Handbook in their possession and not to quote more than 50 words of it in any of their newsletters.

The litigation was not the couple's first time in court. In 1983 a student conducting post-graduate research on the

history of the LDS church filed a lawsuit against them, alleging unfair competition and infringement of copyright. A ruling was handed down in the Tanners' favor after a three-year legal battle.

Another case that involved the Tanners peripherally concerned a young document dealer named Mark Hofmann, who claimed to have found sensational documents relating to the history of the Mormon church. Hofmann even brought one of his first forgeries to the Tanners for inspection.

In 1984 Hofmann claimed to have unearthed a document that could have damaged Mormonism's credibility. Ironically, Jerald Tanner had serious concerns about the document's authenticity. "Here you have two apostates from Mormonism challenging the veracity of this letter," Sandra Tanner said.

When the Mormon church began checking documents more closely, two people ended up dead. Hofmann later pleaded guilty to second-degree murder, fraud and theft by deception, and is now serving a prison term.

The Tanners both have Mormon ancestry. Jerald is the great-great-grandson of John Tanner, well-known for his sizeable financial contributions to LDS founder Joseph Smith and the Mormon church in 1835 when it was deeply in debt. Sandra Tanner is a great-great-granddaughter of Mormon leader Brigham Young.

The couple accepted Christ as young adults when they independently began researching the Mormon church. Today they are part of a Christian congregation in Salt Lake City.

Sandra Tanner says the Mormon church has felt ULM's presence through the years. She notes: "We've had great influence in forcing the Mormon church to deal more straightforwardly with their history and acknowledge that there are problems."

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